



Maine Town & City

The magazine of the Maine Municipal Association

APRIL 2022

Maine's Waste Management Hierarchy

Municipalities face hurdles on the road
from landfilling to recycling.

ALSO IN THIS ISSUE

Mr. Bennett Goes to Washington

Special Town Meetings: Six Common Questions

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Maine Town & City

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FEATURES

COMMITMENT TO PUBLIC SERVICE. With a lifetime of interest in municipal government, including nearly three decades of experience moderating annual town meetings, Woodstock town manager, Vern Maxfield enjoys playing a role in facilitating the process of local governance. In this Question-and-Answer feature, learn what drives his involvement in these historic annual meetings. **PAGE 7**

SOLID WASTE MANAGEMENT. Municipal officials across the state are implementing strategies to reduce the cost of managing solid waste. However, several hurdles face communities, including the increased production of waste during the pandemic and citizen resistance. This article explores what municipalities are doing to address this growing concern. **PAGE 9**

COMPOSTING FOOD WASTE. The Senator George J. Mitchell Center for Sustainability Solutions at the University of Maine has implemented a pilot program to incentivize residents to take food scraps out of the waste stream. A few communities in Maine have implemented the program with notable successes. Food Rescue MAINE can help municipal leaders decide if this is a viable option for their communities. **PAGE 23**

ENERGY EFFICIENCY PROGRAMS. Municipal officials from Van Buren to Guilford to Thomaston are touting the benefits of programs offered by Efficiency Maine to fund heating and fuel efficiency improvements to municipal buildings and vehicles. With \$15 million in federal funding at the ready, Efficiency Maine is looking to expand investment opportunities in rural areas of the state. **PAGE 27**

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ABOUT THE COVER: Recycled cardboard, bundled and ready for pickup at the Oakland Transfer Station. (Photo by Rebecca Lambert, Advocacy & Communications, MMA)

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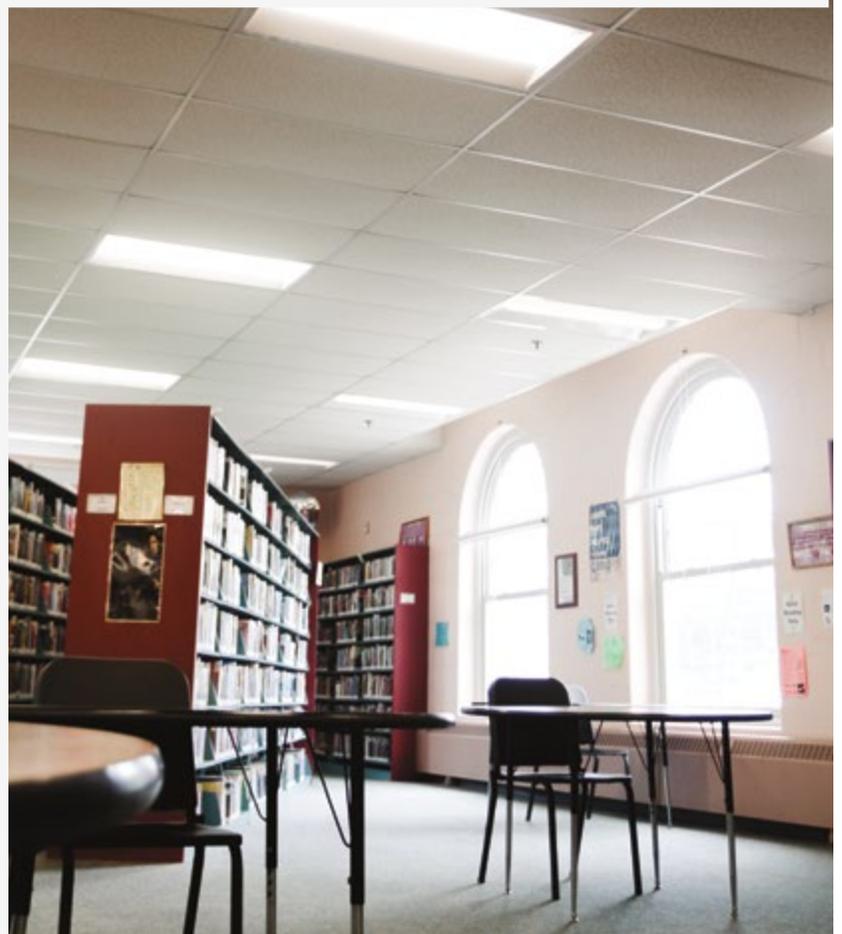
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A MESSAGE FROM MMA

BY JAMES A. BENNETT / PRESIDENT

Honoring Historic Traditions

Hometown pride is supported in many different ways. Honoring historic traditions, such as annual events, celebrations, festivals, and town meetings, is one of the ways residents gather to celebrate collective successes and set the course for their community's future.

The Maine Municipal Association (MMA), too, has its own traditions. One is the annual spring fly-in event that takes place each March and allows MMA's leadership to meet with members of the federal delegation and their staff in Washington, D.C.

The National League of Cities' (NLC) annual Congressional City Conference has for decades encouraged local leaders to convene in the nation's capital to not only learn about the issues impacting towns and cities around the country, but more importantly, to meet with the members of their respective congressional delegations. This year, I, along with Elaine Aloes, MMA Vice President and Chair of the Solon Select Board – supported by Cathy Conlow, MMA Executive Director and Kate Dufour, Director of Advocacy & Communications – continued that tradition.

Local leaders in Maine are fortunate to have a collaborative relationship with the members of its federal delegation. To that end, again this year municipal leaders from Maine communities joined MMA representatives in the meetings and conversations with Senator Collins, Senator King, Congresswoman Pingree and Congressman Golden.

Over the four decades that I have served Maine communities, I am not aware of a year when a member of the federal delegation refused to participate in the March meeting. Rather, accommodations have been made to ensure the meetings take place. Most recently, municipal officials were afforded an opportunity to gather on the steps of the capitol building, which simultaneously enabled the annual conversation and ensured Maine voices were represented during calls to cast votes.

More importantly, Maine's delegation has always participated in these meetings with the serious candor Mainers expect. I am pleased that tradition continues.

Preparation for the meeting begins months in advance. During the fall and winter, MMA's Executive Committee collaborates with staff to identify the issues

of greatest importance to feature in the Federal Issues Paper. The paper is drafted by the Association's advocacy staff, reviewed and endorsed by MMA leadership, shared with the delegation in advance of the meeting and used to guide the conversations that take place in March. As always, it was clear that each member of the delegation had knowledge of the subjects highlighted in the paper and were fully prepared to discuss the identified federal issues. A copy of this year's paper (as well as past editions) is found on MMA's website at www.memun.org.

While Maine-based advocacy efforts, led by MMA's Vice President and the 70-member Legislative Policy Committee, are well recognized by municipal leaders, it may not be as widely known that the Association has a similar presence at the federal level. You can rest assured that our federal delegation always listens and appreciates hearing from MMA, even when our members disagree with a point of view or a request.

I would be remiss if I did not once again thank Senator Collins, Senator King, Congresswoman Pingree and Congressman Golden (along with their staff) for their time and hospitality during our visit.

Appreciation is also owed to Kevin Sutherland, Bar Harbor Town Manager; Portland City Councilors April Fournier, Tae Chong, Pious Ali, Roberto Rodriguez and Interim City Manager, Danielle West; and South Portland Mayor Deqa Dhalac and Councilor Susan Henderson for taking time to participate in this event. Your contributions during the meetings were invaluable.

Looking forward to next year's visit, municipal officials are encouraged to assist Elaine Aloes, MMA's incoming president, by either contributing ideas to include in the Federal Issues Paper, volunteering to participate in the 2023 meetings, or both.

Of course, this event would not have been a success without MMA staff, including Cathy and Kate, as well as Rebecca Lambert, who had the arduous task of organizing and scheduling the meetings. MMA is in good hands.

Finally, I want to thank all of you for the privilege to be your spokesperson for this annual event. It was an honor.

Here is to a great spring and wonderful summer. May your community and personal traditions be special and full of memories that will last for generations. ■

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In his current role at Bangor Savings Bank, David is focused on both building Bank talent and diversity, equity and inclusion, as well as working to build a diverse workforce in Maine. He holds national designations including the Senior Professional in Human Resources from HRCI and the Senior Certified Professional in HR from SHRM. David has spent over 30 years in human resource leadership roles including those at Androscoggin Bank, The Hartford, and Northern Light Sebecook Valley Hospital, prior to joining Bangor Savings Bank. He is the former State Director of the Maine Society for Human Resource Management and received the distinguished Maine HR Leader of the Year award. He recently received the Unsung Business Hero award from PROPEL Portland for creating a safe and inclusive work environment for employment. David also serves on numerous boards and advisory councils - including the Thomas College Board of Trustees - and as a mentor and coach to students and professionals.

Veteran moderator says town meeting 'purest form of government'

By Liz Mockler

In Maine, spring brings more than sunshine and mud. Vern Maxfield, town manager of Woodstock in Oxford County, knows well that spring here also means annual town meetings.

Maxfield has served the western Maine town for 33 years and moderated town meetings for 26 years in at least eight towns: Greenwood, Gilead, Hebron, Newry, Norway, Paris, West Paris and Upton.

He was hired as manager in 1982 and got his first call to moderate from West Paris officials in 1994.

Maxfield will moderate town meetings through the end of June, when larger towns typically hold their meetings. In addition to the warrant, residents elect local officials by secret ballot either on a separate day or from the floor of the town meeting.

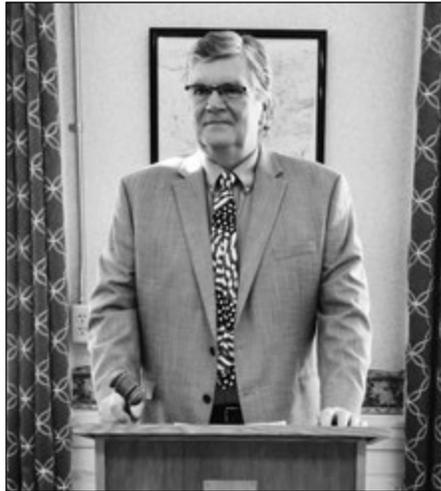
There are nearly 500 towns and cities in Maine. An estimated 200 meetings are held in March. A few more are held in April and May, and then the next big round is in June. Some municipalities wait until November for local elections, especially the cities where budgets are passed after public hearings by town and city councils.

Maxfield, a Bridgton native who grew up in Harrison, said he's always loved municipal government. As a boy, he tagged along to town meetings with his parents, who served as elected officials.

Maxfield recommends that anyone who wants to become a moderator should learn the procedures and rules outlined in the *Maine Moderator's Manual*, a resource provided by the Maine Municipal Association. Actually, traveling around and attending different town meetings would give a person a chance to watch how various moderators handle the meetings, he said.

Maxfield said his biggest lament about town meetings is low voter turnout.

Despite being asked at the height of town meeting season, Maxfield took



Vern Maxfield

time to answer a few questions for *Town & City* readers.

You have moderated town meetings in Maine towns for 26 years. What keeps you interested?

Actually, I have had a lifetime of interest in town meetings, moderating and the process of local town government. My parents were active in local government in my hometown of Harrison.

I attended town meetings with them and became very interested in how it worked. Interestingly enough, I was fascinated by the work of the moderator, especially in facilitating the discussion and keeping it on track.

I enjoy being a part of and helping to continue this very important democratic process that I believe is fundamental to our society. Town meeting is the purest form of government and I value it very highly. It is a right that voters have to plan, to discuss and to vote on their choices for local office holders, budgets, ordinances or any other item of concern to a town.

Having the honor of moderating in several towns, I like being able to watch how the different towns handle matters. I have learned a great deal through observing the different ways.

Why are town meetings important?

Town Meetings are the basis for deter-

mining the direction of a town. It's the way that people of a town can gather and decide what they want for their town and how to carry it out.

What is the best and worst aspect of moderating a Town meeting?

The best aspect of moderating a town meeting is seeing the people of the town avail themselves of their right to discuss, determine and send their decisions to the municipal officers to put into effect.

The worst aspect of moderating a town meeting is the lack of people interested in taking part in determining the direction and future of their town.

As you mentioned, town meeting attendance is often low and seems lower now than in the recent past. What are some factors that might keep residents from attending?

1. The inability to make practical changes in budgets to any great extent.
2. Fewer "big ticket" items that can make a difference in their/our lives.
3. People are seemingly disillusioned with government in general, which leads to apathy and disinterest among the voters.
4. The weather.

What is the biggest challenge for a Moderator?

The biggest challenge is making sure that the discussions flow in an appropriate and orderly manner. I do like to see the mix of generations discuss matters at hand and guide them to a conclusion. Understandably, tensions can run high and keeping order and guiding the people through those tense times can often be a challenge.

Do you have a funny story to share from a town meeting?

During the 2021 town meeting in a local Oxford County town, with three articles to go, the electricity went out in the entire area due to an unexpected snowstorm! Good 'ole Maine ingenuity prevailed; the people immediately pulled out their cell phones, turned on their flashlights and we were able to finish the meeting. ■

Liz Mockler is a freelance writer from Caribou and regular contributor to *Maine Town & City*, lizmockler@hotmail.com.



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Working Up Maine's Waste Management Hierarchy

Increased cost for recycling materials, production of more waste due to the pandemic, as well as residents' time constraints are placing hurdles on the progress being made.

By Betty Adams

Trash handling has become more expensive and complex as the state and communities seek to spare both taxpayers' wallets and the environment by encouraging more and better recycling.

Trash, better known in the industry as "municipal solid waste (MSW)," is defined by the federal Environmental Protection Agency (EPA) as "various items consumers throw away after they are used."

Nationally, according to the EPA, "per capita MSW generation increased from 4.5 pounds per person per day in 2017 to 4.9 pounds per person per day in 2018." In Maine, the Department of Environmental Protection (DEP) figures show that the amount of waste each person generates increased from 1,142 pounds annually in 2016 to 1,256 pounds in 2019.

The state's goal — set in statute — is to recycle half of the amount of waste generated each year. But so far, that rate has proved elusive. Currently, the average is 37%.

The focus is now on educating the consumers and encouraging recycling.

"In broad terms the focus for everyone involved in waste management is to find ways to manage waste further up in Maine's waste management hierarchy," said Paula Clark, director of the Division of Materials Management for the Maine DEP.



Photo submitted by ecomaine

Here is the state's hierarchy for solid waste management:

- Reduce
- Reuse
- Recycle
- Compost
- Processing (compacting) and beneficial (substituting it for raw material in manufacturing)
- Waste-to-energy
- Landfill

"The least desirable management option is landfilling," Clark said.

At the Oakland Transfer Station, for instance, a couple of signs encourage recycling, but residents might not comply.

"We have big billboards up at the tipping pad, and we talk with people all the time," said Town Manager Ella Bowman. "If they place clean cardboard on the tipping pad, we explain

to them that that's causing your taxes to go up. So, we try to educate people individually if we see something like that happening. But unfortunately, in today's society everybody's in such a hurry that they just want to dump it on the floor and get out of there and go about their business on their weekends, and to drive down to another building to unload this stuff seems to be too much of a burden for a lot of them." Bowman said transfer station workers try to separate it if there is time.

"We're producing about 39 tons of municipal solid waste every week, which is a lot because that's 5.5 tons per day for the Town of Oakland," said Bowman. "We recycle about two tons per week, so the ratios (of trash vs. recycling) are off quite a bit; I mean most everybody puts everything in a garbage bag and drops it off at the tip-

Betty Adams is a freelance writer from Augusta and regular contributor to *Maine Town & City*, adamsbetty00@gmail.com.



Lesley Jones



Ella Bowman

ping pad.

“Those who are diehard recyclers pull the cardboard and the plastics, and they bring them down to the recycling building. If more people would recycle, obviously it would change the ratio and it would be more cost effective to have the transfer station

because you actually get paid for the recyclables, whereas the trash, we have to pay to get rid of it.”

The Town of Oakland is a member of the Municipal Review Committee (MRC) which is now working to reopen a trash conversion facility in Hampden. “We support that,” said

Bowman, who has served on the MRC board. “We find that that’s an appealing way of not putting trash in the ground.”

However, the Coastal Maine Resources plant known as Fiberright closed in late May 2020, just months after opening.

Bowman blames the COVID-19 pandemic for the early closure. “They had operators that couldn’t find places to stay up here because all the motels were closed down,” she said. “We had pulp that we finally got to the point where we could sell it, and we couldn’t get it across the border to Canada, so it was just doomed.”

The MRC, which has 83 members representing 115 communities, recently submitted a bid to purchase the facility and negotiations continue.

Karen Fussell, who is president of the MRC board, said the organization handles waste disposal communities in the central and northern regions of the state. She acknowledged that the pandemic was a contributing factor but said there were others.

“Really what it came down to was that the original owners and developers of the facility were undercapitalized.” She said the permitting and construction processes took much longer than anticipated. However, all the necessary permits are now in place.

In late March, Fussell, who works as finance director for the City of Brewer, said the MRC and the trustee for



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the bond holders have agreed to go through a bid and sale process, with the plant to change hands by June 30, 2022. If no qualified bidder offers more than the \$1.5 million MRC bid, then the organization would take ownership of the facility.

“The goal with the new technology at the facility is to divert a significant part of waste from the waste stream,” Fussell said. “It pulls out recyclables and makes commodities out of the other.”

The process also removes organics – which the state says makes up 40% of the waste stream – and uses an anaerobic digestion process to create biogas. Fussell said the plant has a hookup to feed into the Bangor natural gas pipeline.

“We’re not creating energy at the site,” she explained. “We’re creating energy products. We want to get it up and running and successful. It proved itself, the process did work.”

In the interim, trash from the member communities heads either to the Penobscot Energy Recovery Company’s waste-to-energy plant in Orrington or to Crossroads Landfill in Norridgewock, in a roughly 75-25 split, depending on location.

Bowman continues to support the Fiberight process. “For the Town of Oakland, it means that we’re going to guarantee a way of getting rid of that 5.5 tons of trash every day in a more environmentally friendly way and, and I think that that’s the direction that we have to go.”

The pandemic had another effect as well, as noted in Bowman’s submission in the town’s 2020 annual report “Pandemic Edition.”

“Our Transfer Station became increasingly busy. More of our residents cooked at home and therefore generated much more household trash.

Construction and brush debris tripled in volume. Our citizens had more disposable income due to not eating out and spending money on traveling. They worked on household projects and generated more trash and debris than we have seen in recent memory.”

Bowman noted that the population in Maine is increasing as is the population in Oakland, which hovers around 6,500 residents. “We just built 22 new

homes last year; those 22 new homes are going to contribute to the trash problem that we have,” she said.

The current budget to operate the Oakland transfer station is \$551,322; of that \$251,632 is personnel costs and the rest operational. Recycling efforts include electronics, clothing, light-bulbs and paint. With the Fiberight plant closed, trash is trucked to Crossroads Landfill in Norridgewock.

CORRECTION

In the March 2022 issue of *Maine Town & City* magazine, the photo on page 23 showed Randy Jackson of Millinocket. It was captioned incorrectly.



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Bowman offered a suggestion for other communities: “I really am a firm believer that if you’re not involved with a trash-to-energy program such as PERC or Fiberight or ecomaine, that you need to get involved in those programs. It’s going to happen, whether we want it to or not. I know that it’s probably a more costly way of getting rid of your trash or dealing with it, but going into the ground is a finite subject. You’ve got a mountain up in Hampden; Augusta is going to have a mountain, and when that fills up, what are they going to do?”

Lesley Jones ran the Hatch Hill Landfill for 33 years before being named public works director for the

City of Augusta two years ago. She said the recycling rate for the landfill is “not very high. We’ve lost a lot of our recycling markets. The asphalt shingle market became cost prohibitive. The demo wood waste market lost markets.”

Both she and Clark too referenced the disruption to the recyclables market in the wake of China’s 2018 ban on importing them. “For a variety of reasons 2018 was a particularly challenging year in terms of recycling.” Clark said, adding that she is anxious to see Maine’s recycling numbers in the next report. “I think they will be somewhat different.”

There are additional considerations

to recycling as well.

“Processing materials to meet the specs of the end user and transporting to the end user adds a significant cost,” Jones said. “If you’ve got a pile of wood debris at Hatch Hill, you’re going to bring in a big huge grinder to grind it up, so that’s a machine, it’s energy, it’s people.”

While the expected life of the Hatch Hill Landfill is five more years, the city has begun the process of seeking approval for a vertical expansion and in March sought a pre-application meeting with the DEP. The move would increase the lifespan by another 12-15 years, according to an engineering assessment.

The volume coming to the Augusta landfill also increased a little during the pandemic. “We are a little cheaper than some of the other outlets in Maine,” Jones said, “so I think we’re probably getting a little overflow waste. We’re going to try and control that by doing a tipping fee increase.” She said it comes down to trucking costs and costs to the end user, and gave an example: “Say there was a facility in Winthrop and they were charging \$100 a ton and we’re charging \$75, and I’m in Winthrop. I may

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go to Winthrop and pay the higher tipping fee because by the time I spend the hour to go to Hatch Hill, that's added to my \$75. So, it's a balancing act."

Over her tenure in running the landfill she has seen changes that add to the waste stream.

"One thing that's hurt is cheap consumerism," she said. "People can go and buy stuff cheap. Back in the day you would have your air conditioner or your television and you'd go get it fixed. Now everything's disposable. You don't fix your air conditioner anymore. You (can) buy one for \$99 and you go get another one, so your old one goes to Hatch Hill."

In Portland, ecomaine, which operates a waste-to-energy plant, counts about a third of the state's municipalities among its members, which Matt Grondin, ecomaine's communications manager, says translates to about 450,000 people.

Combusting the trash reduces it to about 10% of volume, he said, and the ash remainder goes to ecomaine's own landfill. "We are fortunate to have one 2.5 miles down the road,"

Grondin said. "It keeps our carbon footprint down to have it close by."

Grondin said ecomaine's education and outreach program has three

full-time staff members at various locations in the state "to help residents at the very point of generation make the right decision." He added, "By prop-

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erly recycling, we're keeping costs down and we're keeping material that is recoverable out of landfills, which has a huge financial implication."

The state also is initiating new stewardship programs as a result of a new

state law. "This law shifts the cost of managing packaging waste from municipalities and citizens to producers of the products we buy," the DEP's website says. "It places a fee on producers based on their packaging

choices."

Grondin said ecomaine is supportive of the new programs which could reduce the amount going into landfills.

He used laundry pods as an example, noting that the flexible plastic containers cannot be recycled at present. "If laundry detergent manufacturers returned to using a No. 1 or No. 5 plastic bottle, it would immediately make such a shift in the waste stream. Flexible plastic packaging is a tough thing for anyone to recycle."

Grondin gave a checklist for those wondering if items are recyclable: "When we're looking at plastics, it has to be bigger than the palm of your hand – about 2 inches square. It has to be rigid or hard plastic, not a bag or bubble wrap or film. And it has to be a container with No. 1 through No. 7. If it misses any of those marks, throw it in the trash or use specialty recycling."

The Maine DEP is also working to implement a food recovery hierarchy. "There is an enormous amount of food waste that goes into landfills that we are attempting to divert in other directions," Clark said. The hierarchy

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there is “reduce unwanted food, feed hungry people, feed animals, compost or convert to fuel, and dispose,” in that order.

Oakland has an area for food waste at the transfer station. “We compost the leaves along with the food waste,” Bowman said. “We rotate it and in the spring people come up and grab it for their gardens.”

While Augusta’s Hatch Hill Landfill has yet to have a food waste program, Jones said ScrapDogs Community Compost, which operates in the midcoast, has indicated it would like to expand to the capital region. ■

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HERE IS A LIST OF MAINE’S THREE LARGEST LANDFILLS (BY VOLUME):

The January 2021 state report shows the state-owned **Juniper Ridge Landfill** in Old Town as receiving 818,457 tons of municipal solid waste in 2019. The landfill is operated by New England Waste Services of Maine, LLC, a subsidiary of Casella Waste Systems. In January 2022, the facility received almost 57,000 tons of wastes/other materials.

The same report shows that in 2019, **Crossroads Landfill** in Norridgewock, operated by Waste Management Disposal of Maine Inc., took in 545,603 tons of municipal solid waste. Crossroads Landfill received DEP approval in May 2021 to expand, a move that would extend the life of the facility for an estimated 15 to 17 years. However, that department approval was promptly appealed by the Conservation Law Foundation. The Board of Environmental Protection voted in January 2022 to uphold the department approval.

Hatch Hill Landfill, operated by the City of Augusta, takes in waste from Augusta, Chelsea, Farmingdale, Gardiner, Hallowell, Manchester, Pittston, Randolph and Whitefield. Figures from the city’s 2021 annual report show that 1,127 tons were recycled, with about 378 tons of that being compost and wood chips going to residents and 356 tons in scrap metal; 52,413 tons turned into landfill (including 9,228 tons of auto shredder residue) leaving the recycling rate at Hatch Hill at 2.6%. Budgeted revenues for FY 2022 are \$3.77 million with expenses budgeted at \$3.52 million. (The overage is used for unanticipated expenses and landfill closure costs.)

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MMA INSIDER.

Q. How do you make the State and Federal Relations Department more exceptional? **A.** You add the Communications staff and a member of the Executive Department into the mix.

By **Kate Dufour / Director** / Advocacy & Communications / Maine Municipal Association

On Feb. 7, 2022, MMA's lobbying and member information functions were merged into the newly created Advocacy & Communications Department. The decision to merge the two programs came at a time when the Executive Committee was discussing how best to provide the educational and training services municipal officials so desperately need. Facing unprecedented shortages of municipal employees and a lack of training opportunities, MMA's leadership contracted with BerryDunn, an accounting and consulting firm, to conduct a training gap analysis.

The results showed that a new approach is necessary to provide more in-depth educational and training opportunities to current employees, and to develop the next generation of public officials. As concluded in the BerryDunn report, a successful approach requires the creation of partnerships with affiliate groups, trade organizations and the university system, which not only have the resources to develop a curriculum tailored to training municipal employees with differing levels of experience, but also have the infrastructure in place to deliver services and programs in all areas of the state.

Although originally the idea was to separate the functions of communications from that of educational services, thereby creating two independent departments, another solution emerged. Since much of the Association's advocacy work is steeped in MMA's communications efforts, it was a natural and easily implemented solution to combine the work of the two departments.

In addition to continuing the provision of advocacy services and production of many of the Association's traditional publications, the department will advance a twenty-first century twist on all communication efforts. This includes a complete redesign of MMA's website and increased use of social media programs, such as Facebook and Twitter, to provide members real-time updates on legislative issues. A redesign of the Maine Town and City magazine is also in the works, as is the use of podcasts to further explore municipal issues and gain perspectives from the individuals called to public service.

While the department is new, the eight-member

team has 99 years of experience under its collective belt. The mix of talent among staff members allows for the exploration of new and more modern approaches for communicating with and advocating for our members, while preserving historic knowledge and experience.

On behalf of the Advocacy & Communications team, I want to thank municipal officials for their continued support. We look forward to serving the membership - in more innovative ways - for years to come.

Meet the New Advocacy & Communications Team



Sue Bourdon, Graphic Design/Marketing Coordinator. Sue has a passion for fonts and color; she loves to design! She joined MMA in 2019 and knew immediately she fit in. Sue has a degree in graphic art and printing, as well as 15 years of

experience as a self-employed freelance designer. Self-employment has taught Sue the importance of communications not only with members, advertisers, and exhibitors, but also with the new team. On days off she is finding creative projects outside. Sue has also discovered a new hobby of refinishing furniture which she finds very relaxing, most of the time.



Kate Dufour, Director. Kate joined MMA in 1995 after graduating from the University of Maine with a master's degree in public administration and has not looked back since. During nearly three decades of service, Kate has served as a

research assistant, legislative advocate, senior advocate, and department director. The merger of the two departments allows her to step back from some advocacy responsibilities to invest more time on the Association's publications, website, and social media endeavors. Local government service runs deep in her veins, as Kate serves on the Hallowell City Council. True to form, this avid Lego fan is currently building a brick city.



Laura Ellis, Advocacy Associate.

Laura joined the organization in June of 1997, first hired to work in the Training and Affiliate and Central Services Departments before joining the State and Federal Relations Department in January of 2001. Her

most valued role in life is as a "caretaker," which combined with her passion for municipal government, has made her well suited for the position she has held for over 20 years. Among other duties, she manages the election and membership for MMA's Legislative Policy Committee, helps the advocates with their schedules, edits, reads legislation to determine if it impacts municipal government and in general makes sure everyone has everything they need. In her down time, she loves to be out in nature; be it gardening, in the woods or mountains four-wheeling or snowmobiling, or just relaxing by the fire pit.



Neal Goldberg, Legislative Advocate.

A pandemic-era hire, Neal joined MMA in the fall of 2020. He commenced his career as a legislative analyst and was recently promoted to legislative advocate, in recognition of his contributions to

MMA's advocacy work. Neal covers issues related to energy and utilities, environment and natural resources, and education. He also manages the annual Municipal Fiscal Survey and provides ongoing support to members navigating the American Rescue Plan Act (ARPA). In his free time, you can find Neal hiking the Whites, fiddling with bonsai plants, or spinning cotton candy at Camp Wigwam.



Rebecca Graham, Legislative Advocate.

Rebecca began as a member of the State and Federal Relations (SFR) team in October 2017 during the worst windstorm ever recorded in Maine. Navigating fallen trees, closed roads, and the re-

sponding public safety professionals to make it to her first day, SFR thought that might be a good start of the list of committees for her to cover. A graduate of both the University of Southern Maine and Ulster University in Belfast Northern Ireland, Rebecca also has a long history in municipal employment and currently serves her town of Edgecomb as election clerk, ordinance committee chair and planning board member. She also takes her municipal work on the global road in her down time and can often be found in countries ending in "stan" or beginning with "republic of" evaluating their administration of elections for the Organization for Security and Cooperation in Europe (OSCE). Rebecca is in love with all things Irish, British motorbikes, and old stuff.



Rebecca "Becky" Lambert, Municipal Issues Specialist.

Becky joined MMA in 2018 as the Executive Office's administrative assistant. The merger of the advocacy and communications functions led to the creation of a new position, Municipal

Issues Specialist, to bridge gaps identified between the two departments. Becky, who holds a B.S. in public administration in addition to being a self-proclaimed "jack-of-all-trades," happily filled the multifaceted role and is looking forward to working with the team to further enhance MMA's advocacy and communication efforts. In her spare time, she enjoys tapping into her creative side with gardening, painting, and other crafts, as well as serving her community in elected, appointed and volunteer capacities. Becky is an adept baker and likes to share the sweet treats with those around her.



Ben Thomas, Website/Social Media Editor.

Ben Thomas has a background in website management, visual design and web development and has worked as MMA's Website and Social Media editor since 2013. Ben enjoys hiking and backpacking

on the weekends and is currently working on climbing all the 4,000+ foot mountains in the Northeast USA (as long as his knees allow). Ben lives in Westbrook with his wife Alexandra, three children and their dog Willie.



Carol Weigelt, Web Publishing Technician.

If you need MMA or affiliate web access, meet your guru! Carol provides member services for MMA and affiliate groups-website access and municipal resources; updates materials on MMA (and affiliate) websites; is project manager for Salary Survey; and oversees MMA's web advertising communications and billing. Carol holds a B.A. in English and has been with MMA for 24 years. She loves the technical aspect of the English language and has a passion for fitness and music.

ABOUT THIS SERIES:

The MMA Insider is a special series focused on improving communications with our members and shedding light on the internal workings of the Association. Future editions of the Maine Town & City magazine will include articles written by MMA employees featuring the services provided to our members.



The Maine Chapter
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The Twenty Ninth Annual
Highway Congress
SKOWHEGAN FAIR GROUNDS
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The Lions will serve breakfast from 7:00 – 9:00 a.m.



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Brochure and registration forms will be sent out in mid-April. Registration Deadline is May 20, 2022. For more information call the Affiliate Office – Maine Chapter APWA, 1-800-452-8786.

the Municipal RISK MANAGER

APRIL 2022

A PUBLICATION OF THE MAINE MUNICIPAL ASSOCIATION

Property & Casualty Pool is Celebrating 35 Years of Partnerships

As the **MMA Property & Casualty Pool** celebrates its **35th Anniversary**, so much has changed. When the Pool was created, we could have never predicted that the program would grow into what it has become today. 35 years later, we are proud to provide coverage for over \$5 billion in property across 7,100 locations, including contents and equipment, cover 7,500 vehicles valued at over \$789 million, and that's just the beginning.

To begin, let's start with a little history. The Pool was created on March 1, 1987, with a group of 14 founding members that formed a partnership to address the insurance crisis occurring at that time. Maine municipalities were having difficulty obtaining insurance coverage, if at all, or at a reasonable cost. These municipalities looked to MMA to take a stand and support a solution. As a result, the Property & Casualty Pool was created under special legislation and has been going strong ever since.

The Pool now has 471 Members, consisting of municipalities, water & sewer districts, schools, housing authorities, disposal districts, etc., and our team prides itself on understanding the uniqueness of municipal government and the ever-evolving challenges. In the beginning, the Pool provided limited coverages, but as the needs of municipal governments and quasi-municipal operations grew, the Pool responded. In the early 1990's, the Pool added Crime coverage to meet the bonding requirements of individual positions as required by the State, Equipment Breakdown was added to remove coverage gaps and ensure compliance with jurisdictional inspections, and since Public Officials Liability was becoming difficult to obtain at a reasonable price, the Pool chose to roll this coverage in with the core

coverages as well. We continuously monitor member needs and aim to provide to expand coverages as needed.

The following expanded protection continues to be available to participating members of the Pool:

- Property (building & contents)
- General Liability
- Automobile Liability & Physical Damage
- Mobile Equipment
- EDP (computers – hardware and software)
- Crime (faithful performance, employee dishonesty)
- Equipment Breakdown (boilers and pressure vessels)
- Law Enforcement Liability
- Ambulance Malpractice
- Public Officials Liability
- Coverage Extensions (including flood, earthquake, forest fire costs, computer virus, e-commerce extortion)

The Pool is overseen by a Board of Directors who are all Maine local government officials or employees. These are the people who know and understand issues facing Maine local government making their involvement beneficial to the Pool. Because this program is designed specifically for Maine public entities, all operations and issues revolve exclusively around municipal and quasi-municipal exposures. For example, the Pool is structured to take full advantage of the immunities and limits of liability available to governmental entities under the Maine Tort Claims Act.

Risk Management Services staff has years



of experience and knowledge unique to municipal needs. Underwriting and Member Services assist with managing your coverage exposures and will provide on-site assistance; claims are handled in-house by experienced, licensed adjusters; Loss Control is provided by professional Loss Control Consultants who understand the needs of public entities. We are proud that "we live here too." Our local presence throughout Maine offers us the distinctive position to provide a team of personally assigned staff for each member. Our team is honored to have provided on-going and exceptional risk management services for over 3 decades.

Throughout the years, we have been able to incorporate additional benefits beyond coverage by rewarding our membership with Dividend returns, offering an online training tool and online training courses unique to municipal exposures. More recently, the Board approved the Risk Reduction Grant that is exclusive to Property & Casualty Pool Members. The goal of the grant is to assist our members in their efforts of applying effective risk management and loss reduction techniques. We encourage our members to be creative in the use of this grant.

The entire Risk Management team thanks you for your continued commitment to the Pool. On a personal note, as the Director of MMA Risk Management Services, I am thankful for the dedicated team members of RMS who believe in our mission to serve you with professionalism, understanding and reliability. 🏠

Environmental Exposures

Warmer weather will be here soon. While we all look forward to working and playing outdoors, it also brings some unwelcome aspects including ticks, hazardous plants and our new friend the brown-tail moth. As spring arrives, the insects will be hatching and plants will be growing, but with some simple steps we can enjoy the outdoors



while being protected.

Some simple precautions will help you avoid contact with insects and insect borne illness:

- Avoid direct contact with ticks and other Insects: Avoid walking through wooded and brushy areas with tall grass and leaf litter. Walk in the center of mowed or cleared trails to avoid brushing up against vegetation.
- Dress Appropriately: Wear light-colored clothing to make ticks easier to detect.
- Wear long pants tucked into socks or boots and tuck your shirt into your pants to keep ticks on the outside of your clothes. Do not wear open-toed shoes or sandals when in potential tick habitat.
- Use bug and tick repellents. Remember some repellants need to be reapplied periodically to be effective. When using repellents always follow product directions.
- Consider using products that contain permethrin to treat clothing and gear. Do not apply permethrin directly to your skin.

Reduce Hazards Through Property Management

- Reduce the humidity in your property. Insects tend to be susceptible to dehydration. You can reduce humidity in property by pruning trees, clearing brush, removing litter, and mowing grass short and letting it dry thoroughly between watering.
- Make your property unattractive to animals that are hosts to ticks by eliminating bird feeders, birdbaths, and salt licks
- Erecting fencing around the property to deter animals
- Clearing away wood, garbage, and leaf piles



- Removing stone walls that provide homes to wildlife
- Have your property chemically treated. Seek professional advice.

Avoiding Exposures to Hazardous Plants

- Familiarize yourself to the area and what flora you might encounter.
- Never touch plants and then touch your mouth, nose, eyes or any open wounds.
- Keep in mind that even when plants are dormant, they can still cause a rash.
- If in doubt avoid contact

More information on bug and plant safety can be found on our web site www.memun.org. Click on the Risk Management and Safety Shorts links. Also, members of the Risk Management Services programs have access to the Online Safety Training and the Field Biological Hazards course which contains information on ticks and insect bites as well as poisonous plants. 🏠

SHIELDS UP

The Cybersecurity & Infrastructure Security Agency of the United States Government is issuing strong warnings that Every organization—large and small—must be prepared to respond to disruptive cyber incidents. As the nation's cyber defense agency, CISA stands ready to help organizations prepare for, respond to, and mitigate the impact of cyberattacks. When cyber incidents are reported quickly, we can use this information to render assistance and as warning to prevent other organizations and entities from falling victim to a similar attack. For further CISA information, available tools and recommendations please visit:

<https://www.cisa.gov/shields-up>



**CYBERSECURITY
& INFRASTRUCTURE
SECURITY AGENCY**



Employee Training is Best Defense Against Cyber Attacks – New 15-minute training tool available



Cyber security continues to make news as a top business security concern. The COVID-19 pandemic fundamentally changed the way many of us work and interact online. New processes and workflows enabled businesses to continue through lockdowns, social distancing, and lengthy office closures. The pandemic spurred this rapid change in the way people conducted business, often while security lagged. The shift to a larger digital footprint has opened us to cyber threats on a larger scale than ever before.

Cyberattacks against local governments are becoming more common and increasingly sophisticated. Local governments are using more internet-connected technologies and online bill payment systems. Smart technologies integrate digital solutions and increase efficiency, but they open the door to cyber threats. Coupled with employees working remotely and using personal devices, this digital infrastructure becomes an easy target for cyber criminals.

Even the best network security can be useless by the actions of employees. Employers must be vigilant, keeping up to date with current threats and by providing employee training to maintain awareness and cyber security. Employees must be familiar with phishing attacks. One of the most common security challenges companies face in keeping their

information secure, but they may not recognize spear-phishing attacks.

Spear-phishing attacks are targeted at specific individuals. Attackers take time to collect personal information about their intended victims, often through social media, increasing their ability to craft personal emails that appear trustworthy. They are becoming increasingly sophisticated and difficult to detect. Messages often have a sense of urgency on why they need the victim to open an attachment, click on a link, or provide sensitive information.

Risk Management Services online training has a variety of cyber security courses to help employees recognize cyber threats and keep sensitive information secure. We are excited to announce that we have added a 15-minute video called **2021 Kevin Mitnick Security Awareness Training**. We recommend that all members of the MMA Property & Casualty Pool or MMA Workers' Compensation Fund have their employees watch this training. It provides real world examples and may prevent an employee from clicking on a fraudulent link, which may shut down your system and disrupt your day to day services.

To access this new training, please Visit the MMA Risk Management Services Online University www.memun.org; or **For more information or to become a local administrator, please contact us at, 1-800-590-5583, or by email: (rmsloss-control@memun.org).** 🏠

TOP 10 best practices for fraud prevention:

1. Are internal controls in place so that no one employee can control a financial process from beginning to end?
2. Perform background and reference checks for all new employees.
3. Create policies and procedures regarding employee theft and fraud. Post them in public areas of the office and train employees on them.
4. Timely deposits and reconciliations.
5. Perform regular audits of your operations, including running periodic financial reports and conducting random inventory counts.
6. Institute checks and balances including: comparing deposit slips with bank receipts, and matching invoices before payments are issued.
7. Ensure division of labor by assigning multiple employees the responsibility of sensitive financial duties like check writing, bookkeeping and payroll. Rotate these responsibilities if possible.
8. Issuing numbered receipts for all transactions.
9. Identify sole source providers and evaluate to ensure their claims are justified.
10. Create an avenue for employees to report wrongdoings anonymously. This could be a hotline or suggestion box. 🏠

Property & Casualty Pool Renewal Thank You and Reminder

We would like to thank our Membership for their continued participation and cooperation with the completion of the Property & Casualty Renewal Applications. The renewal application was due to be completed by March 31, 2022. For those members that have not completed the application, we would like to offer our assistance. If you would like help with your renewal application, please email:

rmsunderwriting@memun.org or call us at (800) 590-5583.

The continuing success of the Property & Casualty Pool is only made possible through the continued assistance of our dedicated members. Therefore, the RMS Underwriting Department would like to personally thank our members for their support, understanding and commitment. 🏠



The Municipal Risk Manager

The Municipal Risk Manager is published seasonally to inform you of developments in municipal risk management which may be of interest to you in your daily business activities. The information in these articles is general in nature and should not be considered advice for any specific risk management or legal question; you should consult with legal counsel or other qualified professional of your own choice.

Publisher: Risk Management Services

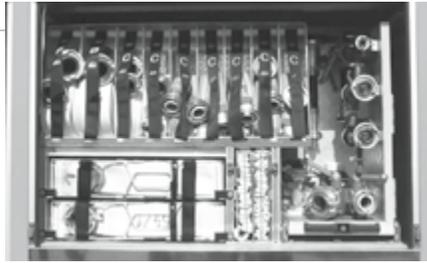
Editor: Marcus Ballou

Layout Designer: Sue Bourdon

P.O. Box 9109, Augusta, ME 04332
800-590-5583 or (207) 626-5583

Protecting the Equipment that Protects You

The job of a Police Officer, Firefighter or Emergency Medical Service provider often requires attention to details and efficiency. In order for these professionals to perform their roles safely and in a skilled and proficient manner, having the proper tools is often critical. Therefore, we recommend that your departments consider proper tool storage practices.



EMS Tool Storage Tactics and Their Corresponding Benefits

Proper tool storage practices are a fundamental aspect safety and professionalism. Having tools stored properly and securely in the apparatus can sometimes be a factor of preparedness that can prevent an injury or even save a life.

Organize Tools for Ease of Access

Emergency Responders need to know exactly where their tools are and their condition so that they are available when they need them. Having the correct mounting in place will enable workers to shave down lost time spent searching for tools. Another benefit of a well-organized set of equipment allows for quick inventories while on the scene.

Look for and Eliminate Potential Hazards

Equipment like sledgehammers, Halligan bars, axes, and oxygen tanks are all heavy, often sharp, and capable of causing trauma if stored incorrectly. While one won't be using an ax while inside a firetruck, the proper storage of these items can ward off injuries in the event of an accident. During an emergency response, loose or incorrectly stored tools may shift around or fall from the vehicle creating a hazard. In the event of a crash, these loose tools could become deadly projectiles. It is vital to secure all tools and to perform quick assessments of vehicles to spot improperly stored equipment.

Protect Tools and Equipment When Storing

Properly storing and securing equipment will not only help your ability to respond in a proficient manner, but it will also protect the passengers, protect the longevity of the equipment and protect the public from harm. Keeping the gear properly secured will ensure that your tools of the trade are ready for use when you need them most. 🏠

Driving Simulator Free to Use

MMA Risk Management Services (RMS) has purchased a desktop simulator from Virtual Driver Interactive. This driver training tool is offered free of charge to our members. This simulator is self-paced and very realistic, which makes it a great hands-on training tool that will provide helpful reminders to both new and experienced drivers about why it is important to use more caution when driving. The ten progressive and interactive scenarios review the dangers of distracted driving, the benefits of increasing braking distance between vehicles, and the effects of weather on driving. Please contact RMS Loss Control at rmslosscontrol@memun.org if interested in using the simulator.



*Pictured left to right:
Suzannah Heard,
Town of Arrowsic and
Lance Lemieux MMA Risk
Management Services*

FREQUENTLY ASKED QUESTIONS

WHAT IS THE POTHOLE LAW?

Within the local highway law there is what is commonly referred to as the "Pothole Law". When someone claims their vehicle was damaged because of a pothole or similar road defect, the issue is governed by the "Pothole Law", see 23 MRSA §3651-3655. The Pothole Law requires municipalities to keep town ways (and State roads under municipal control) in good repair. Since January 1, 2022, we have received 146 such claims.

WHAT IS MY TOWN'S LIABILITY?

The town's liability arises from the physical condition of the road itself, not the town's negligent use of the vehicles or equipment. Three facts must be established before a municipality will be held liable under the Pothole Law:

- First, the defect which caused the damage must be in a town way.
- Second, the damage must be the result of a highway defect.
- Third, the town must have had at least 24 hours prior actual notice of the defect in question and failed to correct it.

RECOMMENDATIONS:

- Have a written plan documenting notice and the date and time of road repair.
- Record and log for at least 6 months the time and method of repair.
- The statute does not specify what type of repair must be made. The repair will be judged on a reasonableness standard.

If you have a question you would like to ask, please email Marcus Ballou at mballou@memun.org 🏠

Composting Food Waste

Maine municipalities are turning to composting food scraps as a means for reducing the cost of managing waste. Is this an option for your community? Food Rescue MAINE can help.

By Stephanie Bouchard

When Karen Peterson, Readfield's transfer station manager, heard the town, along with neighbors Fayette and Wayne, was going to participate in a food recycling pilot project that would have the transfer station composting, she was skeptical.

Like many, she thought piles of food scraps would stink and be a source of critter troubles. "I gotta admit when we first started, I thought, oh, how are we gonna be able to handle this?" she said. "I thought that we'd end up with a lot more mice and rats and all sorts of things coming in, (but) we really haven't."

They did run into a problem with a lot of flies when they first started, she said. The compost bin they were using was too large for their needs and was unmanageable to work with, the result being odor and some liquid discharge that attracted flies. "It wasn't quite as inviting to begin with," Peterson noted, but they got right on it by contacting the state's Maine Department of Environment Protection (DEP) office for advice.

DEP recommended Peterson and her coworker at the transfer station add a small amount of powdered lime to the compost pile. That did the trick, as did downsizing to a smaller, more manageable bin. It's been smooth-sailing since. In fact, the program is going so well Peterson thinks that with their continued community education efforts and summer residents returning to the area, they'll soon need to move back up to the larger compost bin.

Readfield, Fayette and Wayne are among a handful of communities in Maine taking part in Food Rescue MAINE's food recycling pilot project. Food Rescue MAINE is a statewide initiative to reduce food insecurity and



Submitted photo

the amount of food waste going into landfills. The food recycling pilots are a part of that effort. The initiative, which operates out of the Senator George J. Mitchell Center for Sustainability Solutions at the University of Maine, is funded by a \$27,000 grant from the DEP.

In the communities participating in the pilots, Food Rescue MAINE provides signage and educational materials and other resources. Each community encourages its residents to take food out of the trash stream by examining their weekly food needs and only buying what's needed; donating food to local food pantries; composting at home; and taking food scraps to local farms or to the local

food recycling area, usually set up at the transfer station, but some communities have food recycling bins located at various spots in their communities that get a lot of local traffic, such as the library.

The food scraps that are collected by each community are combined with leaves and grass clippings and horse manure from local farms, producing rich compost that is then made available to residents, most often for free, but in some communities for a small fee, and is used by each municipality for various projects, from community gardens and plantings to ditching. Some towns sell excess compost by bid to contractors.

While the food recycling pilots

Stephanie Bouchard is a freelance writer from Nobleboro and regular contributor to Maine Town & City. stephanie@stephaniebouchard.net.



Submitted photo



Submitted photo

were launched last summer, the initiative's team is eager to provide whatever assistance they can to any community interested in creating a food recycling program, said Susanne Lee, a faculty fellow at the Mitchell Center who is heading up the initiative.

Getting food waste out of the trash stream and landfills is a dilemma all

municipalities struggle with, Lee said, but, luckily, there are many different types of solutions. "It can be very easily adapted, whether you're a small, rural community or you're one of Maine's larger cities, there's a whole solution set," she said.

The Food Rescue MAINE team has a questionnaire for municipalities to

complete that helps pinpoint what their situation is in terms of materials management, overall food waste as a piece of that, what the makeup of their specific community is, and what resources they might have that can be pulled into a solution. The team presents its analysis of the questionnaire, including what the economics look



Meet Our Attorneys

Jonathan A. Pottle

Jon provides legal services to both public and private sector clients in the areas of environmental law, land use law, municipal law, utilities law, economic development, project development and finance, renewable energy, real estate, timberlands, and natural resources law. Jon's practice in these areas helps clients with their strategic and tactical planning, day-to-day operations and troubleshooting, project development and financing, real estate and business transactions, municipal and utility district governance, and resolution of related legal disputes, including representation before Maine and Federal Courts as well as Local and State administrative boards and agencies.

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like and the possible solutions that might be a good fit.

Once a solution, or multiple solutions, have been targeted, the Food Rescue MAINE team can lay out guidance for how a municipality gets its solutions up and running. “As we try different things, then we can bring it to the other communities for them to say, ‘Oh yeah, that could be great for us too,’ or, ‘No, that doesn’t work, but how about this?’” she said.

In addition to the resources and support Food Rescue MAINE offers, municipalities interested in creating their own food recycling program can also get advice from communities in the state that have been running such programs for many years, such as in Skowhegan and in Lincoln County.

Lincoln County began a food recycling program about two decades ago to reduce trash disposal costs by getting food out of the trash stream. While Lincoln County’s food recycling program doesn’t track each

town’s budgetary savings, Tim Richardson, Sr., Lincoln County Recycling’s supervisor, said that without a doubt it’s saving each participating town money by reducing trash by weight. “Any food that (is taken) out of their trash stream saves them money,” he said.

Each town gets food collection containers from Lincoln County Recycling which are picked up by recycling staff. There’s no charge for the towns

in the county to participate. Lincoln County Recycling sells the compost it makes to county residents for \$25 a yard or \$3 a bag. That money goes right back into running the program, Richardson said.

The program is not a burden to run, working with the towns in the county has been easy, and the residents love both the program and having access to the compost, he said. Every community should get a food

MAY 6
2022
9:00-11:00

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recycling program going, he said. "It's going to save everybody time and money, and it also comes back in the end for gardens and plants."

Just like for Lincoln County, rising disposal costs prompted Skowhegan to start its food recycling program a decade ago said Bryan Belliveau, the town's solid waste supervisor and code enforcement officer. "We're currently saving upwards of 30 grand a year," he said, and that's with only about 25% of Skowhegan's residents recycling food waste.

It costs Skowhegan about \$5,000 to run the food recycling/composting program, he said. The compost that is produced is available to residents for free and the town uses it for various municipal projects. If there is any left over, it's put out to bid, Belliveau said, so the town can make some money from the program.

"Once you implement the plan, it's nothing but benefits," he said. "I hear a lot of people complain about their tax bill and, you know, this is the something that doesn't take a whole lot of effort that could help them." ■

According to Food Rescue MAINE, about 1/3 of Maine's waste is from food waste and scraps. If you're interested in how your community can reduce food waste in general and remove food scraps from the trash stream, check out the initiative's website, <https://umaine.edu/foodrescuemaine/>.

You're also welcome to have a chat with the towns that are already doing food recycling programs. Shoot these folks an email, give them a call, or even stop by their facilities to see how things work:

Bryan Belliveau
Skowhegan,
bbelliveau@skowhegan.org

Karen Peterson
Readfield, 685-3144

Tim Richardson, Sr.,
Lincoln County, 882-5276

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Building Energy Efficient Municipalities

With \$15 million in federal revenue at the ready, Efficiency Maine plans to target investment in rural areas of the state. Maine communities have already enjoyed the savings associated with heating, lighting, and fuel efficiency improvements.

By Janine Pineo

As record high energy prices pummel budgets across the state, Efficiency Maine plans this spring to announce initiatives targeting municipalities and schools as part of the dispersal of a “significant amount of money” from federal funds allocated last year.

“Anything and everything the towns did last year are a really good illustration for the next two or three years ahead,” said Michael Stoddard, executive director of Efficiency Maine.

“We’re going to be working extra hard to reach more rural parts of the state,” he said. “We will be doing outreach.”

Stoddard said that while it is always to a municipality’s advantage to be proactive in pursuing grants and rebates through Efficiency Maine for infrastructure improvements, the entity’s “strategic intent” with the new federal funds is to focus on the state’s rural areas to ensure their participation in receiving funds while making cost-saving improvements in their municipalities.

Last year, the Legislature passed LD 1733, “An Act To Provide Allocations for the Distribution of State Fiscal Recovery Funds,” part of the American Rescue Plan Act. Directed to Efficiency Maine Trust from this act was \$50 million to invest in multiple initiatives, Stoddard said, with the Maine Recovery and Jobs Act outlining how Efficiency Maine is supposed to divide up the funding. Set aside for municipalities and schools, he said, is \$15 million.

HVAC and lighting

Efficiency Maine’s core programs for cutting energy consumption have long focused on lighting as well as heating, ventilation and air conditioning. Last year, a promotion for heat pumps had a bonus incentive from The Nature Conservancy to give municipalities of 4,000 residents or fewer an even greater rebate if they

Janine Pineo is a freelance writer from Hudson and regular contributor to Maine Town & City, jepineo@gmail.com.



Guilford leased four Hyundai Konas using funds from Efficiency Maine to pay zero cost for three years.



Heat pump in the Van Buren library. (Submitted photo)



Public charging station in Thomaston. (Submitted photo)

installed heat pumps within a certain time frame.

According to Efficiency Maine, 60 municipalities completed 93 heat pump projects, installing 189 heat pumps. Those projects used more than \$300,000 in Efficiency Maine rebates and more than \$186,000 from The Nature Conservancy. Municipalities could save a total of \$2,600 for each single-zone heat pump system, with a maximum of three systems.

Stoddard said that in the time of rising

energy costs, heat pumps are still the way to go to save money. “The other fuel prices have gone up at the same time. None of them is immune from price increases,” he said.

The net effect of a heat pump’s efficiency makes it the lowest cost, Stoddard said, and it gives the added benefit of air conditioning, which is almost twice the savings of a window unit.

Of those 60 municipalities, 30 also completed 47 lighting projects, garnering close to \$114,000 in incentives, which

was based on the estimated cost savings for the first year and capped at 90% of total cost. Efficiency Maine estimated the energy cost savings for the lighting projects was just over \$55,000 with a total energy savings of 367,148 kWh.

Van Buren signed up for both the heat pumps and lighting upgrades.

Town Manager Nancy Troeger said Van Buren put heat pumps at the library, recreation department and police station, solving multiple site problems at the same time.

At Abel J. Morneault Memorial Library, a structure built in the early 1970s,

air circulation and air conditioning were two of the additional needs Troeger sought to address. She said the structure, which is about 1,600 square feet in the main room with two rooms added on the back of the building, holds its temperatures well, but “we had no air circulation.” Coupled with the need to address humidity and air conditioning in the summer, a heat pump was the solution, Troeger said.

At the police station, which is a different heating zone in the Van Buren Town Office, a heat pump would address the trouble of frozen pipes on a north-facing

wall. And for the recreation department building, which Troeger described as like a small home, a heat pump would warm the office for the recreation director, as well as help in its use as a warming hut given its location next to the skating rink. “It probably doesn’t have the best insulation,” she said.

Van Buren’s lighting project was at the public works garage. “It was probably built in the ’50s,” Troeger said. “Lights are way up high. It was dark and it was gloomy.”

The plan last year was to install a complete fixture that required electrical work, including rewiring, at a cost of about \$4,000. The results are positive from the department. “They’re happier. They can see what they’re doing,” she said.

Troeger pointed out that Van Buren has a unique electricity situation: It has its own light and power district. The town is not seeing the same rate increases seen everywhere else, she said. “We’re sitting with low electricity to start with.”

However, there are still savings to be had with upgrades. “It reduces people’s taxes,” Troeger said.

For this year, Troeger is intending to get in on Efficiency Maine’s current promotion for T8 LED Type A lamps, which expires June 1 if funding doesn’t run out. Her priority is to switch over the 71 multi-bulb fixtures in the library, some of which she previously purchased replacement LEDs for, and look at the town’s other facilities for similar units.

 <p>Maine Resource Recovery Association</p> <p>Solid Waste Summit</p> <p>May 9, 2022</p> 	<p>Join us at the Hutchinson Center in Belfast from 8:00am to 4:30pm.</p> <p>We will feature topics about Outreach to your community, Transfer Station best practices, EPR, and PFAS.</p> <p>Head to our site for your packet and register today!</p> <p>www.mrra.net</p>
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- \$0.25 per T8 LED Type A 2-foot lamp
- \$0.50 per T8 LED Type A 4-foot lamp
- \$0.75 per T8 LED Type A U-Bend lamp

Not only will the promotion help with those initial costs, but with the savings generated by using LEDs.

“That’s what’s great about Efficiency Maine,” Troeger said.

EVs and their charging stations

Guilford took advantage of multiple Efficiency Maine promotions last year.

Town Manager Johanna Turner said that three 9,000 BTU heat pump systems were installed for a total cost of \$8,850, but with the combined rebates, the final cost for the three units was \$1,050.

Guilford also jumped in on the promotion for leasing electric vehicles, an initiative that was fueled in part by a lawsuit settlement with Volkswagen (VW) earmarked to fund rebates for EVs. The result for Guilford was four Hyundai Konas leased for three years at no cost, with incentives from Hyundai and Efficiency

Maine paying \$12,000 per vehicle.

Turner said the town contacted Rowe Ford because of a Maine Town & City article last year that mentioned another municipality had worked with the business for its EVs. “We thought it made

sense to use a dealer that we knew was familiar with the process,” she said.

“The cars are available for public works, town manager, town office staff, code enforcement, animal control, the town assessor and the select board for

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conducting town business,” Turner said.

At the end of the lease period, she said, the town can enter into another lease or pay \$400 per vehicle to turn it in.

“The vehicles have performed well,” Turner said. “We were immediately surprised at how much power — pep — the vehicles had. We have noticed in the winter months the range is reduced by half approximately and the charging time is doubled.”

Guilford received Efficiency Maine rebates for the Level 2 chargers purchased to power the EVs, Turner said. The cost was about \$2,000 with \$750 in rebates. “We have a charging station at the public works garage as well as the town office for municipal use only, but we are hoping to have public use charging stations downtown in the near future,” she said.

“Efficiency Maine has been great to work with,” Turner said. “The processes for all projects have been very straightforward, and the staff at Efficiency Maine have been very helpful.”

She added that the town has not seen any significant increases in its electric bill since installing the heat pumps and the chargers.

Thomaston added an EV to its municipal fleet, purchasing a 2021 Mustang Mach-E to use as a police vehicle.

Town Manager Kara George said the town trades out its vehicles every so

often and this time Efficiency Maine had grant money available. The town got the car last August and kitted it out with the necessary police gear.

“I see our police chief in it and some of our officers patrolling around town,” George said. “We just made it through another Maine winter. It performed wonderfully.”

About half the cost of the EV was paid for by the town, in the \$20,000 to \$23,000 range. “Efficiency Maine made it so easy,” she said, adding that the dealer was reimbursed directly by Efficiency Maine.

Thomaston also received a rebate for the charging station installed for the police car, which is for municipal use only, George said. “We installed a vehicle charger right next to the station.”

However, the town got another grant to install a Level 2 public charging station, which can charge two vehicles.

Efficiency Maine’s Stoddard said that regular rebates for EVs are still available, although the VW settlement funds for the larger rebates are depleted now. “The municipalities are all eligible to participate,” he said.

Any community looking to add an EV station is encouraged to visit the Efficiency Maine website (efficiencymaine.com/ev), Stoddard said, which has an extensive look at EVs and charging sta-

tions with videos that include where to place a station, what size to install and how many.

Rebates for EV stations are made through RFPs. “We issue them periodically through the year,” he said. “We absolutely have plans to do an ongoing series of RFPs ... through the next three years.”

Municipalities also can request to be added to the Interested Parties email list, which sends out RFP notices. Visit efficiencymaine.com/opportunities. ■

WHERE TO START

Efficiency Maine Executive Director Michael Stoddard said municipalities have a few ways to see how the organization can help:

Contact a local contractor and have them determine recommended HVAC and/or lighting upgrades. Be sure to ask the contractor what Efficiency Maine grants are out there for the work.

Call Efficiency Maine directly at 866-376-2463 and explain you are looking for advice on municipalities and schools.

Go to efficiencymaine.com and click on the At Work link.

ELECTED OFFICIALS TRAINING OPPORTUNITIES

2022

ELECTED OFFICIALS WORKSHOP

This MMA course is a must for newly elected and veteran officials - councilors & selectpersons. Topics include Understanding Your Role in the Community as an Elected Official, Public Meetings, Freedom of Access and Freedom of Information, Liabilities and Immunities, Media Relations and Conflicts of Interest. This course meets state FOAA training requirements.

UNDERSTANDING THE FREEDOM OF ACCESS ACT

This course is presented by MMA and is designed to help municipal “Public Access Officers,” municipal staff and elected and appointed officials understand Maine’s Freedom of Access Act and fulfill FOAA training requirements. It will provide an overview of the FOAA, including open meeting requirements, why FOAA requests are filed and how to handle them properly. This course meets state FOAA training requirements and applies to the Maine Town, City and County Management Association Certification Program as 2.5 credits in the Elected Relations category.

DEVELOPING SOLUTIONS ON HOTLY CONTESTED ISSUES

This new course will help elected officials deal effectively with controversial issues – both within their ranks and in their communities. The instructor will introduce tools to use when dealing with high conflict situations, including listening for understanding and helping people move from positions to interests and joint solutions.

ELECTED OFFICIALS

WEDNESDAY, JUNE 29

Presque Isle - the Northeastland Hotel

UNDERSTANDING THE FREEDOM OF ACCESS ACT

WEDNESDAY, AUGUST 31

Augusta - MMA & Zoom Webinar

DEVELOPING SOLUTIONS ON HOTLY CONTESTED ISSUES

TUESDAY, MAY 3

Portland – Clarion Hotel

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NOTICE

Seeking Nominations for MMA Executive Committee

Nominations

Nominations are being accepted for three seats on the MMA Executive Committee. The Vice President position is also open to municipal officials who have served at least 12 consecutive months on the MMA Executive Committee during the past five years. The Nominating Committee will interview candidates for the Vice President position and selected candidates for the Executive Committee positions during the 3rd meeting in May.

What Is Involved?

The Executive Committee is the Maine Municipal Association's corporate board, consisting of twelve elected and appointed municipal officials representing the interests of member municipalities throughout the state. The Committee has overall governance and fiduciary responsibility for the Association, its annual operating budget, and the development of policy and priority initiatives. The Executive Committee meets 10-12 times per year and has a required attendance policy in place. The Association reimburses municipal officials or their municipality for travel related expenses incurred for attending meetings or authorized activities to represent the Association's interests.

Who Should Apply?

- Town and/or city managers or chief appointed administrative officials in an active member municipality; or
- Municipal officers (*mayor and aldermen or councilors of a city, the selectpersons or councilors of a town, and the assessors of a plantation*)

What are the Qualifications?

- The ability to serve a three year-term;
- Basic knowledge and interest in corporate operations of the Maine Municipal Association;
- Although not necessary, it would be helpful to have prior experience on other governing boards/committees and/or involvement in the MaineMunicipalAssociation.

Timetable

Monday, March 14, 2022 11:30 a.m.	1st Meeting of Nominating Committee – <i>Review of Nominating Committee Process</i>
March 21, 2022	1st Electronic Mailing to Municipal Officials – <i>Seeking Interested Candidates</i>
March - April 2022	Notice on MMA Website, <i>Maine Town & City</i> and e-newsletter <i>MMA This Month</i>
Friday, April 29, 2022 12:00 noon	Deadline for Receipt of Statements of Interest for Vice President and Executive Committee positions
Tuesday, May 3, 2022 11:00 a.m.	2nd Meeting of Nominating Committee by Conference Call – <i>Review Statements of Interest and preparation for Interviews</i>
Tuesday, May 10, 2022 9:00 a.m.	Final Meeting of Nominating Committee – <i>Interviews with candidates and put forth Proposed Slate of Nominations</i>
May 20, 2022	2nd Mailing to Key Municipal Officials – <i>Proposed Slate of Nominations and information on Petition Process</i>
Friday, July 1, 2022 4:30 p.m.	Deadline for Receipt of Nominations by Petition Forms
July 15, 2022	3rd Mailing to Key Municipal Officials – <i>MMA Voting Ballot for Election of VP and Executive Committee</i>
Friday, August 19, 2022 12:00 noon	Deadline for Receipt of MMA Voting Ballots
August 19, 2022	MMA Election Day – <i>MMA President oversees counting of MMA Voting Ballots</i>

For Further Information:

Please visit the MMA Website at www.memun.org for additional information on the MMA Nominating Committee process, timetable, overview of Executive Committee responsibilities and access to the Statement of Interest Forms. Contact Theresa Chavarie at 1-800-452-8786 ext. 2211 or by e-mail at tchavarie@memun.org if you have any questions.



Maine Municipal Association

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www.memun.org

SERVICE ON THE MMA EXECUTIVE COMMITTEE

Deadline for Receipt — 12:00 p.m. on Friday, April 29, 2022

Name of Candidate: _____

Municipal Position: _____ Years in Position: _____

Municipality: _____ County: _____

Preferred Mailing Address: _____

Work or Office Phone _____ Home Phone: _____

Mobile/Cell Phone _____ E-Mail: _____

Previous involvement with the Maine Municipal Association — Please provide info on your past involvement on MMA Governance Boards, Legislative Policy Committee, Ad Hoc Committees, Convention and Workshop Speakers/Panelists, etc. (provide dates of service, if available):

Other information not included on your Resume — other activities of interest, awards, etc.

What attributes do you believe you will Bring to the Maine Municipal Association?

The MMA Executive Committee has an Attendance Policy that requires a member to miss no more than three meetings per year. Based on this, do you believe the time commitment meets your availability? YES / NO

Please provide a Municipal Reference that we may contact:

_____	_____	_____
Name	Municipal Position	Telephone #

Please include your cover letter, updated Resume and up to five letter(s) of support.

I attest that the information contained above and in the attachments is true and accurate to be best of my knowledge.

Signed: _____

Date: _____

Return to: MMA Nominating Committee c/o Executive Office
Maine Municipal Association, 60 Community Drive, Augusta, Maine 04330

FAX: (207) 626-3358
E-mail: tchavarie@memun.org

TRAINING OPPORTUNITIES

MAINE MUNICIPAL ASSOCIATION & AFFILIATES/AT-A-GLANCE 2022 TRAINING CALENDAR

APRIL

4/20	Wed.	MBOIA Plumbing Training	Topsham - Topsham Library	MBOIA
4/20 & 27	Weds.	MTCCA Vital Records Webinar	Zoom Webinar	MTCCA
4/21	Thurs.	MMTCTA Basic Excise Tax Workshop	Augusta - MMA	MMTCTA
4/22	Fri.	MAAO Northern Maine Spring Training	Zoom & Northern Maine Development Commission	MAAO
4/26	Tues.	MWDA Spring Seminar	Zoom webinar	MWDA
4/26-27	Tues.-Wed.	MCAPWA Supervisory Leadership Part 1	Augusta - City Center Plaza	MCAPWA
4/28	Thurs.	Personnel Practices	Bangor - Hilton Garden Inn	MMA

MAY

5/3	Tues.	Developing Solutions on Hotly Contested Issues (NEW!)	Portland - Clarion Inn	MMA
5/4-5	Wed.-Thurs.	MTCCA Athenian Dialogue: Eat, Pray, Love	Zoom Meeting	MTCCA
5/6	Fri.	Full Speed Ahead: The Present and Future of Municipal Broadband (Sponsored by Preti Flaherty)	Zoom Webinar	MMA
5/10	Tues.	Planning Board/Boards of Appeal	Bangor - Cross Insurance Center	MMA
5/12	Thurs.	MMTCTA Annual Conference	Bangor - Hilton Garden Inn	MMTCTA
5/16, 17 & 18	Mon.-Wed.	MCAPWA Supervisory Leadership in Public Works Program - Part II	Augusta - City Center Plaza	MCAPWA
5/18	Wed.	MAAO Board of Assessment Review <i>(with video conference to Caribou - Northern Maine Development Commission)</i>	Augusta - MMA	MAAO
5/23-24	Mon.-Tues.	MBOIA Code Conference	Sebasco - Sebasco Harbor Resort	MBOIA

JUNE

6/2	Thurs.	MCAPWA Highway Congress	Skowhegan - Skowhegan Fair Grounds	MCAPWA
6/9	Thurs.	New Managers Workshop	Augusta - MMA	MMA
6/14	Tues.	MMTCTA Cash Management Workshop	Augusta - MMA	MMTCTA
6/16	Thurs.	Municipal Human Resources & Management Conference	Waterville - Thomas College	MMA
6/21	Tues.	MTCCA Licensing Workshop	Augusta - MMA	MTCCA
6/23	Thurs.	MEGFOA Spring/Summer Training Workshop	TBD	MEGFOA
6/29	Wed.	Elected Officials Workshop	Presque Isle - The Northeastland Hotel	MMA

Online registration is easy!

<http://www.memun.org/TrainingResources/WorkshopsTraining.aspx>

Who to contact:

1-800-452-8786 or (207) 623-8428

MMA Educational Events & Affiliate Training Staff:

Alicia Stokes Gaudet, Manager, Educational Servicesx2304

Cynthia Fortier, Training & Affiliate Groups Office Coordinator.....x2297

Melissa White, Affiliate Liaisonx2299

Special Notice: In light of the ongoing public health pandemic, some in-person events, facilities and/or locations may be subject to change. Please be sure to check the MMA website for regular updates. As we resume in-person trainings, MMA and our Affiliate Groups will strictly adhere to all CDC and State of Maine guidelines and requirements regarding COVID-19, which may include appropriate social distancing, masking, food service/preparation precautions, among others. If you have any questions, please feel free to contact training@memun.org.

TRAINING OPPORTUNITIES

MAINE MUNICIPAL ASSOCIATION & AFFILIATES/AT-A-GLANCE 2022 TRAINING CALENDAR

JULY

7/12	Tues.	MMTCTA I've Got the Job - What Now? Workshop	Augusta - MMA	MMTCTA
7/13	Wed.	MTCCA Municipal Law for Clerks	Augusta - MMA	MTCCA
7/14	Thurs.	MBOIA Training & Membership Meeting	Augusta - MMA	MBOIA
7/21	Thurs.	MFCA Membership Meeting/Networking Luncheon	Hope Fire Station	MFCA
7/27	Wed.	ViolenceProof: Workplace Violence Prevention & Survival (NEW!)	Augusta - MMA	MMA

AUGUST

8/3-4	Wed.-Thurs.	Athenian Dialogue: The Zookeeper's Wife	Zoom Meeting	MTCCA
8/10-12	Wed.-Fri.	MTCMA 76th New England Management Institute	Carrabassett Valley - Sugarloaf Mountain	MTCMA
8/18-19	Thurs.-Fri.	MMTCTA Governmental Accounting	Orono - Black Bear Inn	MMTCTA
8/25	Thurs.	Planning Board/Boards of Appeal	South Portland - DoubleTree by Hilton	MMA
8/31	Wed.	Understanding the Freedom of Access Act	Augusta - MMA & Zoom Webinar	MMA

SEPTEMBER

9/7	Wed.	MTCCA Voter Registration	Bangor - Cross Insurance Center	MTCCA
9/8	Thurs.	MTCCA Title 21A - State Election Law	Bangor - Cross Insurance Center	MTCCA
9/8	Thurs.	MMTCTA Payroll Law	Waterville - Waterville Elks Club	MMTCTA
9/8	Thurs.	Verbal Judo for First Responders (NEW!)	Augusta - MMA	MMA
9/9	Fri.	Verbal Judo for the Contact Professional (BACK BY POPULAR DEMAND!)	Augusta - MMA	MMA
9/9	Fri.	MCAPWA Golf Tournament	Cumberland - Val-Halla	MCAPWA
9/15	Thurs.	MTCCA 27th Networking Day & Annual Business Meeting	Waterville - Waterville Elks & Banquet Center	MTCCA
9/20	Tues.	MTCCA Vital Records	Augusta - MMA	MTCCA
9/22	Thurs.	MBOIA Training & Membership Meeting	Portland - Clarion Inn	MBOIA
9/28-30	Wed.-Fri.	MAAO Fall Conference	Sebasco - Sebasco Harbor Resort	MAAO

KEY TO GROUPS/WORKSHOP SPONSOR

MMA	MAINE MUNICIPAL ASSOCIATION	MEGFOA	MAINE GOVERNMENT FINANCE OFFICERS ASSOCIATION
MACA	MAINE ANIMAL CONTROL ASSOCIATION	MLGHRA	MAINE LOCAL GOVERNMENT HUMAN RESOURCES ASSOCIATION
MAAO	MAINE ASSOCIATION OF ASSESSING OFFICERS	MMTCTA	MAINE MUNICIPAL TAX COLLECTORS' & TREASURERS' ASSOCIATION
MBOIA	MAINE BUILDING OFFICIALS & INSPECTORS ASSOCIATION	MTCCA	MAINE TOWN & CITY CLERKS' ASSOCIATION
MCAPWA	MAINE CHAPTER OF AMERICAN PUBLIC WORKS ASSOCIATION	MTCMA	MAINE TOWN, CITY AND COUNTY MANAGEMENT ASSOCIATION
MFCA	MAINE FIRE CHIEFS' ASSOCIATION	MWDA	MAINE WELFARE DIRECTORS ASSOCIATION

PEOPLE

Barbara Brickett assumed the job of Rome town clerk in mid-March, replacing **Julie Morrison**, who resigned to work as the town's Maine Bureau of Motor Vehicles (BMV) agent. Brickett was hired as secretary to the select board two years ago and worked as assistant town clerk and BMV back-up. She worked for Catholic Charities Maine for 20 years before joining local government, beginning as a secretary, and leaving as the IT assistant.



Keena Cates

Keena Cates has been named as the deputy clerk for the Town of Bremen. Before coming to Bremen, Cates worked as deputy clerk for the Town of Nobleboro. Cates grew up in Standish, graduated from Bonny Eagle High School and later attended Southern Maine Community College.



Alicia Conn

The Dixfield Select Board promoted **Alicia Conn** to town manager in late January, showing their confidence in her by inking a three-year contract with the town's former deputy clerk, treasurer and tax collector. Conn joined the Dixfield Town Office staff in March 2021 and was named interim manager last November, replacing **James McLamb**. Previously, she worked as deputy clerk, registrar and sewer clerk for the Town of Bethel.

Longtime Norridgewock Selectman **Ron Frederick** declined his write-in nomination to serve another term on the select board. Frederick has served on the board for 17 years. The select board has opted for a shorter nomination process; papers will be available through April 29, with the special election to be held on June 14.

James Griffin will retire June 30 after nearly three decades of service as the Hodgdon town manager. He also serves as town clerk, road commissioner, housing manager and general assistance administrator. Interest in replacing Griffin will be difficult, he predicted, since only

one person has applied for the job after weeks of advertising.

Peru Selectwoman **Lynda Hebert** will resign her position effective at the annual town meeting on June 14. Hebert said her family and work responsibilities left her little time to dedicate to town business. A week earlier in late February, board chairwoman **Tammi Lyons** resigned with one year remaining on her term, telling the board she could not commit to attending weekly meetings. She also will serve until the town meeting. Nomination papers are available for both openings and will be part of the June election ballot.

Scarborough Town Councilor **Paul Johnson** has resigned to take a job with the Greater Portland Council of Governments (GPCOG). Johnson will work as senior economic development manager for the GPCOG. He also will develop a new program to provide smart growth planning services to member municipalities. The council plans to hold a special election to fill his seat.



David Jones

David Jones was feted during the Norridgewock annual town meeting last month for 50 years of dedicated service to the town. Jones, 70, joined the fire department at age 20 and was named chief four years later. He is only the second town fire chief since World War II. Jones was praised as a strong leader who is steady, quiet and effective. Jones received a silver axe in appreciation of his service. During the town meeting, Jones announced he would retire on Oct. 5, exactly 50 years to the day he was hired in 1972.



Opal Keith

Opal Keith has been named Woolwich town clerk and was expected to call to order her first annual town meeting this month. Keith accepted her first government job after working in various business sectors. Officials said her personality and other qualities were a good fit for the town. Keith said she was

looking for a job where she could learn new skills and interact with the public.



Brian Langerman

The Westbrook Fire Department has hired the former EMS coordinator for Saco as its new deputy fire chief, with a focus on emergency services and training. **Brian Langerman** worked for Saco for 19 years. Interim Westbrook Chief **Stephen Sloan** said the department's workload was too heavy for one person. In addition to firefighting and related duties, the department holds two to three hours of training a day, Sloan said. Moreover, the department expects more 911 calls this year, making Langerman a good choice for the job, officials said.



Deborah Laurie

The Bangor City Council last month named **Deborah Laurie** the city's new manager after she served as interim manager for six months. Laurie has worked for Bangor since 1992 and served as finance director since 2001. Laurie said the city faces many challenges, including a growing homeless population, as well as deciding how and where to spend \$20 million in American Rescue Plan Act funding. She replaces **Catherine Conlow**, who resigned after 11 years to accept the job of executive director of the Maine Municipal Association.

Winthrop officials and residents are mourning the loss of Councilor **Rita Moran**, who died in mid-March of undisclosed causes. In addition to being elected in 2017 and re-elected in 2019 for a three-year term, Moran was known for decades of civic involvement in many town projects. Officials noted Moran was an honest, hard-working and dedicated resident and elected official. She co-owned Apple Valley Books on Main Street for nearly 20 years. She was involved in local theater and library organizations and helped establish the Winthrop farmers' market. A June election will be held to fill the remainder of her term. ■

NEWS FROM AROUND THE STATE

STATEWIDE

Special legislative sentiments were presented to several municipal officials and departments last month for outstanding achievements. They include the Westbrook Fire Department, noted for its work during the Covid-19 pandemic. A number of fire departments, both volunteer and full-time, were awarded the Spirit of America Foundation Award for recruiting and promoting volunteerism. They include the departments in Arundel, Glenburn, Guilford, Oxford, Newfield, Newport, Somerville and Warren.

Meanwhile, Pamela Adams received a legislative sentiment after retiring as town clerk of Chesterville, where she served for more than 20 years.

AUGUSTA

In what could be a first for Maine, the city council has agreed to allow residents to participate in public meetings remotely via Zoom. The council hopes more residents will be able to take part in meetings, especially those who are homebound or too busy to attend meetings in person. The council will continue meeting in person given the healthy decline of Covid-19 infections in Maine and nationwide.

FORT FAIRFIELD

The town council in March endorsed an ordinance to create and regulate a new budget advisory committee. The vote was 3-2, with opponents concerned how the new panel may impact the role of the town manager and department leaders. Proponents argued the new panel was necessary after a controversial revaluation and allegations last year of over-spending. Five to seven members will comprise the new budget committee, which will be advisory only and unable to take action on any budget item.

JACKSON

Selectmen last month agreed unanimously to allow all-terrain-vehicles (ATVs) on all town roads, despite concern by some residents. Primarily, opponents don't like the way the vote was taken: first by only one selectman in 2020; the second vote last month was held just after the board rejected a citizen's petition asking for a town vote on the issue. With the vote, all town roads are designated

as ATV access roads. Jackson is located in rural Waldo County with a population of 600.

LAMOINE

The town has received funding to significantly expand broadband access and availability to the town of 1,700 near Mount Desert Island. The Hancock County Commission awarded the town a matching grant of \$110,000 which, combined with Charter Communications' \$187,000 contribution, will allow 8.8 miles of cable to be installed. The Lamoine project is among the first broadband expansion efforts in Hancock County. Both the town and county funding comes as a result of the American Rescue Plan Act.

MARS HILL

The first homeless shelter in Aroostook County will open only to youth in March. It will be the fourth youth shelter in the state, which will be located on Main Street. The other shelters reside in Maine's biggest cities: Portland, Lewiston and Bangor. The project is being funded with a \$200,000 federal grant from the Family and Youth Services Bureau, a division of the U.S. Executive Branch. The shelter is being built by Northern Lighthouse, one of the largest outpatient therapy agencies in the nation that provides mental and behavioral health care in Caribou, Houlton, Mars Hill and Houlton. The Mars Hill shelter will start with four beds.

STONINGTON

Some seasonal homeowners have stopped shutting off their water. One property owner alone, who did not check on his vacation home, is responsible for the town losing tens of thousands of gallons of water because of a burst pipe. Town officials are now asking seasonal homeowners to check or have someone else check their vacant properties. Water pipes in other seasonal homes also have burst, which raises concerns not only about leaks, but also damage to the island's water system. In order to find the latest large leak, town staff walked house to house to find the culprit. By the time they found the problem, there was three feet of water in the basement. Officials speculated that some homeowners may

be leaving on their water because Stonington has become a popular place for short-term rentals or because they are unaware of how brutal Maine winters can be and the resulting loss of power. Homeowners may also want the water kept on so they can visit during winter breaks. If several pipes burst at the same time, the water loss could cause the town's system to freeze. Town leaders want seasonal homeowners to install alarms or hire someone to check on their properties while the homes are vacant.

WOOLWICH

Summer traffic will be affected as work on a \$33.5 million road and bridge replacement on U.S. Route 1 continues. The so-called Station 46 bridge carries traffic over railroad tracks and a marsh. A detour to run parallel to the existing road is being built. Officials hope once the detour is finished, traffic will flow smoothly along a piece of the highway used by almost 19,000 vehicles a day. According to plans, U.S. Route 1 will be raised five feet to address concerns about sea level rise and increased flooding. The Woolwich span is among 300 bridges in Maine that are structurally deficient, according to state transportation standards. The Woolwich bridge was built in 1933 and widened in 1980. ■

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LEGAL NOTES

Special Town Meetings: Six Common Questions

Now that March, the traditional month for annual town meetings in Maine, has passed, we're starting to get questions again about special town meetings. Here's a half-dozen of the most common ones, together with our answers.

Is there a limit on the number of special town meetings that can be held? No, state law does not restrict the number of special town meetings in any given period of time. The municipal officers (select board members or councilors) are free, in their sound discretion, to call a special town meeting whenever and as often as they deem it necessary or appropriate to do so. During the course of a municipal year, there might be any number of compelling reasons for calling a special town meeting – for example, to fill an unanticipated vacancy in office or to address an unexpected budget or land use emergency.

Are there any special notice requirements for calling a special town meeting? No, the statutory requirements for calling a town meeting, whether an annual meeting or a special meeting, are the very same (see 30-A M.R.S. § 2523). There must be a warrant specifying the time and place of the meeting and the article(s) of business to be acted upon. The warrant must be signed by a majority of the municipal officers and directed to a constable or a resident by name, who must post an attested copy in at least one conspicuous public place in town at least seven days before the meeting. The constable or resident must also complete a return on the warrant stating the time and manner of posting. Some towns also publish town meeting warrants in a local newspaper or on their websites, but this is not legally necessary and is not a legally satisfactory substitute for a proper posting.

Is there a quorum requirement for special town meetings? No, under state law there is no quorum requirement (*i.e.*, a minimum number of voters who must be present) for either annual or special town meetings – any number of voters present is legally sufficient to conduct business. But there is a quorum requirement, of sorts, for a town meeting vote choosing between a single appointed assessor and an elected board of assessors; the vote is legally effective only if the total

MUNICIPAL CALENDAR

ON OR BEFORE APRIL 30 — Every employer required to deduct and withhold tax shall, for each calendar quarter, file a withholding return and remit payment as prescribed by the State Tax Assessor (36 M.R.S. § 5253).

BY APRIL 30, 2021 — Biennial Solid Waste and Recycling Municipal Reporting forms are due to the Maine DEP covering calendar years 2019 and 2020. See DEP website for form (38 M.R.S. § 2133(7)).

MAY — Municipal officers shall meet as the “licensing board” to license innkeepers and tavernkeepers during the month of May or at a special meeting at other times they determine (30-A M.R.S. § 3812).

MAY 1 — Any holder of life insurance, gift or stored-value property presumed abandoned under 33 M.R.S. § 2091 must file a report covering the 12 months preceding July 1 of the last year to the Administrator of Abandoned Property in the State Treasurer's Office by May 1. (33 M.R.S. § 2093). See State Treasurer website for forms.

ON OR BEFORE MAY 15 — Monthly/quarterly/semi-annual expenditure statement and claim for General Assistance reimbursement to be filed via online portal or sent to Department of Health and Human Services, General Assistance Unit, #11 SHS, Augusta, ME 04333-0011 (22 M.R.S. § 4311; DHHS regulations).

number of votes cast for and against the choice equals at least 10% of the number of votes cast in the town in the last gubernatorial election (see 30-A M.R.S. § 2526(5)(A)).

What types of business can be conducted at a special town meeting? Almost any kind of municipal business may be acted upon at a special town meeting, including special elections, budgetary matters, contracts, bonds, and ordinances, among other things. But whatever business is proposed must be specified in “distinct” articles on the warrant calling the meeting; no other business may be acted upon (see above). The only type of business we can think of that cannot be conducted at a special town meeting is setting or altering the date when property taxes must be committed, the date or dates when taxes become due and payable, the date or dates when they become delinquent, and the interest rate on delinquent taxes. These decisions must all be made either at the town meeting at which taxes are raised or at a subsequent town meeting *prior to the commitment of taxes*; they cannot be decided or changed by a special town meeting after the tax commitment (see 36 M.R.S. § 505).

Must a special town meeting be called if a voter petition demands one? Not necessarily. State law gives the municipal officers discretion, upon their receipt of a voter petition, *either* to include the pe-

tioned article in the next warrant they issue (which could be the warrant for the next annual town meeting) *or* within 60 days to call a special town meeting for its consideration (see 30-A M.R.S. § 2522). This choice belongs to the municipal officers regardless of what the petitioners may demand unless delay would completely frustrate the purpose of the petition (by causing the petitioners to miss a critical deadline of some sort, for example). Otherwise, delay until the next regularly scheduled town meeting may make much more sense inasmuch as there will likely be a larger voter turnout. For more on this, see Chapter 5 of MMA's *Town Meeting & Elections Manual*.

Are special referendum elections more restricted than special town meetings? Not really. There is no limit on the number of special referendum elections that can be held. Nor are there any special notice requirements for calling a special referendum election (although along with a seven-day warrant, specimen ballots must be posted at least four days before the election, see 30-A M.R.S. § 2528(7)). There is also no quorum or minimum number of voters required for a special referendum election (with one known exception, see above). And virtually any type of business may be conducted at a special referendum election (again, with one known exception, see above). And finally, a special referendum election

LEGAL NOTES

need not be called just because a voter petition demands one; the municipal officers have the choice of *either* calling a special election or placing the petitioned question on the next ballot printed (see 30-A M.R.S. § 2528(5)) unless delay would completely frustrate the purpose of the petition (again, see above).

Before leaving this subject, we should note that a municipal charter may (1) limit the number of special town meetings, (2) impose special notice requirements for special town meetings, (3) impose a quorum requirement for special town meetings, (4) limit the types of business that can be conducted at special town meetings, (5) require a special town meeting if petitioners demand one, and (6) restrict special referendum elections more than special town meetings. A charter could do any or all of these things, but not an ordinance or a mere town meeting vote (see 30-A M.R.S. § 2501).

For full details on both special town meetings and special referendum elections, see MMA's *Town Meeting & Elections Manual*, available free to members at www.memun.org. (By R.P.F.)

Ten Ordinances That Must Be Filed with the State

There is no general requirement that municipal ordinances be filed with any State agency or recorded in the county registry of deeds. In fact most ordinances need be filed only with the municipal clerk (see 30-A M.R.S. § 3005). But certain types of ordinances must also be filed

with certain State agencies or they may be legally unenforceable. Here, in alphabetical order, are all of those we know of:

Farm operations. A copy of any proposed ordinance that impacts farm operations must be submitted to the Commissioner of Agriculture, Conservation and Forestry at least 90 days before adoption (see 7 M.R.S. § 155).

Firearms discharge. A municipality must consult with the Department of Inland Fisheries and Wildlife during the process of adopting or amending a firearms discharge ordinance and must provide the Commissioner with a copy of any new or amended ordinance within 30 days after adoption (see 30-A M.R.S. § 3007(5)).

Fireworks. A copy of any ordinance prohibiting or restricting the sale or use of consumer fireworks must be provided to the State Fire Marshal's Office within 60 days after adoption. If a municipality adopts an ordinance requiring a municipal permit for the sale of fireworks, it must notify the State Fire Marshal at least 60 days prior to the initiation of the permitting program (see 8 M.R.S. § 223-A(2)).

General assistance. Every municipality must file its general assistance ordinance with the Department of Health and Human Services (see 22 M.R.S. § 4305(4)).

Pesticides. A copy of any proposed ordinance regulating pesticide storage, distribution or use must be provided to the Board of Pesticides Control at least seven days before adoption; the municipal clerk must also notify the Board within 30 days after adoption (see 22 M.R.S. § 1471-U).

Shellfish conservation. Any proposed

shellfish conservation ordinance must be approved by the Commissioner of Marine Resources; a certified copy of the ordinance must also be filed with the Commissioner within 20 days after adoption (see 12 M.R.S. § 6671(4)(B) and (5)).

Shoreland zoning. Shoreland zoning ordinances and amendments are not effective unless approved by the Commissioner of Environmental Protection. If the Commissioner fails to act within 45 days of receipt of an ordinance or an amendment, it is automatically approved (see 38 M.R.S. § 438-A(3)).

Solid waste disposal facilities. A copy of any ordinance governing the siting, design and operation of solid waste disposal facilities must be forwarded to the Commissioner of Environmental Protection within 30 days after adoption (see 38 M.R.S. § 1310-U).

Timber harvesting. A municipality must consult with the Department of Agriculture, Conservation and Forestry during the development of an ordinance regulating timber harvesting and must provide the Department with a copy of the proposed ordinance at least 30 days before adoption; the municipal clerk must also notify and file a copy of the ordinance with the Bureau of Forestry within 30 days after adoption (see 12 M.R.S. § 8869(8) and (9)).

Water levels and minimum flow. A copy of any ordinance regulating water level regimes and minimum flow requirements for impoundments and dams must, after adoption, be submitted to the Commissioner of Environmental Protection for approval (see 30-A M.R.S. § 4455).

The failure to file and, if required, obtain approval of any of these ordinance may result in the ordinance being unenforceable in some cases, but not in others. For complete details, see the statutes cited above for each ordinance.

Also, many of these ordinances, as well as many other types of ordinances, are subject to certain requirements and restrictions on municipal "home rule" power. For an alphabetical listing with details and statutory cites, see "Municipal Home Rule Power: Statutory Preemptions (1 of 2)," *Maine Town & City*, Legal Notes, April 2021, and "Municipal Home Rule Power: Statutory Preemptions (2 of 2)," *Maine Town & City*, Legal Notes, May 2021. (By R.P.F.) ■

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2022 SPRING BOND ISSUE SCHEDULE

Capital financing through the Bond Bank's General Bond Resolution Program allows borrowers to take advantage of the Bond Bank's high investment grade rating, low interest rates and reduced issuance and post issuance costs. Traditionally twice a year, in the spring and fall, the Bond Bank will consolidate eligible applicants and engage in a bond sale. From application to receipt of funds the bond issuance process usually lasts three to four months. Below is the schedule for the Bond Bank's Spring Issue.

February						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Wednesday, February 9th - Application Deadline

Wednesday, March 16th - Application Approval (Board Meeting)

Monday, April 4th - Preliminary opinions and loan agreements due from bond counsel of each borrower

Wednesday, April 6th - Last date for signing school contracts and rates in place for water district. PUC approvals due

Week of April 18th - Maine Municipal Bond Bank Pricing

Monday, May 9th - Final documents due from bond counsel

Wednesday, May 18th - Pre-closing

Thursday, May 19th - Closing - Bond proceeds available (1:00pm)

If you would like to participate in or have any questions regarding the 2022 Spring Bond Issue, please contact Toni Reed at 1-800-821-1113, (207)622-9386 ext. 213 or treed@mmbb.com.



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