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The magazine of the Maine Municipal Association

AUGUST/SEPTEMBER 2022

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Maine Town & City

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FEATURES

CELEBRATING TRADITIONS. In the Page 5 feature, James Bennett, MMA President and Biddeford City Manager, focuses on the importance of celebrating traditions, including community festivals and MMA's Annual Convention. PAGE 5



REINVENTING MAINE'S MILL TOWNS: A SERIES. The final edition of this three-part mill town reinvestment series explores the "against all odds" developments underway in Madison. GO Lab's investment in the community has not only generated jobs but is serving as the catalyst for growth within the community. PAGE 7



MMA'S ANNUAL CONVENTION. After surviving pandemic-related lockdowns, social distancing, virtual events, and hours of Zoom meetings, MMA's premiere event - the Annual Convention - is back as an in-person event at the Cross Insurance Center in Bangor. Search no further for a preview of what's in store for attendees. PAGE 17



AN INTERVIEW WITH GOVERNOR MILLS. In 2010 MMA's Executive Committee began the tradition of inviting gubernatorial candidates to participate in one-on-one discussions on issues of municipal interest. The tradition is alive and well as Governor Janet Mills took time out of her schedule to discuss her policy priorities. PAGE 23



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A MESSAGE FROM MMA

BY JAMES A. BENNETT / PRESIDENT

Time To Celebrate Our Traditions

Summer in Maine is special for many reasons.

However, one of the greatest traditions is the many gatherings that take place in communities across the state, which akin to a family reunion, provide opportunities for residents, visitors, and business owners to reconnect and celebrate. Some of these community traditions are well known, such as my hometown of Lisbon's Moxie Festival, Biddeford's La Kermesse and Fort Fairfield's Potato Blossom Festival.

As a member of the Kora Shriners, I have been very fortunate over the last twenty years to participate in many of these communities' parades. I have seen firsthand the pride for and love of community that is expressed during these annual events. I can't imagine how many thousands of volunteers and community leaders it takes to carry on these important traditions. If you or someone in your family contributes time and energy to these festivities, let me take a moment to thank you. Our family, friends and neighbors' pride in community is strengthened by your willingness to volunteer.

Traditions are also alive and well at MMA.

In the April edition of the magazine, I described the importance of the meetings between municipal leaders and members of Maine's Congressional Delegation that are conducted each March. This time, the spotlight shines on two other annual functions; MMA's October Convention and the Executive Committee's planning workshop.

In September, the Executive Committee (EC) will conduct a two-day retreat for the purpose of setting the Association's goals for the upcoming year. Carrying on the long tradition of meeting in the MMA president's community, this year the City of Biddeford will host the event. Our municipal leaders and colleagues are eager to share and discuss the developments taking place in the city's burgeoning downtown, many of which have been featured on national "best of" lists. Additionally, Elaine Aloes, MMA vice president, and I will lead the EC through a discussion of what the Association can do to prepare municipal officials for the challenges associated with an increasingly uncertain future.

At the risk of sounding like many others, I am excited and look forward to seeing many of you in Bangor on October 5 and 6 for MMA's convention. In my opinion, gathering in-person is the very best way to participate in

this celebratory event. This year attendees are invited to hear presentations from three keynote and featured speakers, participate in a broad array of programs and sessions, share in the awarding of the esteemed Ethel Kelley Award, and bear witness to the swearing-in of Elaine Aloes, Solon Selectboard Chair, as the next MMA president.

In honoring MMA's roots, the program will feature many so-called "nuts and bolts" sessions designed for our smaller communities. I am pleased and excited to announce the return of the traditional formal banquet on Wednesday night.

While there are many great educational programs and opportunities to network with new and old colleagues, I'm especially pleased to share two personal favorites for this year's event.

Our kickoff keynoter is the nationally acclaimed futurist and economist, Rebecca Ryan.

Rebecca knows local governments. She knows innovation. She is considered one of the top 50 futurists, nationally. She has served for many years as the Resident Futurist for the Alliance for Innovation; a non-profit group of local government leaders that inspire innovation in local government. As a bestselling author who is described as a "human spark plug," she will challenge Maine local government leaders to envision a bold and ambitious future for our communities. I have had the pleasure of seeing Rebecca several times during my career. Each presentation was special, motivating, and unique. You are certain to be impacted by Rebecca.

I am also very pleased to share that we have upped the member appreciation event. Our musical guests will be Maine's own Motor Booty Affair. Through a special connection and donation, we have been able to convince the mothership to take a trip from their home planet of Funktar to join us in Bangor.

Don't miss this opportunity to celebrate the great work of our municipal leaders. I hope many of you will make it a priority to join us in October.

In closing, I want to share with you my sincere appreciation for all you do to make each of Maine's communities the very best hometowns anywhere. You make a difference every day. Things that matter in citizens' lives get done at the local level. In Maine, each of you do the "things that matter" like no other. ■

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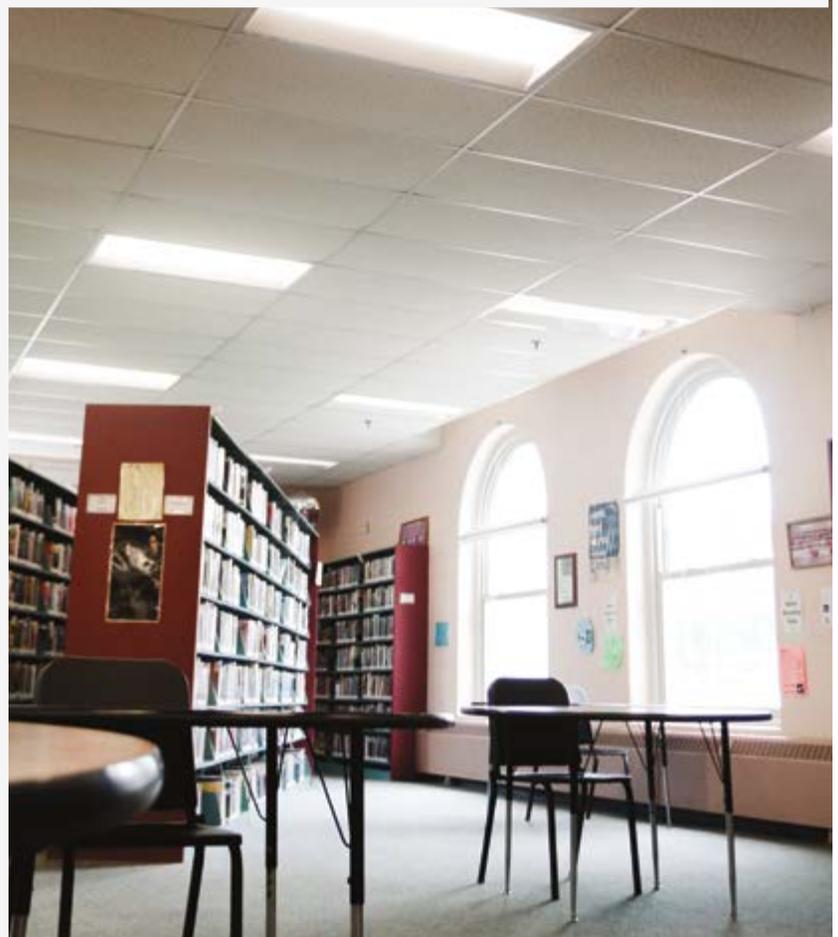
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Against All Odds

GO Lab's investment in Madison is the catalyst for growth that is generating proposals for a new housing facility, investments in EV charging stations, and the development of a daycare program.

By Janine Pineo

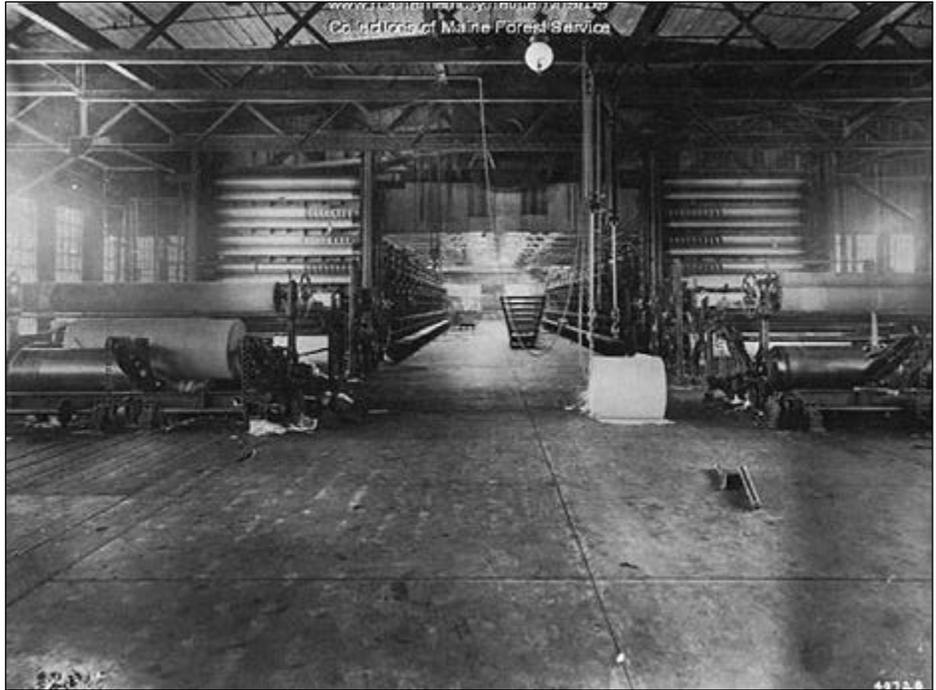
"They're hiring down at the mill."

A century ago, those words rang true across Maine as paper mills powered the state's economy. The vibrant industry that built towns deep within the North Woods employed thousands in the mills and created a network of jobs outside the gates to support the sprawling complexes and their workers.

From 2014 to 2016, six mills shut down, the end of a quarter century of 13 closures that rent the state's forest products industry. According to the Maine History article "When the Mill Goes Quiet" by Lloyd Irland, the loss of these 13 mills signified 75 percent of the mills in the state, 73 percent of the mill jobs and 50 percent of the state's wood consumption.

One of the last two closures in 2016 was Madison Paper Industries, a partnership between one of the world's largest forest products companies, Finnish pulp and paper maker UPM-Kymmene, and Northern SC Paper Corp., a subsidiary of The New York Times Co. The mill had undergone a major upgrade in 1980 with the addition of a supercalendared paper machine that turned out an uncoated, polished paper the NYT used for inserts inside the regular newsprint. That modern equipment would keep the mill open as it rolled out 6.5 million tons of product and be a star feature in the tax battle that would play out decades later with the town of Madison.

What followed the May 2016 closure was what happened to every mill: In short order, it all was sold off. Equipment was sold to other mills with the paper machine going to China; the two hydroelectric dams were sold to a subsidiary of the Canadian government; and the property was diced up and sold in pieces, including the office building



The paper machine room at Great Northern Paper Company's Madison Mill, Steam Driver. (Courtesy Maine Department of Agriculture, Conservation and Forestry)

and parking lot to the Canadian subsidiary, Eagle Creek Renewable Energy.

But this year, something is happening that has not happened at every former mill: "They're hiring down at the mill," said Madison Town Manager Tim Curtis.

Out with the old ...

When UPM entered the picture in the mid-2000s, Madison's mill was considered in the industry to be a modern mill because of its \$185 million upgrade in the early 1980s. Around 2008, Curtis said, the company started investing in the computer systems. "They were spending what appeared [to be] tons," he said. "Oodles of dollars."

Madison was one of seven mills in North America making supercalendared paper. At that time, the newspaper industry was shrinking, as was its advertising and thus demand for specialty papers. But Madison was a highly efficient mill with a small crew, so when

UPM approached the town's tax assessor in 2014 to ask for a drastic reduction in the mill's valuation, "this was not what the community was prepared for," Curtis said.

The mill owners wanted their \$229 million assessment to be \$80 million, Curtis said.

The town's total valuation? \$500 million.

At issue to UPM was that modern paper machine, valued at \$200 million. It did not qualify for either of the state's tax reimbursement or tax exempt programs: Business Equipment Tax Reimbursement (BETR) and Business Equipment Tax Exemption (BETE).

The request would shake up the town government as the board of assessors did its work while the town's selectboard remained in the dark about what was under way, Curtis said. When the change in valuation was approved by the assessors, Madison faced not only a scramble to deal with a possible 50

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



The Madison paper mill in July 2021

percent tax increase overnight, he said, but also shocked and surprised townspeople who were angry at the assessors and wanted to dissolve the board.

“Of course, that didn’t change the assessment,” Curtis said.

Madison mitigated some of the blow by using undesignated funds, he said. Scraping together \$1.4 million that first year was “painful.”

For 2015, budgets were lowered. The highest the mil rate has gone is \$21.5, he said, and the line of credit that the town established never had to be used.

Today the mil rate is \$19.4. And Madison no longer has a board of assessors;

the selectboard members now serve as assessors, too.

When the mill closed in 2016, UPM filed another abatement request. The denial of that would shuffle through appeal after appeal for five years and cost the town \$200,000 in legal fees. At every juncture, Curtis said, the town won. “Those are all behind us now.”

And at no time, Curtis said, did the town want to become the mill’s owners. The makeup of the selectboard was in favor of private ownership, he said, with a definite “no, we are not going to own that site.”

In late 2018, in the midst of the liq-

uidation and ongoing legal matters, in walked the founders of GO Lab, Curtis said. The Belfast-based startup had a proposal to launch the first wood-fiber insulation plant in North America. They were looking at the Madison mill.

... In with the new

GO Lab Inc. was founded in 2017 with a vision to produce a renewable, recyclable insulation made of wood fiber that sequesters carbon and is still competitive in the marketplace. While a new concept here, wood-fiber insulation has a decades-long track record in Europe and sales to prove it, but shipping the product to the U.S. is cost-prohibitive for most.

GO Lab’s co-founders are Matthew O’Malia, an architect with expertise in passive house design (a voluntary standard for energy efficiency that also cuts a building’s ecological footprint), and Dr. Joshua Henry, a materials chemist who previously worked as faculty at Bates College and the University of Maine at Orono.

The process to create three different types of insulation — batt, board and loose fill — would use wood chips from sawmills and woody debris from FSC-certified timberland.

But the company would need a site and looked to the wood basket of Maine.

“Initially, they were a bunch of places on a list,” said Jay Field, business development and communications manager at TimberHP by GO Lab. The list was municipalities with defunct paper mills and included East Millinocket, Lincoln and Madison.

Madison’s mill ticked a few boxes for the company, Field said, including the use of natural gas and the modern portion of the mill.

“They tell me about their product,” Curtis said of that initial meeting with GO Lab. And, he said, they needed the length of three football fields to house the equipment setup.

Curtis said Madison’s mill site of 12 acres, with its “modern” facility, had just that. “This fits,” he said.

The town fit, too, according to Field. “The relationship with the town is at the center of what we’re doing,” he said.

GO Lab closed on the property for \$1.9 million in August 2019, with the goal of beginning production of one manufacturing line in the second half of 2020.

But then the COVID-19 pandemic

began in early 2020, altering the company's set course, Field said. It wasn't necessarily a bad delay as they set about to "retrench."

"It certainly forced us to change gears with our model to raise financing," he said. "The pandemic ... made the company stronger."

GO Lab brought together a diverse investor base that came from different interests such as carbon sequestering and climate change to sawmills and timberlands. "It really required fresh thinking" as the company worked to raise more equity, Field said

The result was a \$120 million plan, with \$85 million in green bond financing that closed in December 2021. That plan would now see the launch of its three manufacturing lines all in 2023, a new one for each of the first three quarters.

Meanwhile, Madison got \$3 million in grants to improve the site, Curtis said. That way if GO Lab failed to get its financing, the town could say they improved it, he said.

Cianbro Corp. started construction soon after financing closed, including foundation work inside and out to support the new equipment. "You're seeing

a real transformation outside the building by the week," Field said. "We're getting knee deep into it now."

Part of that outside transformation soon will be the skyline as the new drying cyclone will rise 80 feet above the roof of the mill, not far from the towering 250-foot-tall smokestack.

"That will be the talk of the town," Curtis said.

Jobs and more

TimberHP, which GO Lab is transitioning the name of the public-facing company to, is already influencing other developments in Madison.

Curtis said a 42-unit housing facility is before the planning board, which

wouldn't have happened without GO Lab locating in town. E-bikes and electric vehicle charging stations are in the works as is a daycare program.

A biodigester facility that was proposed in 2018 for the mill site is in the process of adapting its plan to work in tandem with GO Lab, which could use the biodigester's output: renewable natural gas. Waste from the GO Lab facility as well as other Madison businesses, such as the tomato-producing Backyard Farms, would be used in the anaerobic digesters.

Then there are those 120 expected jobs at TimberHP itself.

Curtis said GO Lab is hiring a lot of local people and already has on board

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three former mill workers in key positions.

More hiring is planned for this fall as the facility ramps up to the launch of its first product, TimberFill, in early 2023.

Curtis sees a number of positives for Madison, which just six years ago was watching as its mill shuttered and was sold. Taxes and home sales are up, he said, and the mil rate has gone down.

“We have a growing tax valuation,” Curtis said. “We have a much more diverse tax base than we did before.”

Backyard Farms, Eagle Creek and Central Maine Power are 25 percent of the tax base, he said. Next year, GO Lab will have its equipment in place and the town can start to assess for taxes and then be reimbursed by the state.

Madison will never get back to when that \$200 million paper machine was in the mill, he said.

“Change always brings a little bit of fear,” Curtis said. “This is welcome.” ■

Changing with the Times

By Janine Pineo

“This state does not have any shortage of abandoned mill sites.”

The question is what does the community have, said Lloyd Irland, who served as the state’s forest insect manager during the middle of the last budworm outbreak, as well as director of public lands and the state economist. Currently serving on the Wayne selectboard, Irland also has assessed the wood product and paper markets across the U.S. and Canada for more than 25 years as a consultant.

Irland sees an uphill battle to rehab paper mills for a number of reasons. Infrastructure is one (“It’s one thing to have railroad tracks. It’s another to have service.”) and workforce is another (“The hope was gone.”). Then add in global competition, brownfield complications and energy needs, to name a few more.

Calling it the “false hopes industrial complex,” Irland said expectations a mill town will find enough viable businesses to replace the lost jobs and tax income aren’t realistic. The tax dollars are not coming back, nor are the jobs on the scale during the mills’ heydays.

The new uses for wood products will not be to the same scale either, Irland said. Even GO Lab’s output will utilize a fraction of what Madison Paper Industries did with its paper machine.

“We’re just going to have to adapt,” he said.

ABOUT THIS SERIES

Maine’s mill towns were once blessed with the fortunes generated by the companies built within their borders. After decades of struggle marking the final years of these giants of industry, many municipalities were left with the aftermath: massive sites, often within the heart of the community, rusting and crumbling, with residents leaving to chase new employment, storefronts closing and municipal coffers suddenly lacking income to pay the bills. The daily headlines have faded to the occasional announcement of a new venture or a new purchase, but rare are the stories to say a new business is up and running. In this three-part series, *Maine Town & City* features municipalities that are dealing with life in the years after such a loss, looking at their unique situations, the hurdles they face and their plans looking ahead. Previously featured were East Millinocket and Lincoln. In this final article, we spotlight Madison.



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An Assessor's Perspective on Current Use Programs

By Kerry Leichtman

Special to this edition of the *Town & City*, Kerry Leichtman shares his insights, perspectives, and frustrations with Maine's current use programs. After a career as a magazine editor, book publisher and writer, Leichtman became a Certified Maine Assessor in 2007. He's been Rockport's assessor since 2010, Camden's since 2014 and Rockland's since July 2022. He has no free time.

Current use as a taxation concept makes good sense. By way of current use programs, the state and municipalities encourage land uses that would not be profitable if the land was valued and taxed at the fair market value (FMV) by reducing land value in accordance with its current use.

Maine has four current use programs: Farmland, Open Space, Tree Growth, and Working Waterfront.

Farmland is intended to save farms from the onslaught of development; Tree Growth aims to provide the state's forest products industry with raw materials; Open Space protects land that might otherwise be developed from development; and Working Waterfront prevents fishing and seafood related uses and needed workforce from being taxed off the water.

All laudable goals, but these good intentions are often overwhelmed by loopholes broad enough to drive a logging truck through.

I had a friend at Maine Revenue Service's Property Tax Division who I'd call when faced with a particularly egregious current use application.

My friend, Ozzie, would do his best to talk me off the ledge. An oft-repeated bit of wisdom he resorted to was that 95% of the people participating in current use programs were doing it according to the spirit as well as the letter of the law; that because I assess high-value towns, I was seeing more of the 5%.

While there are obvious problems with that logic – the abuses I see cut across all economic strata – I tried



Kerry Leichtman

to take comfort in it and had almost completely bought in when I went to a forestry event where I saw a friend with the Forest Service. While we chatted, I mentioned how Ozzie's perspective was helping me cope. He laughed and said he thought the percentage split was more like 55/45. Well, okay then.

Why I care so much about this is simple, every tax break given to one property owner increases the burden on everyone else. Assessing is all about the fair and equitable treatment of taxpayers. People who are gaming the system are doing so at the expense of others and it bothers me. I think it bothers most assessors. But it is our job to administer tax law as it is written.

Farmland

I had a farmland application from a resident whose property was 112 acres. Eight acres were fields, and the rest was forested. He had a deal with a beekeeper to house some of the keeper's hives when they weren't working blueberry fields. He was going to be paid \$2,400/year to lease enough land for the hives.

I no longer remember the number of hives or the amount of land to be leased, but at most it couldn't have needed more than a couple hundred square feet. According to statute the property owner can lease the land to another person and still qualify. Also, bees are a recognized farming activity. The minimum gross income to be earned every other year, or every three out of five years, is just \$2,000.

The applicant sought to enroll his 104 acres of trees in the program as farm woodland. This is allowed and the rate for that acreage is the same as if it were in the Tree Growth program except that the "farmer" would not need a forest management plan or have to harvest a single twig.

Statute had no issue with this plan; it checked all of the boxes. But I had a major problem with it.

What I wound up doing was convincing the property owner to apply for Tree Growth instead of Farmland. If he didn't go for it, I'd have to approve the application knowing full well that it was the only manure this "farm" would produce. But Tree Growth made sense. He'd have to hire a forester to write a plan and he'd have to follow the plan. This way the state's goals of getting something in exchange for the discount would be met.

A few years later, the property was listed for sale. The photos that accompanied the listing showed he had improved the residence. What had been a beaten down Cape was now in much better condition. I made the appropriate changes to the property record and wrote him a letter telling him of his new assessment. He sent the letter back with a note handwritten in the margins that said, "The photos are at least 10 years old. Put the value back to where it was." So, in effect, he was telling me his real estate listing was as bogus as his farmland application had been.

I called the listing broker who told me he, the broker, had taken the pictures a few weeks ago. I left the values

where they were.

Then there was the out-of-state landowner who flew to Maine from Texas on his private jet just to talk to me about putting his property in farmland. Most of the farmers I know drive pickup trucks. I'd be remiss if I didn't mention the subdivision developer who put his unsold lots into Farmland and let the blueberries come back. At some point they will undoubtedly become house lots again.

Open Space

There are many configurations of Open Space beginning with ordinary open space for which the landowner receives a 20% discount off FMV. Many oceanfront parcels go for this one. They get a discount on highly valued land in exchange for not developing land they would probably not develop anyway, land that if developed would become a high-value property that would contribute to the town's tax base.

There are five basic Open Space categories: ordinary (20% discount), permanently protected (30%), forever wild (20%), public access (25%), and managed forest (10%). A parcel can multi-task and be enrolled in numerous compatible categories. Ordinary plus permanently protected plus forever wild plus public access yields a 95% discount. There are many ways to mix and match the categories.

An Open Space category that makes

good sense is permanently protected. At this level a conservation organization receives a deeded right to preserve and manage the land assuring it will always be open space. While this will preserve land, it does not allow public access, which some argue should be an essential component of a public benefit.

An Open Space category that makes no sense is the newest category: managed forest. The landowner does need a forest management plan, but no trees need be harvested. While the 10% discount for managed forest may seem meager, once paired with ordinary open space it becomes 30%. Then add on permanently protected and it's 50%. If the landowner allows public access, it's up to 75%.

Tree Growth

Trees, valued for lumber and other products (sap, boughs, pinecones, for example), grow slowly. So sloth-like slowly that if the land they grew on was taxed at FMV, all potential profit would be eliminated by the 10-20 years of property taxes paid on the land while the tree matured to a marketable size.

Because the timber industry is an important sector of Maine's economy, the state wanted to ensure the loggers, truck drivers and mills had plenty of raw materials to work with. This is accomplished by drastically lowering acreage values for Tree Growth participants.

There's nothing wrong with any of

that. Assessors, most of whom know little about trees and silviculture, are charged with enforcing compliance, but with both hands tied behind our backs. We are not permitted to keep Tree Growth forest management plans on file or outright reject a plan.

It's worth noting that the Maine Forest Service has been a valuable partner for assessors, assisting us in investigating abuses and dealing with non-cooperative foresters.

When a plan is nearing its expiration, we must send letters to the property owner alerting them of the need to re-certify, and we must send the letters out at prescribed times. If we send them too early or too late, we'll lose any appeal the property owner might file when we attempt to remove them from the program for non-compliance. If they do fail to comply, property owners are allowed to transfer into Open Space without penalty. Think about that for a moment. After receiving years of dramatic tax breaks the penalty for not holding up



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their end of the bargain is easily side stepped.

How dramatic? In my towns of Camden and Rockport, the FMV base value of backland is \$5,000/acre. That same acreage, if enrolled in Tree Growth, is valued at \$251 for hardwood, \$313 for softwood and \$385 for mixed wood. On average, that's a 94% discount.

Tree Growth requires a 10-acre minimum. So, using softwood, the middle

value category, as an example, 10 acres at \$313 equals \$3,130 taxable value per year. At FMV that same land would be assessed at \$50,000 of taxable value annually. Using a mil rate of \$17, the tax bill under Tree Growth is \$53.21; at FMV it's \$850. After 10 years, the property owner has saved \$7,968.

Now, let's assume they haven't followed the plan.

After 10 years in the Tree Growth

program the penalty is 30% of the difference between current FMV and TG value. That is $(\$50,000 - \$3130) \times .30 = \$14,061$. But the municipality won't see a dime of it because the parcel was transferred into Open Space penalty free, having saved almost \$8,000 while in Tree Growth.

Working Waterfront

On the books since 2007, Working Waterfront is the newest current use program. It came about because sharply escalating waterfront land values were pricing working people out of their oceanfront homes and fishing and seafood businesses out of their oceanfront locations.

You would think an assessor of two coastal towns would have a lot of experience with this program. But by the time it was enacted the transition had long since passed. Some had happily sold out; others were forced out by high taxes.

I don't think my experience is uncommon. While assessors discuss current use all the time, I can't recall the last time I heard anything about Working Waterfront.

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What To Do – Thoughts From Assessors

As I wrote at the opening, current use makes sense. The goals, as promulgated by the Legislature, are worthy but the programs themselves are too loosely defined and do not adequately anticipate potential abuses.

In preparation for writing this article I put a notice on the assessor listserv, asking people to relay their thoughts and experiences. What follows is a synthesis of their responses.

- Good intent but ambiguous overly lenient language that invites abuse.
- Tree Growth reimbursements rates are based on a formula that doesn't adequately address the actual value lost to the municipality, especially ocean and lakefront properties.
- Most Tree Growth in the Unorganized Territories is owned by foreign and out of state corporations, insurance companies and hedge funds, leaving camp and business owners shouldering the tax burden and state taxpayers subsidizing Canadian sawmills and landowners with our reimbursements. If Maine taxpayers are going to be asked to reimburse these foreign and out of state entities there should be a public benefit tied to the program such as open to the public for recreation, etc.
- Forest management plans should be kept on file in the assessor's office. How can we enforce a plan we don't possess? The assessor should have the authority to reject management plans that do not adequately convey necessary information, such as activity recommendations for the covered ten-year period. Too often the recommendations are vaguely worded suggestions. Some foresters push

back when plans are questioned.

- Tree Growth owners need to take responsibility for their own deadlines without handholding by assessors. It is their tax break. It should be on the taxpayer to manage it. The warning letters are little more than a gotcha trap.
- Eliminate the penalty-free transfer from Tree Growth to Open Space.
- The Farmland gross income is ridiculously low. The \$2,000 threshold also allows for personal garden use, meaning the produce a property owner consumes also counts toward the total.
- Having to earn \$2,000 gross every one out of two years or every three out of five is applicable to blueberry farming yet it is being applied to all categories.
- The only portions of a parcel to receive a Farmland discount should be the land actually being used for an accepted farming activity.
- The Farm Income portion of IRS form 1040 should be the only accepted income document.
- There is currently no category for raising livestock.
- According to 36 MRS §1119, the Department of Agriculture, Conserva-

tion and Forestry, "working with the Bureau of Revenue Services, representatives of municipal assessors and farmers shall prepare guidelines to assist local assessors in the valuation of farmland." As far as I know this has never happened.

- Open Space needs a serious overhaul. The ordinary open space, managed forest, and forever wild categories should be eliminated. The public benefit list found at 36 MRS §1109 incorporates everything under the sun. All it does is provide fodder for arguments between assessors and taxpayers.
- All Open Space land should be open to the public.

Conclusion

Assessors see the world through a mindset that is focused on the fair and equitable treatment of taxpayers. I often explain current use to an interested property owner as being a pact between them and the state: we'll give you a tax break in exchange for preserving land, or raw materials for the wood products industry, or locally produced food.

It needs to be a fair exchange in order for it to be equitable to all, especially the property owners whose taxes are higher because others are getting a break. ■

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Return of the MMA Convention

A long overdue opportunity to reconnect and celebrate.

By Kate Dufour, Director, Advocacy & Communications

After what seems like a decade, the Association is pleased to announce that the MMA Annual Convention will be an in-person event held on Oct. 5 and 6 at the Cross Insurance Center in Bangor.

After hosting virtual conventions in 2020 and 2021, Alicia Gaudet, Assistant Director of Educational Services & Conventions, is eager for the opportunity to gather, reconnect, and most importantly, celebrate the valuable contributions of municipal leaders.

"With guidance from our Executive Committee and after months of planning, we are excited to finally bring an in-person MMA Convention to fruition for the first time since 2019," said Gaudet. "I know I speak for all of the MMA staff when I say how eager we are to come together and celebrate with our members in October."

Once again, participants will attend sessions on numerous municipally relevant issues, roam the convention floor to meet with vendors, reunite with colleagues from all corners of Maine, and flaunt groovy disco moves as **Motor Booty Affair** will bring the fun and funk to MMA's premier networking event on Oct. 5.

Adding to the celebratory theme is the return of the formal banquet on Wednesday evening during which the winner of the prestigious Ethel Kelley Award, honoring dedication to municipal service, will be announced. **James "Jim" Bennett**, MMA President and Biddeford City Manager, will deliver his final address, as **Elaine Aloes**, Chair of the Solon Selectboard, is sworn in as the Association's in-coming president.

When speaking to the value of the convention, Bennett notes that "The things that matter in citizens' lives get done at the local level. Those that serve Maine in local government have consistently depended on MMA as their primary source for assistance. One of MMA's major educational opportunities is the annual convention. After two years of not being able to meet in person, this year's event will certainly be regarded as one of the very best. I hope that many of you will be able to join your MMA team in October."

AN EYE ON THE FUTURE. While there is much to celebrate, equally important is the need to discuss the future of municipal government.

Apropos, **Rebecca Ryan**, a nationally acclaimed futurist and economist, will kick off the convention on Wednesday, Oct. 5 by describing the tools local leaders can use to anticipate the future and inform the development of

strategic plans that achieve desired community goals and outcomes. According to Ryan "the tools provide great flexibility to municipal leaders seeking solutions to the unique challenges facing individual towns and cities, ranging from strategies to engage younger residents to implementing more effective snowplow routes."

In a similar forward-looking vein, Wednesday's luncheon speaker, **Heather Johnson**, Commissioner, Maine Department of Economic and Community Development, will discuss the broadband, renewable energy, and housing investment opportunities that lie ahead for Maine.

Additionally, Jim Bennett will lead a session on Wednesday afternoon describing the resurgence of the City of Biddeford and the community's efforts to convert its downtown from the location of the region's trash-burning incinerator to a vibrant hub that is now home to the arts, cultural opportunities, and some of Maine's best restaurants.

GROWING MAINE'S WORKFORCE. With communities struggling to recruit municipal employees – in a few cases necessitating the temporary closure of town halls – undoubtedly workforce shortages are of tremendous concern. Thursday morning's keynote speaker, **David Daigler**, President, Maine Community College System, will discuss the college system's role in training and generating Maine's future workforce. As session attendees will learn, the development of groundbreaking partnerships with public and private sector employers is a key part of the solution for generating the next workforce.

Equally important to growing the municipal employee ranks, is the need to reinvent the way in which employers retain potential candidates. In back-to-back sessions on Wednesday afternoon, attendees will learn how to appeal to a workforce that prioritizes an appropriate work/home balance, as well as workplaces that are diverse and welcome change.

First up, **Courtney O'Donnell**, Bangor Assistant City Manager, will facilitate a panel discussion on what municipal employers should know about recruiting, retaining, and supporting a younger municipal workforce. "There are a lot



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of stereotypes and assumptions out there about generational differences that can hinder progress. This session is meant to help everyone better understand how to leverage those differences to better serve our communities, as the younger generations become more prevalent in the workplace," said O'Donnell, adding that she "encourages all municipal employees and elected officials to attend, but in particular supervisors."

The second session features **Dustin Ward**, President and Founder of It Is Time, LLC, and New Gloucester selectboard member, who is eager to discuss the steps community leaders should take when striving to make their workplace environments more diverse, equitable and inclusionary. Ward hopes, "attendees participating will be better empowered to recognize the places where Diversity, Equity, and Inclusion (DEI) efforts have fallen short, and be emboldened to rectify the tensions and issues they may face. For those who think DEI is not necessary in their local municipality, this is a great opportunity to hear the value it can bring across multiple demographics."

But wait, there is more.

On Thursday, attendees will learn why new Mainers are finding career opportunities in the municipal job market. **Yanina Nickless**, Assistant to the Kennebunkport Town Manager and HR Administrator, who moved from the Ukraine seven years ago will participate in the session. For Nickless it is the versatility, flexibility and impact on the community that attracts her to municipal government. "The ability to be a new person every day and, at the same time, to make a huge difference in this little universe that we call Kennebunkport is key...on Mondays, I am a finance person and an editor on Tuesdays. On Wednesday I work with the Public Works Department and respond to questions about trash and recycling; while on Thursdays, we meet with the selectboard to discuss parking and the budget. Fridays, I am just Yanina; I organize, create agendas, and work on the website."

PUBLIC SAFETY & WELLBEING. New this year is a series of sessions drawing attention to and recognition of the unimaginable pressures law enforcement activities place on these vital employees, as well as the health and mental health tools municipal officials can implement before it is too late.

During the first session on Wednesday, **Dr. Benjamin Stone**, Founder and Chief Executive Officer of Sigma Tactical Health and Wellness, will discuss the invest-

ments communities can make to improve retention and health outcomes for public safety employees. While on Thursday morning, **Dr. Lewis Schlosser**, Managing Partner, Institute for Forensic Psychology, will discuss the negative outcomes associated with excessive exposure to stressful events and ways to break the stigma associated with seeking mental health support among members of the law enforcement community.

On Thursday afternoon, **Shannon Moss**, Public Safety Media Relations Expert, Maine Department of Public Safety, along with several experienced executive level law enforcement officials, will round out the series by leading a discussion on officer-involved shootings and critical incident management. According to Moss, "The gravity and pace of these incidents makes it imperative that agencies involved have a coordinated response that includes a plan for working with the media who will be quick to call or show up on scene. Releasing sensitive information at the wrong time can jeopardize the integrity of an investigation."

Attendees will learn about what happens after the incident, including the policy and procedures for investigation required by state law, availability of multiagency resources, media relations, and employee wellbeing considerations.

Falmouth Police Chief, **John Kilbride** is encouraging "managers seeking a better understanding of their role with an officer involved shooting to attend this training." Speaking from personal experience, Kilbride notes that "establishing a strong working relationship with my town manager was essential for me and our team. The vacuum inside a police department experiencing a shooting is incredible. Those involved immediately seek support from within, and above. How the managers and chiefs direct these challenges, and resources is essential to staff's emotional wellbeing and the future of the department, along with community trust."

PROTECTING ELECTION OFFICIALS. The allegations that federal elections are fraudulently conducted is having a growing adverse impact on the municipal officials responsible for conducting federal, state, and municipal elections in Maine. Threats to and harassment of municipal officials, who are our neighbors and friends, continue to increase in all areas of the state. On Thursday morning, a panel, including Waterville City Clerk, **Patti Dubois**, will discuss the preparations needed to safely conduct the upcoming election. "We are fortunate to have a panel of profes-

sionals from across the country to discuss the upsurge in threats and harassment of election officials and what we all can do to support partnerships and provide resources in advance of the 2022 midterm election,” said Dubois. “Two credible threats to election officials in Maine shed light on this issue, illustrating that resources are lacking and data on threats that don’t rise to the level of charges being filed are never captured.”

NUTS AND BOLTS. While change is an inevitable part of life, we must not forget our roots. As a result, several of the programs offered on both days of the session are fittingly focused on the nuts and bolts of municipal government. These sessions will focus on the management of investments, the role municipalities can play in the current housing crisis, understanding cybersecurity threats, and strategies for improving energy efficiency.

Additionally, **Breana Gersen** and **Rebecca McMahon**, staff attorneys in the Legal Services Department at MMA, will lead a discussion on the requirements for drafting and posting town meeting warrants on Wednesday afternoon. According to Gersen and McMahon, “Newer selectboard members, councilors and clerks may find this discussion most helpful, as it is intended to be an overview of basic drafting and posting requirements. Municipal officials should walk away from this workshop with a better

understanding of the process for calling a town meeting or election. The workshop will be particularly helpful for those municipalities that have recently changed from an open town meeting format to a secret ballot election and referendum.”

Back by popular demand, MaineDOT’s **Peter Coughlan** will host a session on all things about local roads and bridges on Wednesday. The topics of discussion will depend on the issues participants are interested in discussing and could range in subject matter from paving to road ranger services to posted roads.

SOMETHING FOR EVERYONE. Peter Osborne, MMA’s Director of Educational Services, is pleased with the number and diversity of the topics slated for discussion throughout the two-day event. Osborne believes, “the program should appeal to any official dedicated to local government service.” When asked what he most looks forward to, he responded “The chance for participants to think strategically and creatively about the future of Maine local government, while also gaining information, tools, and techniques that can be put to use in their communities immediately.”

What follows is a summary of the sessions offered throughout the 2022 MMA Annual Convention. For more information about these programs, please visit MMA’s website (www.memun.org). ■



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Wednesday, October 5

7:30 – 10:30 a.m.

REGISTRATION & CONTINENTAL BREAKFAST

9:00 – 10:30 a.m. WELCOME AND KEYNOTE SPEAKER

What and How? Anticipating the Future of Local Government. Presenter: Rebecca Ryan, Founder of NEXT Generation Consulting

10:45 a.m.-12:00 p.m. CONCURRENT SESSIONS

Focus on Public Safety Employee Health for Retention and Support

Post-Pandemic Alternative Work Schedules

Comprehensive Plans: It's Not Just for Zoning

Part One: Brownfields How-To: An Interactive FAQ – Sponsored by Maine Community Development Association

Part Two: Community Successes: Housing and Economic Development Brownfield Reuse Strategies – Sponsored by Maine Community Development Association

12:00 – 1:15 p.m. FEATURED SPEAKER LUNCHEON

Maine's Economic Future: Progress, Opportunities, and Challenges Presenter: Heather Johnson, Maine Commissioner of Economic and Community Development

1:15 – 2:30 p.m. CONCURRENT SESSIONS

MMA Annual Business Meeting

Create Resident-Informed Support for EMS Services Through Informed Community Self-Determination Grants Drafting Town Meeting Warrants, Articles and Ballot Questions

What You Should Know About Recruiting, Retaining, and Supporting Younger Municipal Workers

2:45 – 4:00 p.m. CONCURRENT SESSIONS

What We Forgot To Tell You About DEI!

Resurgent Community: One Maine Community's Journey

Affordable Housing Development – How Municipalities Play a Role in Overcoming the Current Housing Crisis

Let's Chat About Local Roads & Bridges

Fire Chief: More Than a Title – Sponsored by Maine Fire Chiefs' Association (MFCA)

4:00 – 6:00 p.m. MEMBER APPRECIATION RECEPTION

Featuring Motor Booty Affair

Sponsored by Bangor Savings Bank

7:00 – 9:00 p.m. AWARDS DINNER BANQUET

Sponsored by Skowhegan Savings Bank

Thursday, October 6

7:30 – 9:00 a.m.

REGISTRATION & CONTINENTAL BREAKFAST

9:00 – 10:15 a.m. WELCOME AND FEATURED SPEAKER

From "Help Wanted" to Help Delivered - Presenter: David Daigler, President, Maine Community College System

10:30 – 11:45 a.m. CONCURRENT SESSIONS

Partnering to Protect Local Election Officials

Public Safety Mental Health and Wellness: Why Culturally Competent Providers Matter

New Mainers Panel

Maine Municipal Employee Health Trust Annual Meeting (for MMEHT Members Only)

11:45 a.m. – 1:00 p.m.

Exhibit Hall Networking Boxed Luncheon

1:00 – 2:15 p.m. CONCURRENT SESSIONS

From Public to Private: All things PFAS

What Happens When It Happens – What Municipal Officials Need to Know About Officer-Involved Shootings and Critical Incident Management

Property Tax Deferment and Property Tax Capping for Older

Mainers – Sponsored by Maine Association of Assessing Officers

2:15 – 3:30 p.m. CONCURRENT SESSIONS

Understanding Cybersecurity Threats that Municipalities Face – and What Steps to Take to Mitigate Risks

'Shut the Front Door' and Other Reactions to the 2022-2023

Heating Season: Strategies to Reduce Energy Consumption and Save Money

A Community of Possibilities

by Matt Lehrman, Social Prosperity Partners

Generosity is a choice.

Whether inviting someone with just a few items to cut ahead of you in the grocery store checkout line or mailing off a check to a worthy charitable organization, every generous decision is a spark of grace in a hardhearted world.

As a civic leader – whether elected, appointed, or hired – generosity is your personal choice too, but I respectfully suggest that you also recognize it as an essential professional responsibility directly related to the quality of civic engagement in your community.

Let's distinguish generosity from the common vocabulary of civic behavior:

- Generosity means more than civility, the polite deference people owe each other in a nation that recognizes “...all men are created equal.” Civility alone is no guarantee of meaningful discourse.
- Generosity demands more than tolerance. Meaningful dialogue and collaboration require that people do more than simply endure or outlast those with whom they disagree.
- Generosity asks for more than respect of others' opinions, especially when respect is converted to villainization aimed at stoking fear against or delegitimizing a source of disagreement.

Civility, tolerance, and respect aren't supposed to be choices. In American society, they are the minimum standard by which people are expected to govern themselves via vigorous, informed, and rational discourse.

Civility is supposed to be the guardrail that keeps reasonable disagreement from veering into the oncoming lane of being outright disagreeable.

Yet here's our uncomfortable truth:

Civility, tolerance, and respect are inadequate.

They are failing at the job of sparking the grace of inclusion, dialogue, creativity, and compromise necessary for healthy, vibrant communities.

We need to aim higher.

Civility, tolerance, and respect are useful rules where local government is positioned solely as the arena in which opposing interests compete, but the more meaningful work of cities and towns should be about gathering consensus that “grows the pie” rather than “divvying up its slices.”

Civility is only the floor. Generosity is the roof.

Civility is necessary for conversations about the present. Generosity is essential for conversations about the future.

And being oriented to the future – that is, being a **community of possibilities** – is what invites people to best connect with each other, collaborate for mutual benefit, and feel secure in their share of social prosperity. Our best future is built upon generosity.



Let me offer three tactics to help you lead a community of possibilities:

1. Consider and adopt a values statement that makes these (and perhaps other) generous promises:

- **Welcoming** – In our community, we encourage the participation of all residents because we recognize that we can accomplish more by working together than any of us can on our own.
- **Neighborly** – In our community, everyone deserves to emerge from public decision-making feeling respected and heard.
- **Courageous** – In our community, you'll repeatedly hear us say “Tell me more” because we truly want to hear, understand, and consider others' (different) perspectives.

2. Practice setting a generous mood.

There's no single method to do this. However, as a professional facilitator specializing in conducting public dialogue and gathering community consensus for cities and towns, I'll share one of my most commonly successful (but not fool-proof!) techniques to inspire generosity among groups of people of diverse backgrounds and opinions:

Invite the group to reflect on this statement: “*The purpose of local government is to enable individuals to join together in recognizing and solving community problems*” and stir the conversation gently following this recipe:

- Invite someone's observation that the statement reflects the tug-of-war between the sacred rights of individuals and the unchecked expansion of community needs. (Don't back away, there's a lot of flavor in a strong conversation about people's declarations of favoring “freedom & liberty” over “collectivism & socialism.”)
- Add in someone else's observation that the statement can alternatively be read to empower all sorts of people to identify problems, injustices, concerns, responsibilities, and/or opportunities – with the hope and expectation that local government (and fellow citizens) will help do

something about it.

- Keep welcoming additional observations until everyone has participated.
- Let the discussion simmer; stir gently to help participants realize that difference doesn't necessarily mean opposition. For example, the latter don't want to pay for things they don't consider important while the former recognize some need for mutual cooperation.
- Your conversation is nearly done when someone shares: *"Sometimes being part of a community means saying, 'That's not what I would have preferred, but if others see that topic differently, I can be okay with that.'"* Watch carefully for the sweet taste of generosity to spread because you've done it! Generosity means that people agree to deliberate together – are open to the possibility that they might not love the final decision, but may still be okay with it.

3. Reward generosity with accountability.

Never miss an opportunity to collect a name and an email address so that you can include them in an ongoing follow-up dialogue on the topic(s) they care about.

Inviting opinions and seeking advice but failing to offer the means to stay connected is profoundly ungenerous. It's the nature of decision making processes that some people will be disappointed. People are more accepting of such decisions when they know they have been heard and respected – and you accomplish that by being generous with your candid, timely, and proactive follow-up.

Aspire to be a community of possibilities.

I truly and wholeheartedly believe that the single most important function of every city and town is to *enable people to come together to recognize and solve community problems.*

But, of course, that's not quite how towns and cities are operationally structured. Judged by budget size and the significance of their impact on daily living, you might argue that infrastructure (i.e., roads, water/sewer, power, buildings) and public safety are a town's or city's most important functions. Surely, they are massive, durable, powerful – involving systems that, once constructed, will last for generations. The priority of infrastructure is obvious and universal. As a beloved former Mayor of my hometown of Scottsdale, AZ, said, *"Potholes are neither Republican nor Democrat. They just need to be fixed."*

Infrastructure comprises the physical substance of cities and towns, and I use the word "ideastructure" to describe the *enduring intentionality* of people in communities. Just like infrastructure must be designed, constructed, and maintained over a long period of time, so too must ideastructure.

A community of possibilities is a city or town willing to commit itself to an ongoing process of visioning, that is, to a continuing exercise of welcoming, evaluation, dialogue, research, partnership, innovation, and communication that enables individuals, organizations, businesses, and government to articulate their highest community aspirations together.

More than 30 years ago, I took part in Scottsdale Visioning and still adore this simple but profound declaration in its final report: **"Its purpose is to help everyone pull together, in order that we may give our very best to the future, just as all previously involved citizens have done for us."**

Giving our very best to the future – now that's generosity!

And whether you're creating a full-bore community endeavor – or personally engaging in generosity-inspiring conversations with fellow civic leaders or constituents, here are two wonderful conversation starters:

1. What is something that you appreciate or value in our community today that exists thanks to the efforts and investments of people here more than 20 years ago?
2. What is something that we might conceive, create, or preserve today, for which people in this community will be deeply appreciative more than 20 years into the future?

The future is unknowable, but it's incredibly malleable.

A community of possibilities approaches that future with generosity. A community of possibilities offers time and space for people with diverse perspectives, talents, and capabilities to join together to ask both what shouldn't change – and what can. A community of generosity invites civic leaders to find areas of common interest (even when they have well-known areas of disagreement) because in the long run the only thing that matters is what we leave to successive generations.

Look, I'm not naïve. I offer no promise that everyone in your town will start singing Kumbaya. Disagreement isn't only natural, it's necessary for a healthy and vibrant society.

But generosity is a choice. And as a civic leader, it's also your responsibility. Go spark the grace of generosity – and commit yourself to leading a **community of possibilities.**

Matt Lehrman is Managing Director of Social Prosperity Partners, (www.SocialProsperity.us) an Arizona-based firm that supplies visioning and strategic planning, group facilitation, collaborative decision making, and community engagement services to cities and towns, nonprofits, and companies nationwide. He speaks and teaches workshops nationally on the topic: **From Conflict to Conversation: Must Disagreement be Disagreeable?**



It's official, **POTHOLES & POLITICS**, MMA's new podcast on matters of municipal interest from A-Z is now live!

Hosted by Legislative Advocates, **Neal Goldberg** and **Rebecca Graham**, each episode will take deeper dives on municipal issues, highlight municipal stories, and emphasize the often-innovative programs municipal officials and staff provide for their communities.

Check out episodes here: <https://potholesandpolitics.buzzsprout.com>

An Interview with Governor Mills

MMA's Executive Committee continues the tradition of meeting with candidates for gubernatorial office to discuss issues of municipal interest.

By Kate Dufour, Director, Advocacy & Communications

In recognition that the policies advanced at the state level can have significant impacts on municipal government operations, in June 2010 MMA's Executive Committee began the tradition of inviting gubernatorial candidates to participate in one-on-one discussions on issues of municipal interest.

However, it is important to remember that the Maine Municipal Association is a non-partisan, member-led organization that does not endorse candidates for federal, state, or local office. The sole purpose of these recorded interviews is to provide municipal officials across Maine the opportunity to learn about each candidate's policy priorities.

To ensure that all candidates are treated fairly, the process is formal in nature, allowing each member of the executive committee to pose a scripted question addressing issues such as tax policy, state financial assistance, and opportunities for partnership and collaboration. Although candidates are informed of the topics to be addressed during the interview, the full text of the questions are not released prior to the discussion nor are printed copies made available to the candidates. Responses to the questions are timed, as are each candidate's opening and closing remarks.

Governor Janet Mills met with the members of MMA's governing board on June 28. What follows are the governor's responses to the questions. In the interest of brevity, the answers were edited.

Additionally, a video recording of the interview is posted on MMA's website (www.mcmun.org).

Q. Please tell us what motivated you to run for governor and briefly describe the major goals you would like to achieve over the next four years?

I didn't grow up thinking about politics. I didn't grow up thinking I was going to be a lawyer. My life took a lot of different crazy turns. I was district attorney for



Governor Janet Mills

15 years after I got out of law school. Met and married my husband in Lewiston. The church we got married at is now going to become a brewery, I guess. What's that mean?

I married a widower with five daughters. They were ages four to 16 when we met. Raising five daughters during the teenage years may or may not have had something to do with preparing me to be governor of the State of Maine during a worldwide pandemic. I don't know...I wasn't intending to run for a higher office. I got to be attorney general. I loved the job of attorney general. After I'd served in the Legislature for six years, it seemed like a good fit, and I loved that job.

During the last four years of that time, six years of that time, I got to serve with, work with, or not, with the then sitting governor, and I kept thinking, "I know this can be better. I know we can do better. I want to do better." It was an open seat four years ago, and I ran for it. It wasn't some lifelong ambition. It was something that the timing seemed to be

right. Time, place, opportunity.

My kids are all grown up. My husband passed away almost eight years ago now. It's my life now and thank God I had the time to commit to it in the last three and a half years, and the time to make some really great, I think, appointments at all levels, people who care about the State of Maine as much as I do.

I was born and raised here. Left for a bit, came back, and it's my home and I want to make sure that my children and grandchildren have an opportunity to raise their families here in a safe, healthy environment, just as you did.

Q. The establishment of a productive state, municipal working relationship is a priority for the Association members. Please describe your vision of the appropriate relationship between state and municipal government in your administration.

Great question. I think we've set the standard here. We've set a pattern of communications and activity during the pandemic and since that time. I know that Hannah Pingree talks with your board members frequently. We want to maintain open communications, an open line of dialogue. I know the needs, challenges of the towns and cities are different in different regions, different places.

We've obviously had a lot to do with general assistance, revenue sharing, school funding. I'm very proud and pleased that we were able to achieve 55% school funding, state funding for the schools. First time in history. I'm very pleased that we were able to go back to 5% revenue sharing. That's an important component of partnerships that we have, local and state partnerships sharing the revenues that we take in with the towns.

Working on housing needs, and transportation needs, and workforce needs in the next four years is a challenge statewide. Obviously, I do want to work with the members of the MMA, and the

towns and cities on all those issues. I hear about those issues all across the state. I hear everywhere about housing needs. It's not just a Portland issue, not just a Lewiston issue. It's a statewide ... It's a national issue.

Workforce is also a national issue. We've got to address that, and we've been doing that with your help. Expanding apprenticeship programs. Passing a bipartisan budget that, for the first time in history, provided two years free tuition to the community colleges to help encourage people to stay here, and get educated here, and get into the workforce here.

\$850 relief checks to people. It was the best we could do, and it was a bipartisan move to address inflation in the near term, not wait for some massive tax reform measure a year or two years from now, but right now, put money in people's pockets... It was a high priority, and we did that.

Addressing community infrastructure issues through our Climate Action Plan and our Climate Council, through the Maine Jobs & Recovery grants that we provided \$50 million for water and sewer, \$50 million for transportation, and whatnot. Broadband. We are funneling the federal money for broadband to the Maine Connectivity Authority to help the towns and regions pick the best solutions for their areas, depending on their geography and their population, et cetera.

\$50 million for school [energy] efficiency for town, and school, and com-

munity buildings. That's really important too, to save on energy costs over the long term. I think we're working well with the towns and cities. We have a lot of issues in common, and I hope to continue that effort in the next four years.

Q. Maine communities across the state are seeking to fill vacant positions. What policies will your administration implement to address workforce support and development, and how will your policies assist in filling critical vacancies at the local level?

Great. The workforce shortage is severe, and it's not unique to town government. It exists in the service industry. It exists in the manufacturing industry. It exists in law enforcement and in the hospitality industry. We have been doing a strike force move from the Department of Labor, sending people in to try to find people who are registered in the career centers, and plug them into the areas where they're needed.

Our unemployment rate is down to 3.2%. It's not an unemployment issue. I had an interesting talk with Ben Bernanke last week. A bunch of us governors got on the phone with him. We had a great discussion, back and forth. I said, "Where is everybody? This Great Resignation, this Great Retirement thing that happened during the pandemic. Why isn't everybody coming back?" He said a couple of things. One is, nationwide, there are two vacancies for every employee. Every working person, two

vacancies. That's amazing. That's going to be the first time in decades that that's happened.

Secondly, part of it is, the nation, the country has not let enough immigrants into the country with work permits, work availability, so that's a problem we've got to deal with, with the Congress. The more refugees we take in, refugee status from Afghanistan, Ukraine, who wish to stay here, they will be more ready for work than asylum-seekers.

We've got to expedite the process, the applications of the asylum-seekers through the courts in Boston and elsewhere... I think I read that 40% of the asylum-seekers in Portland, a couple of years ago, had bachelor's degrees or above. Many of them have engineering degrees or certificates. They're available for workforce in the service industry, manufacturing industry, all kinds of sectors, health sectors. We need to prime that pump.

That doesn't answer your specific question about municipal employees, but I was in Belfast yesterday. I heard a lot about vacancies there. The police departments have been talking with them about getting more recruits. I've got a grandson who wants to be a state trooper, so I'm real excited about that. Career exploration. We are very much involved with Pender Makin's help, and Laura Fortman's help. We're getting into the schools and saying, "Here's some careers you might look at."

We have stipends for apprenticeships now. We've broadened the scope of apprenticeships. You want an apprenticeship, come into your town office and help you out...you've got that available. There are stipends available to pay their way during an apprenticeship, so that's what we're doing. Free community college is another way to expand your education programs and give career opportunities.

Clearly, we need more people in the trades too, plumbers, welders, electricians, and all. The healthcare workforce too, and childcare. The workforce issue is not new to Maine. I can show you headlines in MaineBiz from early; before I took office and for several years before that. "Labor shortage in Maine critical." It really was. It still is. We're addressing it. Pandemic did not help, but I'm with you to try to solve that problem at the state level, and whatever we can do at the federal level as well to help.

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Q. Climate change is affecting the economies and ways of life of Maine's municipalities. What steps, if any, will your administration take to encourage Maine's green economy, including reducing PFAS pollution of land and water, encouraging easily recycled packaging, pushing for electric vehicle charging infrastructure, further restricting landfilling, conserving land to sustain tourism, and fostering solar power as a replacement for carbon-sourced power?

Every one of those things you mentioned has been a hot topic of debate in the Maine Legislature just this year, and a couple years past. We've been working with the Legislature, and with towns across the state. As you know, one of the first things I did. When I ran before, I used to quote Kurt Vonnegut on the campaign trail and say, Kurt Vonnegut said, among many other things, "Every government, every cabinet ought to have a department of the future."

When I got elected, I called Hannah Pingree, who you all know, a former speaker of the House, and I said, "Hannah, I'd like you to be the head of the department of the future." "Okay," she said, "But I've got to change the name

a little bit," so it's the Governor's Office of Policy Innovation and the Future. She got to work talking about climate change, putting together a group. Several hundred people across the state [came together] to talk about how we can address climate change. Not an easy thing.

I could spend three hours, not three minutes on this question alone. Clearly, more than 50% of our greenhouse gas emissions are from transportation, so you talk about electric vehicles. We've put money, federal money and not state tax money so much as federal money and the Volkswagen lawsuit settlement funds into the Efficiency Maine Trust. I've put some good people on that Trust to manage those funds. A lot of that has gone to electric vehicle charging stations. We have several hundred more this year than we had in years past, and rebates, incentives for leasing or purchasing electric vehicles, and the prices are coming down. Five years ago, a little bit too expensive.

Heat pumps. We have a goal of installing 100,000 heat pumps across the State of Maine in next couple of years. We've already gotten, I think, 60,000. We had

28,000 installed just in that one year during the pandemic, from June 2020 to June 2021.

Community resiliency. I know many of you were working with Hannah's group and the Climate Council, and you're involved in that to talk about how to make communities more resilient to climate change, whether it's reforestation, sequestration of carbon in different ways, bicycle paths. We're using, we're going to use, the bipartisan infrastructure money to work with the towns to make communities more whole without spreading sprawl, to make communities more livable, village centers. All across the State of Maine, we're using some of the infrastructure money to do that.

Offshore wind, of course, we're working on. We have an application pending with BOEM for research array, offshore wind research array. Bringing the lobster fishermen, and marine sciences, and marine sectors to the table to find out what the effect of offshore wind is going to be on their enterprises and port development down the road, onshore wind.



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Solar goes without saying, it's caught on big-time across the State of Maine. Solar with net energy billing and other incentives and federal tax incentives, that has really caught on in Maine. We need to look at it, make sure that we're getting the best bang for our buck, and make sure that our electricity rates don't increase because of any other issues. The Climate Action Plan that we published in December 2020. The height of the pandemic, we came out with that Climate Action Plan that includes seven major recommendations and sub-recommendations. We're working on transportation, community resiliency, energy in those subcommittees now. I know that you all want to be a part of that, probably are.

Q. Do you believe that the revenue sharing program is a vital element of the inter-governmental working relationship? As governor, will you enforce the current municipal revenue sharing program, repeal it, or significantly amend the program?

I think actions speak louder than deeds, than words rather. I think my actions should speak to that question loudly. We fought hard to bring revenue sharing back up to the 5% that it was at

some years ago. It had been decreased in the years prior to my administration. I think that it's important we have that partnership, keep that financial partnership.

Of course, you're not only talking about 5%, but 5% of what? As the revenues increased, the state government, the sales tax revenues in particular, that's a higher, higher piece of the pie at whatever percentage, and so I approve of keeping the 5%, and as revenues go up, continuing to share that accordingly.

I am concerned about the property taxes. It's the thing that state government can least influence, but except that we can provide relief... according to the constitution, fund the towns. We've done that with the property tax deferral program, we've done it by expanding the property tax credit, homestead exemption, things of that sort. I hope those are helping. We've also done it by increasing revenue sharing and increasing school funding.

I hope that the towns are responding by keeping the property taxes, the actual tax bill or the mil rate fairly flat. Because as property values go up, as real estate values are going up, real estate

sales going up, obviously, people are going to hit the crunch. They're going to get crunched a little quicker than they thought. I don't want to see people who've lived here for 50, 60 years be pushed out of their homes because they can't afford to pay the property tax. Even if the mil rate is the same, their value's gone up and the homestead exemption doesn't sufficiently protect them or buffer them.

I'm anxious to hear from you, ongoing, about how we can address those issues. The property tax deferral program is for seniors over 65 or people with permanent disabilities. We have other programs, as you know, for veterans. Those are looking at specific sectors, but let's find out how we can bring the property tax burden down.

We're fortunate in our state, where our gross domestic product has increased in the last couple years. That we have one of the fastest growing economic recoveries in the country, unlike some years past. Our state revenues, our local revenues are more robust than they were before. Wages have gone up 9.6%. When wages go up, then the burden of the income tax goes down because it's proportional,

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but we've got to make sure that our tax burden overall is fair.

My one primary concern I have right now is the property tax burden on people who've lived their entire lives ... Fishermen on the coast, whose coastal properties are out of sight. My grandfather, my father's side was from Stonington. He packed up and moved to Farmington early 1900s. I go back there, I go, "Couldn't you have saved just a quarter acre of land, just a little bit of land for their descendants? Come on." They didn't. You know how it's going and you know what the disparities are too. How we've got to address those together.

Q. Many people in rural communities have little to no access to specialty healthcare. The result is an increase in cost associated with traveling distances that can exceed 500 miles, and the time necessary to get to a specialist. Appointments often take months to schedule. As governor, what would you do to help bridge this gap and bring much needed specialty medical care to the people in rural communities?

Well, I'm from a somewhat rural community. Franklin County has certainly major pockets of rural life, and Farmington is a service center within a rural community. We're fortunate to have a hospital. That hospital has been on the brink financially for some years, is now subsumed in the Maine health system. We keep seeking other ways to make specialists available to us in rural Maine and

Western Maine.

We have, obviously, at the state level, expanded telehealth, which particularly became acute during the pandemic. We realized the need to expand telehealth, and with that expanding broadband, so you might sit in your home in Grand Isle, or wherever, and have your blood pressure taken over the phone or over your computer. Have your vitals taken, have a physician or PA eyeball you and check out your health without you having to get into your car in the middle of a snowstorm in Northern Aroostook County and drive to Caribou or wherever, the nearest major hospital or the nearest major physician's office, so we've been working on telehealth.

I'm pleased that we were able to save the two veterans' homes in Caribou and Machias against closing when they supported veterans and their spouses in such vital, basic healthcare and living needs in those communities. I've just appointed some people to the Maine Veterans' Homes board to help sustain the rural communities' effort in that board.

Workforce is a big issue for healthcare as well, and that is why we put millions of dollars behind the Maine Community College System to expand their nursing CNA programs, and radiology techs. University of Fort Kent expanded its nursing program. That's all part of rural healthcare too. Making sure we have the personnel and access.

I appreciate those needs, and we're

going to do everything we can to support telemedicine programs and home health programs, keeping people out of nursing homes, out of hospitals as much as possible when they can get care at home or close to home, at least. We have put a lot of money behind nursing homes in this last budget and in the biennial budget before that, nursing homes, so that they don't get underfunded. They're understaffed as well. Make sure that they can get staffed up and provide healthcare in their communities.

Q. When municipal officials advocate for state funding for important municipal programs or mandated services, a common retort is that the property tax burden is high because of out of control, local spending. Do you believe spending on local government services is out of line?

Wow. I don't get to vote on many town budgets. Only one, and I always look at that budget carefully. I hope that other citizens of Maine look at their budgets, look at their town budgets carefully, and have input on the budget committees, and with the boards of selectmen or the city councils. I think it's a general question, which is probably unfair to try to generalize in an answer.

Are town budgets out of control? If I were living in certain cities or towns, I might not like where they're spending some of their money or I might disagree, but that's not for me to say. We have a very strong tradition, as you know, and as you represent right here in this room, of local control. I don't think the state should be mandating a lot of spending in one place or another.

We have tried to chip in when it came to trash removal, debris, PFAS, all kinds of services, and with the partnerships we have on road maintenance, things of that sort. I think the state should be a substantial partner in those efforts to minimize the cost to local taxpayers, but when it comes to your local police budget, your local snow plowing budget, your local fire department or volunteer fire folks ... We did, in the case of the firefighters, I should add, initiated some funding for the, what's it called... the retirement benefit for firefighters who don't have it. Length of Service Program. I think the state government can seed programs like that and be a partner in that way too.

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ing of the tax base versus town and city needs, civilian needs. I think we've made some headway in some areas in recent years. In Franklin County, we've got police departments working together with one another, more call sharing with the sheriff's department, and sometimes with the state police. That's a good effort that will even things out financially.

I think how you use your American Rescue Plan funds will make a great deal of difference, and evening out the disparities among towns and cities, and the burden on the taxpayers, property taxpayers. Energy and climate issues, bringing down the long-term energy costs is critical to leveling out those budgets too. We're happy to partner with you on those things too, through our Climate Council and the recommendations we've made in the Climate Action Plan.

Q. The Highway Fund, which is in part, capitalized with fuel tax revenues, federal grants, and general fund bonds, has been chronically underfunded, causing costly delays and much needed repairs and improvements. Do you believe the current system of paying for the maintenance of Maine's highways and bridges is working?

I think just in the most recent budget, we said no to bonding for highways, and we said yes to appropriations. I think for the first time in a long time, if ever, we have put state appropriations monies, taxpayer appropriations behind the Highway Fund, instead of always borrowing. Even though interest rates were very low at the time, we chose and the Transportation Committee chose to appropriate, and the Appropriations Committee and the full Legislature chose to fund highways and bridges with state funds and the general fund, so I'm pleased with that. I think that's a good step towards progress.

Instead of having to pay off bonds over a long time, over 10 years, we're going to pony up the money in advance, and that's not federal funds. This is all general funds, but what a lot of that money does is draw down some of the federal funds, not just from a FAST program, but the new bipartisan infrastructure bill funds. We're getting \$2.4 billion from the infrastructure bill. That's going to go to wastewater treatment, different infrastructure needs, and roads and bridges, and broadband. All of which is going to the benefit of every town in Maine, in some fashion or another.

One of the focuses of those funds will

be to enhance the village aspect of our towns, so you know where the middle of your town is, so you can bicycle around, so you can skateboard in my town. Not me, but others. So you can skateboard safely, so pedestrians have safe walkways, and that's important. That doesn't have to be that expensive, but making the towns more amenable, more attractive for people to live, and work, and shop downtown, it's an important part of the infrastructure plan from the federal government. It was important to Congress. It's important to me.

Roads and bridges, obviously, are important. I could sit here and say, "Let's fix the darn potholes." That's more sloganeering than substance, so I'm not going to say that, but I do want to fix the potholes... Every time I go to town meetings, the biggest debate is, whose road is the worst? Who's going to fight for those, your funds, state and local funds? I understand that. We have to not just put skinny mix on every road that has potholes. We've got to redo the roads, and that's what I'm about too.

Bruce Van Note is, I think, an excellent transportation commissioner. I'm proud to have him on board in my cabinet. He talks with a lot of towns and cities across the state, routinely, and listens to them, and develops a three-year plan accordingly with your input.

Q. Since its statehood in 1820, Maine has relied on municipal governments to

deliver important services. However, over time, the tasks assigned by Legislature to municipalities have increased in number, complexity, and expense. The list just continues to grow. Do you believe property taxpayers should continue to fund advancement of statewide goals?

Well, thanks... as you know, state government does have to fund goals that involve an expenditure of money at the local level, or else get a two-thirds vote from the Legislature. The things you mentioned, I think, are all things that got a two-thirds vote or at least funding from the State of Maine to support those programs. Some of them, I don't think I was involved with. Before my time.

In terms of climate change, we're proposing to give you money to look at community resiliency, and to help enhance the attributes of your town, to protect them from severe storms, to protect them from the effects of climate change. We're not imposing requirements. We're assisting in developing plans, local plans tailored to your local towns. In terms of the other things, I'm not sure what other mandates I can talk about because we haven't proposed really any serious mandates.

We've tried to be a partner, a working partner in proposing solutions. I believe in collaboration, not confrontation. I believe in collaboration and communication at the local level, the county level, and state level. That is also why we worked with the sheriffs, 16 sheriffs and



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15 jails with the Criminal Justice Committee this year to start moving towards a system of statewide financial responsibility for the jails.

How much are they spending, uniformly, on meals, on medication, on transportation, on all those things? So that we can help relieve that burden on the property taxpayers and assist. From the state, we paid, we put another \$22.9 million towards the counties this year, just for the jails. I think it was an increase of almost \$2 million. We are trying to relieve that burden on the towns, and hence on the property taxpayers too. That's not a mandate. That's a helping hand. Not a scolding hand, a helping hand.

Q. The homestead exemption is an important element of a comprehensive property tax relief package. If elected, will you recommend retaining, repealing, or significantly amending the program?

Well, I think that idea came from us. It was in our budget, our biennial budget, if I recall, so of course, I'm in favor of it. The homestead exemption, I want to look at all aspects of property tax issues. How much can we relieve the burden by homestead exemption? Which ends up, in some towns, depending on the inflationary amount of home sales, real estate sales and whatnot, it can mean a drop in the bucket, or it can mean significant relief. It depends on the area you're in.

I'd love to look at that in more detail, see what we've done. We only did that fairly recently, expanded it outward by years and by reimbursement amounts.

We've put local fiscal recovery programs together to tune of almost \$60 million to help reduce the burden of the property taxes as well.

The relief checks, the property tax deferral program I mentioned earlier, so we can target people who need specific relief, and what used to be called the circuit breaker program, when I was in the Legislature, which I think is significant. We expanded that in a different way, I think, two years ago, so you're targeting people whose income is not sufficient to pay the tax bill, basically. Income is a percentage of your tax bill. Basing the relief on that. That's a complicated thing to implement though. I know that.

We started basing it on the income tax forms. People didn't like that. Some people don't pay income taxes. They're on a fixed income, where they don't meet their threshold, so why go through all that? There's got to be a simple way. That pesky constitution keeps getting in the way. There's got to be a way to incentivize people to live in the towns and to pay their taxes, but to get out from under the burden that property taxes represent for so many Mainers, especially Mainers who have lived here most of their lives.

We are seeing an influx of people from out of state. We have one of the highest in-migration rates of any state in the country, about seventh highest, I think. Many of those people, maybe they're retiring here to be near their grandchildren. Maybe they're here to work remotely for jobs in-state or out-of-state. I don't know, but there is obviously the impact on the property taxes, impact

on real estate prices. That also has a positive effect on the Maine housing funds, the Home Fund because real estate sales are up, so the real estate transfer tax revenues are up too.

A lot of that, as you know, goes right to Maine Housing, so that incentivizes people for the first homebuyer program, and rental relief, and other programs that they have, so silver lining there. It's obviously a very complex matter. Whether the homestead exemption itself is sufficient, I don't think it is. Can it be expanded, or can we provide some other forms of relief that would be more equitable? I don't know. Always looking at those things. Thank you for your question.

Q. This session, the Legislature adopted a law to reform the process by which county jails are funded by setting the minimum state share at \$20 million, establishing a permanent commission to collect data on jail operations and expenses, and building accountability measures into the process for increasing the burdens placed on property taxes. While the state, municipalities and county administrators support these measures, the county sheriffs do not. If elected, will you recommend retaining, repealing, or significantly amending the program?

Well, we were part of the drafting of that final bill, final version of that bill, as you know. I think, I don't want to mischaracterize the sheriff's position, but they wanted more and more and more money, and we said, "More money is good, but we want accountability." Clearly, they should agree on more ac-

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They finally came onboard, a bit reluctantly, with that language that you just read. We helped write that. Randy Liberty, he was a former sheriff, and now commissioner of corrections, I think one of the best we've had, perhaps ever, is still talking with the sheriffs and communicating with them a lot. I think they had some interesting issues during the pandemic that were totally unforeseen.

We find it concerning. We, myself, and the commissioner, and others in my cabinet that in one jail in particular, it would be 100% occupancy, and 14 other jails, it'd be 60% occupancy at any given time. What's out of whack here? What's different? Are the DAs processing cases differently? Are the police arresting at different levels? What are the transportation costs? Can we merge those? Can we share those more equitably? Medical costs. Do they all have to have different contracts with different providers, or can we objectify that and meld that into a larger contract?

Power purchasing, pool purchasing. Same with meals and other things, other overhead that they incur. We just want to have more accountability, more data to assess what's going on, to work with them, not against them, to make sure that we're doing the best job we can for the people of Maine and for the property taxpayers. I think the net increase was \$1.9 million just out of \$2 million overall, which is what they expected.

Q. Of the \$6 billion raised through the assessment of local and state taxes, 44% of those revenues are generated by the property tax, with the income and sales tax generating 31% and 25%, respectively. How do you characterize Maine's overall tax code? Do you think there is a need for comprehensive or structural tax reform, or is the state's current tax code generally adequate?

The tax code. Well, as you know, the property taxes are governed by the Maine constitution, in good part, and then we nibble around the edges with things like homestead exemptions, and property tax credits, and whatnot, and deferral programs. Every two years, a third of the Legislature are brand new and we have to reeducate people, for the most part, to this complicated tax balancing act.

The income taxes, our tax burden five years ago was like third in the country. Our tax burden is lower now, our overall

tax burden, because wages have gone up 9.6%. You don't look just at the tax rate, but the tax, what it's based on. For instance, income taxes. Sales tax at five and a half percent, honestly, I think they had to do that 10 years ago to balance out a lowering of the income tax, is what I recall, but I wasn't in the Legislature then, so that seems a little weird.

Is it the most rational set of taxes? No, it's not. Every year in the Legislature, there's a move to increase. There's a move to decrease. The fact that we have three tiers, all of which kick in at such a low level for income taxes, is not real rational. Probably hasn't been updated, not seriously updated in a long time. Because of the fact that you get hit with the highest level at 50-something thousand dollars, that doesn't make a lot of sense in today's world, with today's income levels, and whatnot.

Does it need a big review? Yeah, absolutely needs a review. Am I going to sit here and say that I'm going to lower the sales tax or lower the income taxes X, Y, Z? No. It takes a partnership with a lot of other people, and communication with a lot of other people to even begin, which we will do, begin to do that with a new Legislature, new officials, new committee chairs, and listen to all the people, where the burdens are the most, the heaviest and can we better spend the tax dollars the state takes in? Can we better share them with local officials so that they're spent more wisely, more even-handedly?

It's a huge issue, and I don't have a simple ... What was it? There's a simple answer to every question, so simple and wrong. It would be wrong for me to sit here and say, "I have all the answers to the tax issues of the State of Maine." I'm not going to pretend to do that. I'm not going to lie to you, but I know that there are problems. I know where the problems are, and I'm happy to address them with you in the next four years.

Closing Statements.

Thanks for having me. It's always interesting to talk with all of you. I think we've been through a lot of tough times together these last three and a half years, and I've enjoyed and benefited from your partnership and your communications. We had some real tough discussions during the pandemic. You were there with me at the table. I listened to you. I hope you listened to me.

We worked together to do a Keep Maine Healthy program, which many of

you used in such interesting and informative ways to help keep people safe. We're starting out with projects right now under the Maine Jobs & Recovery Plan, physical infrastructure plans, broadband plans, roads and bridges. We've got a lot of ways to go. We got to do a lot more for broadband with the federal money and the Maine Connectivity Authority that we've established.

We've got to be looking at PFAS at every level. You know we've done that in the budget. We've provided millions of dollars in the budget to address PFAS, both through the Department of Agriculture, through some remediation programs, through testing. We are ahead of the curve compared to almost every other state when it comes to PFAS. That's good and bad, because we get to make the newspapers more often for doing what we do, and for finding it or not finding it. As you know, only bad news really makes the news, right? Only bad stories.

Your partnership during the pandemic and since then has been very valuable to me. Again, I work through collaboration, I hope, and communication and not confrontation. That's, I think, my history, my goal, and my present vision for the next four years, should I be fortunate enough to be reelected as your governor.

I look forward to working with you and going to town meetings, many more town meetings during my lifetime, taking part in some very sometimes raucous discussions, but it's the heart of democracy. I want to thank you for all you do.

It's been a pleasure to work with everybody from election clerks, to local police, to EMS folks, to selectmen, school board members also, during some of the toughest times Maine has seen in decades, and to hear your honest opinions, no-holds-barred, and hopefully, get the same from me. You know that in my administration, you'll always have an open door, an open mind, and an open heart. Thank you.

NOTE: Although MMA scheduled an interview with Governor Paul LePage, travel related delays prevented his participation on the selected date. To ensure our members have an opportunity to learn about each candidate's perspectives on issues of municipal significance, the Executive Committee has directed staff to continue to work with campaign staff to find a day and time that is most convenient for an interview with Gov. LePage. ■

June Election Results

June voters approved big projects despite inflation, as well as elected favored council and selectboard members.

By Liz Mockler

Despite supply side interruptions, inflation, worries about a possible recession and a war in Ukraine, Maine voters in many communities approved big-ticket items during some of the estimated 150 town and city annual town meetings and elections conducted in June.

In the governor's primary, both Gov. Janet Mills and former Gov. Paul LePage were unchallenged. They will run against each other in the November general election. Mills received 64,162 votes, while LePage collected 54,834 votes.

The voter turnout numbers do not include same-day registrants, but Emily Cook of the Secretary of State's Office said the final numbers will likely not change the turnout percentage, which was divided by party because it was a primary election.

Cook said 18.8% of registered Republicans voted on June 14, while 20.9% of Democrats cast their ballots.

"The June primary and special elections again showed why Mainers should be proud of our free, fair and secure elections, and that our local election officials and state staff should be proud of their work to make those happen," said Julie Flynn, Deputy Secretary of State in charge of elections, corporations and commissions.

"We're in a good position as we gear up for November's general election," Flynn said in an email.

"Town meeting" is not accurate term to describe the events in all municipalities since some have opted to vote by secret ballot for local and school budgets and races. Voters in many of Maine's largest towns and cities will elect municipal officials in November as part of the general election.

In Maine's largest city, Portland Elections Administrator Paul Riley said the



Paul Riley



Police Chief Michael Gahagan

election process went well. The only hiccup was a machine on Peaks Island that would not boot up. Riley was able to resolve the problem before voting started.

Riley said the city had more poll workers than in the past, opting to boost the registrars from two to three at every precinct. All Portland election workers, regardless of title, are paid. The city "blasted" all the usual media outlets on January 25 with a call for poll workers "and we attracted more than enough. [But] we are always looking for more," he said.

Portland's voter turnout was 15.1%, a bit better than some past primary elections. Riley said voters elected two school board directors, which likely boosted turnout.

Many election workers have resigned after workers across the country were harassed and accused of altering votes in the 2020 presidential election. In battleground states, workers recounted votes and found little problems with ballots or results.

In Maine, a recount was held in Wil-

ton after two local candidates were one vote apart. The public recount resulted in the exact same numbers as on election night – 190 to 189.

Big deals

A few examples from June of voters approving big-ticket items include Caribou. The northern Maine city's residents approved spending \$10 million for a new police station to replace a cramped, outdated, and small station in the basement of city hall. The secret ballot vote was 591 to 418.

Officials have been debating public safety upgrades for years. The existing police station is insufficient for today's equipment and staff and lacks enough room for detainees, among many other deficiencies.

For example, the police station is so small, officers must store most of the guns they confiscate outside the department because of lack of room in the evidence locker. City officials will now find funding for the project; \$2.5 million from the federal infrastructure bill is on Sen. Susan Collins' project list.

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

Police Chief Michael Gahagan said he was excited by the voter approval and is eager to start planning for a new station.

"We couldn't do it without the cooperation of citizens," Gahagan said. "They are always out there supporting us, like we support them."

The next step is to hire an architect, which should be done by the summer, he said.

The Caribou Police Station was built in 1939 and renovated in 1977.

In Greenville, voters approved a proposal to build a new public safety building that would combine the outdated fire and police stations that currently lack sufficient space and up-to-date building standards.

Residents endorsed the \$5.1 million project, which will include finance studies, demolition, construction, and related costs. The new complex will benefit the town in various ways, officials said, including reducing the heating costs of the two existing stations.

In Anson, population 2,400, voters approved buying a new fire truck and rescue boat, hiring two full-time firefighters, and building an ice rink. The estimated cost of the firetruck is \$717,000. None of the projects is expected to affect the tax rate.

The Readfield Selectboard will decide during its annual goal setting retreat this month whether to develop a different plan for an athletic complex at Readfield Fairgrounds. When voters learned the cost of the school proposal, they balked.

The board must take up the issue again after town meeting voters opposed both the scope and price of the project. The first question asked taxpayers whether they would approve raising \$500,000 for the project; however, just before the meeting started, officials said the cost would be closer to \$700,000.

Voters rejected the question by a secret ballot vote of 344 to 483, with 17 blank ballots. In a related question, voters rejected the idea of bonding up

to \$500,000 for the project. The secret vote was 245 to 341, with 258 blank ballots.

The proposal included building a softball field, basketball court, kiosk, concession stand, a pollinator garden, and trails over a 36-acre parcel that is owned by the town. Officials from multiple town boards will discuss the project over the next several months and decide whether to proceed with a new proposal to reduce the cost, or to delay the project for now.

In Newburgh, voters approved spending up to \$2.3 million for a new fire station to replace the existing building, which was constructed by volunteers with donated materials. The station no longer meets building standards. The new facility will become an addition to the existing municipal complex. Officials hope construction can begin next year.

In other questions, Appleton voters decided to change town meeting to a secret ballot, which typically attracts more voters. The question passed by a vote of 283 to 71. Voters also agreed by a margin of 246 to 97 to reduce the budget committee from nine members to five, and easily approved an article asking whether the town may explore an interlocal agreement for emergency medical services.

Election results

Following are the results from the June 14 municipal elections held statewide. Unopposed candidates are not listed unless they were newcomers running to fill a seat. Results were collected from published reports, research, municipal websites and town and city clerks. The results are listed in alphabetical order by municipality.

Appleton: Peter Beckett defeated a challenger to win another term on the selectboard.

Bangor: Joseph Leonard was elected from a field of five candidates to fill the term of the late Sarah Dubay. With 974 votes, Leonard defeated three of his opponents by a two to one margin. The fourth competitor garnered 320 votes. Dubay died at age 46 on Nov. 12, 2021 after a short illness. Leonard will serve the remainder of her term until the November 2023 election.

Benton: Robin Cyr was elected to a one-year term on the board, filling a vacant seat. Cyr received 167 votes, write-in candidate Kathe Bolster got 42 votes and two additional write-in candidates each received one vote.

Buxton: Incumbents Thomas Peters and Mark Blier defeated former Selectperson Clifford Emery to win reelection for three-year terms.

Camden: Newcomer Thomas Hedstrom defeated incumbent Selectperson Marc Ratner by a vote of 713 to 675. Newcomer Stephanie French held off a challenger by collecting 677 votes.

Clinton: Two incumbent town councilors, Jeffrey Towne and Brian Bickford, both held off challengers to win new terms. Towne received 218 votes and Bickford garnered 255 votes.

Cumberland: Incumbents Robert Vail and Michael Edes defeated a challenger to win new terms as town councilors.

Dresden: Donald Gleason defeated incumbent Selectperson Gerald Lilly by a vote of 175 to 147.

Gouldsboro: In a five-way race for two open seats, newcomers Jackie Weaver and Peter McKenzie received the most votes. McKenzie is the town's former emergency management coordinator. They replace defeated incumbent Walter Moore and longtime Selectperson Ernie West, who did not seek re-election.

Greene: In a five-way race for two seats, incumbent Selectperson John Soucy and newcomer Amanda Leclerc

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collected the most votes. Leclerc edged out incumbent **Donald Bedford** by just 10 votes. Soucy, who will serve a third term, received the most votes with 415. Leclerc won 225 votes.

Harrison: **Penny Bean** defeated three challengers to take the seat of incumbent **Raymond Laplante**. Bean received the most votes with 322. Laplante placed third with 77 votes.

Hermon: In a four-way race for three town council seats, newcomers **Derek Wood** and **Richard Cyr** won the most votes, followed closely by incumbent **John Snyer**. The fourth candidate placed last. Wood and Cyr replace **Charles Lever, IV** and **Anthony Reynolds**, who did not seek re-election.

Kennebunk: Newcomers **Miriam Whitehouse** and **Leslie Trentalange** defeated incumbent **Blake Baldwin** to win three-year terms on the selectboard. Selectperson **Frank Paul** did not seek re-election.

Limestone: Newcomer **Randy Brook** held off a challenger by a vote of 165 to 62 to replace outgoing Selectperson **James Pelkey**.

North Yarmouth: A trio of newcomers were elected in separate races for three- and one-year terms on the selectboard. **Andrea Berry** and **Amy Haile** defeated incumbents **David Reed** and **James Moulton**, as well as another candidate, to win the three-year seats. **Kate Perrin** defeated a challenger to fill the remainder of **Austin Harrell's** one-year term. Harrell resigned.

Orland: Incumbent **Brenda Leavitt** collected 196 votes to defeat a challenger for another term.

Sanford: **Michael Termath** held off two challengers to replace **John Tuttle**, who died at age 70 in January of this year.

Scarborough: **Nick McGee** held off two challengers to win the open town council seat with 1,376 votes. McGee has served on the town's planning board for eight years.

Skowhegan: Incumbent Selectperson **Paul York** and **Steven Govoni** defeated two challengers to win new terms. York picked up 421 votes, while Govoni received 381.

Sullivan: Newcomer **Reginald "Bud" Means** defeated incumbent Selectperson **Roger Wakefield** by a vote of 131 to 96.

Wells: In a five-way race for two open seats, incumbent **John MacLeod, III** collected the most votes, followed by

newcomer **Scott Defelice**. He replaces **Timothy Roche**, who did not seek re-election.

Wilton: Incumbent **Tiffany Maiuri** defeated a challenger to win another term on the selectboard. In the race to replace **Tom Saviello**, who is retiring, Wilton Town Clerk **Heather Harris** held a public recount after the results revealed a one-point difference between the two top vote-getters. **Michael Wells**, a member of the town's board of appeals, received 190 votes to

Cherieann Harrison's 189. The recount resulted in an exact match from election day, giving Wells the win. A third candidate garnered 45 votes. Harrison is a former school board member for the regional district.

Winthrop: **James Steele** held off a challenger to replace the late Town Councilor **Rita Moran**, who died in March of this year. Steele received 358 votes; his competitor garnered 349 votes. ■

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MMA INSIDER.

Change is the name of the game for MMA's Educational Services Department

By Peter Osborne / Director / Educational Services



MMA's Educational Services Department. front row (l-r), Peter Osborne, Sandy Barry, Cyndi Fortier, back row (l-r) Alicia Gaudet, Melissa White

PETER OSBORNE joined MMA in May 2022 as the Director of Educational Services. In this role, he is tasked with expanding municipal education and training, and providing support for ongoing training activities and services to our affiliate associations. Prior to MMA, he worked for 12-plus years in higher education, adult education, and state government, all in Maine. He earned a B.S. in secondary education from the University of Maine at Farmington, an M.S. in Adult and Higher Education from the University of Southern Maine, and a certificate of specialization in diversity and equity in education at the University of Illinois. He serves his community of Jay as an election clerk and tries to maximize his free time hiking, camping, and exploring the state via motorcycle.

The last few months have been a whirlwind for me since joining MMA as the new Director of Educational Services in May. Although I've often compared it to "drinking from a fire hose," it's been gratifying to meet members and colleagues, get acquainted with the wide array of services we offer, and develop my

understanding of the education and training needs of municipal officials across the state. I was drawn to MMA by the chance I saw to serve those in local government - where the proverbial "rubber" of government "hits the road," in my mind - and by extension, ensure our members have the tools to effectively and efficiently meet the needs of citizens and communities. As I continue settling in, I'm excited to share some updates on what we plan to do in the next couple months and into the future.

Before diving in, I need to mention how immensely fortunate I am to draw upon the expertise and dedication of the education and training services team, a group which is also experiencing big changes this year. Two long-time members of the team received well-deserved promotions this spring: Alicia Stokes Gaudet was promoted to Assistant Director of Educational Services and Conventions, and Melissa White was promoted to Affiliate Services Manager. In early August, we welcomed another new member to the team, Sandy Barry, who has taken on a reimagined role of Training and Affiliate Coordinator. Last but not least, Office Coordinator Cyndi Fortier will embark on retirement later this year. We'll miss her expertise, dedication, and drive!

Time to Celebrate: Get Ready for the 2022 MMA Convention!

The MMA Executive Committee and staff are eager to welcome you to the Cross Insurance Center in Bangor on October 5 and 6 for MMA's first in-person Convention since 2019! This year's theme is "Time to Celebrate!" and we're thrilled to honor our 2022 Ethel Kelley Award recipient and others during an awards banquet and dinner. This year's member appreciation reception will also feature disco party band Motor Booty Affair to celebrate coming back together. However, lest you think convention will be ALL fun and no learning, rest assured that we have

a jam-packed agenda of educational sessions and speakers, too.

This year's keynote speaker, Rebecca Ryan, is an economist, futurist, and author, whose talk will focus on anticipating the future of local government, so you're prepared to meet and manage it. Heather Johnson, Commissioner of the Maine Department of Economic and Community Development, will share insights on opportunities and challenges in Maine's economic future. Finally, President of the Maine Community College System David Daigler will highlight how community colleges are tackling the state's workforce challenges through innovative partnerships in the public and private sectors. In addition to speakers, we have 20-plus concurrent sessions planned on topics as diverse as public safety mental health, equity and inclusion, election security, local roads, affordable housing development, drafting warrants, recruiting and retaining younger workers, and more! View the full agenda and register at <https://memun.org/Convention>.

Expanding Education and Training for Members

In joining MMA, I've been tasked with leading the expansion of education and training for municipal officials and building on the incredible work already being done by the education and training team. The expansion is guided by a set of recommendations included in a Curriculum Inventory and Gap Analysis project undertaken by MMA and BerryDunn in 2020 and 2021. This project involved an expansive review and assessment of existing training resources and needs throughout the state, followed by an analysis of both general and occupation-specific gaps in training and education, and finally, recommendations on what MMA can do to better address these needs and gaps. If you were involved in this project through stakeholder interviews and surveys, know that I am immensely grateful for the time and attention our members offered to make this possible.

Implementing these recommendations is a long-term undertaking for me and MMA, but our strong foundations in education and training provide a

promising springboard for this work. As starting points, we have already made progress in two areas, which include increasing training capacity through partnership with the Maine Community College System and forming a Municipal Education and Training Advisory Council. Our partnership with the community college system was bolstered when MMA recently joined the Maine Workforce Development Compact, enabling us to offer new low- and no-cost training opportunities to members with grants funded by the Harold Alfond Center for the Advancement of Maine's Workforce. We're already putting this partnership to good use and planning trainings on customer service skills and plow truck safety, with more to come!

Additionally, we've recruited several members representing affiliate associations, college and university partners, elected officials, and more perspectives to guide the formation of an MMA Education and Training Advisory Council. In the long term, the council will advise MMA on creating centralized training resources, cultivating funding opportunities, and contributing to the design of standardized training frameworks by profession. Over the next several months, however, the initial group will focus on how best to structure the council's membership and activities to meet these goals and more. I'm excited to share more with you about this work and how to get involved in the months to come.

It's a true privilege to serve our members and I am honored to be a part of MMA. Moving forward, I'm eager to hear your ideas, feedback, and suggestions around municipal education and training and how MMA can best support our members.

See you at the Annual Convention in October!

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.





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Training Opportunities

MAINE MUNICIPAL ASSOCIATION & AFFILIATES/2022 TRAINING CALENDAR

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
9/9	Fri.	Verbal Judo for the Contact Professional (BACK BY POPULAR DEMAND!)	Augusta - MMA	MMA
9/9	Fri.	MCAPWA Golf Tournament	Cumberland - Val-Halla	MCAPWA
9/13-15	Tues.-Thurs.	MCAPWA Supervisory Leadership - Part II	Fairfield - MDOT Training Center	MCAPWA
9/15	Thurs.	MTCCA 27th Networking Day & Annual Business Meeting	Waterville - Waterville Elks Club & Banquet Center	MTCCA
9/20	Tues.	MTCCA Vital Records	Zoom Webinar	MTCCA
9/21	Wed.	Elected Officials Workshop	Orono - Black Bear Inn	MMA
9/22	Thurs.	MBOIA Training & Membership Meeting	Portland - Clarion Inn	MBOIA
9/28-30	Wed.-Fri.	MAAO Fall Conference	Sebasco - Sebasco Harbor Resort	MAAO
9/30	Fri.	Verbal Judo for First Responders (NEW!)	Augusta - MMA	MMA

OCTOBER

10/5-6	Wed.-Thurs.	86th Annual MMA Convention	Bangor - Cross Insurance Center	MMA
10/11	Tues.	MTCCA Voter Registration	Augusta Civic Center	MTCCA
10/12	Wed.	MTCCA Title 21A - State Election Law	Augusta Civic Center	MTCCA
10/13	Thurs.	Planning Board/Board of Appeals	Bar Harbor - Atlantic Oceanside Hotel	MMA
10/18 & 19	Tues. - Wed.	MCAPWA Supervisory Leadership - Part I	Fairfield - MDOT Training Center	MCAPWA
10/20	Thurs.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Orono - Black Bear Inn	MMTCTA
10/20	Thurs.	MEGFOA Fall Training Workshop	Augusta - MMA	MEGFOA
10/25	Tues.	Labor & Employment Law	Augusta - MMA	MMA
10/25	Tues.	MBOIA & Fire Marshal's Office Training	Portland - Clarion Inn	MBOIA
10/26	Wed.	Customer Service Excellence (NEW!)	Augusta - MMA	MMA
10/26	Wed.	MBOIA & Fire Marshal's Office Training	Brewer - Jeff's Catering	MBOIA
10/27	Thurs.	MBOIA & Fire Marshal's Office Training	Waterville - Waterville Elks Club	MBOIA
10/28	Fri.	MBOIA & Fire Marshal's Office Training	Waterville - Waterville Elks Club	MBOIA

Training Opportunities

MAINE MUNICIPAL ASSOCIATION & AFFILIATES/2022 TRAINING CALENDAR

NOVEMBER

11/3	Thurs.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Augusta - MMA	MMTCTA
11/10	Thurs.	The ABCs of Assessing - for Non Assessors	Zoom Webinar	MMA
11/16	Wed.	Elected Officials Workshop	Zoom Webinar	MMA
11/22	Tues.	MAAO Advanced Excel training	Augusta - MMA	MAAO
11/30	Wed.	Navigating the Legal Marijuana Landscape	Zoom Webinar	MMA

DECEMBER

12/7-8	Wed.-Thurs.	Athenian Dialogue: First In, First Out	Zoom Meeting	MTCCA
12/8	Thurs.	MBOIA Training & Membership Meeting	Lewiston - The Green Ladle	MBOIA
12/13	Tues.	Planning Board/Boards of Appeal	Zoom Webinar	MMA
12/19	Mon.	Understanding the Freedom of Access Act	Zoom Webinar	MMA
TBD	TBD	MMTCTA Small Claims Workshop	TBD	MMTCTA
TBD	TBD	MTCMA/MMANH Joint Workshop - Leadership Exchange	New Hampshire	MTCMA

Online registration is easy! <http://www.memun.org/TrainingResources/WorkshopsTraining.aspx>



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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People



An open house was held July 24 in honor of seven Norway employees who have retired recently or are planning to retire this year. All of the retirees, with two exceptions, were replaced by current employees who were groomed to move up once the retirement dates were known. The years of service are noted in parenthesis. Front row from left, Police Chief **Robert Federico** (26), Fire Chief **Dennis Yates** (48), and Town Manager **Dennis Lajoie** (5). Back row from left, Town Clerk **Shirley Boyce** (45), Highway Foreman **Art Chappell** (14), Parks, Recreation and Cemeteries Director **Deb Partridge** (21), and Highway Mechanic **Don Upton** (35).

Livermore Falls Fire Rescue Chief **Michael Booker** resigned in June but agreed to stay on the payroll until a plan is made to find his replacement. Booker will work as interim chief. Under a separate pact, he works as chief of the Jay Fire Department. Deputy Livermore Falls Chief **Scott Shink** retired in July. Booker has worked as a firefighter for more than 26 years. In 2014, he agreed to serve as Jay fire chief. He joined the Livermore Falls department last January.



Elise Chard

Elise Chard made history in Old Orchard Beach as the city's new police chief. Chard served as interim chief before taking the job permanently in late June. Chard has worked for the department for 29 years and becomes the first woman to serve as police chief. She replaces **Dana Kelley**, who retired in May. She joined the Old Orchard Beach department after working in Lisbon. She also previously worked for the Maine Drug Enforcement Agency. In Old Orchard Beach,

Chard worked as an officer, detective, corporal, sergeant, and captain before her promotion to permanent chief.

When Whitefield EMS Chief **Ben Caron** leaves his job later this year, the town will likely no longer offer EMS services for lack of anyone to replace him. Caron is moving closer to his job as Ellsworth firefighter. With only one EMS provider once Caron departs, town officials doubt an active department can be maintained. Town officials plan to meet with fire department officials to discuss ways to combat the problem.



Perry Ellsworth

Putting aside retirement, **Perry Ellsworth** has taken the job of Wilton town manager. He resigned in South Berwick in late 2021 with retirement in mind. Over his career, he has served on countless commissions, councils, and boards, including MMA's Legislative Policy Committee, the Androscoggin Valley Council of Governments, president of the Southern Maine Planning Commission Division, the Maine Land Use Planning Commission, president of the Maine Town and City Managers Association and is the senior advisor for Maine's International City/County Management Association. Ellsworth has lived in Strong for the past 35 years, where he served seven years as a selectperson – including six years as chair. He worked as town manager in Rangeley and South Berwick for seven years and 10 years, respectively.

Hermon Town Manager **Howard Kroll** resigned in July after serving in the job since 2016. Prior to Hermon, Kroll served as Auburn city manager and city clerk and assistant manager in Brewer. Kroll was Auburn's city manager when he was hired in Hermon as town manager. Town councilors have appointed three staff members to assume Kroll's duties for up to 120 days while a search for his replacement is held. Tax assessor **Joshua Berry** will serve as interim town manager; finance Director **Michael Chammings** will serve as treasurer; and **Scott Perkins**, economic development director, will take over as road commissioner.



Shawn Howard

Skowhegan Fire Chief **Shawn Howard** plans to retire on Oct. 31 after serving the town for more than 25 years, the last eight as chief. He joined the department at age 18. He graduated high school on a Sunday and had made his career choice by Wednesday. Howard, 44, lives in Cornville. He said he was thankful for the opportunities he found in Skowhegan and loved the challenges over the decades to upgrade and improve the fire department. He worked enthusiastically to lead the effort to have a new public works complex built. It will open next year without him.

Clinton town manager **Earla Haggerty** will retire in the fall after serving four years as the town's top administrator. Haggerty, 75, retired as finance director for Somerset County before accepting her new job as town manager. Most recently, she worked as Clinton interim manager after **Pam Violette** retired. Haggerty has focused on updating town systems and procedures and said she was proud of the town staff for their work to modernize municipal operations.

Longtime former Caribou bookkeeper **Anna Roberts** was surprised last month to find out she was the city's oldest resident at 105 when city officials presented her with the Boston Post Cane. Roberts started her career in 1934 and worked for 45 years. Before Caribou incorporated as a city, Roberts was one of only four employees, including **Grover Hardison**, who was named the first town manager. She went on to work for four city managers. She retired in 1979. Her longevity was not credited to any special secret. "It just happened," she told reporters. She said she liked the work and the people she served and that many became friends to her. She did consider her 45-year career one reason she called Caribou her home her entire life. The tradition of the cane started in 1909, when the Boston Post publisher gave 700 New England municipalities a gold-headed black cane to honor the oldest male resident. Women became eligible for the recognition in 1930. The cane is handed down from year to year. ■

NEWS from Around the State

STATEWIDE

The state will receive \$110 million in federal American Rescue Plan Act (ARPA) funds to expand high-speed internet connections for 22,000 families and businesses in rural Maine. Sen. Angus King was a pivotal negotiator, ensuring that money for Maine was included in the funding package. King likened expanded internet to stringing electricity poles and wires across Maine during the 1930s. He said the internet expansion will offer new economic opportunities, including accommodating remote work, as well as helping children learn more at home. The need for better access is acute in rural northern Maine and on islands along the coast. The federal infrastructure program will provide another \$300 million for Maine. That money, plus the \$110 million, and another \$21 million reserved by Gov. Janet Mills for internet expansion, means access will be available to all of Maine by the end of 2024, officials said. Maine was one of only four states to receive broadband funding in this round of ARPA broadband grants.

STATEWIDE

The Maine Department of Transportation (DOT) has shelved \$28 million in critical projects, blaming inflation. So far this year, DOT officials rejected seven bids for highway and bridge work, including reconstruction of a key Old Town bridge. Bids on that project were \$39 million, nearly double what DOT had budgeted. The problem is not new. In 2020, the first year of the COVID-19 pandemic, the department rejected bids on more than a dozen road projects that were at least 40% higher than estimates. In addition to soaring gas prices and the increased cost of supplies and materials, DOT officials

and contractors also blame the tight labor market for the high construction costs. Paving projects in Augusta, Shapleigh, Old Town, Bangor, and Byron have been ditched for now, as well as a traffic signal project in South Portland. The \$28 million equals 10% of the DOT budget.

BANGOR

The Bangor International Airport will receive \$14.2 million in federal funds to expand its security screening area and upgrade the HVAC system. Part of the funding will also be used to build a new connector between its two terminal buildings. The funding is part of the \$1.2 trillion infrastructure package passed by Congress last fall, according to Sen. Susan Collins' office. The construction project will be scheduled to avoid any impact on passengers and airport operation.

FORT FAIRFIELD

The town council voted last month to amend its ordinance regulating ATVs to allow the recreational vehicles to use town roads and streets to access trails. There was little official feedback during a 14-day public comment period; three people were supportive while seven residents opposed the change. But the council believes the town should provide access to trails since the ATV crowd continues to grow statewide. Like snowmobilers, ATV riders contribute to the economy of any of the communities they converge on.

HOULTON

The town has installed three waste containers for pet owners to use to clean up after their dogs and intends to place a fourth. After enough complaints from one area of the town, the council approved

containers on both ends of a street and in the community park. Each container includes dog waste bags and a bin where they can dispose of the waste. Officials researched their options and liked the waste disposal unit that will cost \$1,000 for the four stations. If the containers work well, the town will likely buy more. A number of residents, including a dog groomer, have complained about dog messes left on their lawns. On the one street with the most complaints, town leaders made a deal with residents that the town will provide fresh bags if residents empty the bins.

PORTLAND

The population of Maine's largest city declined by 100 residents in the 2021 census, compared to the "Portland metro" area, which has attracted hundreds of thousands of new residents over the past few years, census numbers show. Of the 34 municipalities that make up the metro suburbs, Portland ranked last in growth. Meanwhile, growth in the broader metro area has worsened the availability and affordability of housing. According to real estate numbers, a large majority of cities and towns in Portland Metro are more affordable places to live. The exceptions are Kennebunkport, Cape Elizabeth, and Falmouth. Housing prices in Westbrook, for example, are \$94,000 less than Portland. The population of Portland has been declining for nearly a century. The 2021 numbers represent the lowest population number since 1860, when modern county boundaries were established.

STEBEN

A Brunswick aerospace firm announced last month that it had found a place in Steuben from where they can establish a base of operations to build a space mission control center and a rocket manufacturing facility. BluShift plans to launch rockets off the shores of the Washington County town of 1,100. After residents of Jonesport rejected the aerospace project, Steuben officials invited the company to consider the town for its project. Steuben is about 30 miles east of Ellsworth. ■

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Legal Notes

PROPERTY TAX STABILIZATION FOR SENIORS

Recently enacted legislation added a new property tax relief option for Maine residents 65 years or older.

PL 2021, c. 751 (to be codified at 36 M.R.S. § 6281), requires municipalities to “stabilize” – meaning freeze – the property tax responsibility of eligible taxpayers at the amount billed the preceding tax year. If taxes assessed on eligible property exceed the “stabilized” amount, the law currently requires the state to reimburse municipalities 100% of the difference.

An eligible taxpayer must: (1) be 65 years or older, (2) be a permanent Maine resident as defined in the Maine Resident Homestead Property Tax program (“Homestead Program”), and (3) have owned a qualifying homestead in Maine for a total of at least 10 years prior to application. Stabilization applies only to property occupied by an eligible taxpayer which is eligible for a Homestead Program exemption. The law includes no limits on an applicant’s income or the market value of the homestead property.

Taxpayers must annually apply for the program by the December 1st preceding the property tax year for which stabilization is requested (the tax year begins on April 1st of each year). Eligible taxpayers may also transfer stabilization benefits to new homesteads established within Maine.

Note that the law does not freeze an eligible homestead’s property tax valuation or the taxpayer’s tax assessment; municipal assessors must continue to record the property’s just value in each annual property tax commitment. The law merely freezes the amount an eligible taxpayer may be billed by the municipality.

Taxpayers may apply for the program until December 1. However, “stabilization” will first apply only to property taxes committed during calendar year 2023 (based on an assessment date of April 1, 2023). Tax bills issued based on property taxes committed during calendar 2022 will not be affected.

The Maine Revenue Services Property Tax Division has issued an application form and program guidance on its website at: <https://www.maine.gov/revenue/taxes/tax-relief-credits-programs/property-tax-relief-programs/stabilization-program>. (S.F.P.)

ASSESSOR’S AGENT V. ASSESSOR

Question: Is there a difference between a municipal property tax assessor and an assessor’s agent?

Answer: Yes! Although the two positions sound confusingly similar, the responsibilities of municipal property tax assessors and those of an assessor’s agent are quite different.

Under Maine law, a municipality has three options for assigning responsibility to assess property taxes. It may use (a) a separate *elected* board of assessors; (b) a single appointed assessor; or (c) the select board may act as the board of assessors. Generally, the municipal legislative body (town meeting or council) must approve any change in local assessing responsibilities.

Municipal assessor(s) chosen under any of the three options listed above serve as the municipality’s property tax assessor(s) and are legally responsible to identify taxable property within the municipality, determine its “just value,” assess taxpayers their fair proportion of county and municipal taxes, and grant abatements and tax exemptions if authorized under state law.

An *assessor’s agent* is not an assessor; the agent is an employee or independent contractor who assists the assessor(s) by making recommendations on valuation, assessment, and other property tax matters. Given the technical nature of property tax laws and valuation methodologies, an assessor’s agent can be an extremely valuable resource for the assessor(s).

However, the assessor’s agent has no legal authority to sign the municipality’s annual property tax commitment warrant, supplemental tax warrants or recommitment paperwork. Nor may an assessor’s agent grant property tax exemptions, issue abatements, or formally approve current use program applications (e.g., Tree Growth, Open Space). Those authorities rest solely with the municipal property tax assessor(s), who have a responsibility to oversee, inquire into, and review the agent’s work.

For much more information on property tax assessment, see MMA Legal Services *Municipal Assessment Manual* in the “members’ area” of MMA’s website (www.memun.org). (S.F.P.)

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CANNABIS RESOURCES PROVIDED BY MMA LEGAL SERVICES

We want to be sure our readers know that MMA Legal Services provides a wealth of information and guidance for municipal officials concerning cannabis laws and municipal regulatory authority. These resources include:

- Information packets on both adult use and medical cannabis;
- A video guide explaining “opt-in” requirements for cannabis establishments;
- A “Cheat Sheet” summarizing key aspects of cannabis and hemp statutes;
- A flow chart addressing authorized medical caregiver activity;
- Sample warrant articles allowing municipalities to opt-in to allow cannabis establishments;
- Links to cannabis ordinances adopted by opt-in municipalities;
- A sample “Home Cultivation Ordinance” to regulate personal cultivation of adult use cannabis;
- Recordings of MMA cannabis update webinars; and
- Attorneys available to advise members with specific cannabis questions via phone or email.

Our resources are updated regularly to reflect changes to Maine cannabis laws

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Legal Notes

impacting municipalities.

On that note, readers may be interested in two recent amendments to Maine's adult use cannabis law. The first, P.L. 2021 c. 667, authorizes adult use retail stores to provide cannabis delivery services to customers, including customers located in municipalities that have not opted-in to allow adult use cannabis establishments.

The second, P.L. 2021 c. 735, allows adult use stores to apply to the Maine Office of Cannabis Policy for an "off-premises" license to sell cannabis at a specified event, provided the municipal legislative body (town meeting or town/city council) of the municipality where the event will be held has previously voted to allow it.

Learn more about these and other updates to Maine's cannabis laws in our cannabis legal resources.

See the "members' area" of MMA's website (www.memun.org) or contact Legal Services (800-452-8786 or legal@memun.org) for more information. (R.E.M.).

PUBLIC RECORDS REQUESTS - 2022

The "open records" portion of Maine's Freedom of Access Act (FOAA) has been revised repeatedly in recent years, so we thought a summary of current public record request requirements (1 M.R.S. § 408-A) would be helpful.

Public Access Officer. Since 2012, every municipality has been required to designate an existing employee to serve as its public access officer to manage public records requests (see "Public Access Officers," *Maine Townsman*, "Legal Notes," July 2015).

Making requests. A public records request need not be made in person or in writing. A requester can be asked to put the request writing but cannot be required to or be denied because the request is not in writing. Anyone can make a records request, and it need not cite the law or state specifically that it is a public records request provided it is clear that the request seeks records.

Acknowledgement; time and cost estimate. The custodian of a requested record must acknowledge receipt of the request within five working days. Within a reasonable time thereafter the custodian must also provide a good faith, non-

MUNICIPAL CALENDAR

ON OR BEFORE SEPTEMBER 1 — Clerks of organized plantations shall make return to the Secretary of State, on blanks furnished for that purpose, of the names of the assessors and clerks of their plantation and that the same have been sworn. Penalties apply for failure to make the return (30-A M.R.S. § 7005).

SEPTEMBER 5 — Labor Day, the first Monday in September, is a legal holiday (4 M.R.S. § 1051).

ON OR BEFORE SEPTEMBER 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).

BY OCTOBER 1 — Assessors should receive the municipality's proposed current state valuation from the State Tax Assessor. (36 M.R.S. § 208).

OCTOBER 1 — Junkyard, automobile graveyard, and automobile recycling business licenses expire. (30-A M.R.S. § 3753).

OCTOBER 10 — Indigenous People's Day, the second Monday in October, is a legal holiday (4 M.R.S. § 1051).

binding estimate of the response time and cost, if any. The deadline for fulfilling the request, however, remains "within a reasonable time" – a flexible standard that takes into account the scope of the request, the location of the records, staff resources and similar variables. The custodian may ask for clarification about which record(s) are being requested.

Inspections; making and mailing copies. A requester can either inspect and copy public records in the office of the record's custodian during regular business hours or request the custodian to make and mail copies to the requester. The custodian can schedule inspections so they do not delay or inconvenience the custodian's regular activities.

Electronically stored records. Access to electronically stored records must be provided either as a printed document or in the electronic medium in which they are stored, at the option of the requester, except that access to a computer file is not required if the custodian is unable to separate or prevent disclosure of confidential information in that file. There is no requirement to provide access to a computer terminal or software. Nor must electronically stored records be provided in a different electronic medium or format.

Costs. The requester is liable for the cost of (1) mailing, (2) converting a record into a comprehensible form, (3) staff time up to \$25 per hour after the first two hours spent searching for, retrieving

and compiling requested records, and (4) reasonable copying costs, provided that the copying fee for a standard 8.5-inch by 11-inch black and white photocopy is limited to 10 cents per page and a per page fee for copies provided electronically is prohibited. For purposes of calculating staff time, all cumulative staff time should be counted, regardless of how many staffers are involved. Finally, the requester may be required to pay all costs associated with a public records request before the records are provided to the requester.

Notice; advance payment; waiver. If estimated costs exceed \$30, the custodian must notify the requester before proceeding to compile the records. If estimated costs exceed \$100 or the requester has previously failed to pay FOAA costs, the requester must pay in advance. The custodian may, but is not required to, waive all or part of applicable costs if the requester is indigent or release of the requested record is in the public interest.

No requirement to create a record. There is no requirement that an agency or official answer questions orally or in writing, nor does the law require officials to create a record that does not already exist.

For more on Maine's FOAA, see MMA Legal Services' "Right to Know Information Packet," available free to members at www.memun.org. (S.F.P.) ■

MAINE MUNICIPAL BOND BANK

2022 FALL 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 Fall Issue.

August						
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			

September						
S	M	T	W	T	F	S
				1	2	2
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	

October						
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					

November						
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			

Monday, August 1st – Application Deadline

Wednesday, August 24th – Application Approval (Board Meeting)

Wednesday, September 14th – Preliminary opinions and loan agreements due from bond counsel of each borrower

Friday, September 15th – Last date for signing school contracts and rates in place for water district. PUC approvals due

Week of October 3rd – Maine Municipal Bond Bank Pricing

Monday, October 24th – Final documents due from bond counsel

Wednesday, November 2nd – Pre-closing

Thursday, November 3rd – Closing – Bond proceeds available (1:00pm)

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



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