

# Maine Town & City

The magazine of the Maine Municipal Association

JANUARY 2019

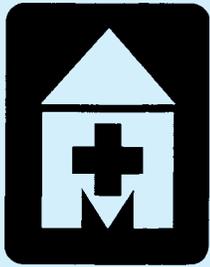
## ON CIVILITY

**Olympia Snowe extols  
the virtue of collaboration  
at all levels of government**



### ALSO IN THIS ISSUE

**The Case for Sustainability  
Farmington Daughter's Pride  
Five Generations of Firefighting**



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# Maine Town & City

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The Magazine of the Maine Municipal Association

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### Yesterday Once More



*When author Ruth McCleery Watson found detailed notes handwritten by her father, a former fire chief in Farmington, she knew what to do.*

**Civility and MMA:** The Maine Municipal Association will offer training programs in 2019 to address public decorum and positive citizen contributions. [Page 5](#)

**2019 Training Calendar:** MMA's complete 2019 training calendar is listed this month, with more than 90 program offerings across the state. [Page 27](#)

## The Senator's View

*Former U.S. Sen. Olympia Snowe shares her unique leadership perspective on collaboration and bipartisanship, at all levels of government. [Page 7](#)*

## Sustainability: Here to Stay

**South Portland Sustainability**  
*Coordinator Julie Rosenbach explains why issues like energy efficiency and recycling are here to stay. [Page 11](#)*

## All in the Family

**Cameron Smith, a fifth-generation firefighter from Danvers, Mass., talks about the lure of fire service and being a live-in student firefighter in Cumberland. [Page 21](#)**

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## A MESSAGE FROM MMA

BY ERIC CONRAD / EDITOR

# Is civility an endangered species?

*“Civility is hard to codify or legislate, but you know it when you see it. It’s possible to disagree without being disagreeable.” – Sandra Day O’Connor*

**H**ave we lost our way, public discourse-wise, as Americans and even as Mainers? Were things really more civilized back in the day?

One of the hottest topics in local governance these days is civility. Municipal officials say citizens, perhaps taking their cues from national political leaders and the media, seem angrier than they used to be. Coarser. More skeptical. While compromise used to be seen as essential to progress, today some see it as a sign of weakness.

Maine Municipal Association’s 12-member Executive Committee discussed ways to approach this subject at its strategic retreat last fall and asked staff to try and address it. In some ways, we’d already begun.

Last May, in this magazine, former Portland Mayor Pam Plumb and current Aroostook County Administrator Ryan D. Pelletier (a former MMA President and town manager) co-authored an article about their new venture, heading “Maine Revives Civility,” a statewide pilot project of the National Institute for Civil Discourse. They both presented at MMA’s 2018 Annual Convention last fall along with Mark Hews, state coordinator.

In 2019, we will do more, starting with this month’s Maine Town & City cover article penned by former U.S. Senator Olympia Snowe, who is a board member and Senior Fellow at the Bipartisan Policy Center in Washington, D.C. Next month, former U.S. Senator (and Senate Majority Leader) George Mitchell will write about the topic for us as well. Sen. Mitchell co-founded the Bipartisan Policy Center.

That’s a good start. But there’s much more.

**On Feb. 13**, at Point Lookout in Northport, veteran



**Olympia Snowe**



**George Mitchell**

Town Meeting Moderator Richard Thompson will lead a workshop on running town meetings, which so many of our towns hold and rely upon. Thompson covers the legal “must dos” and “don’t dos” of running town meetings. He also offers sage advice about handling irritated citizens and hostile groups.

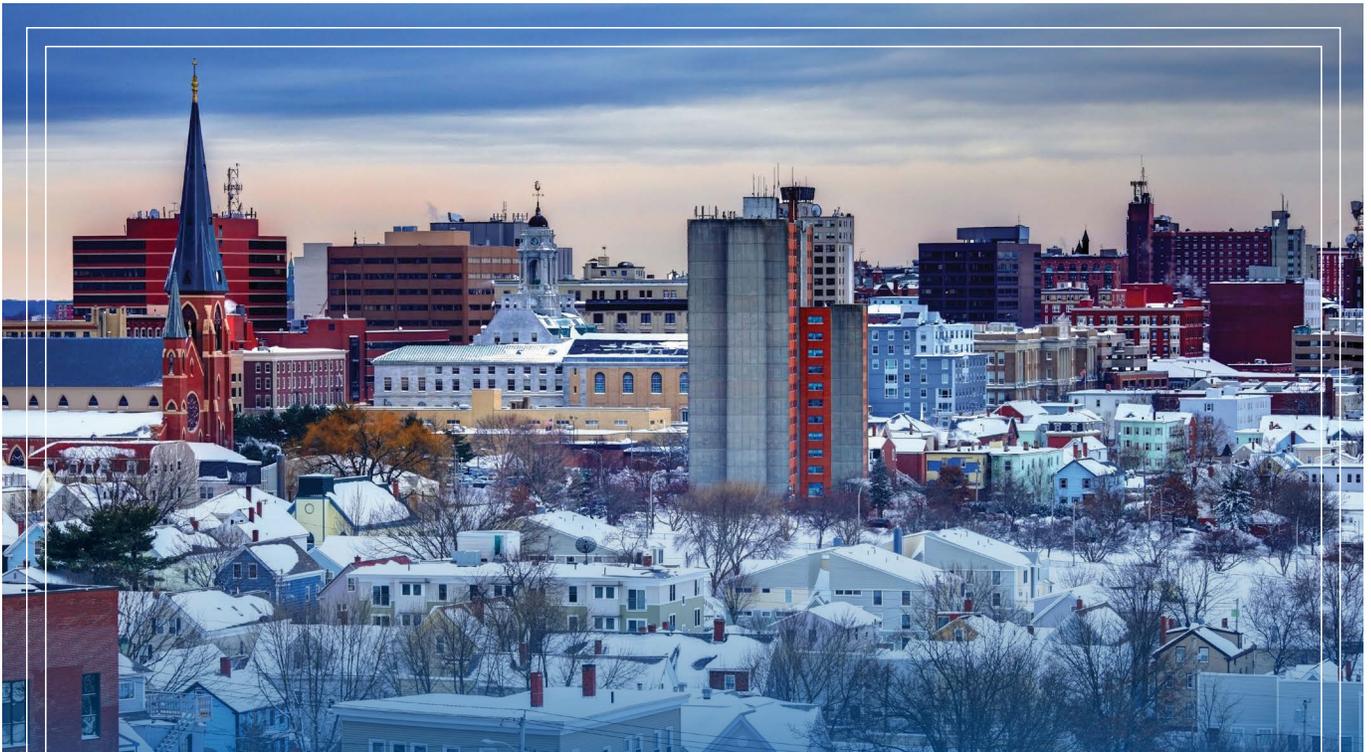
**On March 6**, in a new offering, Christopher Gates of Camden will lead a session called “Spurring Civic Engagement.” Apathy is a close cousin of incivility, and Gates will look at ways to encourage positive citizen participation. Gates, who holds a Master’s degree from the John F. Kennedy School of Government at Harvard University, is a past president of the National Civic League and a long-time proponent of civil discourse.

**On March 27**, Portland meeting facilitator Nancy Ansheles will hold a day-long workshop called, “How to Lead Effective Meetings” at MMA’s Christopher G. Lockwood Conference Center in Augusta. This will be Ansheles’ third year holding the session, which always draws strong reviews.

**And on July 22**, a Verbal Judo workshop, which has proven to be one of our most popular training events, will be held at the Saco Ramada Inn & Conference Center. This workshop gives everyone, from elected officials to front line, customer-service staff members, advice and tools on handling challenging citizens.

We will continue our alliance with the Maine Revives Civility project, and covering the civility topic again at our Annual Convention seems very likely. The 2019 convention will be held Oct. 2-3 at the Cross Insurance Center in Bangor.

In the meantime, read what Senators Snowe and Mitchell have to say on the topic, this month and in February. They’ve seen and learned a lot over the years, at many levels of government. ■



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# Bipartisanship and civility: Twin pillars for a functional democracy

*One of Maine's most prominent leaders cites landmark examples of bipartisanship in governance, encouraging consensus-building and compromise at the local level.*

**By Olympia Snowe, former U.S. Senator, Maine**

The concepts of “bipartisanship” and “civility” are invoked frequently these days. But do they really matter beyond some imprecise notion of an aspirational public good?

Indisputably, they do – if we believe in resolving differences and solving problems. Indeed, they are indispensable twin pillars for a functional democracy.

I was honored to serve for four decades in elective office, from my first days in the Maine House of Representatives in 1973 to my final moments in the United States Senate in 2013. Throughout, I witnessed government’s greatest potential when individuals of good faith and various political backgrounds were determined to solve a problem. I also experienced its calamitous capacity for dysfunction when lawmakers instead chose a course of scorched-earth politics and winning at all costs.

Since leaving the Senate, I have been crisscrossing the country, speaking to a wide range of audiences and imparting that we do not need to accept polarized partisanship at-all-costs as the new norm. Everywhere I go, people constantly ask, is it really that different today? I reply that, unquestionably, it hasn’t always been this way, and it absolutely doesn’t have to be this way.

In the 1980s for example, President Reagan recognized the value of building a coalition of moderate northeast Republicans known as the “Gypsy Moths” and conservative Democrats called the “Boll Weevils” to pass a budget that was a cornerstone of his bold recovery plan. In 1990, President George H.W. Bush brokered a pivotal budget agreement including tax increases, for which he paid a heavy

## ABOUT THE AUTHOR



**Olympia Snowe**

Sen. Snowe is married to former Maine Gov. John “Jock” McKernan and, today, serves as a Board Member and Senior Fellow with the Bipartisan Policy Center in Washington, D.C.

Former U.S. Senator Olympia Snowe is well-known to our municipal readers. Born in Augusta, Sen. Snowe suffered great hardship as a young child, as both her parents died before she was 10 years old. She attended a boarding school in New York State before returning to Maine, where she graduated from Edward Little High School in Auburn and the University of Maine in 1969.

Sen. Snowe went on to serve in the Maine State Senate and House of Representatives, the U.S. Congress (1979-1995) and as a U.S. Senator from 1995 to January 2013.

Over a 40-year political career, she never lost an election.

political price. Yet, as he wrote in his diary, he had no intention of being “off in some ideological corner falling on my sword and keeping the country from moving forward,” even knowing it could cost him a second term. With his recent passing and the way his extraordinary life of public service was celebrated, we were reminded of the value of his invaluable approach to leadership.

Following President Clinton’s strategy of “triangulation” after Democrats lost the Congress in 1994, where he staked out positions between the two parties, we tackled tax reductions, welfare reform, and produced four consecutive years of budget surpluses for the first time since 1930. And on a bipartisan basis under President George W. Bush, we passed the largest tax cut in history, to stimulate the economy and long-term economic growth at a time when the tax burden was the highest since World War II.

## ‘A political necessity’

These kinds of bipartisan legislative partnerships are crucial – because it is only when we minimize the political barriers that we can maximize the power of the legislative process. Or as someone once said: “Bipartisanship isn’t just a political theory, it is a political necessity.”

That is a truism I experienced firsthand, many times over. In Augusta in the 1970s, I found that politics and public life were positive and constructive endeavors. Once the elections were over, my colleagues and I put campaigns and party labels behind us to enact laws that genuinely improved the lives of citizens.

Fast-forward to my tenure in the U.S. Senate, and it was a cross-aisle alliance between Democratic Senator Jay Rockefeller of West Virginia and me that produced the so-called E-Rate program in 1996. This was a landmark law ensuring every library and classroom in America would be wired

to the revolutionary resources of the Internet.

In a similar collaborative spirit, major bipartisan tax-cut legislation to avert a recession in 2001 included a measure that Democratic Senator Blanche Lincoln and I introduced to increase the amount of the child tax credit, and make it refundable for the first time ever. In so doing, we passed the largest tax cuts for working Americans in two decades, ensuring the child tax credit would assist an additional 37 million families and 55 million children.

The fact is, at all levels of government, the process only truly works when leaders work together. And that is especially true in attempting to govern a vast country of 326 million individuals with varying perspectives, concerns, beliefs, and aspirations.

Just consider the major debates of the 20<sup>th</sup> Century on such watershed issues as the establishment of Social Security, Medicare, or the Civil Rights Act. None of these profound advancements would be as woven into the fabric of our society today if they had been passed simply on party-line votes,

## NEXT MONTH

Former U.S. Senate Majority Leader George Mitchell, another icon of Maine government and political leadership, will also write for the Maine Town & City magazine on the topic of civility in public discourse.

rather than the solidly bipartisan basis on which each of them was enacted.

This is not to say there was ever some golden age of bipartisanship. Rather, we have seen how cooperation has resulted in great achievements, which likely never would have occurred if bipartisanship hadn't intervened as a means to attaining those most worthy ends.

Similarly, the idea of "civility" is indispensable to our political institutions. Words can be powerful and

critically important in setting the tone for our national discourse. Certainly, sensationalism is one of the most virulent enemies of civility. The insatiable appetite for content and ratings generated by today's 24-hour news cycle only serves to incite the demonization of differing viewpoints and solidify the positions of policymakers before there is an opportunity for thoughtful debate.

### Willing to listen

Yet, there is a second key component to civility in politics – and that is a willingness to listen to and work with those with whom we disagree, respect differing views, and acknowledge that no one person or party has a monopoly on good ideas. Civility in the political realm is accepting that you won't typically get 100 percent of what you seek, and working through



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the differences. Because civility above all is the one, essential mechanism for distilling the vast diversity of ideologies and opinions in modern America, so that we might arrive at solutions to the challenges we face.

Regrettably, however, we are suffering the consequences of a breakdown in both bipartisanship and civility. Policy-making has devolved into a series of “gotcha” votes for campaign messaging and political leverage. This ideological intransigence has resulted in issues of enormous importance piling in Congress’s legislative in-box

for years – from reducing our historic levels of deficits and debt to repairing our nation’s crumbling infrastructure, or enacting measures to address equality of economic opportunity.

The bottom line is that none of these major matters will be resolved without a sea change in Washington. That’s why, when I announced I would not seek a fourth term in the U.S. Senate, I said I was not giving up. Rather, I was taking my fight for bipartisanship in a different direction, from outside the institution.

I immediately joined the Bipar-

## MMA ON CIVILITY

Turn to Page 5 of this magazine to learn how the Maine Municipal Association’s training offerings will address the issues of civility, civic engagement, running effective meetings – and more – in 2019.

tisan Policy Center as a senior fellow. BPC was founded by four former Senate Majority Leaders, including Maine’s own Senator George Mitchell. It is the only bipartisan organization in Washington that convenes former elected and appointed officials and distinguished experts from the public and private sectors to forge consensus on actionable solutions to our most pressing problems, which we then champion on Capitol Hill. And in 2019, we do believe that, despite the polarization, Congress and the President can – and must – work together on several “kitchen table” issues such as infrastructure improvements, paid

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family leave, addressing drug pricing, and ensuring small business access to credit and financing.

I also co-chair BPC's Commission on Political Reform, which released more than 60 concrete recommendations specifically designed to make Congress work once again – and BPC is hard at work translating many of those recommendations into reality. For example, one of the major themes that emerged from our report is that members of Congress today have far too few opportunities for getting to know one another personally across the political aisle. Consequently, they often have an insufficient understanding or appreciation of each other's motivations, interests, and pressures; and view each other solely as opponents rather than equally committed public servants.

In response, BPC created the American Congressional Exchange Program, or ACE, where members of Congress visit with a colleague of the opposite party in their district. In turn, the member will make a reciprocal visit within the following year. ACE is one, systematic approach to building trust one relationship at a time, and greater civility and bipartisanship in Congress.

Finally, I was also proud to become a board member for the National Institute for Civil Discourse. NICD plays an important role by supporting and engaging elected officials who are capable of working to solve the big issues facing our country, a public that

demands civil discourse, and a media that informs citizens in a fair and responsible way.

What is imperative is that we ensure this is an aberrational chapter in our history. And the only way to be successful is for the voices urging cooperation to be louder than the voices of polarization.

In my many years of meeting with Maine Municipal Association leaders and members, I was consistently impressed and inspired by the obvious

commitment to transcending differences to produce results and solve problems, as you are truly on the front lines of our communities. I would implore all those in public service, and indeed every citizen, to follow your model and champion those who chart a course of compromise, conciliation and consensus-building. Because real solutions can only happen when we are willing to take risks working with each other, rather than against one another. ■

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# Big city or small town, sustainability serves purpose

*South Portland Sustainability Coordinator Julie Rosenbach says climate change challenges, recycling pressure and desire for cost-efficient energy are here to stay.*

By Susan Cover

Julie Rosenbach has twice taken jobs that didn't exist before she was hired to do them.

As South Portland's Sustainability Director, Rosenbach is one of a handful of municipal officials across the state dedicated solely to finding ways to switch city buildings to renewable energy, reduce the amount of trash picked up curbside, and to encourage alternative transportation, among other things.

Rosenbach, 43, said even though smaller cities and towns aren't able to have full-time staff dedicated to sustainability, they can set goals to prompt change.

**Q.** *Talk about your background and how you landed your current job in South Portland.*

**A.** I've been in the job for almost four years now. It was a brand new position and a brand new department. I was working at a local college and commuting up there, doing very much the same thing. When this position opened up, I applied for it, easiest cover letter I ever wrote. It was a lot of what I was doing at my other position, but then it was working for the city.

So it started very much the same way. Brand new position, definite idea of what the city would like to be, a sustainable community, but not necessarily have any definitions of how to



Julie Rosenbach

get there. It was a lot of creativity and figuring out what we should do and how we should do it.

**Q.** *How did your educational background prepare you for this job?*

**A.** My undergraduate degree is in Russian history and my graduate degree is in international environmental policy. I've been working in this field for about 20 years, long before there

were sustainability positions to apply for. I sort of wound my way to this work by experience.

When I got out of school, I worked at the EPA in Washington, D.C. There's an obvious environmental policy job. And then I wanted to move away from D.C. so I found this job at a college and worked there. It was my first step into the world of sustainability manager. And that really gave me a lot of on the job experience. Now, there are whole degrees and programs that just didn't exist.

My counterpart in Portland has an art history degree. A lot of us that have been in the field a while have presumably misaligned degrees, but I wouldn't trade it for the world. It totally serves its purpose in my work.

**Q.** *How so?*

**A.** Russian history is just a study in people and culture and the psyche and that is very much what sustainability is too. How to move people forward, make them comfortable with

change and in addition to that, it's a lot of problem solving. Where do we want to be and how to we get there? How do we do it in a way that people will accept it and buy in?

**Q.** *It seems like the title, Sustainability Director, could go in a lot of different directions. What is the scope of your work?*

**A.** One of the first things I did was create compartments. Energy and climate, waste reduction, sustainable transportation, toxics reduction and community engagement. When I imagine a more sustainable world, those are things we need to improve on.

Waste reduction, I always say, is the gateway drug. It's a gateway behavior into sustainability because everybody deals with trash and recycling and they do it on a very regular basis. So if you can get people to be more mindful on trash and recycling, it's one of those behaviors that even if you stop shining a focus light on it, people still do it.

**Q.** *As you know, a lot of cities and towns have fewer than 5,000 people – in many cases far fewer – and no ability to have a sustainability office. What tips would you give to small towns on how to pursue sustainability initiatives?*

**A.** You know, from my humble opinion, it would be start with where you're at. If you don't have a goal, develop a goal. Where do you want to be? What can you imagine? Once you have a goal, figure out how you're going to get there. The practical way of moving forward.

Who can work on these things? Who needs to work on these things? There's tons and tons of resources out there.

The very first thing I did when I

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**Susan Cover** is a freelance writer from Augusta and a regular contributor to *Maine Town & City*, [mainefreelancer@yahoo.com](mailto:mainefreelancer@yahoo.com).

got here, we didn't have a waste goal. So I developed a goal. I did some research. I said, 'Who are the leaders in Maine in waste reduction? We want to be one of the leaders.' So, I set this goal, which is increase the recycling rate to 40 percent by 2020, which is a goal that people can understand and grab onto.

**Q.** *About a year ago, South Portland brought online a solar array on an old landfill. How is that going?*

**A.** That's one of my favorite projects. I love that project because sustainability is sort of like a three-legged stool. It is environmental conservation, it is also fiscal responsibility and it's also community building. Some people say the three "e's" – economics, equity and environment. That's a really important definition to me.

We're moving from strictly looking at environmental conservation to sustainability, which brings in these two other core pieces. If the economics don't work out, then chances are it's not going to be that sustainable over the long run. If it's not building community and equitable at the community level, it's not going to be that sustainable over the long run.

I'm not saying that every sustainability program has to save the city money, that's not possible. But I expect energy projects over the long term to make economic sense. And that's a project that met all three criteria. Clean, efficient, renewable energy located on our (former) city landfill, which is just the perfect site for a solar array. It has to be maintained as open space in perpetuity. It's a lot of open space. Over the life of that project, it's going to save the city \$3 million or more.

**Q.** *You had expected it to offset about 12 percent of the electricity used in municipal and school buildings. Has it met those expectations?*

**A.** We're about to do a year in review, but so far it is producing roughly what we expected for the first year.

**Q.** *Are there things that had to be tweaked along the way to make it work better?*

**A.** What I love about solar is its simplicity. There are no moving parts. So the panels themselves will last for at least 40 years, we're expecting. The

inverters that take the electricity and change it from direct current to alternating current that can go into the system, those will need to be replaced in 20 or 25 years and we have that factored in to our model. Operating and maintenance costs are really low.

Now, we have to mow more strategically. What I'd like to do is get sheep to mow instead of us mowing. That would round out the system really perfectly in my mind.

**Q.** *Would you have trouble getting city council buy-in for sheep?*

**A.** I bet not. To me it would be perfect if we found a situation where people needed more pasture land and we had a fenced in solar array. It makes sense. I'm always looking for the projects that make sense, that are multiple wins.

**Q.** *What are some of the other sustainability projects you are working on?*

**A.** We've banned polystyrene and did the fee on plastic bags. We developed and passed a pesticide ordinance that restricts the use of pesticides. That was a really big change for the city. And then in the time since we've passed it, we've been working on a lot of outreach and education. How do you maintain a great yard organically?

We are again partnering with the City of Portland on developing a Climate Action and Adaptation Plan for

both cites. We both have the same goal of reducing greenhouse gas emissions 80 percent by 2050. That's an enormous goal. That's reimagining our energy systems. We know that if we get there it's going to be on a regional level.

We have four target areas we need to address. One is buildings. About 40 percent of the energy use and greenhouse gas emissions in the U.S. come from buildings. We need to make our buildings more efficient. We ultimately need to make them net-zero energy users.

**Q.** *What other things can you share with other municipal officials who might be looking for ideas and strategies?*

**A.** It's a challenge because there are so many small cities and towns that just can't afford a whole new position dedicated to this. But the direction that we're heading, there's so many people that can agree that business as usual is not quite working for us. Ask any of the coastal towns, ask any of the towns inland that are dealing with heating days over 100 degrees. I think people in Maine understand climate change in a way that it touches upon so many people even if that's not the vocabulary they are using to define it. People are on board and understand we really have a state full of fantastic resources we need to protect, steward and move forward. ■



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# Paternal portrait: Book captures the history of Farmington Fire

*When the late Fire Chief Robert L. McCleery's daughter found legal pads with notes about his career in fire service, she knew immediately what had to be done.*

By Steve Solloway

The farmhouse in Farmington where generations of the McCleery family lived, laughed, and loved was sold, its contents claimed by the children who grew up there.

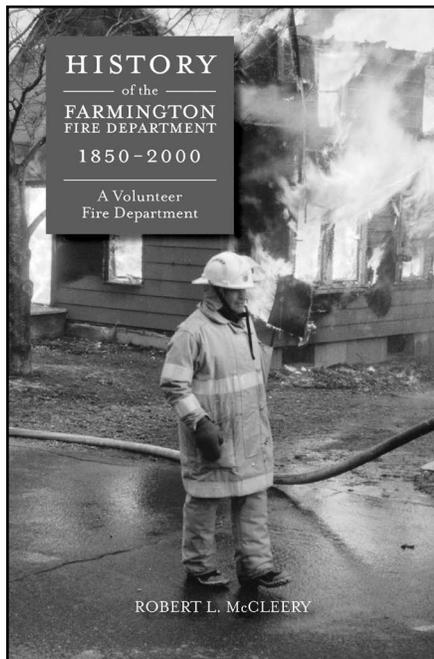
A non-descript storage container, small enough to fit on a desk top, found itself in the hands of Ruth McCleery Watson, a daughter. Inside was the mostly complete, but unorganized chronicle of the history of the Farmington Fire Department, compiled from annual reports, newspaper clippings and the memory of Robert L. McCleery.

Watson read her father's neat handwriting on page after page from yellow legal pads. Bob McCleery was chief of Farmington's volunteer fire department for 23 years and a firefighter for 40 until his retirement in 2000. He died two years later, before he could transform his research of the fire department into a book.

"History of the Farmington Fire Department, 1850-2000, A Volunteer Fire Department" – a 315-page, hard cover book – was published this year. Watson, the third of Edith and Bob McCleery's six children, completed her father's dream.

This is a story of how two labors of love became intertwined and produced a unique look of the men and women of a Maine community tucked up against the state's western mountains. Although Watson, now 67, seemed taken aback by her inclusion.

"This is about the Farmington Fire Department and my father," she said, citing his progressive leadership in adopting new emphasis and methods of firefighter training, new equipment



that would save lives and new ways to educate the public. "This isn't about me."

## Not a memoir

The book is not McCleery's memoir. In fact, he inserts himself sparingly. He was a farmer's son who became a dairy, poultry and vegetable farmer himself. In another life, said Watson, her father probably would have gone to college to become a history teacher or historian.

His observations that filled legal pads, and his department and town reports, were written through the eyes of a historian – facts with a very occasional touch of humor. Although Watson said her father was known for the twinkle in those eyes.

*"At times citizens complain about firemen over-driving and speeding to the fire station. They have nothing on me. In*

*responding to calls, I have driven cars off the road, been chased by a State Trooper, and missed the Abbott Hill turn ending up in the (University of Maine-Farmington) parking lot one rainy night. After my experience with the State Trooper, the firemen received red lights for the fronts of their vehicles... I have slowed down some over the years."*

That observation was taken from one of the briefest chapters, "Lighter Moments in the Fire Department," in the book. More chapters focus on listings of fire calls, dating back more than 100 years, department rosters, and vehicle purchases. Many pages are filled with black and white and color photos and newspaper accounts of dramatic fires.

The book is a reflection of Farmington through the decades. Fire departments are an integral part of every community, everywhere. Many can relate.

Watson took possession of the tub, as she calls it, about six years ago when she and her family were living in Connecticut. She returned to the Farmington area two years ago and threw herself into filling gaps in her father's research and updating the fire department's history. She recruited S. Clyde Ross, a cousin, retired school teacher and longtime deputy chief. Current Chief Terry S. Bell, who succeeded McCleery, was asked for his help along with others in the fire department and town hall.

The process of turning all the material into a book took 18 months and five revisions. The experience of delving into her father's research brought him back to life.

"I adored my father," said Watson. "It was very difficult for me to go through (his box of research). Mom said, why don't you give that box to

**Steve Solloway** is a freelance writer from Hallowell and regular contributor to *Maine Town & City*, [ssolloway@roadrunner.com](http://ssolloway@roadrunner.com).

the fire department? No way I was going to give that box to anyone.

"All my siblings were close to my parents. But when I take on a project, I'm not easily thwarted. It made sense to come to me. I made a commitment to honor my father and get a history of this place as accurately as possible. For Dad to go through this effort for naught would have been criminal."

### A firefighter's daughter

Watson was living in Virginia when her father was appointed fire chief on April 1, 1977, or 17 years after he first joined the department. Watson was a firefighter's daughter for much of her childhood, understanding why her father had his turnout gear and boots by the bed, ready for a late-night call. Why he had to disappear at other times during the day. Why he was absent some years for Thanksgiving or Christmas Eve or wedding anniversaries.

Watson, like many children of firefighters, learned to understand why their fathers' absences were so important. Some had to cope with anxiety.

Fighting fires is dangerous work.

"I always trusted that he would come home safe, that he knew what he was doing," said Watson. "He never came home and talked about the fires with us. He and my mother whispered in the kitchen if it was a bad one.

"Farmington is a small town. He knew the people affected. I know how devastated he was about the loss of life, the loss of property. It was a burden taken very seriously."

McCleery addressed that in his writing.

*"When you get inside and make a good save, that's a good feeling, but that's not*

*how it always plays out. The hardest part for any firefighter to deal with is if there (are) people inside, people you can't rescue, or for whom it's already too late, especially children. It will take the life right out of the most hardened person."*

Clyde Ross understands the feeling. He sat with Watson during a recent conversation at Farmington's municipal building. Fire can kill and it certainly destroys and for that reason, mostly, firefighters form an unbreakable bond.

"We are a family and Bob, in his way, made sure we were," said Ross. "Our responsibility is to serve the

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community. Once you walked through the door (to the firehouse), Bob made sure you left politics outside. He didn't care if you were Republican or Democrat. During the strike (at paper mill in Livermore Falls) he didn't care if you were a (strikebreaker) or not because none of that mattered to the people whose homes or businesses were on fire.

"Every day your life is on the line. We run into fires; we don't run out of fires. Nine times out of 10 we'll get a thank you and the only thing left standing is the chimney. It always amazes me. But the (property) owner knows we tried our best."

### Working relationship

Ross, whose parents "stood up for Bob and Edith when they were married" became McCleery's spokesperson for the fire department. "I didn't mind public speaking and I was a school teacher," said Ross. "It worked out."

McCleery helped establish the Franklin County Fire Attack School to advance firefighter's training. In early August of 1988, McCleery noted in his book that 52 firefighters from 10 departments attended the school's annual training exercises that involved pre-set fires. Air temperatures rose to 100 degrees the day of the school's session. It was a test for men and equipment, satisfying McCleery's unflinching

belief that experience was the best teacher.

Ross brought the Captain No-Burn program, later renamed Learn Not to Burn, to elementary school classrooms in the Farmington school district. McCleery and Ross dreamed one day of establishing a fire fighting class for high school students at Mt. Blue's Foster Technical Center. Their idea was realized in 2001 when the first class had 16 in attendance. That number included adults and high school-age students.

"Bob was a visionary," said Ross. "Bob didn't just order a fire truck for today or tomorrow. He bought a fire truck for five, 10 years down the road. He was a great advocate of self-contained breathing apparatus."

"The advancements of fire science and the development of equipment are ongoing and he understood that. Building materials are different today.

Fires burn hotter, more quickly."

McCleery was an early proponent of mutual aid. He wanted to know more of how to fight fires involving hazardous materials.

McCleery was one of 11 nominees for the 1998 Maine State Fire Chief of the Year award presented at the Maine Municipal Association's annual convention. He said he was surprised and humbled and those who know him best say that was a true reaction.

"Bob was a facilitator," said Ross. "He brought people together. One of his favorite sayings was 'Go ahead and try it boys and we'll make it work.'"

### On the farm

McCleery managed and worked a 200-acre farm in addition to his duties as firefighter and fire chief. He was a husband and a father to six children, all of whom went on to graduate from college. He was involved with the



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Grange and the Farmington Fair and still found time to join other service groups such as the Masons and Shriners.

“There’s a whole different person I discovered doing this,” said Watson, with light laughter. “He was a laid-back father. My mom ran the show at home. I’m not sure my father could make a sandwich for himself. But when he left the house, he was in charge.”

In the book, Watson wonders if her father’s unceasing service and devotion to the Farmington community was the result of a decision he had to make shortly after the United States entered World War II. McCleery was 19 in 1941 and wanted to enlist. His best friend did, entering the U.S. Army Air Corps.

McCleery was the only child of elderly parents in poor health. After graduation from Farmington High in 1941, McCleery became a partner with his father in the family farm which was then 400 acres with more than 50 dairy cows. He qualified for an exemption from military service and, after some thought, took it.

After marrying Edith in 1943, McCleery again thought about enlisting. Edith said she could manage the farm in his place and care for his parents. McCleery decided he couldn’t ask his young wife to take on that responsibility.

“Dad always regretted not serving, that he didn’t do his part,” said Watson recently. “That’s why he didn’t want the (American) flag on his coffin. Thankfully, the men in the fire department thought otherwise.”

McCleery’s writing fills about 90 percent of the book, said Watson. She and Ross added their postscripts, so to speak, after McCleery’s death in 2002 from mesothelioma, a cancer. He died shortly after his 80<sup>th</sup> birthday. Watson wrote that he had baled hay weeks before his birthday, had two new knees and his heart was sound.

Within five days of his cancer diagnosis, he died.

There is a poignant photo in the book of Edith holding the folded flag to her chest. Clyde Ross is at her side, in full Farmington Fire Department uniform, saluting.

Shortly after McCleery’s death, Gov. Janet Mills, then the Maine State Attorney General and a native of Farmington, wrote a letter to the editor of the local Franklin Journal weekly newspaper. It has been reprinted in the book.

“Every day his life had meaning, because every day he did things to benefit others, inspiring loyalty and love from those who knew him,” wrote Mills of Robert McCleery.

Whether he was organizing events at the Franklin County Fair, raising livestock, hay, or pumpkins, tending to children and grandchildren or responding to late night fire and rescue emergencies, Chief McCleery served his fellow citizens of Farmington with tremendous commitment, endless energy and a great heart.

Chief McCleery lived a fruitful, purposeful life.” ■

(The book can be purchased by contacting the author, Ruth McCleery Watson, at: [chiefdaughter477@gmail.com](mailto:chiefdaughter477@gmail.com). Profits from sales of the book go to the Farmington Fire Department Benevolence Society.)

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# The Municipal RISK MANAGER

WINTER 2019

A Publication of the Maine Municipal Association

## Ladder Trucks and Power lines - An Electrifying Combination!

A recent incident involving a Maine Fire Department occurred when they extended the aerial on the ladder truck and made contact with overhead powerlines. The electrical current that passed through the ladder and truck was sufficient enough to ignite one of tires on fire and compromised the integrity of the vehicle components, resulting in extensive damage. Fortunately no one was injured by this event, but the potential for fatality or serious injuries was high.

Maine is not alone in experiencing such a loss. In 2014, Columbia, Missouri suffered a similar event and tragically, in Pennsylvania and Kentucky, firefighters were electrocuted when they contacted power lines while working from aerial apparatus.

Due to the extremely high potential for loss of life and property, MMA Risk Management Services is requesting that all members of the firefighting community learn from these catastrophic events and review and update their SOP's and training protocols for working near energized conductors above 600 volts so that these accidents can be avoided.

Furthermore, aerial apparatus are often used to suspend the flag over routes for special events. On occasion these routes are in close proximity to power lines with the associated risk of accidental contact by the extended ladders. It is important to note that it may not be necessary to have contact with a powerline for the aerial device and apparatus to become energized.

The National Institute for Occupation-

al Safety and Health investigated the Pennsylvania fatality, and recommended the following **Lessons Learned:**

Fire departments should develop, implement, and enforce written standard operating guidelines for working in proximity to overhead powerlines.

Visually inspect the surroundings above and around the apparatus prior to extending aerials and always consider powerlines as energized.

Ensure that a distance of **at least 20 feet** is maintained between aerial devices and overhead powerlines.

Ensure that a Safety Officer is assigned to the apparatus.

Ensure that firefighters receive peri-



odic safety training specific to all tasks they are expected to perform.

Use alternating current proximity warning devices to detect electrical current when working near potentially

**Story Continued on Page 18**

## MMA Risk Management Services Welcomes New Underwriting Manager



Please join us as we welcome Michael Mayette to our Risk Management Services team. Michael joined RMS as the Underwriting Manager in November. Michael is a graduate of Ball State University where he received his BS in Business Administration while majoring in Insurance and Finance. Michael's insurance career began in 1984, and he has held positions as a Commercial Lines Rater, Senior Commercial Underwriter, Home Office Underwriter, Commercial Underwriting Manager, Agency Principal, Compliance Manager, and Property/Casualty Division Supervisor for the State of Maine Bureau of Insurance.

Michael is a strong advocate for continuing education as he says that the nature of the insurance industry is constantly changing, and he wants to stay current on developing trends and topics. Additionally, Michael is an active member of the Fire Service and belongs to a variety of nonprofit organizations. 🏠

# Sand/Salt Sheds In Danger

Now that snow has fallen throughout Maine, the chances of a roof collapse for municipal buildings is steadily increasing and the danger of collapse for sand/salt sheds is even higher. Sand/Salt Sheds are typically built to a lower occupancy standard due to the fact that they are not designed to be consistently occupied by employees or the public. Therefore, the use and maintenance of a Sand/Salt Shed is of extreme importance and any damage should be addressed as soon as practical. Below you will find a listing of general hazards and owner considerations which impact Sand/Salt Sheds:



Sand and salt has been filled past the fill point and against walls potentially causing corrosion of connection points and wall displacement.



Snow has been allowed to accumulate on the sides restricting ability for snow to shed from the roof and potentially compromising structural integrity.

**TYPICAL HAZARDS:**

- Snow Load
- Rust & Corrosion
- Movement of walls being pushed by equipment
- Equipment strikes
- Holes & penetrations
- Overfilling
- Foundation cracks & exposed rebar
- Loose fittings
- Vegetation growth against building

**OWNER CONSIDERATIONS:**

- Remove accumulating snow and maintain clear access around building
- Do not exceed fill line when loading
- Keep sand/salt away from metal components
- Inspect at least three times a year, before winter, during winter and after
- Check straps, turnbuckles and bolts for tightness depending on building type
- Restrict access to authorized personnel
- Secure property when not in use

If a building's roof does collapse or is in risk of collapse, the owner should immediately safeguard the premises and restrict access to the building. Next, as a first step towards repairing the roof and recovering damages resulting from the collapse, contact your insurance carrier and arrange for an engineering expert to evaluate the stability of the remaining structure. 🏠

# Thank You Tom



Please join MMA Risk Management Services as we thank Tom Goulette for his commitment to public service, local government and to the Maine Municipal Association. MMA

Risk Management Services would like to personally thank Tom for his years of service on the Property & Casualty Pool Board of Directors from 2007 through 2018. Over the years Tom has dedicated himself to the advancement of local government and the Maine people. Tom attended several National League of Cities Trustees conferences over the years and shared those experiences and the knowledge gained with other members of the board. We will miss his enthusiasm, insurance experience and thoughtful approach. Thank you Tom for all of your efforts, commitment, understanding and friendship. 🏠

## Ladder Trucks and Power lines (cont'd)

energized powerlines as a *secondary* or *redundant* means of protection.

Follow apparatus manufacturer's safety warnings.

The last thing we want is for anyone to be seriously injured or worse from a preventable incident. MMA Risk Management Services is asking that all members learn from these events and update their SOP's and train all staff on safety measures so that these accidents can be avoided.

The NIOSH report on the Pennsylvania fatality contains more detail on these steps and can be accessed at: <https://www.cdc.gov/niosh/fire/reports/face200801.html>

NIOSH's Fire Fighter Fatality Investigation and Prevention site can be reached at: <https://www.cdc.gov/niosh/fire/default.html> 🏠

## Preventing Slips, Trips, and Falls in Municipal & Schools Buildings

Municipal buildings and schools are centers of activity bustling with members of the public, employees, students, parents, guests and community members. Between the daily operations, school instruction, sporting events, and other activities, our municipal buildings are commonly occupied from morning until night. The constant activity on properties increases the likelihood that slips, trips, or falls will occur. A well informed staff and proactive maintenance can reduce your exposure and protect your community, staff, students and visitors.

Make sure aisles and walkways are kept clear and free of items such as backpacks, boxes, and electrical cords. If an extension cord is temporarily needed, use a floor cord cover or tape to secure



it to the floor to prevent tripping; never cover an extension cord with a rug. Stairwells are another area of concern. Be sure to keep stairwells clear of all obstacles or obstructions, and perform routine inspections of stairwells to ensure condition. If damage is identified it is critical to promptly repair or replace damaged stairs, treads, handrails, and lighting to maintain a safe environment.

Use non-slip floor matting at all entrances. During periods of rain or heavy snowfall, it may become necessary to replace mats during the day if they become saturated with water. Use non-slip mats in areas such as the kitchen



or cafeteria that are prone to water or other spills. Use appropriate methods for cleaning floors and for degreasing kitchen floors. Use appropriate covers on floor drains and other openings so they are flush with the floor.

Limit the use of high-level storage areas to minimize the use of ladders and reduce the risk of falls. Where they are needed, provide appropriate equipment to reach the stored items. Provide approved step stools for teaching staff where needed to reach upper storage shelves, bulletin board displays and educate all staff on the danger of using chairs or other furniture as a substitute for a step stool or ladder.

Perform regular inspections and maintenance on outdoor grounds such as sidewalks, parking areas. Make sure outdoor lighting is adequate, and replace broken lights as soon as possible. Encourage the use of designated walkways. Regularly inspect snow removal equipment to ensure it is ready for use and maintain adequate amounts of ice melt. During periods of freezing rain or heavy snowfall perform frequent inspections of walkways to ensure that they are maintained and free of ice and snow.

Employee training is the most important component of your slip, trip, and fall prevention program. Train staff on what to do if they encounter spills or unsafe conditions so that corrective action can be taken before an incident or accident occurs. A proactive safety program combined with employee training, is an effective way to reduce slips, trips and falls.

Members of the MMA Workers Compensation Fund may utilize the Ed MacDonald Safety Enhancement Grant to obtain assistance with the purchase of fall protection equipment. For further information please visit our website at: [www.memun.org/Insurance-Services/Risk-Management-Services](http://www.memun.org/Insurance-Services/Risk-Management-Services). 

## Workers Compensation Audit Time for Payroll Reporting

In the near future you will be contacted by either Risk Management Services who handles some audits in house, or by one of our contracted auditors Overland Solutions who will gather the data needed to process your Workers' Compensation Audit. It would be appreciated if all the necessary paperwork can be available for the auditor to review or is mailed promptly to them for review. The State of Maine mandates that all audits are completed by May 1st of each year for our Workers Compensation Fund.

**Please watch your email for an electronic workers compensation checklist to assist you during this process.**

## Dispatch Accreditation Credit Available

The MMA Property & Casualty Pool is pleased to collaborate with the 911 community to reward members who have earned dispatch accreditation, either through the International Academy of Emergency Dispatch or CALEA Public Safety Communications.

Accreditation of dispatchers benefits the municipality and communication center as well at the MMA Property & Casualty Pool. It ensures that the employees in these positions produce better trained public safety personnel, promotes greater accountability within the communications center and demonstrates verification of excellence. In order to obtain this discount, a copy of the certificate must be forwarded directly to the Pool at each renewal. The maximum credit is 10% based on the applicable accreditation (fire, medical or police). This discount will be a direct cost savings starting July 1, 2019. For further information or questions, please email [rmsunderwriting@memun.org](mailto:rmsunderwriting@memun.org) 



When the weather turns cold, it can bring a chill into our homes. Portable space heaters have become a popular way to supplement central heating or heat one room. If you plan to use portable electric space heaters, make sure to follow these tips and recommendations:

### HEATER CHECKLIST

- » Purchase a heater that is listed by a qualified testing laboratory.
- » Keep the heater at least 3 feet away from anything that can burn, including people.
- » Choose a heater with a thermostat and overheat protection.
- » Place the heater on a solid, flat surface.
- » Make sure your heater has an auto shut-off to turn the heater off if it tips over.
- » Keep space heaters out of the way of foot traffic. Never block an exit.
- » Keep children away from the space heater.
- » Plug the heater directly into the wall outlet. Never use an extension cord.
- » Space heaters should be turned off and unplugged when you leave the room or go to bed.

### Types of electric space heaters

**Oil or water-filled radiator**  
Heated oil or water travels through the heater.

**Fan-forced heater**  
A fan blows warm air over metal coils.

**Ceramic heater**  
Air is warmed over a ceramic heating element.

**Infrared heaters**  
Heat is created by infrared bulbs.

### Fact

Nearly half of all space heater fires involve electric space heaters.



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## FREQUENTLY ASKED QUESTIONS:

### Question:

### What Is Email Spoofing?

### Answer:

According to the Merriam-Webster Dictionary, Spoofing is to deceive or commit a hoax. A spoofed email is exactly that. The sender of a spoofed email drafts their email to appear as someone else for the purpose of obtaining a goal, whether it be financial, information or just an attempt to gain access to your computer. Often, the spoofed email is part of a phishing attack which is a con to gather passwords and login information. Therefore, an email spoofer is a trying to hide their true identity, by potentially acting as a vendor or even an employee of your organization with the hope of gaining your trust so that you will open an attachment or send them information.

### Preventative Measures Protect You:

1. Be skeptical of all emails. Prior to clicking on an email ask yourself: Do I know this person? Was I expecting an email? Are they requesting sensitive information? If yes STOP and call for help.
2. Always have anti-virus software and ensure that it is up to date.
3. Ignore emails that come without a sender name or any email that has your name in the sender details.
4. Do not open any email if it only has a link in the body of the message.
5. Do not provide sensitive information without prior discussions, approval and accepted procedures and encryption.
6. When in doubt toss it out.

Please look for this new Frequently Asked Questions section of the Municipal Risk Manager each quarter. If you have a question you would like to ask please email Marcus Ballou at [mballou@memun.org](mailto:mballou@memun.org)

# Town of Cumberland nets a fifth-generation, live-in firefighter

*A native of Danvers, Mass., Cameron Smith calls Southern Maine Community College's live-in program a "win-win" for students and municipalities alike.*

**By Stephanie Bouchard**

Many a little boy and girl dreams of being a firefighter, but the fascination with fire trucks wears off for some as they grow up. Not so for Cameron Smith. And late last summer, he joined the firefighting ranks, becoming the fifth generation to do so in his family, when the Massachusetts native enrolled in the fire science program at Southern Maine Community College in South Portland.

Smith, now 18, honestly can't explain why he wanted to be a firefighter. All he can tell you is that for as long as he can remember, that's all he's wanted to do.

Family photos show him as a young boy dressed in a miniature firefighter's outfit, complete with reflective striping and boots. "(My family) used to have to keep the garden hose tucked up high on the shelf because I'd be running around flooding the flower beds," he remembers.

One of his earliest memories is of visiting his firefighter father at the station in Cambridge, Mass., hanging out and joking around "with the guys" in the engine bay. By age 12, he would stay overnight with his father at the station and do ride-alongs in the fire truck.

There was "no doubt" said Smith's father, Howie Smith, that his son would join the fire service – and not just because of the family firefighting history.

Howie, and his father, also Howie Smith, had sort of fallen into firefighting because their fathers were firefighters, Cameron's father said, but he could see that his son had a deep



**Cameron Smith, in training early.**  
(Submitted photo)

affinity for the job.

Cameron said his father, who has been in the fire service for more than 30 years, had a talk with him about making a career in that line of work, telling his son what's to like about it and what's difficult about it, without telling him what choice he should make.

But Cameron's father knew what choice his son would make – and he felt both immensely proud and conflicted.

"I'm proud of him for following in our footsteps, but I knew that he's a really, really smart kid. Much smarter than I ever was. It seems almost like he can do something better. I don't know what parent doesn't want what's best for their kid," he said.

## Different duties

"And the job has changed," he added. "It makes you wonder why he'd want to get into it. When I was his age, there were a lot of fires. Nowadays, it's not really fires. It's EMS, terrorism, hazmat, stuff like that."

Cameron's grandfather, who at 72 is retired from full-time firefighting but still responds to all-hands-on deck calls, echoed his son about his pride in his grandson and his worry for him.

"I'm very pleased, very proud of him," he said, but, now, with the drugs and more medical calls, "you always have that concern."

Cameron understands the role of the modern firefighter, both from exposure through his family and his own personal experiences.

He spent the last part of his senior year of high school interning at the fire station in his hometown of Danvers, Mass., riding along, running stuff to and from trucks, and just learning through observation.

And now that he's enrolled in the fire science program at Southern Maine Community College and its live-in public safety program, he is getting academics and the training he needs to be a professional firefighter while the live-in component allows him to live and work at one of the two fire stations of the Town of Cumberland's fire department.

Sixteen communities in southern Maine (30 fire/emergency medical service) have stations participate in SMCC's live-in public safety program. Each participating community provides students with a place to live and work. Some, such as Cumberland, also pay them for going out on calls.

With a dearth of applicants for staff positions and the scarcity of volun-

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**Stephanie Bouchard** is a freelance writer from Bath and regular contributor to *Maine Town & City*, [stephanie@stephaniebouchard.net](mailto:stephanie@stephaniebouchard.net).

teers, there is no doubt that the live-in public safety program is a benefit to towns, said Daniel Small, Cumberland's fire chief. The students provide much-needed coverage while they're in the program, and after graduating, they become an experienced talent pool for departments to tap into.

Cumberland has participated in SMCC's live-in public safety program for about a decade, Small said. Currently, the town has five students split between two stations, but they have the capacity for seven students. The students have their own bedrooms and showers.

The fire department pays to put each student through training, which costs about \$1,500 per student, and for their gear, about another \$2,500 per student, he said. The students are paid the same hourly rate as the department's call company members when they respond.

From the town perspective, he said, the money spent on the students is a bargain compared to what they'd pay per diem firefighters, who get paid whether they are out on calls or not. The students get paid for calls but they provide unpaid coverage because they are required to be at the station from 10 o'clock at night until 7 o'clock in the morning.

"We know that we're getting coverage for calls – at a minimum, during that time – let alone if they're out of class and at the station," he said. "We've saving money by having them at the station being on standby."

And the value isn't just to Cumberland, he noted. The fire department got a mutual aid call recently, he said, which, without the students on hand, they wouldn't have been able to respond to.

"It's a win-win for everybody because they get staffing and we get experience and a place to live," Cameron Smith noted.

And he is getting experience. As a live-in student firefighter, Smith (and his fellow program participants) investigates fire alarms, checks out gas odors, fights fires and assists at car accidents, as well as maintains the station and equipment and vehicles. Without EMS certification, he can't provide medical assistance, although he can provide medical aid under the direction of someone on-scene who is a paramedic or an emergency medical



**Three generations of fire service.**  
(Submitted photo)

technician.

Given the great demand for those with EMS training, he is seriously considering enrolling in SMCC's paramedic program once he is done with the fire science program, he said.

But for right now, he is relishing his immersion in the fire service life, and thanks to his lifelong exposure to the service, is finding the transition into the professional life of a firefighter pretty smooth – although he has yet to pick up the knack of saving a cake abandoned to an emergency call halfway through baking. ■

## INTERESTED IN THE PROGRAM?

To participate in SMCC's live-in program, fire stations have to be within a 32-mile radius of the South Portland campus, said Steve Willis, the college's fire science department chair. That's because the college is mindful of the commuting distance of its students.

If your community's fire station is outside that radius, putting you out of the running for participation, work with educational programs in your area, Willis suggested. Many public and private colleges and universities offer service learning programs for their students and would be willing to partner with municipalities' fire/EMS departments.

Willis is happy to chat with folks about SMCC's program. Contact him at 741-5808 or [swillis@smccME.edu](mailto:swillis@smccME.edu).

## MRRRA Winter Workshop



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# Deadline approaching for new, vital, animal-control report

*President of the Maine Animal Control Association advises how to make sure your municipality's animal-control totals are as complete as possible.*

**By Rebecca Parker, Animal Control Officer, Town of Kennebunk Police Department  
President, Maine Animal Control Association**

One of the many new laws enacted recently affects all those in your municipality who respond to animal control complaints. The Maine law requires all complaints related to animal control incidents for the prior year be reported to the State Animal Welfare Program by Jan. 31, 2019, for the previous 12 months' activity. Maine cities and towns vary greatly in how an animal complaint is received and responded to.

Each municipality is required by law to have an Animal Control Officer (ACO.) There are over 300 ACOs in Maine, some of whom work for multiple towns. In addition, most law enforcement agencies also receive animal complaints from a police dispatch center, and either the local police agency or a county sheriff's department handles the call. Depending upon the seriousness of the call (i.e. dangerous dog or nuisance barking), the call then might be than be passed on to the municipal ACO. Town offices also field animal complaints directly, and those calls are passed on to either law enforcement and/or the ACO.

Tallying up animal control complaints for the newly required state report certainly becomes a challenge. However, proper numbers are imperative for essential staffing, budgeting, proper training, etc.

So, how many animal complaint calls does your city or town receive in a year? What number does an average size Maine town receive? How many dangerous dogs live in your town? How many animal cruelty complaints do other Maine municipalities get a year compared to yours? How much was spent

on the animal cruelty case(s)? Did the city or town manager, select board and finance director budget funds accordingly for such events? Does the State Animal Welfare Program (run by the Department of Agriculture) pay for the associated veterinarian and boarding costs for animal cruelty cases or does the town? Is it true that some towns have paid for animal cruelty cases, yet the state takes care of the expense for others? Where is the answer sheet!?

This new law is as follows: **Title 7: Agriculture and Animals; Part 9: Animal Welfare; Chapter 725: Municipal Duties; 7§3948. Animal Control**

**Reporting.** *By Jan. 31 of each year, a municipality shall report to the animal welfare program of the department all complaints related to animal control incidents for the prior calendar year. The report must include the number and type of animal complaints received and responded to by municipal animal control officer's law enforcement officers or municipal officials and the outcomes of each investigation. The reports must be on forms provided by the department.*

This new law will be a much needed starting point in order to have the proper data to access municipalities' needs. The state Animal Welfare Program has provided municipalities with a form to complete (see next page). It is important that, when your city or town office begins to use this form,

to not only forward your ACO a copy, but also the law enforcement agency, which serves your community. Also, include your municipal clerk(s) in order to obtain the most accurate account of calls received. Remember, rabies issues are a municipal responsibility, as are any animals the public fears as rabid. These calls are to be included in this form. Many towns receive a respectable number of these calls, yet many disregard them as "game warden issues." City and towns should make sure their totals are as complete as possible.

State Animal Welfare Director Liam Hughes said: "All we are asking for is to have the questionnaire sent back to us by the deadline with whatever information you have."

The importance of this information to be tallied correctly going forward is crucial for Maine towns and cities to be able to respond according with resources.

I enjoyed speaking with many of you already on this subject (as well as others) while at the Maine Municipal Convention last October. I am slotted for a time at this year's Maine Municipal Convention (Oct. 2-3, at the Cross Insurance Center in Bangor) and plan to address this and other topics. If you have a different topic or issue you feel would also be beneficial to address, please let me know! ■

The Maine Municipal Association (MMA) is a voluntary membership organization offering an array of professional services to municipalities and other local governmental entities in Maine.

**MMA's services include advocacy, education and information, professional legal and personnel advisory services, and group insurance self-funded programs.**

For more information visit the MMA website: [www.memun.org](http://www.memun.org)

**Rebecca Parker** can be reached via email at: [rparker@kennebunkmaine.us](mailto:rparker@kennebunkmaine.us).



## 2018 Animal Control Survey

Town/ City / Region:     Your Town Here    

Person completing survey:     Your Name Here     Title:     Title    

Contact #:     Number to contact you if we have a question    

Complaint Type	Number of Complaints	Number of Violations Issued	
Dog At Large	_____	_____	
License Necessary	_____	_____	(how many unlicensed dogs did you summons)
Keeping a Dangerous Dog*	_____	_____	# of Dangerous _____ # of Nuisance _____
Rabies Vaccination Violations	_____	_____	# Dog _____ # Cat _____
Cat Complaints	_____	_____	(Remember that working with cat rescue groups and animal shelters is a good way to deal with cat complaints.)
Animal Trespass Complaints	_____	_____	
Owner Institutionalized	_____	_____	
Cruelty Complaints	_____	_____	
Possible Rabid Animals	_____	_____	
Wildlife Related Calls	_____	_____	
Other Violations**	_____	_____	(Municipal Violations, leash laws, barking, Etc.)
	_____	_____	<b>Total number of Complaints for 2018***</b>

Some of your complaints may be tied into each other. The three dangerous dog summonses also received at large summons, license necessary summons, rabies vaccination summons, but it is still one complaint.

\* 7 § 3952 Keeping a Dangerous Dog also includes Nuisance dog as well. Please list the number of summons issued and how many dogs were deemed by the court to be dangerous or a nuisance.

\*\* Please include any local ordinance violations or other complaints that are not listed, such as loose tortoise and snake calls in this number.

\*\*\* If all you have is a total number of complaints due to data base restrictions, please just send AWP that information. If you have any questions, please call AWP.

Please answer these next few questions to the best of your abilities.

1. What types of animals are the biggest cause of complaint in your community?
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_
  
2. Have you had to handle any exotic animals with in the past year due to a complaint?
  - a. Yes
  - b. No
  
3. What types?
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  
4. What type of training do you feel you need the most?
  - a. \_\_\_\_\_
  
5. Do you belong to your County Animal Response Team (CART)?
  - a. Yes
  - b. No
  
6. Are you prepared to respond in a disaster situation or work with your CART team in a disaster?
  - a. Yes
  - b. No

Please submit prior to January 31st 2019

# Is your community prepared for an emergency or disaster?

By Betty N. Thomas, EMA Director, South Thomaston

It's that wonderful time of year again for all Emergency Management Association directors to prepare their budgets for the upcoming year. Are your communities really prepared for emergency disasters?

You may want to consider the immense costs related to any disaster that may affect your community. Just the task of debris removal can cost any community thousands of dollars. Are you including in your budget money set aside for this process? Many communities do not think of the importance, responsibilities and tasks that emergency management agencies perform in their communities. Most of us quietly go about mitigating, responding, preparing and planning recoveries procedures for our communities in

the event of any problems or disasters that may occur.

My Town of South Thomaston has been diligent and supportive in funding an "Emergency Disaster Reserve Fund," with \$20,000 set aside to offset expenses for an emergency or disaster situation. Our town recognizes as a community that all disasters begin and end at the local level, and it will take funding to manage and recover. This fund is larger than the State of Maine's Disaster Fund, which is currently non-funded. There are funds available but they must be specifically appropriated by the Legislature.

We have all seen the devastating effects of recent disasters: the wild fires in California, and the multiple hurricanes that have taken place just over

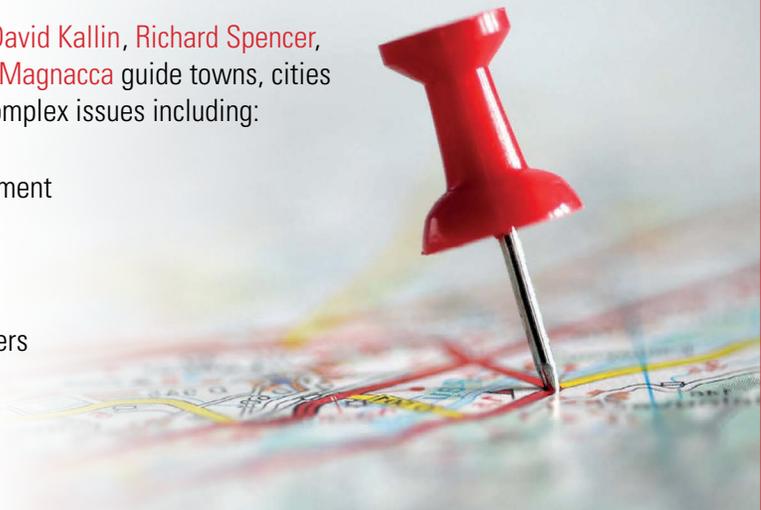
the past year. No community is exempt from these types of devastation's.

However, you can prepare for these events in your communities by setting aside funds that will assist your community on a local level. If you wait for other government funding, your communities could experience some long waiting periods that lead to difficult times. With that said, we urge you to put in your budget expense an Emergency Reserve Fund to help offset expenses in the event of any disaster or emergency your community may face. Hopefully, the State of Maine Legislature will soon recognize that communities need state assistance for disasters and make the funding available by creating a non-specific Emergency Disaster Reserve Fund. ■

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# - 2019 -

## Elected Officials Training Opportunities

### Elected Officials Workshops

**Who Should Attend:** This workshop is a “must” for newly elected and veteran officials-councilors & selectpersons-as well as a wonderful opportunity to learn key points of your new position while networking with officials from around the state. (Qualifies as Maine FOAA Training.)

- What are our rights and duties as officials?
- Can we hold multiple offices?
- Which of our meetings are open to the public?
- Must we have an agenda and take minutes?
- What ordinances can we enact?
- What are our liabilities and immunities?
- What is a disqualifying conflict of interest?

**Course Description:** As part of our ongoing efforts to bring training to our members, MMA is pleased to announce that this course will be offered in two formats: In classroom and remotely at the Northern Maine Development Commission in Caribou.

A perfect opportunity for elected officials to take advantage of the expertise that the Maine Municipal Association has to offer, attain a better understanding of their role as public officials, and stay abreast of ever-changing local government responsibilities and issues.

### Spurring Civic Engagement (NEW!)

**Who Should Attend:** This new, half-day workshop is designed to help elected officials, municipal managers and other leaders learn what motivates people to get involved at the local level, how to encourage citizen participation and how to channel that energy as productively as possible.

### Managing Freedom of Access Requests

**Who Should Attend:** This timely workshop is aimed at helping municipal staffs, newly designated “Public Access Officers” and elected and appointed officials understand Maine’s Freedom of Access Act, why FOAA requests are filed and how to handle them properly. (Qualifies as Maine-required FOAA Training).

### How to Lead Effective Meetings

**Who Should Attend:** Anyone who leads or participates in meetings that could be improved. This hands-on workshop will offer practical tips to increase collaboration and results in team, staff, and board meetings. This course applies to the Maine Town, City and County Management Association Certification Program as 6 credits in the Leadership category.

### Roles of Elected Officials & Municipal Managers

**Who Should Attend:** This workshop is geared for municipalities with Manager/Administrator form of government. Councilors, selectmen, managers and administrators: this workshop will focus on the differing roles and responsibilities of elected officials (selectpersons/councilors) and appointed officials (managers and administrators), including key responsibilities, legal requirements, personnel issues, communication and goal setting. It will help elected and appointed officials run an effective hiring process and understand their respective roles, their differing needs and how to work smoothly together. It will provide insight and understanding as well as specific ideas and tools to bring back to your municipality.

### Elected Officials:

#### Dates & Locations:

**Monday, February 11, 2019**

Maine Municipal Association – Augusta

**Wednesday, April 17, 2019**

Ramada Inn & Conference Center – Saco

**Thursday, June 20, 2019**

Fort Kent Outdoor Center – Fort Kent

**Wednesday, August 28, 2019**

LaFleur’s Restaurant – Jay

**Tuesday, October 29, 2019**

Hutchinson Center – Belfast

**Thursday, November 21, 2019**

Mayo Regional Hospital – Dover-Foxcroft

### Spurring Civic Engagement

#### Date & Location:

**Wednesday, March 6, 2019**

Maine Municipal Association – Augusta

### Managing Freedom of Access Requests

#### Dates & Locations:

**Monday, March 11, 2019**

Maine Municipal Association – Augusta

**\*\*With Live Video Conference to Caribou\*\***

Northern Maine Development Commission

**Thursday, December 12, 2019**

Hilton Garden Inn – Freeport Downtown

### How to Lead Effective Meetings

#### Date & Location:

**Wednesday, March 27, 2019**

Maine Municipal Association – Augusta

### Roles of Elected Officials & Municipal Managers

#### Date & Location:

**Tuesday, October 15, 2019**

Bridgton Town Hall – Bridgton

Online registration is easy!

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



Maine Municipal Association

# 2019 MMA & Affiliate Training Calendar

## KEY TO GROUPS/WORKSHOP SPONSOR

MMA	Maine Municipal Association	MFCA	Maine Fire Chiefs' Association
MACA	Maine Animal Control Association	MLGHRA	Maine Local Government Human Resources Association
MAAO	Maine Association of Assessing Officers	MMTCTA	Maine Municipal Tax Collectors' and Treasurers' Association
MBOIA	Maine Building Officials & Inspectors Association	MSFFF	Maine State Federation of Firefighters, Inc.
MCAPWA	Maine Chapter of American Public Works Association	MTCCA	Maine Town & City Clerks' Association
MCDA	Maine Community Development Association	MTCMA	Maine Town, City and County Management Association
MeWEA	Maine Water Environment Association	MWDA	Maine Welfare Directors Association

**\*Please note that the listings in "cyan" with a 🔍 symbol are new courses!**

**Date: Day: Course Name: Location: Sponsored By:**

### FEBRUARY

2/5	Tues.	MTCCA Title 30A - Town Meeting and Local Election Law	Orono - Black Bear Inn	MTCCA
2/5-6	Tues.-Wed.	MeWEA/MWUA Joint Conference	Portland - Holiday Inn by the Bay	MeWEA
2/7	Thurs.	MWDA GA Basics	Westbrook - Westbrook Community Center	MWDA
2/11	Mon.	Elected Officials Workshop	Augusta - Maine Municipal Association	MMA
2/13	Wed.	Moderating Town Meetings	Northport - Point Lookout Resort and Conference Center	MMA
2/14	Thurs.	MFCA Legislative Breakfast	Augusta - Senator Inn	MFCA
2/26	Tues.	MTCCA Title 30A - Town Meeting and Local Election Law	Portland - Fireside Inn & Suites	MTCCA
2/28	Thurs. 🔍	<b>Drones: Legal Update (NEW!)</b>	<b>Lewiston - Ramada Inn</b>	<b>MMA</b>
2/28	Thurs.	MeWEA Legislative Breakfast	Augusta - Senator Inn	MeWEA

### MARCH

3/6	Wed. 🔍	<b>Spurring Civic Engagement (NEW!)</b>	<b>Augusta - Maine Municipal Association</b>	<b>MMA</b>
3/7	Thurs.	MTCCA Notary Public 101	Waterville - Waterville Elks Banquet & Conference Center	MTCCA
3/11	Mon.	Managing Freedom of Access Requests Managing Freedom of Access Requests - <b>Video Conference</b>	Augusta - Maine Municipal Association Caribou - Northern Maine Development Commission	MMA
3/13	Wed.	MWDA Advanced GA	Augusta - Maine Municipal Association	MWDA
3/20	Wed.	Planning Board/Boards of Appeal	Portland - Fireside Inn & Suites	MMA
3/22	Fri.	MTCMA 40th Annual Statewide Manager Interchange	Bangor - Hilton Garden Inn	MTCMA
3/22	Fri.	MeWEA Ski Day with NHWPCHA	Gorham, NH - Wildcat Mountain Ski Resort	MeWEA
3/27	Wed.	How to Lead Effective Meetings	Augusta - Maine Municipal Association	MMA
3/28	Thurs.	MBOIA March Membership Meeting & Training	Newry - Sunday River	MBOIA
3/27	Wed.	MFCA Membership Meeting	Newry - Sunday River	MFCA
3/28 -29	Thurs.-Fri.	MFCA Professional Development Conference	Newry - Sunday River	MFCA

### APRIL

APRIL	TBD	MLGHRA Spring Training	TBD	MLGHRA
4/4	Thurs.	MCAPWA Annual Spring Meeting	Waterville - Waterville Elks Banquet & Conference Center	MCAPWA
4/5-6	Fri.-Sat.	MACA Annual Business Meeting & Training	Newry - Sunday River	MACA
4/8-9	Mon.-Tues.	MCAPWA Supervisory Leadership in Public Works Program - Part I	Augusta - City Center Plaza	MCAPWA
4/10	Wed.	MTCCA New Clerks	Portland - Fireside Inn & Suites	MTCCA
4/11	Thurs.	MMTCTA Tax Liens Workshop	Orono - Black Bear Inn	MMTCTA
4/17	Wed.	Elected Officials Workshop	Saco - Ramada Inn & Conference Center	MMA
4/18	Thurs.	MMTCTA Tax Liens Workshop	Portland - Fireside Inn	MMTCTA

<b>Date:</b>	<b>Day:</b>	<b>Course Name:</b>	<b>Location:</b>	<b>Sponsored By:</b>
4/22-23	Mon.-Tues.	MWDA Spring Training Seminar	Bangor- Hollywood Hotel & Casino	MWDA
<b>4/24</b>	<b>Wed.</b>	<b>Regulating Vacation Rentals (NEW!)</b>	<b>Belfast - Hutchinson Center</b>	<b>MMA</b>
4/24-25	Wed.-Thurs.	JETCC North Country	Presque Isle - TBD	MeWEA
4/26	Fri.	Northern Maine Spring Workshop	Caribou - Northern Maine Development Commission	MAAO
4/30	Tues.	MTCCA Vital Records MTCCA Vital Records - <b>Video Conference</b>	Augusta - Maine Municipal Association Caribou - Northern Maine Development Commission	MTCCA

## MAY

MAY	TBD	MAAO Board of Assessment Review MAAO Board of Assessment Review - <b>Video Conference</b>	Augusta - Maine Municipal Association Caribou - Northern Maine Development Commission	MAAO
MAY	TBD	MCAPWA Supervisory Leadership in Public Works Program - Part II	Augusta - City Center Plaza	MCAPWA
5/2	Thurs.	Personnel Practices	Augusta - Maine Municipal Association	MMA
<b>5/10</b>	<b>Fri.</b>	<b>Municipal Technology Conference</b>	<b>Bangor - Cross Insurance Center</b>	<b>MMA</b>
5/16	Thurs.	MMTCTA Annual Conference	Waterville - Waterville Elks Banquet & Conference Center	MMTCTA
5/20-21	Mon.-Tues.	MBOIA 10th Annual Maine Code Conference	Northport - Point Lookout Resort and Conference Center	MBOIA
5/22	Wed.	MTCCA Licensing	Augusta - Maine Municipal Association	MTCCA

## JUNE

6/6	Thurs.	MCAPWA Highway Congress	Skowhegan - Skowhegan Fairgrounds	MCAPWA
6/13	Thurs.	MMTCTA Cash Management	Augusta - Maine Municipal Association	MMTCTA
6/18	Tues.	New Managers Workshop	Augusta - Maine Municipal Association	MMA
6/20	Thurs.	Elected Officials Workshop	Fort Kent - Fort Kent Outdoor Center	MMA
6/25	Tues.	MTCCA Municipal Law for Clerks MTCCA Municipal Law for Clerks - <b>Video Conference</b>	Augusta - Maine Municipal Association Machias - Machias Career Center	MTCCA
<b>6/27</b>	<b>Thurs.</b>	<b>Municipal Human Resources &amp; Management Conference</b>	<b>Waterville - Thomas College</b>	<b>MMA</b>

## JULY

7/11	Thurs.	MFCA Membership Meeting & Networking	Hope - Hope Fire Station	MFCA
7/11	Thurs.	MMTCTA I've Got The Job - What Now? Workshop	Augusta - Maine Municipal Association	MMTCTA
7/18	Thurs.	MBOIA July Membership Meeting & Training	Augusta - Maine Municipal Association	MBOIA
7/22	Mon.	Verbal Judo - Tactical Communication for the Public Employee	Saco - Ramada Inn & Conference Center	MMA
7/25	Thurs.	MMTCTA Basic Excise Workshop	Augusta - Maine Municipal Association	MMTCTA
7/30	Tues.	Planning Board/Boards of Appeal	Bethel - The Bethel Inn	MMA
7/30	Tues.	MTCCA New Clerks	Waterville - Waterville Elks Banquet & Conference Center	MTCCA

## AUGUST

8/7-9	Wed.-Fri.	MTCMA 74th New England Management Institute	Carrabassett Valley - Sugarloaf Mountain	MTCMA
8/15	Thurs.	MTCCA Vital Records	Orono - Black Bear Inn	MTCCA
8/21	Wed.	Legal Update on Recreational Marijuana	Saco - Ramada Inn & Conference Center	MMA
8/22-23	Thur.-Fri.	MMTCTA Basic Accounting I	Waterville - Waterville Elks Banquet & Conference Center	MMTCTA
8/28	Wed.	Elected Officials Workshop	Jay - LaFleur's Restaurant	MMA

## SEPTEMBER

9/3	Tues.	MTCCA Voter Registration	Presque Isle - Northern Maine Community College	MTCCA
9/4	Wed.	MTCCA Title 21A - State Election Law	Presque Isle - Northern Maine Community College	MTCCA
9/5	Thurs.	MMTCTA Payroll Law	Waterville - Waterville Elks Banquet & Conference Center	MMTCTA
9/6	Fri.	MCAPWA Golf Tournament	Cumberland - Val Halla	MCAPWA
9/10	Tues.	MTCCA 24th Networking Day & Annual Business Meeting	Waterville - Waterville Elks Banquet & Conference Center	MTCCA

<b>Date:</b>	<b>Day:</b>	<b>Course Name:</b>	<b>Location:</b>	<b>Sponsored By:</b>
9/11	Wed.	MeWEA Golf Tournament	Rockland - Rockland Country Club	MeWEA
9/12	Thurs.	Planning Board/Boards of Appeal	Orono - Black Bear Inn	MMA
9/12-13	Thurs.-Fri.	MeWEA Fall Convention	Northport - Point Lookout Resort & Conference Center	MeWEA
9/13-15	Fri.-Sun.	MSFFF Annual Convention/Meeting	Fryeburg Fairgrounds	MSFFF
9/16-17	Mon.-Tues.	MWDA GA Basics/Advanced GA	Freeport - TBD	MWDA
9/17	Tues.	Labor & Employment Law	Portland - Clarion Hotel	MMA
9/26	Thurs.	MBOIA September Membership Meeting & Training	Gray - Spring Meadows Country Club	MBOIA

## OCTOBER

<b>10/2-10/3</b>	<b>Wed.-Thurs.</b>	<b>83rd Annual MMA Convention</b>	<b>Bangor - Cross Insurance Center</b>	<b>MMA</b>
10/3	Thur.	MFCA Annual Membership Meeting	Bangor - Cross Insurance Center	MFCA
10/5	Sat.	MSFFF Firefighters Memorial Service	Augusta	MSFFF
10/8	Tues.	MTCCA Voter Registration	Augusta - Augusta Civic Center	MTCCA
10/9	Wed.	MTCCA Title 21A - State Election Law	Augusta - Augusta Civic Center	MTCCA
10/15	Tues.	Roles of Elected Officials & Municipal Managers	Bridgton - Bridgton Town Hall	MMA
10/24	Thurs.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Orono - Black Bear Inn	MMTCTA
10/29	Tues.	Elected Officials Workshop	Belfast - Hutchinson Center	MMA
10/29	Tues.	MBOIA DECD & Fire Marshal's Office Training	Portland - Fireside Inn & Suites	MBOIA
10/30	Wed.	MBOIA DECD & Fire Marshal's Office Training	Brewer - Jeff's Catering	MBOIA
10/31	Thurs.	MBOIA DECD & Fire Marshal's Office Training	Waterville - Waterville Elks Banquet & Conference Center	MBOIA

## NOVEMBER

NOV	TBD	MLGHRA Fall Training	TBD	MLGHRA
11/1	Fri.	MBOIA DECD & Fire Marshal's Office Training	Augusta - Maine Municipal Association	MBOIA
<b>11/7</b>	<b>Thurs.</b>	<b>Legal Advice: Sexual Harassment (NEW!)</b>	<b>Orono - Black Bear Inn</b>	<b>MMA</b>
11/13	Wed.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Augusta - Maine Municipal Association	MMTCTA
11/14	Thurs.	Basic Municipal Budgeting	Union - Union Town Hall	MMA
11/21	Thurs.	Elected Officials Workshop	Dover-Foxcroft - Mayo Regional Hospital	MMA

## DECEMBER

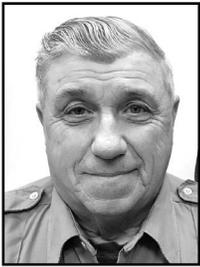
<b>12/3</b>	<b>Tues.</b>	<b>Workplace Active Threat Defense (NEW!)</b>	<b>Augusta - Maine Municipal Association</b>	<b>MMA</b>
12/5	Thurs.	Planning Board/Boards of Appeal Planning Board/Boards of Appeal - <b>Video Conference</b>	Augusta - Maine Municipal Association Caribou - Northern Maine Development Commission	MMA
12/6	Fri.	MWDA Winter Issues Training	Augusta - Maine Municipal Association	MWDA
<b>12/9</b>	<b>Mon.</b>	<b>Diversity Immersion (NEW!)</b>	<b>Lewiston - Ramada Inn</b>	<b>MMA</b>
12/12	Thurs.	Managing Freedom of Access Requests	Freeport - Hilton Garden Inn	MMA
12/12	Thurs.	MBOIA Annual Membership Meeting & Training	Lewiston - Green Ladle	MBOIA
12/17	Tues.	Small Claims - Snow date 12/19	Augusta - Maine Municipal Association	MMTCTA

**Online registration is easy!**

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

# PEOPLE

Former Jay Selectperson **Keith Cornelio** died recently at the age of 75. He is remembered for his integrity, sense of humor and dedication to the town. Cornelio was a member of both the recreation and budget committees at the time of his death, and was busy helping to finalize plans for the town's annual February winter festival. Cornelio served as selectperson from 1983 to 1986 and was elected to a two-year term in 2016. He served 10 months on the planning board before his 2016 election to the select board. In 2011, he retired after working 44 years at the Androscoggin Mill in Jay.



**George Farris**

**George Farris**, a 45-year volunteer firefighter and EMT for the Town of Greene, was named Androscoggin County Firefighter of the Year in December. Farris also has worked 23 years as a paramedic for the Lewiston-based United Ambulance. Androscoggin County is one of the four largest counties by population. Greene Fire and Rescue Chief **John Soucy** nominated Farris for the award.

Livermore Falls Selectperson **George Cummings Sr.** died in a recent accident while driving his tractor. Cummings, 84, was remembered for his love for the town and its residents. According to his son, a school field trip to the town office as a child inspired him to public service. His son said Cummings, a U.S. Army veteran, was known for telling people that when he died, he hoped it would happen while working his farm. His long service included working as road commissioner, assistant town manager and a selectperson off and on from 1964 until his death.

In a special Dec. 11 election, **Deqa Dhalac** defeated a challenger by a margin of 2-to-1 to win the District 5 South Portland city council seat vacated last September by **Adrian Dowling** just 10 months into a three-year term. A newcomer to municipal governance, Dhalac, 52, is a social worker who manages the intercultural program at the Center for Grieving Children in Portland. Dhalac will finish Dowling's term.

**Bertha Johnson**, a former Baring Plantation tax collector, registrar of voters and member of the board of assessors, died on Christmas Eve at Calais Regional Hospital. A Bath native, Johnson would have turned 90 on Feb. 2. Johnson's public service career also included working as clerk of the Maine House of Representatives. Her municipal and state government service overlapped; she served the plantation for more than two decades from the late 1970s to the mid-2000s and the Maine House from 1967 to 1972. She was known for her work ethic, honesty, independence and commitment to the community.



**Paula Scott**

Hampden Town Clerk **Paula Scott** was recently promoted to assistant town manager, continuing a long run in public service. Scott served 17 years for the Town of Newport as town clerk, tax collector and deputy treasurer. She served as Hampden town clerk for three years before being named assistant manager.



**Loretta Powers**

**Loretta Powers** was named Bethel town manager, effective Dec. 31. She replaces interim manager **David Holt**, who retired in July 2017 after managing the Town of Norway for 28 years. Powers replaces **Christine Landes**, who accepted the Gardiner city manager's job last June.

Powers served as Bethel deputy town clerk for one year after working as town administrator for her hometown of Newry for 11 years.



**Michael Sauschuck**

After serving four months as Portland assistant city manager after a long law enforcement career, **Michael Sauschuck** was nominated in late December by newly elected Gov. Janet Mills as Commissioner of the

state Department of Public Safety. Sauschuck worked as Portland police chief from 2012 until last August, when he retired and accepted the assistant manager's job. In announcing the nomination, Mills cited Sauschuck's "progressive approach" to ongoing public safety issues, particularly the opioid crisis that has gripped Maine and other states. Sauschuck, 48, is a native of Madrid in Franklin County. He started his career in 1994 as a patrolman for Old Orchard Beach. In 1997, he was hired by the Portland Police Department, where he worked his way through the ranks to become chief in January 2012. He was named Maine Police Chief of the Year in 2017. He is a Marine Corps veteran who served from 1988 to 1993. Mills also nominated former Kennebec County Sheriff **Randy Liberty** to lead the Department of Corrections. He worked for the sheriff's office for 26 years before being named Maine State Prison warden in 2015. Liberty, 54, also is a veteran who served as a military police officer. He is a former chief instructor at the military academy West Point. ■

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## STATEWIDE

The Maine Turnpike Authority (MTA) has a deal with Efficiency Maine and California-based ChargePoint Inc. to have high-speed electric car charging stations installed at seven locations statewide. The new stations will be built at the MTA's Kennebunk and West Gardiner service plazas; one on Route 302 in the Bridgton/Naples area; in Farmington near the intersection of Route 2 and Route 26 – two of Maine's major highways; one in Jackman; and one at a yet-undetermined location along Route 201, which begins in Brunswick and ends in Caratunk in Somerset County.

## FARMINGTON

After talking about the idea for years, the town police department purchased and installed 10 security cameras throughout the downtown area to keep an eye on business and municipal assets and to assist in investigations. The cameras and installation cost \$6,000; video storage will cost \$2,500 annually. The project was supported by businesses, which allowed some of the cameras to be attached to their buildings. Among other locations, a camera will oversee historic Hippach Field, heavily used by students and the public, which has been a target of vandalism in the past.

## JACKMAN

Town residents are fed up with the "deteriorating reliability" of electrical service from Central Maine Power (CMP) and have filed a complaint with the Maine Public Utility Commission (PUC), seeking an investigation. The 10-person PUC complaint was filed on Dec. 13. The PUC ordered CMP to respond by the end of December. It was unknown at press time whether the PUC plans to conduct an investigation. The commission has been critical of CMP's efforts to restore electricity after storms, particularly after the destructive wind storm last October. The company also is drawing wide criticism and concern over its plan to string a 145-mile transmission line through northern and central Maine, among other issues. The Jackman group's complaint alleges that power outages increased 275 percent in frequency and 440 percent in duration from 2013 through 2017 in the town of 850. Resi-

## NEW ON THE WEB [www.memun.org](http://www.memun.org)

**Animal Control Survey.** The state Department of Agriculture, Conservation & Forestry released the form to be used in its first ever animal-control reporting survey. Municipal animal control officers and clerks are encouraged to complete and return the survey.

**Medical Marijuana.** Last month, amendments to Maine's medical marijuana law took effect. The Maine Municipal Association's Legal Services Department updated its information packet on this topic.

**LD 1 Worksheet.** The State of Maine and its lead economist released the new LD 1 worksheet, setting the personal income growth factor at 2.77 percent.

dents are worried about the impact of outages on the elderly, especially those without family nearby in rural Somerset County. Extended power outages also put young children at risk in the winter and increase the chance of pipes freezing and the ensuing damage to homes and businesses, residents said.

## MONTVILLE

The planning board voted in December to ask selectpersons for money to hire an attorney to advise the board in the lingering dispute over an 800-yard shooting "lane," a long and narrow target shooting area, created on private property. One longtime planning board member, following a site walk, questioned why the board was involved in the issue since it did not involve a business. Another board member read from an ordinance stating the board has a responsibility to balance landowners' rights against any negative impact on neighbors' properties. Board members said the ordinance language and intent was murky and they could use an attorney to help them through the dispute.

## PORTLAND

Maine's three largest cities' lawsuits against drug companies, alleging the firms are responsible for the ongoing opioid crises, have been bundled with 20 other cases across the U.S. and moved to a federal court in Ohio – arguably the epicenter of the crisis. The cities of Portland, Bangor and Lewiston have filed suit against the pharmaceutical industry. The Maine cities disapproved of the move to Ohio, concerned that the industry will now have just one le-

gal case to fight. However, supporters of consolidating the lawsuits note that the states' strategy is modeled after the lawsuits brought by 46 states against tobacco companies in the 1990s, which resulted in a 25-year, \$246 billion settlement with the states. There were 418 drug-related deaths in Maine in 2017; as of June 30, 2018, drug overdoses were down slightly from 185 to 180. Final numbers for 2018 are not yet available.

## SKOWHEGAN

Special town meeting voters in mid-December authorized town leaders to borrow up to \$2.6 million for capital improvements, including installing LED lights in municipal offices and facilities. The bond also will cover the cost of a new ventilation system for the municipal building and the town's Opera House. The system will pump cool air on the main floor of the municipal office and in the basement, averting the need for 25 window AC units. Voters also OK'd creating a Tax Increment Financing (TIF) district for a \$5.4 million nonprofit affordable housing project.

## SOUTH PORTLAND

Money magazine has named the city the best place to live in Maine, citing its array of restaurants and pubs and for it is thriving economy. Founded by Time Inc. in 1972, one of the most popular features of the magazine is its annual list of the "Best Places to Live in Every State." The magazine cited the city's affordable cost of living, relative to similarly sized cities nationwide. South Portland's two lighthouses didn't hurt, either. ■

# MUNICIPAL BULLETIN BOARD

**FEB. 5**

## **Title 30-A, Town Meeting and Local Election Law: Orono**

The Maine Town & City Clerks' Association will hold a workshop on Title 30-A – town meetings and elections – on Feb. 5 at the Black Bear Inn and Conference Center in Orono, starting with registration at 8:30 a.m. Speakers will include a municipal clerk who oversees these processes first-hand and an attorney from MMA's Legal Services Department.

Cost for the workshop is \$60 for MTCCA members and \$80 for non-members. The event is scheduled to end at 4 p.m.

**FEB. 7**

## **General Assistance Basics: Westbrook**

The Maine Welfare Directors Association will host a workshop on General Assistance Basics on Feb. 7 at the Community Center in Westbrook. The workshop is designed for select board members, GA administrators, town managers and others responsible for administering GA.

The program, which includes an overview of the fundamental principles of GA and GA compliance begins with registration at 8:30 a.m. and will wrap up at 2 p.m. Cost is \$45 for MWDA members and \$65 for non-members.

**FEB. 11**

## **Elected Officials Workshop: Augusta**

Attorneys and staff from MMA's Legal Services and Communication & Educational Services departments will lead a workshop for elected officials on Feb. 11 at Maine Municipal Association's Christopher G. Lockwood Conference Center in Augusta. The evening workshop begins with registration at 4 p.m. and ends at 8:30 p.m., including a light dinner. Officials who attend will receive a certificate showing they have met the state's Freedom of Access training requirement.

The workshop is designed for newly elected officials, but veteran councilors and select board members will benefit from the refresher and legal updates as well. Topics include: open meeting and records; roles and responsibilities; effective communication; media relations; and, conflicts of interest, among others. Cost for the workshop is \$55 for MMA members and \$110 for non-members.

**FEB. 13**

## **Moderating Town Meetings: Northport**

Dick Thompson, an experienced Town Meeting moderator and regular speaker for MMA, will lead this annual workshop that examines effective strategies for leading town meetings in Maine. The workshop references MMA's Moderator's Manual and all attendees will be provided one.

The workshop, to be held on Feb. 13 at the Point Lookout Resort in Northport, begins with registration at 5:30 p.m. and will end at 8:30 p.m. Cost is \$55 for MMA members and \$110 for non-members. The session is intended to inform both new and seasoned Town Meeting moderators.

**FEB. 26**

## **Title 30-A, Town Meeting and Local Election Law: Portland**

The Maine Town & City Clerks' Association will hold a workshop on Title 30-A – town meetings and elections – on Feb. 26 at the Fireside Inn & Suites in Portland, starting with registration at 8:30 a.m. Speakers will include a municipal clerk who oversees these processes first-hand and an attorney from MMA's Legal Services Department.

Cost for the workshop is \$60 for MTCCA members and \$80 for non-members. The event is scheduled to end at 4 p.m.

**FEB. 28**

## **Legal Update on Aerial Drones: Lewiston**

Attorney Amanda Meader, from the Augusta-based law firm of Ellis & Meader, will lead an afternoon workshop that focuses on how municipalities can use and regulate aerial drones. How can towns and cities control their use? How should your municipality respond to neighbor complaints about their use? What are the requirements for first responders who want to use drones in their official capacities?

This workshop, which will be held on

Feb. 28 at the Ramada Inn and Conference Center in Lewiston, will provide an up-to-date overview of the legal landscape related to drones. The workshop begins with registration at 2 p.m. and will conclude at 4:30 p.m. Cost is \$35 for MMA members and \$70 for non-members.

**MARCH 11**

## **Managing Freedom of Access Requests: Augusta, Caribou (via video)**

Sometimes FOA requests come in slowly. Sometimes they come from serial requesters, and they keep coming for a while. Either way, Maine law requires that all FOA requests be handled properly, fairly and in a timely manner. That's what this workshop – to be held at MMA's conference center in Augusta, and shown live via video at the Northern Maine Development Commission office in Caribou – will address.

The program will be led by MMA Legal Services Attorneys Richard Flewelling and Rebecca McMahon; Union Town Manager Jay Feyler; and, Eric Conrad, MMA's Director of Communication & Educational Services. The afternoon workshop begins with registration at 1:30 p.m. The program itself runs from 2 p.m. to 4:30 p.m. Cost is \$35 for MMA members and \$70 for non-members.

**MARCH 20**

## **Planning Boards/Boards of Appeal: Portland**

MMA's Legal Services Department will host a session for local Planning Board and land use Boards of Appeal members from 4 p.m. to 8:30 p.m. on March 20 at the Fireside Inn & Suites in Portland.

The workshop is designed as an introduction for new or less experienced members, but veterans may find an update useful as well. Among the topics to be covered: jurisdictional issues; public notice requirements; site visits; procedure for decisions; and, variances. The cost is \$55 for MMA members and \$110 for non-members. ■

**All of the upcoming workshops can be found on the MMA website.**

**Use the following link:**

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

# LEGAL NOTES

## New Senior Tax Lien Law & Town Meeting Warrants

Municipalities with a town meeting form of government should be aware that the new senior tax lien foreclosure law may require a “patch” for the warrant article that many towns adopt annually to authorize the sale of tax-acquired property.

This is because, although the new law requires a special sale process for qualifying homestead properties, it does not actually *authorize* any sale of tax-acquired property – only the voters can do that. And as we noted, many town meeting towns include such an article in their annual town meeting warrant.

The problem is that the warrant article customarily adopted may not accommodate the special sale process required by the new law. For instance, the article may require all sales to be by sealed bid, or it may authorize no-bid sales direct to purchasers. But neither of these would comply with the new law, which requires that qualifying homestead properties be listed with a licensed real estate broker for at least six months.

To fix this problem, we recommend that all warrant articles authorizing the sale of tax-acquired property add language such as the following: “Except that the Municipal Officers shall use the special sale process required by 36 M.R.S. § 943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner(s).”

A similar fix can and should be incorporated in any ordinance governing the sale of tax-acquired property.

For a detailed explanation of the new senior tax lien foreclosure law, including what counts as a qualifying homestead property, see the feature article “How to comply with Maine’s senior tax lien foreclosure law,” *Maine Town & City*, December 2018.

For more on tax-acquired property generally, see our “Information Packet” on the subject, available free to members at [www.memun.org](http://www.memun.org). (By R.P.F.)

## Landlord Fined \$500,000+ for City Code Violations

The Maine Supreme Court has upheld a fine of over half a million dollars imposed by a District Court on a Portland landlord for multiple fire, electrical, and

## MUNICIPAL CALENDAR

**ON OR BEFORE JANUARY 31** — Written statement, as prescribed by State Tax Assessor, of wages withheld in the previous calendar year is to be furnished each employee (36 MRSA § 5251).

■ Monthly/Quarterly expenditure statement and claim for General Assistance reimbursement to be sent to Department of Human Services, General Assistance Unit, DHS #11, Augusta, ME 04333-0011 [22 MRSA §4311].

**FEBRUARY 18** — Presidents’ Day, the third Monday in February, is a legal holiday (4 MRSA § 1051).

**BEFORE TOWN MEETING** — Selectmen must have a warrant posted at least 7 days before town meeting and have a constable or named resident make return (30-A MRSA §2523). If adoption of an ordinance is proposed, make sure of compliance with 30-A MRSA §3002.

■ Town Meeting voter registration and voting list requirements. The registrar shall accept the registration and enrollment of voters prior to the municipal election according to the time schedule prescribed by 21-A MRSA § 122 unless changed by municipal officers.

■ Deposit copies of annual report in the municipal office or a convenient place of business for distribution to voters at least 3 days before the annual meeting (30-A MRSA § 2801). Send copy of town report to: State Tax Assessor, State Librarian, UMO’s Fogler Library, and Maine Municipal Association.

life safety code violations.

In *City of Portland v. Chau*, 2018 ME 161, City officials inspected the landlord’s five-unit apartment building at least 10 times over a two-year period in an effort to correct multiple code violations, many of which posed immediate threats to the health and safety of her tenants. Nevertheless, the landlord made almost no corrections until the City filed a complaint in court. Even then, she continued to ignore many of the violations, and she failed to appear at trial, so a default judgment was entered against her. Only later did she hire an attorney, but by then it was too late to contest anything other than the court-imposed penalties (which also included the City’s attorney fees and court costs).

On appeal, her attorney argued the fine was “unnecessarily inflated” because the City took too long to take legal action, but the City countered that this argument would penalize the City for giving property owners a reasonable time to voluntarily comply and avoid substantial penalties. The Law Court, with no apparent sympathy for the landlord, sided with the City and affirmed the

fine, which was based on the minimum mandatory \$100-per-day penalty for land use and code violations established in 30-A M.R.S. § 4452(3)(B).

For us, there are at least two take-aways from this case. First, there can be very serious consequences when a property owner blatantly and persistently flouts health and safety codes and the municipality is serious about enforcing them. (The fine was over twice the value of the landlord’s building. The City’s complaint was part of a more aggressive enforcement initiative following a November 2014 apartment building fire in which six young adults died.)

And second, any property owner cited for serious code violations would do well to fully cooperate and promptly correct them (1) to protect lives, (2) to guard against their own personal liability, and (3) to avoid substantial penalties. (And if a court complaint is filed, hire an attorney and show up for trial!)

For a detailed review of the penalties imposed by 30-A M.R.S. § 4452 for land use and code violations (and why these penalties cannot be “imposed” by local officials except with the violator’s voluntary consent), see “Imposing Fines

# LEGAL NOTES

& Penalties," *Maine Townsman*, Legal Notes, December 2011. (By R.P.F.)

## Municipal Term Limits

**Question:** Does State law impose any term limits on local officials, elected or appointed? If not, can a municipality do so?

**Answer:** We're not aware of any statutory term limits on any local officials. However, a municipality could impose them, but only by municipal charter.

We say only by municipal charter because term limits are a type of legal disqualification from local office, and State law imposes none (not even for criminal conviction). Just as with the law's legal qualifications for local office (basically there are three – Maine residency, at least 18 years of age, and U.S. citizenship), the statute cannot be altered or augmented except by charter (see 30-A M.R.S. § 2526). Neither an ordinance nor a town meeting vote would be sufficient or legally enforceable.

Of the 80 or so municipalities in Maine with charters (out of 490 municipalities in total), we're aware of only a handful that impose term limits. Even those that do limit their application, for the most part, to major elected offices, namely, selectmen or councilors and school board members. The low incidence of local term limits in Maine may be indicative of the challenges in attracting qualified candidates to serve in local government. Or it may simply evidence public confidence in the voters to know when they've had enough of particular local officeholders. In any event, term limits are not a common feature of local government here.

For municipalities contemplating term limits, here's some drafting advice: Make it clear (1) whether the term limits are for consecutive terms only or for the life of the officeholder, and (2) when the counting begins – with current terms or only on terms commencing after the limits take effect.

There is of course an alternative to term limits if the voters are unhappy with an elected official. Come to think of it, there are two. The voters can always decline to reelect that official. Or, with appropriate provisions in either a charter or ordinance, the voters can recall an official mid-term. For more on recall, see "Recall of Local Officials: A Primer," *Maine Towns-*

*man*, Legal Notes, October 2103.

For a detailed description of the process for adopting or amending a municipal charter, see our "Information Packet" on the subject, available free to members at [www.memun.org](http://www.memun.org). (By R.P.F.)

## Right to Know Training & Public Access Officers

Here's a Freedom of Access Act (FOAA) reminder: Selectmen, councilors, school board members and elected clerks, treasurers, assessors and budget committee members are required to complete training in Maine's Right to Know law no later than 120 after taking the oath of office (see 1 M.R.S. § 412). This law has been in effect for more than a decade now.

The training requirement can be met either by attending one of MMA's Right to Know training programs or by reviewing the Frequently Asked Questions on the State's FOAA website at <https://www.maine.gov/foaa/> (this is a self-study option and is free of charge). For dates and locations of upcoming MMA training, see the 2019 Training Catalog at [www.memun.org](http://www.memun.org).

And here's another FOAA reminder: Every municipality is required by law to have a public access officer or PAO (see 1 M.R.S. § 413). The PAO must be an existing employee and is subject to the same Right to Know training requirement

described above. The PAO is tasked with ensuring that each public record request is acknowledged within five working days and is actually responded to within a reasonable time following the request. This law has been in effect since 2012.

Public records requests must be acknowledged and responded to even if the POA is not available. This is why we recommend an assistant POA as well. If the POA does not maintain regular office hours, the PAO's name and contact info must be posted in a public place and at the PAO's office (see 1 M.R.S. § 408-A(5)).

For much more on Maine's Freedom of Access Act, see our "Information Packet" on the Right to Know law, available free to members at [www.memun.org](http://www.memun.org). (By R.P.F.) ■

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# Maine Municipal Bond Bank

## 2019 SPRING BOND ISSUE SCHEDULE

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

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

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

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

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

### Wednesday, February 13th

Application Deadline.

### Wednesday, March 20th

Application approval (Board Meeting).

### Monday, April 8th

Preliminary opinions and loan agreements due from bond counsel of each borrower.

### Wednesday, April 10th

Last date for signing school contracts and rates in place for water districts. PUC Approvals due.

### Monday, April 22nd & Tuesday, April 23rd

Maine Municipal Bond Bank Pricing.

### Wednesday, April 24th

Maine Municipal Bond Bank Sale Meeting (Board Meeting).

### Monday, May 13th

Final documents due from bond counsel.

### Wednesday, May 22nd

Pre-Closing.

### Thursday, May 23rd

Closing - Bond Proceeds Available (1:00 PM)

If you would like to participate in or have any questions regarding the 2019 Spring Bond Issue, please contact Toni Reed at 1-800-821-1113, (207)622-9386 or tir@mmbb.com.



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