

Maine Town & City

The magazine of the Maine Municipal Association

MAY 2018

Northern Exposure

Annual BikeMaine event
heads to Aroostook



ALSO IN THIS ISSUE

HR-Management Conference
Securing Maine Elections
Can We Revive Civility?



Maine Municipal Employees Health Trust

QUALITY
BENEFITS

INNOVATIVE
PROGRAMS

EXCEPTIONAL
SERVICE



For Over 30 Years...
The Difference is Trust.



1-800-852-8300

www.mmeht.org



EXECUTIVE COMMITTEE

PRESIDENT

Linda Cohen

Mayor, South Portland

VICE PRESIDENT

Mary Sabins

Town Manager, Vassalboro

MEMBERS

Elaine Aloes

Chair Selectboard, Solon

Rick Bates

Town Manager, Rockport

James A. Bennett

City Manager, Biddeford

William Bridgeo

City Manager, Augusta

Jill Duson

Councilor, City of Portland

Gary M. Fortier

Councilor, Ellsworth

Suzannah Heard

Chair Selectboard, Arrowsic

James Gardner, Jr.

Town Manager, Easton

Christine Landes

Town Manager, Bethel

IMMEDIATE PAST PRESIDENT

Laurie Smith

Town Manager, Kennebunkport

EXECUTIVE DIRECTOR

Stephen W. Gove

MAGAZINE STAFF

Eric Conrad, Editor

econrad@memun.org

Valarie Pomerleau,

Circulation Manager

Jaime G. Clark

Graphic Designer/Advertising

MMA website: www.memun.org

© 2018 Maine Municipal Association.
All rights reserved.

MAINE TOWN & CITY (ISSN 0025-0791) is published monthly, except in September, by the Maine Municipal Association, 60 Community Drive, Augusta, Maine 04330. (207) 623-8428. Periodicals postage paid at Augusta, Maine, and at additional mailing offices. All rights reserved. Postmaster send address changes to: Maine Town & City, 60 Community Drive, Augusta, Maine 04330. Information, policies and opinions do not necessarily reflect the views or policies of the Maine Municipal Association. Subscription price: \$15 per year.



Maine Town & City

May 2018 | Volume 80 | Issue 5

The Magazine of the Maine Municipal Association

FEATURED STORY | 9

Born to Run



Running elections has never been easy. The challenges that municipal and state officials face today are particularly daunting.

Remember when Maine, and even the U.S., could have disagreements in governing without name-calling? A new project hopes to restore that. [Page 17](#)

Barbara Bush was known in Maine as First Lady, mother of a President – and more. Turn here, and read something you don't know. [Page 5](#)

ABOUT THE COVER: This photo was taken during the 2017 BikeMaine event. MMA thanks the Bicycle Coalition of Maine for the photo and others included inside.

2018 HR-Management Conference

Many current topics will be covered at MMA's 4th Annual HR-Management Conference, a day of training you don't want to miss. [Page 31](#)

One Town's Exemplary Outreach

On the surface, South Berwick, Maine and Tuskegee, Alabama seem so different. A sister-city type project challenges that assumption. [Page 27](#)

County Bound!

The annual BikeMaine event heads to Aroostook County this year, where community hosts are gearing up for an opportunity to show off. [Page 21](#)

Seventh-Grade Essay Winners 35

People 38

News 39

Bulletin Board 40

Legal Notes 41

FIND US!



www.facebook.com/MaineMunicipal



@Maine_Municipal

The Maine Chapter
American Public Works Association
presents...
The Twenty Seventh Annual
Highway Congress
SKOWHEGAN FAIR GROUNDS
Thursday June 7, 2018 – 7:00 a.m. – 3:00 p.m.



FREE ADMISSION - Door Prizes  Skid Steer Loaders and  Backhoe Contests

Complimentary LUNCHEON Sponsored by Maine Chapter APWA



The Lions will serve breakfast from 7:00 – 9:00 a.m.



Maine Local Roads Center – “Time Out for Training”

DEMOS

DEMOS

DEMOS

WHO SHOULD ATTEND?

- All Highway Departments
- Solid Waste Departments
- Municipal Officials and Managers
- Water & Sewer Utility Departments
- Parks and Recreation Departments
- YOU!!!

*Maine and New England's
Premier Public Works
Exposition. There is no better
show or deal in the industry!*

Annual State and Snow Plow Rodeo
Championship and Award Presentation



Brochure and registration forms will be sent out in mid-April. Registration Deadline is May 20, 2018. For more information call the Affiliate Office – Maine Chapter APWA, 1-800-452-8786.



A MESSAGE FROM MMA

BY ERIC CONRAD / EDITOR

Barbara Bush: First Lady who knew how to fish

It was an assignment that most journalists only dream about getting.

Late March 1991 found me as a consumer affairs reporter at the Sun-Sentinel newspaper in Fort Lauderdale, Fla. The first Gulf War had recently come to an end. George H.W. Bush was president and after a grueling period, the White House decided that the President, his family and close aides deserved some time off.

As many of us know, Bush senior loves to fish in the waters off Maine – and Florida. He decided to go “bone fishing” in Islamorada, one of the beautiful, middle islands that comprise the Florida Keys.

Bone fish are a feisty sport fish that anglers in that part of the country stalk – they really do stalk them – with fly rods and experienced guides, who spot the fish in shallow water and quietly glide their boats into position to try and catch a few. They weigh up to 18 pounds, so hooking a bone fish on a fly rod is exhilarating.

My editors must have liked me, because I was chosen to go to Islamorada, represent my newspaper and spend four days covering all aspects of the Presidential visit.

The President and First Lady, Barbara, arrived on March 31. I already had been there for a day, reporting and writing a “preview” article that showed how locals prepared for the visit and how they would be affected. These types of articles were written from Kennebunkport many times over the years.

After filing the article from a local restaurant that let me use its telephone land line – mobile phones were too bulky then to transmit articles – I ate dinner and the bartender (I was alone, so I ate at the bar) asked me where I worked, which I told him.

Everyone knew the President was going fishing the next



Barbara Bush

day and, in a bit of good fortune, the bartender told me who his guide would be, what fishing camp the guide worked out of, what time the party would depart and what time it was likely to return.

It was an excellent tip.

The following day, standing beside dozens of journalists from the Washington, D.C. press corps, television reporters from Miami and other newspaper reporters from Florida, we watched them head out. It was unseasonably cool and windy. The few of us who stuck it out – most of the Washington reporters had gone to Key West and elsewhere – watched them return.

I’ll never forget what I saw. The President held up a small snapper that he caught and would keep for dinner. (They released most of what they caught.) Barbara, beaming, waved and gave us a thumbs up. Then, the couple clasped hands and held up a larger fish, much larger. Their boat continued toward its private mooring, out of sight.

As it turned out, I was the only reporter who knew who their guide was – Hank Brown, who led fishing parties out of the Lorelei restaurant and marina, which is still there today, and which my family and I visited two winters ago.

Because of that bartender’s tip, I was the only reporter who met Hank 30 minutes later at his dock a half-mile away. I bought him a beer and asked what happened. The result: Nothing Pulitzer-worthy, but a national exclusive story about how Barbara Bush was the one who caught the big, five-pound snapper in tough conditions, the best fish caught that day.

Given the First Lady’s strength and character, no one was surprised that she had the mettle to come out on top. ■

ARTICLE ONLINE

You can read the article about the First Family’s 1991 bone fishing expedition online at:

http://articles.sun-sentinel.com/1991-04-02/news/9101160901_1_bonefisherman-fishing-guides-snapper

WHEN YOUR IRON FITS YOUR CHECKLIST, YOU KNOW YOU'VE FOUND YOUR DEALER.

- **Meet lifecycle costing and get peace of mind.**
 - **All the options – new, used and returned-from-rent.**
 - **The inventory you need is here, now.**
 - **A complete work tool range expands your choices.**
 - **Experienced sales staff doesn't waste your time.**
 - **Parts availability never an issue**
 - **Unbeatable resale value.**
-

**Scarborough, ME
207-883-9586
16 Pleasant Hill Rd.**

**Brewer, ME
207-989-1890
79 Robertson Blvd.**

Milton 

www.miltoncat.com

MMA's online Salary Survey proving to be a popular tool

More than 220 member municipalities have used the survey recently, running 2,000 salary and benefit reports. Next month, the survey will re-open for data input.

By Eric Conrad, Editor

More than 220 members of the Maine Municipal Association used our online Municipal Salary Survey during the past 12 months, running 2,000 salary and benefits reports. That is a lot of interest which, we presume, reflects the value of the information that you, our members, input into the survey, to make it work.

With the backing of our Executive Committee, MMA launched its online Salary Survey in 2016, working with our partner, Dynamic Benchmarking of Nashua, N.H. MMA had been doing a non-interactive survey for decades. MMA decided it was time to make the survey more “sortable,” to take advantage of the technology that many of us use in our everyday lives.

If you've ever gone online to look for airline flights, hotel rooms or a used or new car, you know what online database search capabilities can do for you. It is so much easier to compare, say, hotel rates and amenities than it used to be.

That was the idea behind upgrading our Salary Survey. MMA is pleased to say it has worked out well. MMA employees Carol Weigelt and Ben Thomas did much of the technical work that made this possible. Carol in particular is happy to help members who have questions using the tool. She walks members through the search engine



Carol Weigelt



Ben Thomas



Holly Maki

all the time. Carol said that once she shows a member how to use it, that person rarely needs a second tutorial. It's that intuitive to use.

MMA improved the survey since its launch. One “could be better” suggestion that members made initially was that the survey was hard to print out. To improve that, MMA grouped some commonly requested job categories together and Dynamic Benchmarking's liaison, Holly Maki, worked with her colleagues to create eight separate Excel-based reports.

Member data is key

As was reported in this magazine when MMA launched the new tool, it is only as good as the member data that is entered. That is where members come in. **MMA will “open up” the survey for new salary and benefits data entry on June 15, 2018.** By then, most members will have weathered town meeting season and will nearly be through their budget-setting processes. Salary survey data entry will remain open into

early August.

What are the benefits of it? For starters, in this era of competitive recruitment for job candidates, our members tell us that it is crucial for them to know if they offer competitive wage and benefits packages. Through

SURVEY QUESTIONS

Members with questions about gaining access to MMA's Salary Survey or who need help using it can contact Carol Weigelt or Ben Thomas via email at salariesurvey@memun.org or by or telephone at 207-623-8428.

our survey, members can compare themselves to like-sized municipalities, to towns and cities in their geographic region and in many other ways.

All of the data is public record. There is nothing private in our survey, nothing to be protected. No names are attached. Besides, most police officers in one municipality, for example, already have a decent idea what other police officers earn, especially ones who work nearby. That holds true with all municipal professionals.

A final selling point: For the members who entered their data in 2016 and/or 2017, updating it is straightforward. The survey automatically provides the data-entering employee with the most recently provided survey data as a starting point. Updating, not starting from scratch, is what's needed. With the “old” survey, which MMA discontinued in 2013, members received blank forms to fill out completely every year. That is no longer the case.

MMA will ask our members to take some time – starting on June 15 and ending in early to mid-August – to update your part of the survey. MMA encourages members to use it frequently once the survey officially releases results for comparisons this fall.

As is the case with so many of the services that MMA offers, the more that members use the Salary Survey, the more value they receive. ■



**Thriving downtowns
are good for all of Maine.**

At Bangor Savings Bank, we make the complex simple. We work with municipalities across Maine to help them provide security, efficiency, and prudent management of taxpayer money. And we offer the kinds of banking tools local businesses need to thrive — from payroll services to cash management solutions and merchant card processing.

For more information about how we can help you, visit us at www.bangor.com, or call us at **1.877.Bangor1**.

Bangor
Savings Bank

You matter more.

Member FDIC

Election security: Maine affected by major national concern

Secretary of State Matt Dunlap outlines procedures that Maine has in place to protect election integrity. Even so, he says, breaches are a matter of when, not if.

By Susan Cover

Early on, during his first tenure as Secretary of State, Matt Dunlap faced an unusual instance of ballot tampering. A law office in Tennessee was closing and something from Maine was found in the basement.

"In the back corner of the basement, they find a State of Maine ballot box, a wooden ballot box that was padlocked," he said.

It was from a municipal election held in a Downeast Maine town in the 1930s. Dunlap and his team tracked down the election results, opened the ballot box, counted the ballots and found that the missing ballots... would not have made a difference in the outcome.

"So somebody ran off with a ballot box thinking they were helping one side or another and stole it and hid it and it wound up not making any difference whatsoever," said Dunlap, who served as Secretary of State from 2005 to 2010 and began a second stint in 2013.

It's a good example of why the state now accounts for every ballot – even those left blank – and takes many other steps to ensure the security of elections. And while the Russians or other bad actors aren't likely to try to run off with locked ballot boxes, federal officials have warned of attempts to gain access to voter rolls stored on the internet.

In fact, in Maine the voter rolls



Matt Dunlap

are virtually the only part of an election that has anything to do with the internet, Dunlap said. The rolls are behind firewalls, password protected and access to them is limited. Those who want to buy a copy get them on a disk and cannot alter them.

If someone did break through the firewall, he or she would have to change each record by hand, a painstaking process that

makes it less likely that wholesale categories of voters could be wiped out or changed.

Not if, but when

"Nonetheless, it faces the internet," Dunlap said during a recent interview in his Augusta office. "I don't care what it is, how secure it is, we base our security plans on not if we get breached, but when."

If that happened, because Maine allows same-day voter registration, it's possible voters could wait in line on Election Day to re-register so they could vote, he said. Maine is a bit of an outlier in that regard, being one of only 13 states to allow same-day registration on Election Day.

With the June 12 primary just around the corner, state officials in Dunlap's office are working to coordinate with city and town clerks to get ready for crowded fields of gubernatorial candidates to compete for their party's nomination. In addition, a new ranked-choice voting system will be used for the first time and a people's veto question will ask voters whether to keep the system in place.

For Dunlap's office, it's one of many elections held each year, from local town meetings to candidate elections to ballot initiatives.

"It actually never stops," he said. "The election division works year-round."

While cities and towns run their own municipal elections, the Secretary of State's Office is available to answer questions from voters regardless of when an election is held, he said. Sometimes that's because there are questions about charters that may or may not have been recently updated to accommodate changes in town business.

For example, Dunlap said a voter may get an absentee ballot with town warrant questions that does not include financial items because the charter forbids it. If that voter calls the state to question the town, the Elections Division works to get an answer.

The state trains all 503 town clerks and registrars to keep them up to date about changes in state law that occur fairly frequently, he said.

Always changing

"The Legislature is always changing election laws a little bit here and there," he said.

In the run up to an election, the state is in charge of preparing ballots for county, state and federal races and statewide ballot questions. The state controls the lease on tabulating machines and makes sure all the memory sticks are programmed properly.

When it comes to security, Maine has many policies and procedures in place.

"Security is almost innate in the way our elections are conducted," he said. "It's very decentralized."

The only electronic machine used

Susan Cover is a freelance writer from Hallowell and a regular contributor to Maine Town & City, mainefreelancer@yahoo.com.

in the process is a tabulating machine that is not connected to the internet. The whole process evolves around a paper ballot and many of the documents used before and after the election are mailed, not transmitted electronically.

The only document stored on the internet is the voter file. Clerks work from paper copies on Election Day, and they typically lock down the file days before the election, Dunlap said.

And if there's ever a question about the outcome of an election, there are paper ballots available for inspection and recount.

"The chain of custody of those ballots is very rigorous," he said. "I can tell you with some authority exactly who touches a ballot from the time it leaves the printing press to the time it's sealed in a ballot box after the election."

There are provisions for how to handle challenged ballots – those cast by a voter who may not be registered on election day and may not even have any identification on them when they show up to vote, he said.

The ballot is assigned a secret number and after the election, the regis-

trar will track down the person to see if he or she can prove that they are an eligible voter.

When it comes to a recount, Maine State Police deliver the ballots to the Secretary of State. The ballot boxes are locked and sealed and can only be opened by Dunlap or his designee.

'Really, really good'

"Basically we double check the towns' work and they do really, really good work," he said. "It makes our life a lot easier."

While the state has processes in place to double-check election results when a recount is conducted, the

League of Women Voters of Maine would like to see the state conduct random audits of results after each election, said Ann Luther, treasurer and advocacy chairwoman for the league.

The league asked for several changes to enhance security for Maine elections in a bill submitted last year, including random audits, additional steps to track ballots and having the state participate in a system that cross checks voters in Maine with voters in other states. The bill failed to move forward, but Luther said she hopes that the state eventually implements a random post-election audit to verify results.

OLVER ASSOCIATES INC.
ENVIRONMENTAL ENGINEERS

- Wastewater Process Engineering
- Treatment Facility Upgrades
- Sewer Infrastructure Design
- Stormwater Management
- Operations Assistance & Training
- Municipal & Civil Engineering

P.O. Box 679
290 Main Street
Winterport, Maine 04496

Telephone: (207) 223-2232
Fax: (207) 223-5448

PLEASE JOIN US

Fields of Green:

Preparing your Municipality for Cannabis

May 24, 2018 | 9:00 AM - 5:30 PM | Drummond Woodsum, Portland, ME

Towns will play an important role in shaping and regulating the marijuana industry in the state of Maine. This symposium will feature experts who will help towns understand the scope and extent of their ability to regulate marijuana businesses and to safely take advantage of the economic development potential of this emerging market. Never before have these high profile speakers gathered in such an approachable intimate setting to provide just the advice and clarity that you need to approach this field.

Topics will include:

- An overview of current medical and adult use marijuana laws
- Home Rule Authority – what towns can and cannot do to regulate a marijuana business
- Best practices for regulating fire and safety issues relating to extraction, processing and cultivation
- What does a vertically integrated marijuana business look like?
- Lessons learned from how one town put together their marijuana ordinance

REGISTER TODAY (\$299 PP):
dwmlaw.com | 800.727.1941

DrummondWoodsum
ATTORNEYS AT LAW

Learn from Top Policy Makers and Leaders in the Cannabis Industry!

Chris Witherell, P.E.,
Founding Partner,
Pressure Safety
Inspectors LLC

Patricia Rosi,
CEO of Wellness
Connection

Tex Haeuser,
Planning and
Development Director,
South Portland

Rep. Teresa Pierce,
District 44,
Maine House of
Representatives

Drummond Woodsum Attorneys:

Hannah King
Edward (Ted) Kelleher
Aga Dixon
Amy Tchao

“I think we’re very fortunate in Maine,” she said. “We’ve had generations in a row of high quality election administration at the state level and we have some of the most inclusive voter participation laws in the country.”

A lot of Maine’s procedures for handling ballots and other security measures came about after a ballot-tampering scandal in the early 1990s, Dunlap said. Dunlap described the lax practices in place at the time as “shocking” and said many lessons have been learned over the years that Secretaries of State have run elections in Maine.

Much of what Dunlap described – chain of custody, physical security, ballot reconciliation – is outlined in a recent document on election security produced by the National Conference of State Legislatures. In a section on securing voter registration data, the organization points out the importance of making sure the data is being protected by best practices.

“Stolen, deleted or modified data are all concerns,” the policy paper states. “These actions could create chaos on Election Day as voters try to check in and find that they are no longer on the voter rolls, an incentive to safeguard this information.”

An added wrinkle this year will come with ranked-choice voting. Dunlap ruled in early March that a people’s veto effort had enough signatures to put a question on the ballot, and more importantly to clerks, a new statewide ranked-choice system will be in place for the primary.

In that type of system, which is already in place in Portland, voters rank all candidates for a particular office in order of preference. When the votes are counted, only the first choice of each voter is tabulated. If one candidate wins a majority, the counting is over. If not, the candidate with the fewest votes is eliminated and people who voted for that candidate will have their second choice counted. The process continues until one candidate wins a majority, according to the Ranked Choice Voting Maine website.

Dunlap said his office is working to come up with a plan to help clerks with tabulation, which could include having some ballots shipped to Augusta for counting.

“Our goal is to make it as easy on the towns as possible,” he said. “We’re

not just going to punt it to the towns and say, ‘You’re going to have to figure out how to do a hand count, ranked-choice voting system in the town of East Wagonwheel.’ We’re not going to do that because it would take months to find out who won an election.”

When it comes to election security in many Maine small towns, the size of the voting population makes a big difference, said Sandra Fournier who serves as Town Clerk, Town Manager, Tax Collector, Treasurer and Freedom of Access Officer in Eagle Lake. Asked whether she has new or additional

concerns about voter fraud or security, Fournier said not in her neck of the woods.

“In my small community, where everyone knows everyone, not so much,” she said. “We know the faces.”

In fact, she said she reminds her poll workers to be sure to ask everyone to state their names when they come to vote, even though the person checking in the voters likely knows exactly who is standing in front of them.

“Even though you know someone, you still need to ask their name,” she said. ■



THOMAS Graduate & Professional Studies

Thomas College part-time Master’s programs are designed to help you earn an advanced degree—on a schedule that works for you.



- Master of Business Administration
- Master of Science in Cybersecurity
- Master of Science in Criminology
- Master of Science in Education

www.thomas.edu/gps
207.859.1102



Earn your Master’s in
Cybersecurity in 10 months!

Thomas College offers the **ONLY** Master’s in
Cybersecurity degree in Maine

Now is the perfect time to prepare yourself to enter the field or expand your knowledge of cybersecurity!

A Master’s in Cybersecurity at Thomas will provide you with a comprehensive understanding and the skills to secure, protect, and defend valuable data.

www.thomas.edu/cybersecurity

- 2018 -

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 authority do we have over the schools?
- What are our liabilities and immunities?
- What is a disqualifying conflict of interest?

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 local government responsibilities and issues. **Course meet state FOAA training requirements (Right to Know).**

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.

Democracy is a beautiful thing, but sometimes even the best-planned meetings get derailed. Join expert facilitator Nancy Ansheles as she tells you how to prepare for, run and conclude effective meetings. She will advise attendees on dealing with complicated subjects, troublesome interrupters – and more.

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).

Elected Officials:

Dates & Locations:

Ellsworth – 6/19/18
General Moore Community Center

East Millinocket – 7/19/18
East Millinocket Town Office

South Berwick – 8/29/18
Spring Hill

Orono – 10/30/18
Black Bear Inn & Conference Center

Bethel – 12/6/18
Bethel Inn

Augusta – 12/18/18
Maine Municipal Association
****With Live Video Conference to Caribou****
Northern Maine Development Commission

How to Lead Effective Meetings

Date & Location:

Belfast – 5/30/18
Hutchinson Center

Managing Freedom of Access Requests

Dates & Locations:

Skowhegan – 5/16/18
Margaret Chase Smith Library

Portland – 12/11/18
Embassy Suites by Hilton



Maine Municipal Association
60 Community Drive – Augusta, ME
1-800-452-8786
www.memun.org

Online registration is easy!

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

Finding Election Day poll workers is an ongoing challenge

Municipal clerks use many techniques to recruit staff, from social media to asking the Rotary to making cold calls. This year's elections will be particularly challenging.

By Susan Cover

City and town clerks around the state look high and low to find poll workers for every election, and the upcoming June 12 primary is no exception.

State law requires the Democratic and Republican parties to give cities and towns a list of workers who can help on Election Day, but clerks around the state said those lists don't often include enough workers to cover all the needed duties.

And even though voter turnout is typically much lower in June than November, clerks are gearing up for a big election as Democrats and Republicans will choose from crowded fields to pick their nominees for governor. In addition, voters will be asked to consider a people's veto question that would keep in place a new ranked-choice voting system that will be implemented for the first time in the June election.

All these factors mean clerks are preparing for what's likely to be a busy Election Day, when voters confused about ranked-choice voting may need a little extra assistance at the ballot box. Finding poll workers to help continues to be a challenge, clerks say.

"It's hard for everyone in the state to come up with poll workers," said Bath City Clerk Mary Jane White, who serves as president of the Maine Town and City Clerks' Association.

Building the team

The last time she ran the numbers, the average age for Bath poll workers was 78, she said. With many people working, and few employers willing to give workers time off to help at the

Susan Cover is a freelance writer from Hallowell and a regular contributor to Maine Town & City, mainefreelancer@yahoo.com.

TIPS ON HIRING POLL WORKERS

- Recruit from a variety of agencies, such as community organizations, schools and colleges.
- Try using technology such as Facebook and Twitter to recruit new workers.
- When training, provide hands-on scenarios to help workers learn what to expect.
- Assign tech-savvy staffers to troubleshoot at multiple polling locations.

Source: U.S. Election Assistance Commission

polls, it's always hard to find the 35 people she needs to help.

Poll workers in Bath are paid \$10 an hour and they typically put in a 14 or 15 hour day, she said. They receive training one week before the election and get a packet of information to outline all of their duties and updates on laws passed by the Legislature.

Part of the difficulty in putting together a slate of workers is that state law requires that an equal number of Democrats and Republicans be present at the polls. White said cities and towns can use Green Independents, Libertarians and unenrolled voters, "but they have to be very limited."

"It's like having a football team," White said. "You have to make sure people can work together."

For some elections, White has leaned on other Sagadahoc County towns for workers, including Woolwich, West Bath and Topsham.

In Bangor, City Clerk Lisa Goodwin needs about 100 people to help out for an election, with jobs including people to check voters in, assist at the ballot box, monitor the voting booths, register voters, watch candidates outside who may be speaking with voters and even golf cart drivers to help get people through the Cross Insurance

Center parking lot. That is the city's only polling place, she said.

Most of her workers are over 70 years old, with some in their 80s. On a few occasions, she's realized on Election Day that a worker has suffered a medical setback, making him or her unable to do the same job that was just done just six months before. When that happens, she finds a tactful way to move them to another duty and for that reason, she cross-trains all her workers just in case she needs to make a last-minute switch.

"I have a lot of retired school teachers who help out," she said.

Goodwin holds a training session before every election, and this year, she extended the training so all of her workers will be able to help people with the ranked-choice voting system that will be used for the first time. Workers in Bangor are paid a little above minimum wage for their help, a rate set by City Council.

Work commitments hurt

When it comes to attracting younger workers, Goodwin said it can be hard for people to get time off from work.

"It would be nice if businesses were more friendly, to allow someone to

come and do that for a day," she said.

One of Goodwin's longtime workers is Jan Budden, 79, a retired third-grade teacher who has been working at the polls for 18 years. For her, the tradition runs in the family.

"Actually, my mother did it years and years and years ago and it seemed like it was a good way to pay back," she said.

Budden is a ward clerk who also helps with training poll workers. She said there's a wide variety of jobs for those who may want to ease in to helping at an election. She's a little nervous about implementing the ranked-choice voting system in June and said there's good reason Mainers tend to vote in high numbers.

"I think we still have enough Puritan background we want to get out and tell people what we think," she said.

In Eustis, the two poll workers that are needed for each election are "pretty well trained," said Deputy Clerk Rachel Williams, but they still go over a few things before each election.

"We've been kind of lucky we've had the same bunch of people for quite a few years," she said.

With the polling place at town hall, and a population of 600, Williams said she doesn't expect any hitches this year.

"We've got it pretty easy up here," she said.

Making calls

Over in Fryeburg, Theresa Shaw has been the clerk for 38 years. She said the political parties rarely provide

her with a list of names, so she recruits poll workers on her own. Things have been easier in recent years now that the town has a ballot counting machine, but she still needs about 10 people each election.

"I just ask people who might be interested and I call and call and call," she said.

While most of her poll workers are retirees, some are business owners who have enough control over their own schedule that they can help at the polls, she said. In addition, she's hop-

PROFESSIONAL ENGINEERING FOR MAINE

- PLANNING
- DESIGN
- CONSTRUCTION SERVICES
- OPERATIONS SUPPORT

**DIRIGO
ENGINEERING**

FAIRFIELD, MAINE 207-453-2401

Water · Wastewater · Roads
Stormwater · Development

LEGAL REDEFINED

Our Municipal Law and Finance Group is rewriting the definition of municipal legal counsel in Maine, integrating comprehensive general counsel experience with trusted municipal finance services.

Stephen E.F. Langsdorf, Partner
slangsdorf@preti.com

Kristin M. Collins, Of Counsel
kcollins@preti.com

207.623.5300

45 Memorial Circle
Augusta, ME 04330

PretiFlaherty
preti.com

Portland Augusta Concord Boston Washington D.C.

ing some younger folks step up when her current crew of workers is no longer able to help.

For a typical June election, Waterville City Clerk Patti Dubois needs about 25 workers, and for larger November elections, she needs 50. Like her counterparts elsewhere, she said it's a challenge to get the right balance of trained workers.

She noted that decades ago, when fewer women worked outside the home, it was easier to find poll workers who could devote a 13-plus hour day to helping out.

"A lot of the folks I still have are from those days," she said. "What they were able to do five to 10 years ago, they can't do as much now."

To recruit workers, Dubois asks city hall staff if they know anyone who would be willing to work, contacts people who already serve on city committees to see if they are available and she's even looked through the voter lists and sent letters to people she knows to see if they are interested.

Moving forward, she's considering approaching civic groups like the Rotarians to see if they have members who could help out.

"I wish I did have the magic advice to give," she said. "We have to be creative."

Buxton Town Clerk John Myers said he's fortunate to have a steady group of folks who are willing and able

to work on Election Day. He'll need about a dozen for the June election. Because there will be multiple ballots to handle local and state elections, Myers will conduct a training session before the vote.



When you need community-centered solutions and clear communication

HEB
Engineers
CIVIL • STRUCTURAL • SURVEY

An employee-owned company
in Bridgton, ME & North Conway, NH
HEBENGINEERS.COM



Maine Resource Recovery Association

207-942-6772 ~ P.O. Box 1838 Bangor, ME 04402

From material marketing including propane tank and tire removal to education and outreach, MRRA is your resource for all things recycling in Maine



Cooperative Marketing
Recycling Education
Technical Training
Legislative Advocacy



mr.ra.net



Wholesale Composters
Wheeled Carts and Bin Sales
Technical Assistance
Workshops & Tours

**Maine Resource Recovery works statewide to help towns & cities
IMPROVE RECYCLING AND SOLID WASTE MANAGEMENT.**

In years when he has needed additional help, Myers said he combed the voter list and called folks he thought might be able to work. The town pays minimum wage – he hopes the Budget Committee will approve an increase – and it picks up lunch and dinner costs for workers, as well as refreshments throughout the day.

Those perks, and the assurance that they will be given only one job to do, keeps a consistent crew coming back election after election, he said. With allegations of voter fraud and foreign interference in the news, the public needs to be reassured that everything is being done in a transparent way.

In Presque Isle, City Clerk Thomas King said he too relies on longtime workers, most of whom served under the previous clerk. He’s been in the job about two years and said when the time comes to recruit new workers, he’ll likely advertise in the local paper, put a public service announcement on local television and use word of mouth. And he didn’t rule out trying to use social media, such as Facebook and Twitter.

He said to get the workers he needs, he’ll “beg, plead, cajole, whine and cry.”

He expects a fairly busy primary and will use about 10 workers at the

city’s central polling place.

“My poll workers, most of them are getting on in years,” he said. “I certainly don’t have people coming in to my office to volunteer.” ■



The Only Decisions We Make Are

LOCAL DECISIONS.

Specializing in fixed-rate leasing programs for Maine municipalities

Leasing is a great alternative to spending your precious capital. With a broad range of fixed-rate programs for new or used equipment, 100% financing for Maine municipalities and a streamlined application process, we’ll have you up and running in no time. That’s the power of local banking. That’s banking you can believe in.

Contact Rick Proctor, Vice President Leasing, at (207) 222-1498.



Gorham Savings Bank Leasing Group, LLC is an affiliate of Gorham Savings Bank.
Member FDIC Equal Housing Lender



Meet Our Attorneys

Jon Pottle

Jon Pottle provides municipal clients with advice to meet all their legal needs, including the areas of land use and code enforcement, finance, election, tax, contracts, public records, economic development, personnel, and municipal liability law. Jon assists municipalities in helping to solve their challenging problems, operate efficiently, save costs, and realize economic development opportunities in their region.



1-800-564-0111 | eatonpeabody.com
Augusta | Bangor | Brunswick | Ellsworth | Portland

Revive Civility, a national project to do as its name suggests

Maine is among four states to take part in the 'intensive, year-long' effort. Two high-profile community leaders are spearheading the project.

By Pam Plumb and Ryan D. Pelletier

Democracy at its core is our ability as citizens to talk with each other, to work out our differences and to solve problems for our communities. Our long history of town meetings is a testament to that concept. Democracy isn't a winner take all sport. That is called a dictatorship. Democracy is designed to bring together people with various points of view, life experiences, belief systems and get them to hammer out an agreement that will blend those needs and develop a compromise that will be acceptable to a large percentage of the people. All of you who are working in the cities and towns of Maine are at the cutting edge of that democracy.

The practice of democracy at every level of government has always been a messy process with passionate feelings on every side. But have you noticed a steady shift in recent years to more anger, blame, accusations in our public dialogue verging on downright hateful, hurtful language? Have public debates, council meetings, even family gatherings gotten so filled with angry

Pam Plumb is a former Councilor and Mayor for the City of Portland. **Ryan D. Pelletier** is the Administrator for Aroostook County, a former town manager and is a past president of the Maine Municipal Association.



Pam Plumb



Ryan D. Pelletier

disagreement and name calling that it is easier to just stay away? How can we bring back civility, more ability to discuss our differences with more openness and understanding?

That dilemma has led to the creation of a project in Maine to help us find our way back to lively debates about our different points of view that are built on truly listening to one another, on understanding each other's point of view and searching for common ground and reasonable compromises. Maine Revives Civility is a project of the National Institute of Civil Discourse (NICD). Its website is: www.nicd.arizona.edu. It is a grassroots initiative committed to helping foster an open exchange of ideas

and expression of values that can lead to better problem-solving, more effective government, and inclusive and engaged communities. Goals of the initiative are to increase awareness about the role of civil discourse in local government, teach skills to further constructive conversations, and support efforts to use this framework to address self-identified community is-

sues. You can learn more at the Revive Civility website: www.revivecivility.org, where all of the tools and resources can be found. NICD has partnered with the Maine Development Foundation and Maine League of Women Voters in this effort.

In order to achieve our goals, Maine Revives Civility is organized around three core strategies – Pledge, Engage and Organize. We ask people to make a personal commitment to improve civility and respect in their own lives, engage elected officials and community leaders to do the same, and organize one of four conversation types in their communities. This three-pronged approach is designed to help people and communities overcome the degradation of our public dialog.

Four states selected

NICD has selected Maine as one of four states for an intensive year-long effort to:

- Support people to shift the way they talk to and listen to each other.
- Understand why people have come to those conclusions.
- Know each other better.
- Show mutual respect for each other's perspective and opinions.
- Be able to "disagree without being disagreeable."

The purpose of Maine Revives Civility is not to get everyone to agree on everything, but rather to value the importance of different points of view and to learn to understand each other better. We want to dial down the angry words and personal attacks and to encourage people to listen more carefully to one another. We are working to help people listen for understanding, to ask "why?" and to ask:

“What led you to that conclusion?” We want to demonstrate that you can disagree strongly on an issue and still be friends and good neighbors.

What is the program doing? Maine Revives Civility will be leading community discussions across the state designed to promote open dialogue on subjects where people are likely to hold strong and differing points of view. The purpose is to give people different models for how to listen to one another and learn more about the reasons for the opinions that people hold. Effective listening skills will help people to be able to “agree to disagree” and still be good neighbors and friends. These sessions are not designed to solve a problem or to come to agreement. They will be focused on how to disagree with one another without anger and hate, how to find common ground in a way that will make it possible for neighbors and communities to understand each other better and continue to work with one another.

We also plan to work with municipal governments in particular to use the same principles in the council and board meetings as they work to make

decisions for their communities. Your local government in action is what your local community members are watching. Your community may see television clips of their national or state representatives on the news, but you, the local officials, are the ones they watch regularly. They attend your meetings. They corner you at the grocery store or in the local coffee shop to comment on local issues. If you, the local officials, listen thoughtfully to one another, draw out the reasons that

drive your differing opinions, treat each other with respect and work constructively to create an agreed on solution, then your community will take your cue and learn to do the same. You are critical to generating change.

We will be at the MMA Convention next October with a session on managing strongly held differing opinions in your debates and your public dialogues. Based on your input and needs, we may develop a training program on managing strongly held

DRINKING WATER | WASTEWATER |
WATER RESOURCES | CIVIL ENGINEERING
& COMMUNITY DEVELOPMENT

Serving Maine Municipalities
for Over 70 Years

WRIGHT-PIERCE
Engineering a Better Environment

www.wright-pierce.com | 888.621.8156
Offices Throughout New England and Florida

[f](#) [t](#) [in](#)

Maine lawyers working with Maine municipalities.

With over 60 years experience, it's no wonder that municipalities, counties and school districts across Maine depend on the knowledge of Jensen Baird.

We are your trusted source in providing solutions to a broad range of issues.

With prompt, practical and cost-effective guidance, our lawyers are regularly recognized as among

The Best Lawyers in America.

At Jensen Baird,
our commitment is to you.



Attorneys at Law

Portland / Kennebunk • 207-775-7271 • 1-800-756-1166 • jbgh.com

differing opinions in your communities and in your own meetings. We see local communities as the key to driving a shift back to more civility and neighborliness.

How you can help

What can you do to return civility to your lively community debates?

Help us find people from your community that could help us organize a community meeting in your area so that members of your community can understand and practice ways to listen for understanding, find ways to express their opinions without demeaning others and value people with whom they disagree on certain issues.

If you know people who are skilled mediators or facilitators, we would love to contact them to see if they would be interested in doing a brief training with us and being a moderator at one of our community meetings.

We would love to have you share with us some of your local examples of contentious issues that were either well-debated and effectively resolved or turned bitter and divisive. They would help us develop our presentation at the convention in October.

The local level is a great place to build the return of civility to our political and civil discourse. We invite you to join us in this effort. ■

Discover what know-how can do for local governments.

By maintaining strong relationships and delivering a high level of personalized service and expertise, we provide the know-how it takes to meet the ever-changing requirements of the municipal environment.

Barbara Raths, Senior Government Banking Officer, SVP
350 Fore Street, Portland, ME
207-828-3131 • barbara.raths@peoples.com



What know-how can do®

©2017 People's United Bank, N.A. | Member FDIC | Equal Housing Lender

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.

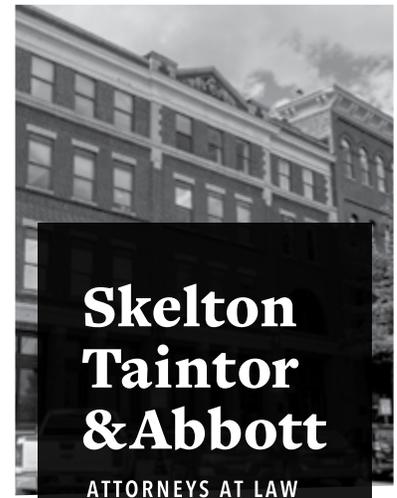
MMA's services include advocacy, education and information, professional legal and personnel advisory services, and group insurance self-funded programs.

For more information visit the MMA website:
www.memun.org

60 Community Dr., Augusta, ME 04330

ABOUT THE PROGRAM

For more information about Maine Revives Civility, please contact Mark Hews, State Coordinator, at mehews@mehewsandcompany.com. For conversation, discussion, ideas and/or feedback, contact: Pam Plumb at ppplumb1943@gmail.com or Ryan Pelletier at ryan@arostook.me.us.



At the top of our field—and at the center of it all.

You will always find central Maine's largest team of governmental services attorneys right in the middle of the action. For over 150 years, we have leveraged our location in the heart of the state to provide premium legal services for Maine communities at the most competitive price point.

See why we have been trusted by so many for so long. Talk with Bryan Dench, Chair of Government Services, today:

BDench@sta-law.com
207.784.3200
sta-law.com



MARK YOUR CALENDARS!

**82nd Annual
MMA Convention**

**October 3 & 4, 2018
Augusta Civic Center
Augusta, Maine**

**The 2018 Annual Convention:
Into The Future**

**Keynote Speaker:
DANIEL SIEBERG**

"The Future of Transportation"

**Featured Speakers:
JEFF SPECK**

"Walkable Cities"

AMANDA RECTOR, MAINE STATE ECONOMIST

"The State of Maine's Economy"

Look for more details in the June, July and August/September
editions of the Maine Town & City magazine and
at the MMA website: www.memun.org.

EDUCATION • NETWORKING • EXHIBITS

Aroostook bound: Annual BikeMaine event heads north

Event organizers move the week-long event around the state each year. This year, it heads to the County, where local officials relish the opportunity to show off a little.

By **Stephanie Bouchard**

It takes MaryBeth Luce about six hours to drive from her home in Arundel to Presque Isle. In the same amount of time, she can drive to Philadelphia. For years, she's considered visiting the northern region of her home state but, like many southern Maine residents, hasn't gotten around to it.

A bike ride is finally giving her the impetus.

Each year, the Bicycle Coalition of Maine, a non-profit organization based in Portland, hosts BikeMaine, an annual cycling event that brings cyclists from all over the world to Maine. Where in the state the ride is held changes from year to year. This year, the ride heads to Aroostook County for the first time and, as the director of the ride, Luce is going north.

"I'm a lifelong Mainer," she said. "I had never been as far north as Presque Isle until the middle of January this year. I know I'm not alone. People are really, really excited to ride in their state in a place they've never ridden before."

After the announcement of the ride's location, cyclist registration skewed 50/50, so far as riders being from Maine versus riders from outside the state. By the beginning of March, with the ride nearly sold out, ridership was at 47 percent Mainers, 53 percent outside the state. Typically, only one-third of riders are from Maine, she said.

The ride's host communities – Caribou, Presque Isle, Madawaska, Fort Kent and St. Agatha – are as psyched as the cyclists for the ride, which will be held Sept. 8 to 15.

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



BikeMaine cyclists take in Maine's rural splendor. (Submitted photo by Bicycle Coalition of Maine)

'Super excited'

"We're super excited," said Christina Kane-Gibson, who handles events and marketing for the City of Caribou. "We love everything we've got going on so we're going to pull out all the stops to give everyone that genuine Caribou experience."

"We're really excited," echoed George Dumond, Fort Kent's ride coordinator. Like in Caribou, the Fort Kent community is delighted to have the opportunity to show off its community and is hopeful the riders are so enchanted with the region they'll come back as visitors or even move to the area.

"Like anything else in the remote areas of northern Maine, we're always looking for folks who have discovered

this area for the first time and had a great experience and are willing to come back," Dumond said.

"We want people to come back for our festivals and our winter," Kane-Gibson said. "Don't be scared of our winter!" she jokingly added. "We brag about our below zero temperatures. We handle it. You can, too!"

While still in the early stages of planning, the ride's host communities are pumping out ideas and rounding up volunteers, Dumond and Kane-Gibson said.

Already, Caribou plans to do a version of its popular weekly summer street festival, Thursdays on Sweden, to provide cyclists with a taste of the area's food, entertainment and community vibe.

Collaboration Corner is a regular feature in the *Maine Townsman*, highlighting ways that municipalities work together to become more efficient and better serve citizens.

Working together

Fort Kent plans on coordinating with Madawaska and St. Agatha – the three communities in the St. John River Valley – so they aren't duplicating offerings. "We all want to serve them ployes or chicken stew," Dumond chuckled.

High on Fort Kent's list is to present the cyclists with a traditional Acadian kitchen party. Before radios and televisions, the kitchen party – impromptu neighborhood get-togethers with music and dancing and food – was a staple of community life in the area. About 10 years ago, the tradition revived. Now, kitchen parties cycle through the area once or twice a month, he said.

"There's a little bit of food, a little bit of drink. Somebody will go up and sing or play music. Three, four, five songs," he said. Different groups take turns making music and dancing and all perform together at the end.

As important as showcasing their communities is, probably the biggest



Space for tents is a must for hosts. (Submitted photo by Bicycle Coalition of Maine)

TIPS FROM PAST HOST COMMUNITIES

- **Draw on** whatever community resources you have, said Richard Davis, Town Manager in Farmington, a host community in 2017. Don't have a local Kiwanis Club? Check to see if the vo-tech school has a culinary program or if the community college uses a food service you can connect with.
- **Start planning** as early as possible, said Karen Ogulnick, Executive Director of the Rangeley Lakes Chamber of Commerce, who served as a community coordinator when BikeMaine went through Rangeley last year. If you really want to impress your visitors, go all out. That means a lot of coordination and work. You need to be planning far ahead to get it all in and to do it well.
- **Delegate.** "It's very important to not to try to do it all yourself," said Ernestine Hutchinson, conference and events coordinator at the University of Maine at Farmington, who was a community coordinator for Farmington last year. Who in your community has organized large events or festivals? Who knows about food preparation or cooked for large groups? Who knows about public safety? Traffic management? Emergency services? Who understands large spaces for groups? Figure out who in your community has the know-how and energy to get things done and recruit those people.
- **Put your best foot forward.** Having BikeMaine in your community is an opportunity to showcase your city or town, Hutchinson said, so put in your best and remember on the day of the event to wear comfortable shoes, stay hydrated and smile.

Davis, Ogulnick and Hutchinson are all willing to be contacted by this year's host communities (see below for contact information). Here's how to reach them:

Richard Davis, Farmington town manager. Call him at: 778-6538.

Ernestine Hutchinson, conference and events coordinator, University of Maine at Farmington. Call or email her: 778-7344, eleight@maine.edu.

Karen Ogulnick. Email her at: karen@rangeleymaine.com.

Technology.

Municipal Solutions
Hosted PBX Phones
Cloud Computing and Storage
WAN and LAN
Disaster Recovery
Managed Services
Municipal Broadband Options

Tradition.

The OTELCO family of companies; Mid Maine Communications, Pine Tree Telephone, Saco River Telephone, and OTT serviced Maine communities for more than a century. TODAY, we embrace our family lineage and OTELCO name..

Together.

Working WITH you to ensure that you stay connected with the community you serve and to realize your community broadband vision.



otelco.com
877-643-6246

concern for host communities is the food. Each host community is responsible for providing a dinner and a breakfast for the BikeMaine riders and crew – about 600 people.

“How do you feed 450 bikers and maybe another 150 support and other volunteers?” said Dumond. “It’s obviously the biggest piece we have to put together.”

While BikeMaine sources and pays for all the food, each community comes up with menus reflecting the cuisine of the area and coordinates the making and serving of that food. Usually, communities partner with nonprofit organizations that have experience serving large groups of people, such as local Kiwanis International clubs.

Part of the ride’s mission is to give back to the communities where the ride goes. To that end, BikeMaine attempts to source 60 percent to 65 percent of the ride’s food from within 150 miles of the event itself.

Local food sourcing

Last year, in western and central Maine, 75 percent of the ride’s food was sourced within 75 miles of the ride. With the deep farming heritage of Aroostook County, ride organizers expect a repeat this year, said Luce, the ride director.

In addition to paying for the food, BikeMaine also offers a stipend to the communities hosting the ride to help defray costs. “It can be a drain on resources for us to be there even for just



A typical BikeMaine scene. (Submitted photo by Bicycle Coalition of Maine)

1-800-532-6654
tdbank.com



America’s Most Convenient Bank®

Member FDIC TD Bank, N.A. | Equal Housing Lender



Working with communities across the state to serve their engineering, environmental and surveying needs.

ces-maine.com
207.989.4824



24 hours,” she said.

Host communities give BikeMaine access to public water and sewerage and a community property where the ride’s tent village can be set up. A minimum of four acres is needed for the village, which includes portable showers and sinks, tents, tables and chairs, and information booths. Each municipality provides some staff support.

In return for the essentials that each community offers the ride, BikeMaine returns an economic benefit. Over the last five years, that economic impact amounted to more than \$2.3 million across the state. In 2017, said Luce, the ride was responsible for \$660,000 in direct economic impact for the communities the ride went through.

Additionally, riders as a whole spent \$400,000 last year above and beyond the cost of ride registration. That works out to about \$1,000 per rider, who spent that money on transportation, local lodging (not all riders

want to rough it out in tents), food and shopping.

BikeMaine also awards grants to host communities to support their walking and biking infrastructure. In 2016, Gardiner (a 2014 host community) received a grant of \$12,300 to support the creation of a connector trail to the Kennebec River Trail. Last year, Bath (a 2014 host community) received \$2,705 and the Washington County Council of Governments (a

2016 host region) got \$4,000. Luce expects the Bicycle Coalition of Maine will award \$16,500 in grants in 2018.

“We focus BikeMaine in the region we’re going to be each year, but it’s not a one time we’re here and then we never come back,” she said. “We put continual resources into our past host communities. We want to see Maine be better for biking and walking and we want to further the infrastructure that goes along with that.” ■

SOLUTIONS
SOLUTIONS
SOLUTIONS
SOLUTIONS
SOLUTIONS
SOLUTIONS



civil & environmental engineering
www.underwoodengineers.com



Legal Counsel To Maine Communities
EXPERIENCED • EFFECTIVE • EFFICIENT

Prior to co-founding Ellis & Meader, Amanda was a Staff Attorney at Maine Municipal Association for five years. Amanda spent the first seven years of her career in private practice, where she advised municipalities, counties and utility districts on a broad range of issues including:

General Legal Advice • Labor & Employment
Ordinance Drafting & Review • Planning, Zoning & Enforcement
Taxation • Real Estate

Ph: 207-530-9026 Email: amanda@ellismeador.com Web: ellismeador.com
Address: 227 Water Street, Suite 222, Augusta, Maine 04330

Do you think we need “municipal civics” in Maine high schools? 

Do you know about MMA’s Municipal Literacy Project?

Working with Jobs for Maine Graduates, MMA has established municipal civics curriculum in more than 80 high schools across the state. The project encourages interaction between high school students and municipal leaders.



To learn more, and to encourage your high school to use the tools that are available, please visit MMA’s Citizen Education website at:
<https://www.memun.org/Training-Resources/Local-Government/Citizen-Education>

60 Community Dr., Augusta, ME 04330 • 207-623-8428 • www.memun.org

Here they are again: Spring municipal election results

By Liz Mockler

Following are among the municipal election results from March and April annual town meetings. Unopposed incumbents are not included. The names of challengers, unless they were former officials, also are not included. However, former selectmen are included, regardless of whether they win. The results are based on news reports and interviews with town clerks. The results are listed in alphabetical order by municipality.

Alna: Incumbent Selectwoman **Melissa Spinney** defeated a challenger by a vote of 258 to 149.

Andover: **Brian Mills** defeated incumbent Selectperson **Jane Rich** after a recount. Rich was the announced winner by a vote of 122 to 120. But Mills picked up two votes and Rich lost one in the recount, so the vote was 122 to 121.

Anson: Incumbent select board members **Brenda Garland** and **John Bryant** held off a challenge by former Selectman **Philip Turner** to win re-election. Garland received 68 votes, Bryant won 64 and Turner collected 18.

Belgrade: Former Selectperson **Melanie Jewell** collected 186 votes to defeat a challenger and fill the last year of **Ernest Rice's** term. In the only other contested race, newcomer **Kathi Wall** will replace **Gary Mahler**, who did not seek re-election.

Belmont: Voters re-elected **Sharon Reed-Hall** with five votes for First Selectman. Incumbent **Robert Currier** held off a challenger, **Gene Newton Jr.**, by a vote of 26 to 8 for second selectman. Voters elected **Ann Marie Stoltz** with 24 votes over Newton, who received 13 votes to serve as third. Stoltz will replace outgoing Selectman **Dale Thorburn**.

Canaan: All three incumbent select-

men – **Daniel Harriman**, **Jeffrey Clarke** and **Garrett Buzzell** – held off a challenger to win another one-year term. Harriman received 157 votes, Clarke 116 votes and Buzzell 93. None of the challengers came close to winning.

Chesterville: Voters elected newcomer **Allan Mackey** with 127 votes to his challenger's 59 votes for a three-year term. Former Selectman **Maitland Lord Jr.** edged former Selectperson **Anne Lambert** by a vote of 69 to 65 for a one-year seat. Former Selectman **Guy Iverson** received 52 votes, while Carroll Corbin collected 27.

Cranberry Isles: **Corey Alley** won 31 votes to his closest challenger, who collected 18 in voting from the floor. Alley succeeds **Malcolm Fernald**, who chose not to seek another three-year term as selectman.

Deer Isle: Two last-minute write-in candidates sought the selectman seat vacated by **Lewis Ellis**, who did not seek re-election. Former Selectman **Peter Perez**, who served in the 1980s, edged **Michael Wood** by a vote of 209 to 197.

Emden: Newcomer **Janice Welch** defeated incumbent Selectman **Scott LeHay** by a vote of 77 to 22. Neither candidate returned nomination papers in time to make the secret ballot, so both needed to let voters know they were running as write-in candidates. Welch has served on the planning board. LeHay served two stints on the select board, both three-year terms.

Fort Kent: Voters elected two new councilors to replace an incumbent and another member who did not seek re-election. **Corey Pelletier** garnered the most votes with 276, followed by **John Bouchard** with 205 votes. **Dan Marquis**, board chairman, lost his reelection bid with 150 votes. Council member **Jacob "Jake" Robichaud** did not seek re-election.

Frankfort: Newcomer **Vaughan Littlefield** defeated three-term incumbent

Selectman **Joseph Watson** by a vote of 147 to 93. Watson had served nine years on the board.

Hebron: **Elizabeth Olsen** collected 28 votes to win a first term on the select board. The Oxford town clerk will replace **James Reid**, who did not seek re-election.

Jackson: **Bruce Littlefield** ran unopposed to replace **Joseph Laliberte**, who did not seek re-election.

Jay: Voters replaced incumbent Selectman **Keith Cornelio** with **Thomas Goding**, a former board member who received 281 votes to Cornelio's 166.

Knox: Voters elected newcomer **Lucas Bryant**, who ran unopposed to replace **Jeffrey Stevens**, who did not seek re-election to a third term.

Industry: After serving 15 years as selectman, **Robert Geisser** decided not to seek reelection. But voters wrote in his name anyway and he accepted the position with 28 votes.

Liberty: Incumbent Select Board member **Carrie Peavey** held off a challenge from former Selectman **Steve Chapin** by a vote of 69 to 17.

Minot: Incumbent board members **Daniel Callahan Jr.** received 71 votes and **Lisa Cesare** garnered 68 to win re-election to three-year terms. The highest vote-getter, newcomer **Brittany Hemond**, who received 79 votes, was unopposed to fill the term of **Eda Tripp**, who died last December.

Montville: Former Selectwoman **Cathy Roberts** declined a floor nomination to serve another term. Roberts then nominated **Carrie Hanagriff**, a newcomer who will serve as third select member.

New Portland: **Andrea Reichert** defeated two challengers to win election to her first term as a selectperson. She replaces **Michael Senecal**, who did not seek re-election.

New Sharon: Incumbent **Lorna Nichols** held off a challenger to win another

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

term by a vote of 71 to 48.

Newry: Incumbent Selectman **James Largess** defeated a challenger by a vote of 65 to 32 to win re-election to a three-year term.

Norridgewock: Incumbent Selectwoman **Charlotte Curtis** was edged by **Sara Wilder** by a vote of 75 to 69.

Palermo: **Robert Kurek** defeated a challenger by a vote of 56 to 50 to replace **Holly Harmon**, who did not seek re-election after six years.

Palmyra: **David Gilbert** garnered 78 votes for a three-year term as selectman, replacing **Ronald Rowe**, who did not seek re-election. The two other candidates collected 21 votes and three votes.

Poland: Former Selectman **Joseph Cimino** and newcomer **Suzette Moulton** were elected with 163 and 112 votes, respectively, to replace **Stanley Tetenman** and **Janice Kimball**, who were termed out. Former Town Manager **Bradley Plante** received 106 votes and a fourth candidate collected 107.

Searsport: Incumbent **Doug Norman** garnered the most votes in a four-way race for two select board seats. **Lynda Payson** replaces **Aaron Fethke**, who did not seek re-election. Norman collected 157 votes while Payson re-

ceived 118. Two other challengers fell behind with votes of 77 and 52.

Sedgwick: **Robert Publicover** defeated a challenger by a vote of 148 to 45 to fill the seat vacated by **Colby Pert**, who resigned with a year remaining on his term.

Solon: Voters elected **Keith Gallagher**, who ran unopposed, to take the seat of **Mary Lou Ridley**, who did not seek re-election after 20 years. Ridley was first elected in December 1998 to replace a selectman who had moved out of town.

Swanville: Incumbent Select Board member **Jeanna Bonin** held off seven challengers to win re-election with 15 votes. The closest candidate received seven votes.

Swan's Island: **Gary Farley**, **Zeke Freeloove** and **Jennifer Helman** were elected to serve on the Municipal Advisory Council (MAC). They replace **Eric Staples**, **Kathleen Clark** and **Sarah Lane**. Island voters cast their ballots from the town meeting floor. The MAC was established five years ago. The panel takes complaints from the public, conducts inquiries and then brings its recommendations to selectmen. Members have no official authority to take action on any matter.

St. John Plantation: All three incumbent assessors – **Patrick Nadeau**, **Jill Jandreau** and **Steven Pelletier** – were re-elected. Jandreau ran unopposed, while Nadeau defeated a challenger by a vote of 42 to 31, and Pelletier won by a margin of 40 to 36. Because St. John is a plantation, the top elected officials are assessors rather than selectmen.

Temple: **David Lovejoy** was nominated from the floor, with no opposition, to replace **Kevin White**, who did not seek reelection.

Thorndike: **Larry Hustus** held off a challenger by a vote of 33 to 13 to win another term as selectman.

Weld: Incumbent Selectman **Tom Skolfield** defeated a challenger by a vote of 47 to 27 to win another term.

West Paris: Select Board Chairman **Michael Grass** defeated former Select Board member **Denny Henderson** by a vote of 51 to 22 for a three-year term on the board. Grass first won election in October 2016 to fill the unexpired term of **Peter Collette**.

Washburn: **Allen Deeves** ran unopposed to replace **Brad Bragg**, who resigned before finishing his term. Selectmen waited until town meeting so voters choose the successor. ■

ELECTIONS, ELECTIONS, ELECTIONS

HAS YOUR TOWN HAD ITS ELECTION?

**DID YOU LET MMA KNOW, SO WE
CAN UPDATE OUR DATABASE?**

NO ELECTION, BUT YOU HAVE CHANGES: LET US KNOW!

DATABASE IS UPDATED DAILY

Call Val or Kimberly: 1-800-452-8786 or 207-623-8428

Email: PersonifyRequests@memun.org



Maine Municipal Association

60 Community Drive – Augusta, ME

1-800-452-8786

www.memun.org



South Berwick and Tuskegee: So different, so much the same

A special, grassroots idea in a predominantly white, southern York County town takes hold through a visit to Alabama and one planned in Maine this month.

By Steve Solloway

How does a community begin meaningful discussions about diversity and racial issues when virtually everyone in their Maine town looks so much alike?

Which begs a second question: Are these conversations necessary?

A small group of citizens in South Berwick answered the two questions over a year ago, reacting to news of tense racial relationships across the country and a racial incident in their own backyard on a school bus.

David McDermott, a former South Berwick town councilor and Karen Eger, the town librarian, helped turn an idea for social change into a reality, forming what is now known as Common Ground: the South Berwick and Tuskegee Sister City Project. The relationship between a town of about 7,500 people in southern Maine and a small city in Alabama of about 8,800 is believed to be the first of its kind in the U.S. The better known sister city relationship, encouraged by President Dwight Eisenhower in the mid-1950s, is international in scope.

To begin, the South Berwick group needed the recognition and the blessings of the town council. McDermott asked to meet with Town Manager Perry Ellsworth. In April 2017, the proposal of sister cities was presented to the council. With little discussion, the town council approved the request and issued a proclamation.

Whereas: The communities of South Berwick, Maine and Tuskegee, Alabama are justifiably proud of their uniquely historical significance in the American story and

Whereas: Both of our communities are

Steve Solloway is a freelance writer from Hallowell and regular contributor to *Maine Town & City*, ssolloway@roadrunner.com.

rich in cultural resources including music, literature and the arts, and

Whereas: Both of our communities seek to create mutual respect, understanding and cooperation between our citizens through exchanges and the sharing of our histories and culture, and

Whereas: Citizen groups in both communities have formed to further and bring to fruition this Sister Community relationship.

Now, therefore, the Town Council of South Berwick, Maine proclaims its desire and intention to join with the City of Tuskegee, Alabama in supporting the efforts of citizens to engage in activities to foster a Sister Community relationship that will be the basis of exchanges and programs to foster our respective understanding and friendship.

Discussions on race relations were not specifically mentioned in the ceremonial phrasing. But the phrase “to create mutual respect, understanding and cooperation between our citizens” says enough. South Berwick is about 96 percent white. Tuskegee is about 96 percent black.

Ellsworth remembers when McDermott visited his office with the sister city proposal. “I told him that I did not believe we had any racial issues here but was willing to place him on the town council agenda,” Ellsworth said.

John Kareckas, this year’s chairman of the town council, was more than interested in what McDermott’s presented.

‘Set a good example’

“At the time... I saw it as an opportunity to set a good example and reinforce the ideas of the volunteer committee. Setting a good example every day is an achievable goal for all of us and this citizen-based effort is

reflective of what a nice place South Berwick is, and an example of what we all can do to help it make it better.”

Kareckas reached for a quote from the iconic Fred Rogers of Mister Rogers’ Neighborhood to explain his approval of a sister city relationship. “Never underestimate the impact that your mere existence can have on another human being. There is something of yourself that you leave at every meeting with another person.”

Plus, Kareckas’ son received a Fulbright Grant in 2015 to teach English in Poland. “He gained perspectives unavailable here in Maine... He developed friendships and understanding which shall benefit him and his work for the rest of his life. I hope participants in this sister city relationship can gain in a similar way.”

Seven months after the proclamation, a group of nine from South Berwick visited Tuskegee for three days at their own expense. Eger, the South Berwick librarian, gave Ellsworth another perspective when she repeated a conversation from the visit.

“I was amazed,” said Ellsworth. “A person told Karen this was the first time she had ever sat with a white person and discussed race issues. I had told (Eger) previously that I do not see color when I see or talk to people. My life has been filled with interactions with people of all races.

“I now wonder if some residents of our community may have never sat down with a group of African-Americans to discuss race issues.”

Eger, the town librarian, later echoed Ellsworth. After the racial incident in South Berwick, about a hundred people attended a meeting to discuss race relations in their town. “People didn’t know how to talk about

race,” said Eger who has tried to jump start community discussion with sessions at the South Berwick Public Library. Not many attended.

During a recent two-hour meeting at the library with many of those who went to Tuskegee, a question was asked of the group: How does one describe the character or personality of South Berwick?

“Very family-oriented,” said Scott McPhedran, pastor of the First Baptist Church in town. “Politically, people vote the issue more than the party. (Regarding the sister city relationship) I think the conversation has started. People are beginning to understand this isn’t a church thing. It’s a community thing.”

“This is a busy community,” said Eger. “If you want to schedule something, you need to check the community calendar first because there’s so much going on.”

McDermott said he’s heard of a lot of community support for the sister city relationship since the group’s return from Alabama. Eger said she can imagine some believing what they are doing is “silly.” That theirs is simply a group of do-gooders.

Quickly, Eger rebuts that. The sister city project is important, she and the others say. More dialogue needs to happen. “Our community is poorer because we’re not diverse. We can learn so much more.”

At the same time, Eger questions if she has done enough to interact with South Berwick’s minorities and if they were “invisible” to her. That concern was shared by others in the group.

More importantly, that feeling is part of the greater mission.

‘Folks are folks’

“Who we are in Maine is vastly different than Alabama,” said Kareckas. “While different in cultural make-up, folks are folks and I’m sure those in Tuskegee share similar hopes and dreams for their community as we do in South Berwick. Clearly, we have walked different roads. But it is our job to find a common ground upon which we move together.”

Their short trip to Tuskegee was an eye-opener and in their minds, a success. “We invited them first,” said Roberta Beavers, a former state representative for South Berwick. Tuskegee declined offer, initially, to visit south-

ern York County. “(So) we invited ourselves,” said Eger.

At first, some in Tuskegee’s municipal government believed this to be a business trip, meant to foster commercial ties in some way. Quickly, those beliefs were changed.

McDermott, the former town councilor, still smiles at imagining himself being elected to Tuskegee’s four-person city council. “I don’t have a nice enough suit, first of all. And, I say whatever is on my mind, whenever I want. That’s just not the way it’s done there.”

Meaning, they repeatedly encountered southern hospitality. “I think the difference with us, we’re fierce individuals,” said Eger. “Every time someone stood up to speak they acknowledged someone else in the room and how they helped.”

Tuskegee’s pride in its history from Booker T. Washington (founder, Tuskegee University) to George Washington Carver (Tuskegee professor, botanist), its airmen who fought in World War II, and Tuskegee University was evident. So was the pain of the Tuskegee syphilis experiment, where for 40 years, black men endured



The nine-member group from South Berwick who helped initiate the Common Ground: South Berwick and Tuskegee Sister City Project stand with Tuskegee teachers at a school playground in early December, 2017. (Submitted photo)

untreated syphilis so they could be observed in the name of medical science.

Since the visit, Julia Ouellette compiled a list of how the sister city relationship has moved forward. Amy Miller, a South Berwick writer/journalist was on the visit and has joined with a counterpart in Tuskegee, Karin Hopkins, to write a blog in Foster's Daily Democrat (Dover, NH), the daily newspaper for South Berwick. The blog will also appear in Tuskegee's weekly newspaper.

Effort taking off

A Facebook page was developed that is approaching a few hundred members. Schools in each community have become involved, as have book clubs. A South Berwick family added Tuskegee to their travel plans and experienced a welcome. A South Berwick high school senior interested in a historic black college education visited Tuskegee University and was hosted by a local family. An older woman in South Berwick has asked about a Tuskegee pen pal.

Ellsworth, the town manager, was unable to join the South Berwick group on its December visit and looked forward to the visit of Tuskegee folk that was held in late May. "I am a strong supporter of the direction this is going in. Both of our cities have rich histories. I intend to promote the same hospitality that they showed our group.

"I can only see good coming from this. Understanding each other's views will go a long way to making this world a better place for all of us."

The visitors from Tuskegee picked a time when they believed Maine snow would be gone. They're anxious to walk on an ocean beach. They anticipate eating lobster. They will visit schools and will speak at a student assembly.

"Depending what the committee comes up with," said Kareckas, "there might be other opportunities (for South Berwick's town councilors to interact.) But more important than governmental, I hope the program grows through person-to-person exchange opportunities where the participants find areas of mutual interest and growth.

"If the town can offer appropriate governmental support, I'm sure we'll find a way to pitch in." ■



Tony Haygood, Mayor of Tuskegee, Alabama, shows off a gift from a group of visitors from South Berwick who spearheaded the South Berwick-Tuskegee sister cities project. Left to right: Heidi Early-Hersey, Vicki Stewart, Mayor Tony Haygood, Karen Eger, Scott McPhedran, David McDermott, and Julia Ouellette. (Submitted photo)

Smarter banking is smarter financing.

Public-sector financing available state-wide.

Androscoggin Bank can meet all of your financing needs, including:

- Lease financing for 100% of new or used equipment;
- Tax-Anticipation Notes and Bond-Anticipation Notes (TANs and BANs);
- General Obligation Bonds (GOBs).

Ready to discuss your options?



Call John Simko today.
Vice President, Androscoggin Bank
Jsimko@androscogginbank.com
207-376-3623

androscogginbank.com

Androscoggin
Smarter Banking™



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



HOMETOWN CAREERS

FIND YOUR FUTURE IN MAINE'S TOWNS AND CITIES

ABOUT OUR CAMPAIGN



Maine Municipal Association's Hometown Careers campaign was born out of necessity. Maine is one of the "oldest" states in the nation, many municipal employees are nearing retirement and the unemployment rate is low. Plus, municipal jobs are so important. The need for municipal services will never go away.

In January 2018, MMA launched a statewide social media and web advertising campaign designed to make people – especially young people – more aware of the exciting career options available within municipal government.

That effort drives people to our interactive website, www.mainehometowncareers.org. Upon arrival, readers learn what local government does, they see and hear real Mainers talk about the rewards of municipal employment. And, they have searchable access to MMA's municipal Job Bank, the most extensive listing of local government job openings in Maine.

For MMA members, even more tools are available. The Members Area of the MMA website provides handouts that municipal employers can use, logos and instructions about how to promote Hometown Careers on municipal websites and Facebook pages.

The sky is the limit! Municipal careers in Maine offer unparalleled quality of life and they provide deep satisfaction, knowing that you serve a community in meaningful ways.

You really can make a difference, with a Hometown Career.

**COME HOME TO A MAINE MUNICIPAL CAREER,
AND REAP BENEFITS BEYOND YOUR PAYCHECK.**

Contact towns and cities near you about available jobs, today!

MAINEHOMETOWNCAREERS.ORG

4th Annual **HR** & Management Municipal Conference

June 14, 2018

Thomas College Waterville, ME

ATTENDEE REGISTRATION



Maine Municipal Association

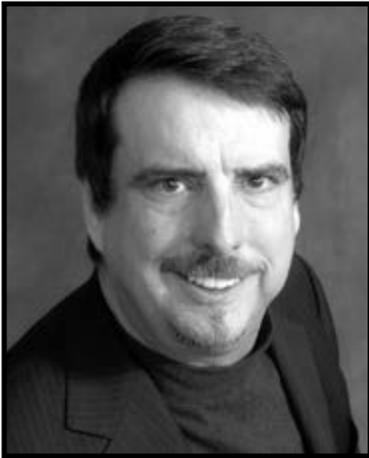
Presented by: Maine Municipal Association

In Cooperation with: Maine Local Government Human Resources Association



www.memun.org

KEYNOTE SPEAKER: Jim Mathis, The Reinvention Pro



Positioning People to Excel

Every municipal leader wants people to work together to reduce stress – including the leader's! How do you manage different people in a changing environment? Can you communicate with everyone using their individual strengths? Jim Mathis, a bestselling author and professional motivational speaker, has helped leaders around the country to reinvent their organizations and leadership styles. This session, sprinkled with humor, will teach attendees about the essential tools for managing, leading and retaining good employees, improving communication and reducing stress.

Conference Agenda:

8:00 am: Registration

8:45 am: Welcome (Summit Rm)

Welcome by Stephen W. Gove, Executive Director, Maine Municipal Association, and Nick Isgro, Mayor of Waterville

9:00 – 10:00 am: Keynote Presentation (Summit Rm)

Positioning People to Excel

Session Summary: Every municipal leader wants people to work together to reduce stress – including the leader's! How do you manage different people in a changing environment? Can you communicate with everyone using their individual strengths? This session, sprinkled with humor, will teach attendees about the essential tools for managing, leading and retaining good employees, improving communication and reducing stress.

Presenter: Jim Mathis, author and motivational speaker

MTCMA Certification – 1 point Leadership category

10:00 – 10:15 am: Break/Visit with Sponsors

10:15 – 11:15 am: Block 1

Emerging Issue: Sexual Harassment (Auditorium)

The last year or two have seen sexual harassment in the workplace take on new proportions, toppling leaders in business, the entertainment industry and federal government. How can municipal leaders and managers minimize the chances of this happening in their “shops,” without infringing on employees' legal rights?

Presenters: Thad Zmistowski and Sarah Newell, Attorneys, Eaton Peabody

MTCMA Certification – 1 point Human Resources and Legal categories

Recruiting the Future: Hometown Careers (Summit Room)

Four months ago, Maine Municipal Association launched a major campaign to encourage young people and those considering career changes to consider careers in municipal government. At this session, attendees will hear an update about this campaign. You will be asked to offer feedback and talk about future efforts.

Presenters: Stephen W. Gove, Executive Director, Maine Municipal Association; Gina Tapp, Director of Human Resources, City of Portland

MTCMA Certification – 1 point Human Resources and Leadership categories

11:20 – 12:20 pm: Block 2

Recognizing Signs of Employee Impairment (Auditorium)

The legalization of recreational marijuana use in Maine has brought new attention to an age-old problem, namely how managers and employers can look for signs that workers may be under the influence on the job. This session offers tips on warning signs, along with legal advice on how to approach the issue when it becomes necessary.

Presenters: Scot Mattox, former Portland Police Sergeant, Attorney and Owner, Dirigo Safety, LLC; Daniel Thompson, Firefighter, Town of Limington and Adjunct Instructor, Dirigo Safety, LLC

MTCMA Certification – 1 point Human Resources and Legal categories

Support Our Troops through USERRA (Rooms 103/104)

The Uniformed Services Employment and Reemployment Rights Act establishes rights and responsibilities for mem-

(Cont'd on next page)

Conference Agenda:

bers of the National Guard and Reserve, and their employers. Come hear how the act works and how employees can support troops, while also managing their municipal workloads back home.

Presenter: Attorney Michael Stultz, MMA Legal Services Department

MTCMA Certification – 1 point Leadership and Human Resources categories

Quality Updates to MMA's Salary Survey Tool

(Summit Room)

Maine Municipal Association's online Municipal Salary Survey entered its third year in 2018, and we've made significant changes to make it more printer-friendly and easier to use. More than 210 municipalities enter data and use the survey each year. This is an incredibly valuable HR tool that you need to know more about!

Presenter: Holly Maki, Dynamic Benchmarking

MTCMA Certification – 1 point Human Resources category

12:20 – 1:20 pm: Lunch

Cafeteria style, "picnic" stations, can sit in cafeteria or outside.

1:20 – 1:30 p.m. Break/Visit with Sponsors

1:30 – 2:30 pm: Block 3

The Impact of a Rising Minimum Wage *(Auditorium)*

We know that relatively few municipal workers are paid the minimum wage in Maine, although some are. However, as the minimum wage increases, and all kinds of employers increase their salaries to meet it, ripple effects are felt through the municipal world.

Presenter: Commissioner John Butera, Maine Department of Labor

MTCMA Certification – 1 point Human Resources category

Maine Veterans' Services: Points of Access *(Rooms 103/104)*

Come and learn more about the Maine Bureau of Veterans' Services mission, services and points of access that are available to veterans – including veterans whom you employ – in the State of Maine. Learn how to effectively provide your employees or citizens with helpful assistance, how to refer

them to the bureau and where to obtain useful information.

Presenter: Adria Horn, Director, Maine Bureau of Veterans' Services

MTCMA Certification – 1 point Human Resources category

Handling Employment Claims *(Summit Room)*

Please join our expert speakers as they provide real-life case studies of actual employment claims, examining what was done, what could have been done better, the outcomes of the claims and why decisions were made to defend them or settle.

Presenters: Attorney Mark Franco, Drummond Woodsum; TBD MMA Risk Management Services Claims Representative

MTCMA Certification – 1 point Human Resources and Legal categories

2:30 – 2:45 pm: Break/Visit with Sponsors

2:50 – 3:50 pm: Block 4

Using Technology – In the Appropriate Ways

(Auditorium)

Technology is a wonderful gift (most of the time). It makes employees more productive, makes communication easier and often saves money. However, it also poses challenges, particularly in the area of inappropriate images and messages. How can municipal employers monitor technology use and step in when necessary?

Presenters: Mark A. Bower and Alyssa Tibbetts, Attorneys, Jensen Baird Gardner Henry, Portland

MTCMA Certification – 1 point Human Resources and Legal categories

How Full Is Your Bucket? *(Summit Room)*

This workshop will reveal how even the briefest interactions affect your relationships, productivity, health, and happiness. Abby's engaging presentation style will have participants laughing and learning how this simple approach can change your life and lead to better morale in your workplace.

Presenter: Abby DiPasquale, Health Promotion Coordinator, Maine Municipal Employees Health Trust

MTCMA Certification – 1 point Leadership and Human Resources categories

Directions to Thomas College: Thomas College is located at 180 West River Road in Waterville, Maine. From Interstate 95 exit 127 (formerly 33), go east on Kennedy Memorial Drive (Route 137). In approximately 1.5 miles, turn right onto West River Road (Route 104 South). Thomas College is 1.5 miles on the left. **Please follow these directions instead of those provided by your GPS for the best route to campus.**

Pay by credit card when you register online here: <https://memun.org/Municipal-HR-and-Management-Conference/Registration>



Attendee Registration

June 14, 2018 – Thomas College, Waterville, Maine

Presented by: Maine Municipal Association

In Cooperation with: Maine Local Government Human Resources Association

Registration Type *(please check ONE):*

- MMA Member Municipality/Patron/Non-Profit/State Agency-\$75.00
 Non Member Municipality-\$150.00 / Business Representative-\$100.00

Billing Information:

Full Name: _____

Employer: _____

Billing Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Name Badge Information *(Name badge will read as indicated here):*

First Name: _____

Last Name: _____

Primary Title: _____

Employer: _____

Payment Options: Send invoice* Check will be mailed** Payment Enclosed** PO #: _____

*(*You will be invoiced after the Conference – **Please send a copy of this registration form with payment)*

→ Credit card payments accepted with online registration only. ←

Fax registration form to: (207) 626-5947 **Mail form to:** HR Conference Registration, Maine Municipal Association, 60 Community Drive, Augusta, ME 04330. **Please make check payable to: Maine Municipal Association**

Dietary Requirements: We do our best to plan meals according to general dietary guidelines. If you have a specific dietary restriction, please call our office at least 5 business days prior to the start of the event. Please note that we are not able to accommodate onsite requests, as catering planning happens in advance of the event.

ADA Message: In order to ensure your complete participation, we would appreciate your informing us of any special requirements you may have due to a disability.

Questions & Cancellations: Cancellation notification must be given in writing at least 3 business days before the session begins. Any cancellation received within that 3 day window will be charged the full registration fee. All cancellations are subject to a \$10 administrative fee for processing. Please go to <http://www.memun.org/TrainingResources/WorkshopsTraining/Cancellations.aspx> to cancel. If you have any questions please contact the Educational Services Office at (800) 452-8786 or (207) 623-8428.

If I led
my
community...



Maine Municipal Association 7th Grade Essay Contest **Winners**

Lauren Dennen

Greely Middle School, Cumberland

If I led the community, I would work towards many vital goals. One goal I would work towards meeting is to increase community participation in local events and volunteer activities, ideally people of all ages. This would improve the community by increasing a sense of connection among townspeople. This also gives residents an opportunity to help and improve a part of the community by giving back. It is very important to make the community as strong as possible in times of sorrow or crisis. When the community is deeply connected by these activities, it allows us to better understand and guide each other. For example, when a community is strong in times like those, it allows us to better support each other in times of hardship. A leader needs to set the right example and be loyal to the people so that the people will trust and respect the leader in return. Having a loyal community contributes to making the town as strong as possible. When one shows compassion and support, others will follow and continue to spread this love to other places, making a difference.

Another goal I would set if I led my community is to provide more services and activities for the elderly. Activities such as crafts, exercise programs, classes, etc. This idea could take action if volunteers helped to put on classes and activities. The town would work to gather volunteers, create a place to do the activities (possibly outside), and put out word of the services. All these services would provide the elderly with fun interests and ways to keep them healthy and happy. This idea could benefit the town for numerous reasons. For example, when the elderly have these opportunities to stay happy and healthy, it contributes to people wanting to spend their lifetime in the town. In result, if more make the town their home, it can build stronger community character. Additionally, this idea could influence more people to relocate to the town and continue the flow of positive, beneficial community members.

The final goal I would work towards if I led the community is making sure that the full time preschool education cost was more affordable for working parents. This idea could take action if property taxes increased slightly. One could disagree with this action, but in result, many could be benefited. This would offer working parents a more affordable option to educate their kids, and have an easier time balancing education expenses with additional costs of a little child. This benefit would attract more families to the town and contribute to a

strong community. The strongest communities take care of the young and the old, not just a certain age group, so the care of all important parts of the community would be benefited.

CONTEST JUDGING

Seventh-grade teachers from around the state submitted 160 students' essays for judging in Maine Municipal Association's sixth annual essay contest, which is part of our Citizen Education program. Essays were judged based on clarity of writing, quality of writing and showing an understanding of municipal government.

MMA wants to thank and recognize the contest judges: Kate Dufour, Director of State & Federal Relations at MMA, and a former Hallowell City Councilor; and, Doug Eugley, town meeting moderator and former Selectman with the Town of Sidney, who works as an accountant in MMA's Finance Department.

LOCAL GOVERNMENT
begins with **YOU**

If I led my community...

Maine Municipal Association 7th Grade Essay Contest **Winners**

Damon Wilson

Windsor Elementary School

If I led my community, I would first ask why the Town of Windsor elected a seventh grader for such a difficult task! After that, I would focus on ways I could improve the lives of our residents such as maintaining worn roads, creating a public library and lastly I would make a farmers' market.

The first way I would improve the lives of our residents is maintaining worn roads. One monumental thing about Windsor is the tremendous amount of trucks that travel our roads daily. As a result, the roads wear down more easily than most. Hence, why I would maintain the roads in order to improve transportation. Another idea that could maintain the roads is to start a group of volunteers to help pick up litter on the side of the road. In addition, students at Erskine Academy who are required to have community service hours could join the group in order to achieve the requirement. These are some of the ideas I would pursue in order to maintain the roads of Windsor.

The second idea I would approach is constructing a Windsor library. A major part of Windsor residents' daily lives is reading. Though there is a kid library integrated into Windsor Elementary, there is yet to be a library for adults. As a result, I would establish a library in order to satisfy the needs of our residents. In contrast, if the budget committee declines my suggestion, I could introduce the idea of an expansion onto the school library, where adults could find books that interest their reading level. However, since this would be a big addition to the Windsor School budget, I would start a fund that could grow over the years, instead of draining Windsor's budget for one big project. Once the fund has enough money saved, the next town manager or I could start building the library.

The last idea I would pursue is a farmers' market. One of Windsor's many attributes is its acres of farmland. As a result, a farmers' market would be appealing to many community members. All of the local farmers would be able to rent out a stand in order to sell some of their fresh veggies, meats, baked goods and fruits. Another reason why Windsor would benefit from a farmers market is our neighbors. Many of Windsor's neighboring towns such as Whitefield have farmers who have vast farms and grow tons of crops every year. Furthermore, if there was a farmers' market they would have an efficient way to sell their crops. This is why I believe a farmers' market would be an appeal to not just Windsor but also our neighboring towns.

To sum up, I'm glad I'm just a seventh grader instead of the town manager. After all, being a town manager or mayor is one of the most complex and difficult occupations for anyone. On the other hand, who knows – maybe one of my ideas will help mold the future of Windsor.

LOCAL GOVERNMENT
begins with **YOU**

If I led my community...



Maine Municipal Association 7th Grade Essay Contest **Winners**

Cassidy Dean

Greely Middle School, Cumberland

If I led my community....

Having a strong community takes many elements and hard work. People need to work together in unison while having a determined leader. It takes smart decision making and prioritization to keep everyone happy. I would bring this and other changes to my community to make it a better place.

A main priority of mine is listening. People spend a lot of time talking but not always enough time listening. Sometimes they suggest ambitious plans that cost money and raise taxes, something that is a concern for many in my community. I would focus on hearing input from the community about ways to improve our lives. My community has a select board that makes decisions. During the public meeting, people speak and share their opinions. However, these meetings sometimes take hours and many people don't want to attend the meetings for this reason. I would like to reach out to people in a way that is more convenient for them, such as having "office hours," a few hours every day or week at our local cafe where we can talk and I can learn about what's important to them.

Another thing I'd do if I led my community is create events or programs where everyone can come together. I'd do this by holding a community picnic where we could have at our recreational facilities. Using these facilities would be utilizing a place that already exists but could benefit more people if there were community-wide events, not just events for sports teams. I would place more benches along the sidewalks and in the recreational fields. It could be something that everyone could use and make stronger bonds, by people getting to know each other.

I would also like to bring together the students who are in the school system with the elderly people. There's a group called Aging in Place that helps our seniors but they don't work with the school system. I think it would be beneficial to bring those two groups together, it would facilitate bonding and provide an opportunity for the seniors to be role models for younger citizens.

Finally, I would improve the media for the town. We currently have a public access channel and a newsletter. Not many people watch or read these or even know about the media outlets. Improving these and using young people to help create some of the content could make the community a better place because people would know our local news and be more in tune about what is happening in the place they live. For example, we could write an article or a TV segment on our historical society and show our history and its importance.

Overall, these efforts could really improve my community. Most of these ideas wouldn't increase or strain the municipal budget, which would be unrealistic. Having a happy and connected community is important, and finding ways to make those connections strong would be my priority if I led my community.

LOCAL GOVERNMENT
begins with **YOU**

PEOPLE



Barbara McDade

Bangor public Librarian **Barbara McDade** ended her 27-year career on May 11, having guided the library through myriad major changes over the decades. Among her many accomplishments were converting card catalogs to digital format and operating the library through two major renovation projects, with a combined cost of nearly \$20 million. McDade said she will miss most the patrons who share her love of books. She

has worked in libraries for 40 years. McDade worked at a number of libraries in Pennsylvania and New Jersey before moving to Maine to take the Bangor job. After conducting a nationwide search, the manager and city council hired Brewer native **Ben Treat**. Treat is a Bates College graduate who earned a master's degree in library science from Simmons College in Boston. In 2017, Treat earned a master's degree in English from the University of Maine. His first job after graduations was as reference librarian at the Boston Public Library.



Patricia Gray

Bar Harbor Town Clerk **Patricia Gray** will retire this month after 19 years. The state's 2017 Clerk of the Year, Gray delayed her retirement in 2014, after the town manager resigned, to ensure smooth town office operations while a new manager was recruited. Gray was praised by selectmen for "her signature quiet, professional and capable manner."

Ryan Leighton, most recently Lisbon's Public Works director, was named Brunswick assistant town manager. He worked for Lisbon for 17 years before starting his new job on March 30. Leigh-

ton replaces **Derek Scrapchansky**, who resigned a year ago. Leighton has experience as an administrator, code enforcement officer and in facilities maintenance. He holds a bachelor's degree in mechanical engineering from the University of Maine.

Retired Police Chief **Theodor Short**, who was the first Maine chief to lead two departments simultaneously – Eliot and Kittery – was named the state's U.S. marshal. Short retired as police chief in 2016 after a 20-year career with the Maine State Police, where he retired as Troop A commander. His law enforcement career began in the U.S. Army, where he served as a military police officer. A Fairfield native, Short was appointed to a four-term term.

Fort Kent Police Chief **Tom Pelletier** was named interim town manager in April, to serve while selectmen recruit a replacement for **Don Guimond**, who retired in March after 24 years. Pelletier has worked as Fort Kent chief for five years after a career with the Maine State Police. Selectmen were relieved to get an interim manager, noting that selectmen do not direct municipal employees or departments. Pelletier will work from the town office, which is close to the police station.

Freedom selectmen in April presented **Meredith Coffin** with a Spirit of America Award for commendable public service. Coffin is the town's solid waste representative and was instrumental in developing the town's trash collection and recycling efforts.



Danielle Loring

She replaces **Arlan Saunders**, who an-

nounced his retirement last December.

Penobscot Fire Chief **Dennis Robertson**, after fighting fires for 28 years and then stomach/pancreatic cancer five years ago, retired last month. He said he would have continued but he is tired and doesn't always feel strong. He wants to write off some "bucket list" goals – including visiting family in Hawaii. He credited his wife with saving his life, since he was "given" less than a year to live. When he did not want to eat or drink, she would force him to; he credits that persistence for beating the odds. He said a vivid memory that still moves him is the night he could not attend a firefighters' meeting and how all the volunteers came to his home instead, dressed in their uniforms.



Stacey Desrosiers

Stacey Desrosiers, St. Albans' town clerk for 25 years, did not seek re-election at the March town meeting. Desrosiers was appointed town clerk in May 1992 to fill a vacancy and then was elected without opposition for the next 24 years. She was presented a Spirit of America Award in 2014 for exemplary work and dedication. She has served in numerous community efforts, including the food cupboard, cemetery committee and bicentennial committee.

Peg Hobbs, co-chair of the Washington Recreation Committee received a Spirit of America Award from selectmen last month for her pivotal work to ensure completion of a new building for equipment for town ballfields, among many other community efforts.

EMT **Kristin Draper** was named the Wiscasset Ambulance Service's 2017 Employee of the Year in April. She has worked for the department since 2009. She was selected for high quality service, assisting with non-medical duties and managing public relations and social media, among many other efforts. She also is a volunteer for the Westport Fire Department. ■

CAPE ELIZABETH

A divided town council voted in April to allow a councilor who is married to a school board member to participate in school budget discussions. Before being elected last November, the councilor sought advice from the town attorney, who said nothing in the town charter prohibits a married couple from serving simultaneously on the council and school board. However, he also said that allowing a councilor to vote on the school budget was not so clear-cut. After debate over two meetings, a motion to ask the councilor to recuse himself failed by a vote of 4-2.

CARIBOU

A new collaborative effort envisions creating a regional office for assessing and code enforcement in Aroostook County. In April, the county commissioners approved a grant application for the proposal and hope to hear from the state this summer. Based on a county-wide survey last fall, a large majority of Aroostook municipalities said they need help with assessing and code enforcement services. Most communities contract with a private person or company for assessing. Under the proposal, the new office would provide all assessing services to contracted municipalities, as well as code enforcement for towns without a staff code enforcement officer. The proposal also calls for creating a Regional Board of Appeals to serve all participating communities and provide board members to serve in towns that lack enough appeals board members.

CRANBERRY ISLES

After town voters agreed last year to spend \$1.2 million to upgrade internet service on three of five remote islands off Mount Desert Island that constitute the municipality, the U.S. Department of Agriculture recently notified town leaders that it will pay the bill. The service is supposed to rival the quality of service in New York City. Prior to last year's vote, residents were at risk of losing what internet service was available after learning the owner of property that housed the service equipment

wanted to eliminate it to make the property easier to sell. The Island Institute, a nonprofit that supports Maine islands and residents, helped to get the federal money, among others' efforts.

FORT KENT

At the request of a town councilor, the board voted in April to begin reciting the Pledge of Allegiance before each meeting. There was discussion about how previous councils have not recited the pledge, but that in many schools it is a policy although students do not have to participate. The councilor who wanted to start the practice said he thought since Americans seem so divided about so much, the pledge would be a reminder of why the nation is called the United States.

PORTLAND

A city council subcommittee on Health and Human Services has outlined a proposed ordinance to require city businesses to provide paid sick leave to all employees, whether full- or part-time or seasonal. The ordinance was drafted by the Maine Women's Lobby and the Southern Maine Worker's Center and would make Portland the first Maine municipality to enact a mandatory sick-time ordinance. Fewer than 30 cities in the U.S. have enacted mandatory sick leave, while eight states have passed similar laws. The first hearing on the idea was held in late April and attracted a roomful of people who debated both sides of the issue over three hours. While some businesses did not testify against the ordinance, the

Portland Regional Chamber of Commerce opposed the measure, urged city officials to take their time debating it and appoint a task force to explore the consequences of such a law. Businesses are worried that profit margins could shrink or disappear, while others said the mandate would put them out of business when combined with the city passing a mandatory minimum wage of \$10.68 an hour. Meanwhile, supporters argue workers should not be forced to work while sick or give up income needed to pay their bills. An estimated 19,000 Portland workers would benefit from mandatory sick leave – mostly workers in the retail, restaurant, hospitality and home care sectors.

SANFORD

The city will receive \$850,000 from the Federal Aviation Administration and another \$50,000 from the state to build a new facility to house snow and other equipment at the Sanford Seacoast Regional Airport. The remainder of the \$3.7 million project cost would be covered by revenue generated by a 50-megawatt solar farm planned for the airport by NextEra Energy. Voters must give final approval to the plan in June municipal balloting. City officials plan to seek a bond for the entire project amount and immediately pay it down using the federal and state grants. The new building would measure 7,300 square feet and replace several smaller buildings now being used to store equipment. Additionally, equipment worth about \$1.2 million has no shelter at all. ■



- Simple ✓
- Convenient ✓
- High Quality ✓
- Low-Cost ✓

MAINE START

MaineSTART is the Defined Contribution program from Maine Public Employees Retirement System (MainePERS).

Contact: Stephanie Fecteau

www.mainestart.org

tel: 207-512-3305 e-mail: Stephanie.Fecteau@mainepers.org

MUNICIPAL BULLETIN BOARD

MAY 16

Managing Freedom of Access Requests: Skowhegan

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 – which will be held at the Margaret Chase Smith Library in Skowhegan – 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.

MAY 18

MMTCTA Annual Conference: Waterville

The Maine Municipal Tax Collectors' and Treasurers' Association will hold its Annual Conference on May 18, starting with registration at 8 a.m., at the Waterville Elks Banquet and Conference Center.

Many newsworthy topics will be covered, including a "dos and don'ts" session on property tax liens and foreclosures, a legislative update from the Maine Municipal Association and advice on protecting yourself in active shooter situations. Cost is \$100 for MMTCTA members and \$130 for non-members.

MAY 21-22

Ninth Annual MBOIA Code Conference: Northport

The Maine Building Officials & Inspectors Association will hold its two-day Code Conference on May 21-22 at the Point Lookout Resort & Conference

Center in Northport. Among the topics to be explored: development in flood hazard areas; stairway design; use of fire-retardant wood; CEO leadership; handicapped access issues, and many more.

Cost for the event varies depending on lodging and food selections, among other factors. The Maine Fire Chiefs' Association is co-sponsoring this event.

SPECIAL SESSION!

MAY 30

How to Lead Effective Meetings: Belfast

Back by popular demand, Portland-based meeting and event facilitator Nancy Ansheles will be the presenter at a special workshop designed to help elected officials, managers and department heads who lead meetings of any size. The event will be held on May 30 at the Hutchinson Center in Belfast, with registration beginning at 8:30 a.m.

Attendees will learn why preparing in advance for meetings is so important, and will be shown an effective, four-step meeting format that ensures productive outcomes. Cost for the day-long workshop is \$75 for MMA members and \$150 for non-members.

SPECIAL SESSION!

JUNE 5

Meet the Grant Funders: Rumford

During tight financial times – aren't they always tight? – the importance of finding grant opportunities, writing effective grants and landing grant money is hard to overstate. With this in mind, MMA will present experts from the USDA Rural Development office and Community Development Block Grant office to talk about their grant programs and offer general advice and instructions.

The session, to be held at Rumford

Town Hall on Congress Street, begins with registration at 9:30 a.m. and will end at 2:30 p.m. A light lunch will be served. Cost is \$55 for MMA members and \$110 for non-members. The Maine Town, City and County Management Association is offering 3.5 certification points for attending this workshop.

JUNE 19

Elected Officials Workshop: Ellsworth

Attorneys and staff from MMA's Legal Services and Communication & Educational Services departments will lead a workshop for Elected Officials on June 19 at the General Bryant E. Moore Community and Conference Center in Ellsworth. 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.

JUNE 26

New Managers Workshop: Augusta

A workshop for new municipal managers will be held on June 26 at MMA's Christopher G. Lockwood Conference Center in Augusta. The workshop will feature numerous speakers from MMA staff and from the Maine Town, City & County Management Association, including MMA Executive Director Stephen Gove and MTCMA President Larry Mead, manager in the Town of Old Orchard Beach.

The workshop will provide information about the roles of municipal managers, the rights and protections offered to public employees in Maine, the International City/County Management Association Code of Ethics and the variety of services offered at MMA. ■

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

'Sovereign Citizens'

From time to time we hear of private individuals claiming to be exempt from all laws, taxes, orders and proceedings of any governmental entity – in other words, to be above the law. At the local level this notion manifests itself most often in the refusal to pay property taxes or comply with land use regulations. These individuals are frequently self-described as “sovereign citizens” or sometimes “freemen” or simply “common law citizens.”

The sovereign citizen movement is a loose-knit, nationwide collection of far-right, anti-government individuals with origins in the late 1960s white extremist group “Posse Comitatus.” Sovereign citizens can be difficult to identify since there is no single organization, group leader, membership list or common set of beliefs. In fact there are all sorts of sovereign legal theories being peddled these days – in books, at seminars, and (of course) on the internet, and many of them contradict each other. The one thing all sovereigns seem to share (aside from their peculiar fascination with the capitalization of words and their grandiose use of legalese) is the belief that government is not real or legitimate and that they can pick and choose which laws to obey.

This of course is complete and utter nonsense – no one is above the law. The nation’s courts have uniformly rejected such claims as frivolous and fanciful. Nevertheless, there is some evidence the movement has grown in recent years, at least in certain parts of the country. This is hardly a surprise given the hyper-divisiveness of the past decade and the fertile ground of social media. But local officials should rest assured that everyone is subject to governmental authority, including the obligation to pay taxes if taxable and to obey all applicable laws – no exceptions.

Whenever we’ve been asked by local officials about how to deal with sovereign citizens, our advice has always been the same: Be firm but civil. State your position clearly. Don’t argue or engage in extended debate. Keep your cool. Follow all procedures and protocols consistently, the same as in any other case. And in any face-to-face encounter, if possible have a witness, and if necessary, a law enforcement officer.

Incidentally, one of the movement’s

favorite forms of harassment is to file false liens against the property of government officials. (Liens adversely impact property and owners in a variety of ways; clearing up false liens can be expensive and time-consuming.) In Maine, as a direct result of this malicious practice, it is now both a civil and criminal offense to file a false lien against a public official or employee (see 14 M.R.S.A. § 8601 and 17-A M.R.S.A. § 706-A, respectively). (By R.P.F.)

Executive Sessions for Board Appointments?

Question: Can our board use an executive session to interview and discuss candidates for appointment to various boards and committees, such as the planning board or board of appeals?

Answer: Yes. Although “personnel matters” usually entail employees and employment matters, the applicable provision under Maine’s Freedom of Access Act (FOAA) or “Right to Know” law captures both the hiring and appointment process (see 1 M.R.S.A. § 405(6)(A)). The statute authorizes an executive session for “[d]iscussion or consideration of the employment [or] appointment... of public officials, appointees or employees.” This language clearly contemplates both the hiring of employees and the appointment of officials or appointees. In our view it is also sufficient to authorize interviews with candidates in executive session as well as the evaluation of candidates without them being present.

As with employment matters, however, an executive session for appointment purposes is permissible only if public discussion could reasonably be expected to damage the individual’s reputation or violate their privacy (see 1 M.R.S.A. § 405(6)(A)(1)). A board should make this finding explicitly before entering into executive session, perhaps as part of the required motion (see 1 M.R.S.A. § 405(4)).

It also bears repeating that no appointment or hiring decision or any other official action by a board may be finally approved in executive session (see 1 M.R.S.A. § 405(2)). Any final decision must be made by a public vote of the board, either following the executive session or at a subsequent board meeting.

Finally, just as an executive session can be used for appointments, an executive session can also be used for the removal

MUNICIPAL CALENDAR

ON OR BEFORE JUNE 15 — 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 (22 MRSA §4311).

JUNE 30 — Pinball machine licenses expire on this date (8 MRSA §443). ■

of appointees. (The statute uses the term “dismissal.”) In fact, since an appointee can only be removed for cause, after notice and hearing (see 30-A M.R.S.A. § 2601(1)), an executive session may well be the appropriate setting in most cases to conduct the hearing. Note, however, that the appointee may request in writing that the hearing be conducted in public, in which case the board is legally bound to honor it (see 1 M.R.S.A. § 405(6)(A)(3)). Also note (again) that no final decision may be made in executive session.

For what constitutes sufficient “cause” for the removal of appointees (and employees for that matter), see “‘For Cause’ Removal of Municipal Appointees,” *Maine Townsman*, Legal Notes, February 2000. (By R.P.F.)

USERRA Protects Employees Engaged in Military Service

Question: We have an employee who is a member of the Army National Guard. What are our legal obligations under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)?

Answer: USERRA is the federal law that guarantees protection against discrimination in employment based on an individual’s prior or current service in, or intent to join, the uniformed services. USERRA applies to all private and public employers, including the federal government and state and local governments.

USERRA generally requires U.S. employers, regardless of size or location of operation, to reemploy eligible veterans returning to their civilian employment after a period of service in the uniformed services. With certain exceptions, employers are required to provide training to restore competency, and to restore

LEGAL NOTES

seniority, status, pay, pensions and other benefits that would have accrued during the period of the employee's absence due to military service. Additionally, employers are generally responsible for funding the employer's share of the employee's civilian retirement plan while the employee was away on military duty.

USERRA protections extend not only to military personnel but also to those serving in the National Disaster Medical System and the commissioned corps of the Public Health Service. USERRA also protects anyone – veteran or non-veteran – from employer reprisals for either exercising rights or assisting in any proceeding under the statute.

The U.S. Department of Labor (DOL) investigates USERRA violations through its Veterans Employment and Training Service (VETS) arm, but complaints may be resolved informally as well through the Employer Support of the Guard and Reserve (ESGR). If efforts to resolve a complaint are unsuccessful, an employee may request that the complaint be referred to the U.S. Office of Special Counsel, which will review the case and decide whether to prosecute in federal court.

For much more about the rights and obligations of municipal employers and employees under USERRA, see our recently revised "Information Packet" on the subject, available free to members at www.memun.org. (By M.L.S.)

Excise Taxes Revisited

Despite our best efforts to stamp it out, the rumor apparently persists that local excise tax revenues can only be spent on roads. This of course is not and (to our knowledge) never has been true.

As we wrote here over a decade ago (see "Excise Tax Revenues," *Maine Townsman*, Legal Notes, November 2007), excise tax revenues (taxes payable on motor vehicles, watercraft, aircraft, etc.) may be expended for any lawful municipal purpose (see 36 M.R.S.A. § 1489). This includes, for example, general government or administration, reducing the annual property tax commitment, support of police, fire or ambulance services, road maintenance and construction, and so on.

Excise tax revenues must, however, be credited to a designated excise tax account, and as with all other revenues, they must first be appropriated by the

municipal legislative body (town meeting or town or city council) before they may be expended.

In addition, as with other taxes, excise tax receipts must be paid by the tax collector to the treasurer on the last day of each month (see 36 M.R.S.A. § 759). The collector must also account at least once every two months to the municipal officers (selectmen or councilors) for all taxes collected, including excise taxes.

For more on excise taxes, see Chapter 5 of MMA's *Tax Collectors & Treasurers Manual*, available free of charge to members at www.memun.org. There are also some excellent excise tax resources on Maine Revenue Services' website at www.maine.gov/revenue/.

Besides our November 2007 Legal Note, we've written about excise taxes several other times over the past 10 years or so. For instance, about the local option to refund an excise tax credit if the taxpayer replaces a more expensive vehicle with a less expensive one in the same year (see "Excise Tax Refunds," *Maine Townsman*, Legal Notes, August 2007, and "Excise Tax Refunds (Again)," *Maine Townsman*, Legal Notes, December 2007).

And about the local option excise tax exemption for vehicles owned by Maine residents on active duty and either permanently stationed outside of Maine or deployed for more than 180 days but who register their vehicle in Maine (see

"New Local Option Excise Tax Exemption for Active Duty Military Personnel," *Maine Townsman*, Legal Notes, February 2012).

Also about the statutory excise tax exemption for vehicles owned by those on active duty and permanently stationed in Maine, regardless of their state of residency (see "Vehicle Excise Taxes & Active Duty Military 2.0," *Maine Townsman*, Legal Notes, April 2017).

And, finally, about the statutory transfer of responsibility for collecting aircraft excise taxes from the Maine Department of Transportation to the municipality or county where the aircraft is based (see "Aircraft Excise Taxes Now a Local Function," *Maine Townsman*, Legal Notes, March 2013). For details, see our "Information Packet" on aircraft excise taxes, available free of charge to members at www.memun.org. (By R.P.F.) ■

PROFESSIONAL DIRECTORY



A. E. HODSDON
ENGINEERS
10 Common Street
Waterville, ME 04901

www.aehodsdon.com
207-873-5164

MMA Personnel Services and On-site Consulting Services

MMA Personnel Services offers a wide range of specialized on-site consulting services for our municipal and associate members. Personnel management and labor relations expertise is available for direct assistance or general inquiries through a toll-free telephone line. Direct on-site assistance is available in the following areas:

Labor Relations — Representation of the municipality in labor negotiations, mediation, arbitration and grievance processes. **Executive Search** — Assistance with the recruitment of a new city or town manager, department head and/or senior management position. **Training** — On-site training in a variety of topics. **Testing** — Entry level police and fire testing.

For more information on all Personnel Services programs, or general personnel management information, contact David Barrett, Director of Personnel Services and Labor Relations at 1-800-452-8786.

For more information visit the MMA website: www.memun.org

Making a Difference for Maine's Communities

MAINE MUNICIPAL BOND BANK



Call us when you need capital financing for your next project. Let us put our Strong Credit Rating to work for you.

Since 1972, the Maine Municipal Bond Bank has provided a successful, simple, and cost-effective borrowing program for Maine's municipalities. The Bond Bank's long-term loans provide Maine's communities access to low cost funds for all their capital needs through the sale of our highly rated tax-exempt bonds. Let us save money for you too on your next capital acquisition or improvement project.

COMPETITIVE FINANCING

LONG-TERM BORROWING

COST-EFFECTIVE FINANCING

LOWER COSTS OF ISSUANCE

P.O. Box 2268
127 Community Drive
Augusta, ME 04338
PH: (207) 622-9386 • FX: (207) 623-5359
www.mmbb.com



When you need a **lawyer**
who thinks like an **assessor**
and speaks like a **human.**



N. Joel Moser



Lee Bragg



Joan Fortin



Kevin Decker



Michael Hodgins



Shana Cook Mueller



Zack Brandwein

Meet our Property Tax & Valuation Team. We counsel and represent municipalities on local taxation, property valuations, and assessment. Our seasoned approach is informed, cost-effective, and value-oriented—and we're not afraid of math.



bernsteinshur.com/municipal-governmental-services