

Maine Townsgman

The Magazine
of the Maine Municipal Association

MARCH 2016

Enchantment and Enhancement

Municipal forests play
important roles in
many communities



ALSO IN THIS ISSUE

Waterville Chief Joe Massey

Pedestrian safety campaign

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Rumble On



Those funny sounding strips that annoy motorists when they cross them probably save people's lives. Local and state officials swear by rumble strips.

Tribute to our friend. Ed MacDonald, Loss Control Manager with MMA's Risk Management Services Department, died on his way home from work on Jan. 29. We miss him. [Page 5](#)

2016 Municipal Technology

Conference: Working our partners, the Maine GIS Users Group and ConnectME Authority, we've built a can't-miss event, to be held in Augusta on May 5. [Page 31](#)

Nothing So Beautiful

Remember that Joyce Kilmer poem about trees and beauty? Turns out, Maine towns and cities own a fair number of trees – and forests. Here's how they enhance their communities. [Page 7](#)

'Maintaining a Civil Society'

Waterville Police Chief Joe Massey certainly has been prominent lately. We catch up with the chief to ask about current issues and what called him to law enforcement. [Page 13](#)

How Low Can They Go?

The recent decline in oil, gasoline and diesel prices provides mostly good news for municipal bank accounts. But the market for recycled plastics has taken a hit. [Page 29](#)

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COVER PHOTO: Back when we had snow – like, four weeks ago – Jeff Pouland took this photo in the heart of Bangor's 680-acre city forest..

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We'll remember you always, Ed MacDonald

You may have heard the phrase “larger than life.” Ed MacDonald was one of those people. He wasn't a famous rock star, politician or pro athlete. He wasn't a professional fisherman or hunter, though he would have liked that.

To us at Maine Municipal Association, Ed was more than a colleague. He was a friend, a supporter, an outgoing co-worker who always would lend a hand, with a twinkle in his eye.

Ed, who worked as Loss Control Manager in MMA's Risk Management Services Department, died in a car accident on his way home from work on Friday, Jan. 29. He was two weeks shy of retirement. He is survived by a loving family in Woolwich. Those of us who've had the privilege of working with him, will remember him forever. We appreciate the many well wishes and condolences that have come our way since Ed's death.

There's a saying that some people make good resumes, with career accomplishments that go on and on. But the best among us touch many people throughout their lives, in ways that one's resume may not reflect. They make memorable, meaningful differences. That was Ed.

Here's what his colleagues, our members and friends have to say about him:

“Ed was a great guy, down to Earth, easy to talk to and always honest, yet respectful of other people and their opinions.”

“He was truly one of the nicest people I have ever known.”

“Ed was always saying, ‘There's the right way. There's the wrong way. And there's Ed's way.’ ”

“Ed worked for the members of MMA to provide the safest environment possible for municipal employees. Ed would always accord you the respect of listening, and take the time to assist in finding a workable solution.”

“Ed said he was not looking forward to retirement, but was looking forward to ‘repurposing his life.’ ”

“What really stands out is how he would use your name when asking how you were doing that day. It was a personal touch that always stuck out in my mind, as Ed genuinely had an interest in the person he was talking to.”



Ed MacDonald leading a class.



Ed with Michelle Pelletier (left) and Tracy Moody.

“Ed loved being at his camp with his friends and family and he would always share stories of some adventure that had taken place there. Sometimes he would tell the same story several times, and each time it was as entertaining as the time before.”

“He taught me so much over the past 25 years. He knew more about the construction of a building than I could have ever learned in a book. I will never look at the ridge line of a roof or a bow in a wall the same.”

“Ed had a passion for hunting and he would fondly talk about the time he spent with his sons in the woods enjoying what they loved to do as a family.”

“He always enjoyed sharing some new tidbit with the consultants, and at times would feel a little chagrined if they already knew the topic. I remember one day when he came into the consultant area all excited about a new term he had just learned – Histoplasmosis, which is a respiratory disease acquired from dried bird droppings. He started to ask if any of us knew the term and, without missing a beat, the consultants replied with the definition. He stated, ‘You know this?’ and we replied, ‘Yes, we do!’ He shook his head as he turned and went back to his office. But that didn't stop him from doing more research.”

“Ed was never at a loss for words... He loved fishing, especially for brook trout in the North Maine Woods. How could anyone forget his ‘Mr. November’ calendar from a few years ago, after he was lucky enough to harvest a big Maine whitetail buck?”

“Ed really enjoyed his job here at MMA, but he was happiest when he was on the road with his consultants helping members and mentoring his staff. He loved attending all the different MMA and affiliate conventions, where he could mingle with elected and appointed officials and trade stories.”

“Ed was a kind gentleman who was always prepared to lend a hand. A protector to anyone in need. A confidant during turbulent times. A story teller who always had a tale to share about life's joys and lessons.” ■

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2nd Annual

Municipal HR & Management Conference

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Ever-tightening municipal budgets in Maine are creating increased challenges for municipal elected officials, managers, human resource directors, supervisors and department heads. As a result, municipalities are now more concerned than ever about uses of technology in the workplace, health-care and other employee benefits, initiatives aimed at reducing costs and services, optimizing employee performance and following all of the assorted laws that go along with these topics.

This timely conference is designed to be a “one-stop shop” – one day, very well spent, concentrating on management topics.



KEYNOTE SPEAKER: Sandy Matheson

As the executive director of the Maine Public Employees Retirement System, Sandy is well-known in Maine for overseeing its largest retirement system. She will provide an update on Maine PERS, and will discuss pension and retirement benefits trends and changes.

Information will be available soon on our website: www.memun.org

Leafy assets: Municipal forests offer recreation and revenue

The best part of having public forests may be the sense of community that they provide. One expert said: 'It's a connection we can no longer take for granted.'

By Douglas Rooks

How common are town forests in Maine? Almost every town in Maine has some public, undeveloped and forested land. But according to a 2007 survey by the Maine Forest Service, there are 170 municipalities with a recognized town or city forest, comprising more than 150,000 acres statewide.

Since then, the numbers have surely grown, as more communities discover the value of public land for conservation of natural resources and wildlife habitat, as well as recreation and income from timber harvesting.

A number of towns and cities are actively promoting their public forests as an important amenity for residents and visitors. In Bangor, hotel guests and other visitors, along with city residents, frequently walk the Orono Bog, which is accessed through Bangor's city forest. Falmouth's ambitious public lands program is a hit with many residents, who are able to find solitude in parts of the town forests just a few miles from downtown Portland.

There are more traditional uses for town forests, as well. In Winterville Plantation, which has just 224 residents, harvesting in the municipal forest provides a substantial annual income that helps keep property taxes down – an increasing problem in sparsely populated communities at the edge of the Unorganized Territory.

In Shapleigh, which once had only a modest acreage devoted to forests, town holdings have been substantially expanded by devoting the income from timber harvesting entirely to purchasing more forest land. The town's active, well-planned timber



Bangor Parks & Recreation Superintendent Tracy Willette, at his city's forest entrance. (Photo by Jeff Pouland)

management effort has also attracted a number of donations by landowners pleased with the town's approach.

In the beginning

Town forests trace their origins to the creation of Maine, in the form of public lots. Each township, at the state's inception, had land reserved for schools, churches and other public purposes – land that was in many cases forgotten about until it was “rediscovered” in the 1970s. The state acquired land in the unorganized territories as a result, but the “public lots” have been also important to the subsequent creation of new towns, such as Carabassett Valley, which had a 900-acre town forest as soon as it was organized in 1973. The town now has over 2,000 forested acres in public ownership as a result of a purchase of additional “school lots” from the state when it annexed Crockerville Township.

Other forests in settled communities began as town farms, where indigent residents worked and lived, and which later returned to woods when the farms were disbanded. Bethel's town forest was created after a series of powerful microbursts destroyed the existing water treatment system, and the former reservoir and watershed became surplus after the town switched to well water.

Public land conservation got a major boost during the 1980s, when sprawling development threatened to overwhelm many of the places, particularly along the coast, where people had becoming used to walking, hiking, hunting and boating over the years. Conservation commissions were formed, often with the responsibility of overseeing town forests. Those commissions have since often subdivided, with many communities having separate trails, land acquisition and forest

Douglas Rooks is a freelance writer from West Gardiner and regular contributor to the Townsman, drooks@tds.net

management committees.

Town forests have become a high priority with some conservation funders, and money is sometimes available for new ones. The Open Space Institute, which had been most active in New York and Massachusetts, helped the Town of Denmark establish a 1,455 acre community forest in 2014; a town meeting voted \$25,000 to support the project. The institute has also supported municipal forest conservation projects in: Grand Lake Stream; Machias and Machiasport; Canton; and, Jay.

Partnerships with the non-profit sector have also become an important part of acquiring and managing town forests (*See related article P. 10.*) In some towns, land trusts own properties contiguous with town forests, allowing conservation and forest management across broader areas. One such example is Readfield, which has a thriving relationship with the Kennebec Valley Land Trust.

Readfield's 100-acre town forest was once the poor farm, which grew back with trees after the farm was abandoned in the 1930s, according to a report by former Town Manager Stephan Pakulski, who served for 11 years before becoming Hallowell's city manager last fall.

Readfield's residents place a high value on recreational opportunities, with an emphasis on non-motorized access. The town conservation commission has been active since the 1970s and, over the years, Readfield has built a diversified trail system, with walks beginning near the town center, including the Maranacook Community High School campus and the Readfield fairgrounds, as well as more remote locations, such as the town forest, the Torsey Pond Nature Reserve and the Fogg Farm Conversation Area, site of an early settlement.

"People come from other towns to use the trails," Stephan Pakulski said. "The town office often gets calls about where to go and what opportunities there are."

Tree harvesting

Readfield's town forest, at 100 acres, is large enough to provide significant revenue from tree harvesting, some of which is used for trail maintenance and bridge construction, although the primary support is still



Snow shoers enjoy the Bangor city forest, during a February outing. (Photo by Jeff Pouland)

from volunteers and the hours they put in. While some harvesting has been intended to improve the forest's growth potential, there have been two timber sales that have produced notable revenue, the most recent one bringing in \$19,000.

The Kennebec Land Trust's 100-acre Macdonald Conservation Area is adjacent to the town forest, and provides an integrated trail system over both properties, though the land trust property isn't designated for timber harvesting. The land trust's executive director, Theresa Kerchner, said Kennebec County has one of the smallest proportions of land in public ownership. Despite 20 years of effort, the trust had conserved less than 1 percent of the county's land area, including conservation easements, where the property remains privately owned. Collaborations with towns such as

Readfield are one way to increase the protected areas needed by many wildlife species, she said.

Falmouth is an example of a relatively densely populated town that nonetheless has preserved large amounts of open space. Bob Shafto was chairman of the conservation commission from 2000-2004. He also chaired an ad hoc committee charged with coming up with an acquisition plan that could guide efforts long-term.

"Most towns got their forests by happenstance – lots that were acquired through tax liens, or donations from time to time," Shafto said. "We decided that if we wanted to conserve land where people would use it, and enjoy it, we had to get more strategic."

As a result, Falmouth acquired nearly 1,400 acres in community forests in half a dozen parcels. The Had-

lock Community Forest, at 300 acres, has been harvested several times, while the Blackstrap Hill Community Forest, at 520 acres, is the largest. The most remote forest is North Falmouth, at 375 acres where, a website description notes, "It's possible to get lost." Ironically, the smallest parcel is the Falmouth Town Forest, at just 21 acres.

Harvesting in most of the forests is more for stand improvement than income, Shafto said.

"Fields that grow back up to trees don't always create much valuable timber," he said, although he's heard from older residents who remember haying in fields that now feature 18-inch trees. There is one part of the North Falmouth woods that, in another half century, may become "old growth," or late successional forest – and the town is preserving it for that purpose.

Since 2006, Shafto has worked part-time for the town. He said it can be a challenge to balance the various uses of town forests, and there have been some skeptics about the need to cut trees. "We have to make our case, but if it's a good one, we'll usually get approval," he said.

A Penobscot 'hot spot'

The Bangor City Forest may have one of the genuine recreation hot spots of Penobscot County. Site of the old city landfill, the 650-acre forest was preserved through the foresight of Rolland F. Perry, the former city forester for whom the property is now named. While popular with a variety of users, the forest also functions as the gateway to the Orono Bog, which lies partly in Bangor and was preserved through the efforts of the University of Maine and the Orono Land Trust.

More than 30,000 visitors per year walk the boardwalks that provide access to much unique habitat, including rare plants and exotic bird sightings. According to Tracy Willette, Bangor's parks and recreation director, the bog is listed with hotels and the regional chamber of commerce, providing a draw for tourists as well as area residents.

While there is some harvesting on the city forest property, recreation is the paramount activity, which includes such specialty uses as geocaching, as well as the more familiar running, biking, birding, cross-country skiing and snowmobiling. Bangor's holdings

also include smaller sites closer to downtown, including the Essex Woods, Prentiss Woods behind Bangor High School, and Brown Woods, on Ohio Street.

One of the largest town forests in Maine lies in Carrabassett Valley, where 2,100 acres provide plenty of room for all kinds of uses. The centerpiece is the Sugarloaf Outdoor Center, built by the town and leased to Sugarloaf ski area, which provides one of the most notable cross-country skiing networks in the state. In addition to Nordic skiing, snowshoeing, hiking, and mountain biking, the center is now host to an 18-hole disc golf course.

Town Manager Dave Cota said there's no doubt the town forest property is one of Carrabassett Valley's key assets, and its size allows for pursuit of a variety of goals. For instance, while the well-stocked forest had provided significant income – more than \$500,000 over the last five years, which is kept in a reserve fund – "it's not just about forestry," Cota said.

Cutting has been used to improve wildlife habitat and, through careful planning, it's been possible to improve stands even within the 75-foot trail

corridors. Occasionally, a trail is temporarily closed during a harvest, but "It's important to maintain all the uses, without favoring just one," Cota said.

Maintaining the recreational network requires investment: There are, for instance, 55 bridges in the trail network. The town recently spent \$150,000 from the reserve fund on replacement bridges.

Stefan Pakulski, of Hallowell and formerly of Readfield, said that a town forest can serve many purposes, but one that may be most important is maintaining and improving a sense of community. "It's a great way to meet people, to see your neighbors, and to support the community through volunteering," he said. School groups use the forest as an outdoor classroom, and there are organized tour groups year-round.

Falmouth has organized a Conservation Corps, whose 80 members take to the trails regularly for construction and maintenance.

"For some of these kids, it's the first time they've spent any extended period in the woods," Bob Shafto said. "It's a connection we can no longer take for granted." ■

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Start here, if your town wants to create or improve a community forest

If your town or city is interested in creating or improving a community forest, there are a variety of resources to draw from.

In Maine, the Land for Maine's Future program, while it does not specifically target forest land, is available for state and municipal conservation projects that meet criteria for public access and recreation, and can provide matching funds from other sources.

A smaller, but reliable source of funding is Project Canopy, administered by the Maine Forest Service. It annually distributes about \$100,000 in up to 20 small grants. While half of the funding traditionally goes to tree-planting, the rest can be used to create a forest management plan for town-owned land. According to the program's administrator, Jan Santerre, Old Orchard Beach, Wilton, Dixmont, Bath and Winterville Plantation have received grants in recent years.

Portland has a new grant, as well – to plan a timber harvest in the city's Evergreen Cemetery, one of the region's most popular spring sites for viewing migrating birds. While harvesting in the state's most populous city might seem surprising to some, it appears the plan will be successful and cutting will take place this year, after numerous community meetings.

One of the most fruitful forms of assistance may well be a partnership with a local or regional land trust. Maine has nearly 100 land trusts, small and large, most of which were created since the 1980s. According to Theresa Kerchner at the Kennebec Land Trust, partnerships with municipalities make natural alliances because the land trust is looking for stable, long-term ownership that provides guaranteed public access and an orientation toward a broad range of public uses. The contiguous land trust/town properties in Readfield are not unusual. Work-



A directional sign from the City of Bangor. (Photo by Jeff Pouland)

ing together can take different forms, including volunteer and staff support. Where easements, rather than outright ownership, is involved, land trusts can provide the legally required monitoring for the town.

Land trusts also often have professional fundraising efforts and expertise on how to create management plans, build trails, and monitor public use. A statewide listing is available on the Maine Land Trust Network website.

Some examples of recent community forest projects involving land

trusts include the Perley Mills Community Forest in Denmark and the Androscoggin Greenway Community Forest in Canton and Jay, both completed in 2014. Denmark worked with the Loon Echo Land Trust, while Canton and Jay partnered with the Androscoggin Land Trust. Both projects got grants from the Open Space Institute, which has an office in Yarmouth.

To get an idea of existing trails on town- and city-owned land, the Maine Trail Finder website has a comprehensive list – literally hundreds of trails throughout Maine. ■

Douglas Rooks is a freelance writer from West Gardiner and regular contributor to the *Townsmen*, drooks@tds.net

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Meet a news maker: Waterville Police Chief Joe Massey

A member of the police department in his hometown for 30 years, Chief Massey comments on drug abuse, personal safety and the changing nature of his community.

By Steve Solloway

Policing a small Maine city doesn't permit much free time and after the New Year, Waterville Police Chief Joseph Massey had little. A meeting for an interview in his office appeared dicey in the short term. Twenty questions emailed to him seemed doable.

Shortly after Massey responded with his answers, a 73-year-old woman was raped in Waterville. Massey grew up in Waterville, graduating from its high school before getting his bachelor's degree from the University of Maine his masters from Thomas College. He joined the Waterville Police Department as a patrol officer was appointed chief about 10 years ago.

He can remember when Waterville's Main Street was home to Sterns Department Store and Levine's, the clothing store where many of Colby College's male students bought sweaters and shirts and everything else. He remembers when the Colby campus was located downtown, before it moved to the top of Mayflower Hill.

Massey is a 30-year veteran with his hometown police department. He knows many of the people of Waterville by name and more by their faces. The rape affected him and his officers. The 20 questions became 20 plus one.

Q. A number of events, from the standoff in the Waterville Police Department's parking lot earlier this winter, to the dismissal of the high school principal for alleged inappropriate conduct, to Colby College's purchases of buildings and land in the business district have also called attention to Waterville. How do you put those events into perspective?

Steve Solloway is a freelance writer from Hallowell and new contributor to the Maine Townsman, ssolloway@roadrunner.com.

A. The City of Waterville is a service center for 40,000 Central Maine residents with its four shopping centers, numerous restaurants, two hospitals, two colleges, performing arts center, regional airport and numerous entertainment establishments for young adults to socialize. Because of this status as a small service center and the demographics of the city, I expect that the Waterville Police Department will receive calls for service that range from parking violations to homicides and including such events as you mention.

My job is to ensure that the police department is prepared to face the demands and challenges that confront us and provide a level of public safety that protects our citizens. My perspective on the events that you mention, are events that are likely to occur and we are well prepared to respond appropriately to them.

Q. Law enforcement agencies across the country are under fire, literally and figuratively. It seems more people are willing to use weapons to confront police. Why, in your opinion?

A. We have seen an increase in attacks on police by individuals that suffer from mental illness. Many of these individuals do not receive the appropriate mental health treatment needed, making them more susceptible to react violently when confronted by police. Many of them are released from institutions without appropriate resources, support, oversight and treatment because of decreased fund-



Chief Joe Massey

ing for mental health treatment. We need to do a much better job at providing resources, support and mental health treatment for those afflicted with mental illness.

The illegal possession and use of drugs is at an epidemic level. We are experiencing an increase in violent crimes from people who are highly addicted to heroin, prescription drugs,

crystal meth and other dangerous narcotics that lead many of them to commit violence against police.

We are now experiencing a new wave of attacks of police officers by domestic radical extremists who have been influenced by terrorist groups around the globe.

Q. Here in Waterville, how has that violence or threat of violence affected your department?

A. Officers certainly have a higher awareness of personal safety that they bring to the job every day. From the attacks on police officers across the country, they are aware that it could happen to them. Personal safety for them is a No. 1 priority and they prepare themselves both mentally and physically to meet the threats they may encounter.

We have also focused more of our training on crisis conflict resolution, high-risk communications and de-escalation skills to resolve potentially deadly encounters without resorting to force.

Q. Has this violence affected turnover within your department and are you concerned with recruiting the best

candidates for future openings?

A. The current anti-police climate and associated violence has not resulted in turnover. The Waterville Police Department has a very comprehensive hiring process, offers competitive wages and benefits, and has a professional reputation that attracts very competent candidates.

Q. Colby College has proposed building a dormitory for students in Waterville's business district. How will the influx of student residents affect that area?

A. I think the presence of Colby College students living in the downtown area of the city will have a positive effect on our business district.

Q. Thomas College also has a campus within Waterville's city limits. How would you describe the presence downtown of college students in general, understanding that sometimes there are rivalries?

A. We have very few issues between the two colleges.

Q. The scope of drug addiction is always an issue. The focus has returned to heroin and methamphetamines.

How does a police department of your size meet this challenge?

A. Given current staffing levels, drug investigations are difficult and challenging. We work cooperatively with neighboring police departments to share information and resources to aid us in drug investigation. We also have personnel assigned to the Maine Drug Enforcement Agency and participate in a drug task force consisting of local, county, state, and federal agencies. It is imperative that agencies

share intelligence information and work cooperatively to conduct successful drug investigations.

Q. A 73-year-old woman was raped in Waterville in early February. You described the attack as vicious and brought up the debate of citizens owning guns, referring to the deterrence factor. Those comments attracted much attention. What was your intent?

A. My intent was to remind the public that the police in many in-



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stances cannot prevent these types of violent crimes from being committed against innocent and defenseless citizens. We must all take responsibility for our personal safety and should take reasonable precautions to protect ourselves.

Whether that means arming yourself, installing a security system or taking a self-defense course is a personal decision that everyone has a right to make.

Q. How many men and women are in your department and has that number changed in the past 10 years?

A. There are currently 30 sworn officers and 11 support staff. We have lost one sworn position in the past 10 years.

Q. What are the top three calls your officers respond to, and has that changed?

A. Traffic offenses, thefts and suspicious activity (suspected drug use, intoxication, criminal mischief, loitering, etc.). We have experienced a slight increase in these crimes.

Q. Waterville's police department began a partnership with Maine Crisis & Counseling nearly 20 years ago under John Morris, now Maine's Department of Public Safety commissioner. Please describe the program. What value have you seen in its purpose?

A. The program partners police officers and mental health workers to deliver mental health services to those individuals that are experiencing a mental health crisis at street level.

These critical mental health services reach people in their darkest moments when they are alone. The value of this program is that it has reduced involuntary committals of people suffering from mental illness to area hospitals and has instilled a sense of confidence in the public that the police and mental health are providing critical services to those folks, thereby reducing the likelihood they will harm themselves or others.

And, of course, in the end users of these services are better served.

Q. The public may be aware of restitution for search and rescue efforts for lost hikers but not so much from actions such as the Dec. 7, 2015 standoff in the parking lot of the Waterville

Police Department between an armed individual and numerous public safety agencies. The last request for restitution in a similar situation in Waterville was 2009. What thought went into the most recent request and what was hoped to be gained?

A. It is my responsibility to be fiscally responsible with taxpayers' money. One way of meeting that responsibility is to seek restitution to offset the cost of an investigation or other operational costs when appropriate. Restitution can also act as a future deterrent to the person responsible for the cost incurred for a police response, as well as others considering such an act. It also allows the district attorney and the courts to mandate treatment and

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counseling when appropriate for individuals who suffer from mental illness and/or substance abuse that they might not otherwise seek on their own.

Q. Ayla Reynolds' disappearance in 2011 has not been resolved. Understandably, she remains in the minds of many. What are your thoughts?

A. Hopefully, the case will be solved before I retire...

Q. Why did you make law enforcement your career?

A. I was looking for an exciting career and the law enforcement profession offered that experience. I would get to carry a gun, catch the bad guy and drive fast with blue lights and a siren, and that really appealed to me. I quickly learned it was much more than that, of course. Once I became a police officer I really felt it was a calling for me. It opened my eyes to all the social ills of society and that humanity always walks a fine line between a civil and chaotic society.

I feel as a police officer that I con-

tribute to maintaining a civil society and I have an opportunity to improve the quality of life for folks in my community.

Q. If not police chief, what might you have done for an occupation?

A. I like working with my hands. My Dad was a building contractor and I developed some pretty good carpentry skills while working with him. It was almost therapeutic to finish a building project and stand back and look back at what I had accomplished.

Q. What are the rewards of being Waterville's chief of police?

A. The opportunity to provide a working environment that allows officers to work at their best. To watch them develop into professional police officers that are committed to the profession. In addition to providing quality public safety services to the community, the position has allowed me to work at all levels of city government to improve quality of life in our community.

Q. What are the frustrations?

A. The 24/7 coverage by mainstream media of police calls that are largely negative stories. The cost of keeping up with ever-changing technology challenges.

Q. You grew up in Waterville. How has your relationship with the city come into play in doing your job?

A. As a life-long resident of this city, I have a personal historical perspective of the community as it has changed over the last 50 years. It allows me to speak and act with greater authority because the community knows I have experienced many of the changes they have. Many of the residents feel I am one of them and not an outsider that really doesn't understand community concerns.

Q. What are the biggest changes you've seen in Waterville from your youth to your position as chief of police?

A. One of the most significant changes that has impacted me was to witness the once thriving neighborhoods that were home to large families, markets, retail stores, barber shops, and other amenities that made them vibrant and self-sufficient, fall into decline.

Over the last 50 years these large family homes were converted into apartments mostly for low-income families. The neighborhoods began to decay and businesses closed one after another. The deterioration of these once middle-class neighborhoods has had a profound economic and social impact on the city.

Q. What's your idea of a good vacation?

A. Spending quality time with my family. ■

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Pedestrian safety a priority after a bad year for fatalities

Nineteen pedestrians were killed in mishaps with vehicles last year, the highest number since 1997. A major, multi-media education effort is being planned.

By Liz Mockler

The record number of pedestrians killed on Maine roads last year has compelled state officials and advocates to launch a new public education and safety campaign.

The plan, now in the works, calls for a clear, singular message focused only on pedestrian safety in response to the 19 walkers who died after being struck by vehicles on Maine roads in 2015.

Last year was the worst year for pedestrian fatalities in Maine since 1997, but it still paled when compared to 1988, when 33 pedestrians were killed by vehicles. Motorcycle deaths also set a modern-day record last year at 34.

At the same time, total highway crashes in Maine in 2016 hit a 70-year low.

For people on bicycles, Maine has become a safe place to ride. The last biker fatality was in 2010.

Already this year, three pedestrians have been killed. Most recently, a 26-year-old woman was struck while walking along Route 17 in Roxbury on Feb. 27. The 22-year-old male driver has been charged by police with operating under the influence.

A jaywalking problem

In Maine, only one in four pedestrians use designated crossing areas, slightly better than the national average of 20 percent. Officials said jaywalking is a primary reason a new education program must focus on helping pedestrians do specific things to protect themselves.

A recent exception occurred in Bath in February, when a woman was walking to work at Bath Iron Works.

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



Pedestrians of all ages, using the sidewalk, head for a cross walk. (Submitted photo)

Although she was in a crosswalk, it was freezing rain at 6 a.m. and visibility was poor, Police Chief Michael Field said.

The pedestrian was wearing dark clothing and conditions were slippery and dangerous for drivers and pedestrians alike that morning, Field said.

Another exception from the rule in the Bath death was the condition of the sidewalks. The vast majority of all highway crashes in Maine, year after year, are not caused by road or sidewalk conditions.

"All the ingredients were in place for something really awful to happen," Field said.

He said the community and department were upset over the death. Field said his department will recommit itself to finding ways to help walkers – and all people who are on the roadway but not in a vehicle.

Conservative numbers

There is at least one reported pedestrian-vehicle "crash" every day

in Maine. The state averaged nearly 29,000 motor vehicle accidents a year, based on data from 2009 to 2013. Pedestrians were involved in 287 of them annually. The average annual pedestrian fatalities through the period was 11.

Police and others say the pedestrian-vehicle number is undoubtedly conservative, because if people are not noticeably injured by a vehicle no one files a police report.

Safety staff at the Maine Department of Transportation began getting concerned about the mounting pedestrian deaths last year as early as June, according to Patrick Adams, Bicycle and Pedestrian Program manager for the department's Multimodal Planning Division.

MDOT joined with the Maine Bureau of Highway Safety to create a new committee that began meeting last October. It meets monthly and hopes to have a new pedestrian outreach program ready to launch by late spring.

The panel is loosely known as the

Bicycle and Pedestrian Safety Education Workgroup, Adams said. Municipalities are represented in the group by various councils of government and includes all public agencies or private groups whose mission includes highway safety. Members include the state Department of Public Safety, AAA, AARP, the Bicycle Coalition of Maine and the Maine Council on Disabilities, among others.

“The number of (pedestrian) deaths raised our concerns as early as last June,” Adams said. “We felt we needed a different and better-coordinated effort” – and a precise message that all workgroup members would use to spread statewide using their own resources.

The workgroup’s goal is for all the various interests to speak with one voice, Adams said. If everyone is saying the same thing, the message should get through.

Taking the lead

MDOT is the lead state agency for pedestrian education efforts, while the Maine Bureau of Highway Safety focuses on federally funded education programs. The bureau must target the



Abby King of the Bicycle Coalition of Maine. (Submitted photo)

worst of the highway problems, said Bureau Director Lauren Stewart.

Much of the bureau’s budget is dedicated to efforts to reduce drunken driving, speeding and distracted driving – major factors that are often at play in Maine crashes. Seat belt education programs continue to pay off: 85 percent of Maine drivers and passen-

gers buckle up, reports show. Nationwide, 86 percent use seat belts.

All programs must be evidence-driven, Stewart said.

The highway bureau has received \$855,000 in federal funding for its 2016 paid media campaign that will include pedestrian education this year.

Stewart plans to spend \$500,000

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for paid media for all road users, and \$355,000 for outreach at sporting events and facilities. She said pedestrian safety would not be included in the sports media budget. The bureau won't know how much money will be dedicated to pedestrian safety programs until the workgroup finishes its task. The bureau has budgeted \$10,000 in recent years for pedestrian safety efforts.

Adams said about \$650,000 has been budgeted by MDOT this year for education programs for all highway users.

Good news on bicycles

One item of good news is that bike safety education has worked effectively over many years in Maine. The programs are co-operated by MDOT and the Bicycle Coalition of Maine, which also runs the MDOT's Bicycle and Pedestrian Safety program.

"I would agree education is important," said Abby King, advocacy manager for the bicycle coalition. "But we also need people in positions of power to understand that a pedestrian who makes a bad decision is only putting themselves at risk."

Broad education programs for all highway users can be improved, King said. But most resources must still be focused on the poor behaviors and decisions of Maine drivers.

She said someone protected in a two-ton vehicle has a responsibility to be watchful and careful for pedestrians, including those who make bad judgments.

"Good luck to you if someone is in a hurry to get somewhere five seconds faster," King said, lamenting how many drivers seem to pay little attention to anything but themselves, their cell phones and beating the next traffic light.

Community and state planners are constantly thinking of all highway users when designing and funding new projects. More signage, increased blinking lights, elevated or brightly colored crosswalks and more sidewalks are among the most common improvements, officials said.

"There is a ton of local knowledge about how to make streets safer for everyone," King said, "but it's change and change is hard... and it takes a long time."

Walkers most at risk

While pedestrian deaths made up seven percent of all Maine highway fatalities over the five-year period from 2009-2013, severity data show pedestrians are at the highest risk of all highway users to be killed on the road.

According to the 2014 Maine Highway Safety Facts report (<http://www.themtsc.org/publications/databook/maine-highway-safety-facts.pdf>), pedestrians have a 40 percent chance of being killed in a crash, followed by a 30 percent chance for people involved in alcohol-related crashes and a 33 percent chance for motorcyclists.

Interestingly, children are the safest walkers on Maine roads. School education programs, supported for decades by local police and state groups, are credited for the safety record.

Each group and agency in the new workgroup has agreed to set aside

funds in their budgets this year for pedestrian education efforts, Adams at MDOT said. The campaign will use all ways possible to get out the word, including social media.

The workgroup also hopes to plaster the state with written versions of the new campaign by asking government groups and offices, health care facilities, private clubs and nonprofits to distribute the information.

While state agencies and advocacy groups work toward education and awareness this year, Maine local and state police continue to be the first to respond to pedestrian crashes, to render help to the victim – and, often, the distraught driver – notify the families of the deceased and then pick up the pieces that are left.

Forty percent of pedestrian deaths occur during the day; 60 percent at night. Most fatalities happen between



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2 p.m. and 6 p.m., the same time period when the majority of all Maine highway crashes happen.

Pedestrian infrastructure

Sgt. Randy St. Laurent of the Lewiston Police Department, where two pedestrians were killed within weeks on five-lane Lisbon Street late last year, said city police are concerned.

St. Laurent said a special team of officers that addresses common and frequent problems in the city has been asked to study the issue and make any recommendations.

St. Laurent expects traffic enforcement will increase on Lisbon Street, and in other areas, including for walkers who do not obey pedestrian rules.

David Jones, Lewiston public works director, said the city has worked with state transportation officials to make significant intersection improvements for walkers throughout the city over many years. The effort will continue as a standard element of future work, he said.

But like St. Laurent, Jones noted that crashes involving pedestrians cannot be avoided with infrastructure improvements, if walkers don't do their parts.

In both of the fatal pedestrian incidents last fall in Lewiston, Jones noted the walkers were within 130 feet of major pedestrian crossings with flashing lights and special pedestrian signage.

"The infrastructure was there," Jones said, "but they just chose not to use it."

Lewiston is one of only a handful of Maine municipalities to adopt a "Complete Streets Policy" that provides help to cities and towns in making useful, effective changes for all road users when planning road infrastructure changes.

Lewiston's Jones said his department and MDOT engineers work well together during the process of getting a project designed, approved and funded.

Pedestrian infrastructure is always a consideration, Jones said.

According to St. Laurent, one of the biggest pedestrian problems in Lewiston is people walking in the middle of the road. He said they think cars and trucks should and must yield to them. He calls it among the riskiest decision pedestrians can make. ■

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Center-line rumble strips save lives on dangerous roadways

'We're sold on the benefits,' one state official says. What's interesting is motorists who complain about driving over the strips can be the ones who need them most.

By Liz Mockler

Center-line rumble strips have proven so effective in reducing head-on crashes and highway deaths nationwide and in Maine that state transportation officials will install the bumpy lines on 200 more miles of road this construction season.

The Maine Department of Transportation expects to install center rumble strips on all 500 miles of the most dangerous state roads by 2017, according to Duane Brunell, an engineer in the Safety Division at the Maine Department of Transportation.

To qualify for center rumble strips, roads must meet two main criteria: Heavy traffic and speed limits of 45 mph and up. Road crash numbers also are considered.

"We're sold on the benefits" of rumble strips, Brunell said. "We are very pleased with the outcome."

MDOT has not yet compiled statistics that would show how many lives are being saved statewide with the new safety strips. There is no data to show whether the rumble strips contributed to last year's low number of highway deaths, which stood at 130 – a 70-year low.

But in Woolwich on Route 1, and in Turner on Route 4, where MDOT first installed center rumble strips in high-crash areas in 2006, the results have been remarkable.

According to MDOT reports, over the six-year period prior to installing the rumble strips, there were 21 head-on crashes on the two major state roads, which claimed eight lives. In the six years after installing the strips, head-on collisions declined to 10, with no fatalities.

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



Rumble strips being installed in southern Maine. (Submitted photo)

Nationally, data from 11 states show a 40 percent to 60 percent drop in "crossover crashes" after center rumble strips were installed.

Lane departures

Brunell said 70 percent of Maine highway deaths each year happen during "lane departures," when a driver leaves the correct lane and either hits another car head-on or continues over the opposite lane and crashes into woods or rock walls.

The most common causes of lane departures are alcohol- and drug-impaired drivers, speeders and fatigued and distracted drivers.

An average of 800 head-on collisions occur in Maine each year, claiming 40 lives, according to MDOT data.

Forty percent of all Maine fatalities each year happen in head-on collisions on just six percent of state-owned roads, Brunell said. Six percent, he said, measures about 500 miles. "So

these are our priority roads."

From 2006 through 2014, MDOT installed center rumble strips on 60 miles of Maine state roads. Last year alone, the state covered another 90 miles. This year, 200 miles will get center strips.

By 2017, all 500 of the highest-priority road sections will be completed. Brunell said there will still be many miles of road that will need center strips after 2017, but they did not make the first cut.

Brunell said rumble strips have become a standard element of any new project analysis and design. The rumble strips are also relatively cheap at \$7,500 to \$8,000 a mile.

"They've been a big hit," Brunell said.

'A lifesaver'

"To me, they're a lifesaver," Jack Shaw, who has been elected Woolwich road commissioner for 32 straight

years, said recently. "I would certainly recommend them."

Shaw, like Brunell and others, was happily surprised by how quickly the crashes began declining once the center rumble strips were installed on three miles of Route 1 between Bath and Woolwich.

The same section of Route 1 is scheduled to be repaved this year. New center rumble strips will be installed on the same stretch, Brunell said.

He said the Woolwich center rumble strips are as effective today as when they were laid a decade ago – a fiscal benefit of the safety program.

Route 1 in Woolwich is among the busiest parts of the route. It is a gateway to the Maine coast. Summer tourists take the route to Greater Boothbay Harbor and beyond. But year-round, Bath Iron Works employees use the road heavily, in addition to all the other commuters.

"We had to do something," Shaw said of improving safety on the deadly

stretch. "It was just awful. I am in full support."

As a father and grandfather, "I'm even more supportive of them," Shaw said.

MDOT outreach

The worst area for crashes in Turner is where Route 117 intersects with Route 4, just a stone's throw to the Town Office and Post Office.

The intersection is notorious for severe, deadly crashes because of the lay of the land, but also because the intersection is just plain harrowing.

"I've never seen anything like it," Turner Public Works Director John Moultrie said. "I would certainly welcome them all the way up and down on Route 4 from the Auburn city line right to Livermore."

Brunell said MDOT plans to install center rumble strips on Route 4 this year including near Lake Auburn, a four-lane highway to Turner where speed is a critical problem.

Rumble strips are not installed at intersections, but Brunell said rumble strips will be installed on Route 4 leading into and out of the intersection.

According to Brunell, MDOT engineers and staff consulted state motorcycle clubs and organizations to ensure their safety was considered when installing center rumble lines. On many stretches of roads with center rumble strips, the state has installed a traffic pattern to accommodate all drivers.

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- 138 fatal crashes
- 44,426 vehicles involved
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- 287 pedestrian crashes
- 28 ATV crashes
- 11 involving snowmobiles
- 40,937 Maine drivers involved
- 3,489 out-of-state drivers involved

Source: Maine Department of Transportation

The "skip pattern" calls for 20 feet of rumble strips, followed by a 20-foot break so bikers can pass safely.

Shaw in Woolwich said some motorists do complain about the rumble strips. Brunell agreed. But there are relatively few reports of unhappy drivers. Some motorists just don't like the noise the rumble strips make, nor the vibration they cause their vehicles, the officials said.

But the very rumble strips that some motorists complain about today could save their lives tomorrow. ■

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Rumble strip advisory sign on Route 1, Woolwich. (Submitted photo)

Practical tips for handling requests for proposals (RFPs)

The authors lay out 11 steps to help municipalities smoothly navigate the world of seeking bids and making purchases. Transparency and consistency are among the keys.

**By Stephen E.F. Langsdorf and Charles F. Dingman,
Attorneys, Preti Flaherty**

Unlike the State of Maine and its agencies, municipalities (other than schools) are not required by state law in most circumstances to engage in competitive bidding when they purchase goods or services or hire professionals. Many municipalities, however, have charter and ordinance provisions which require competitive bidding. Apart from specific requirements, there are other reasons, including getting the best value for the municipality and maintaining the public confidence in the integrity of local government's purchasing practices, why competitive bidding or engaging in the RFP process is the right approach in most situations for towns and cities.

Below, we have set forth some tips that will be helpful both to get good results from your RFP process and to avoid challenges and costly litigation.

1. Requirements should be stated in terms of desired outcomes. Do not be too specific about particular

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Charles F. Dingman is a partner in Preti Flaherty's Augusta office where he has practiced since 1992. Charlie has extensive experience in bid preparation and litigation and is regarded as one of the most effective contract appeals attorneys in Maine. He is respected both by the state bid officials at the Bureau of General Services and by the bidders he has either helped to defend against appeals of awards or represented in invalidating awards. Charlie received his J.D. from the Columbia School of Law in 1978. You can reach him at: CDingman@preti.com.



technologies, equipment models or protocols. Procurements can become unnecessarily complicated and subject to contentious litigation if the municipality during the RFP process specifies particular models, equipment or processes. This becomes a problem when bids come in and a vendor is offering a more attractive alternative to accomplish the same purpose at a lower price or with higher quality or performance. For example, rather than requiring a Ford bus with a wet sleeve diesel engine and a Bluebird body seating 50, it would be better to state that what is sought is a bus seating 50, with demonstrated long run viability relative to domestic industry averages and meeting all Maine safety requirements for school transportation, fuel economy, ease of maintaining engine performance and protected useful life being important factors. If it turns out that GM or another company has a product that meets the town's needs at a lower price this would provide a better po-

tential range of value and product to the town.

2. Keep the scoring simple. Do not be tempted to provide elaborate evaluation models that may be offered by experts in a given field unless you intend to fully delegate the selection process to those experts. A source of frustration and complication and the need for rebidding can arise when an unduly detailed or complicated scoring method is employed. If the selection panel considers inherently subjective qualities which are set forth in various proposals, it can be difficult to accurately follow a system that breaks down into too much fine detail the number of points assigned to each feature or characteristic. Complicated ratios or formulas can produce unintended or counterintuitive results.

3. Make it clear in the RFP that the proposals will be scored on a subjective basis with respect to all categories except price. Like the points made above, this is a means of allowing flex-

ibility to tailor your evaluations to key differentiating characteristics of the bid rather than by using a rigid formula. It is crucial to combine this with careful instruction to the evaluators of the RFP to keep notes of what information from the bidders they discussed and relied on to reach their subjective determinations of how many points are assigned to each bidder in each category. In other words, you can defend your subjective judgments by showing that they are factually based and well-reasoned.

4. Consider specifying a consensus scoring process if multiple reviewers will rate the proposals. Instead of mechanically averaging or otherwise combining individual ratings, many state RFPs now use a consensus scoring model, where individual reviewers keep notes, but the group then meets and reaches a consensus on what scores to assign to each vendor in each rating category. This consensus approach is less vulnerable to technical challenges based on inconsistencies among raters or internally for a given rater, because the scores aren't directly linked to an individual but reflect the

subjective, combined view of the raters collectively.

5. Plainly specify the formula you will use to compare bids. You should lay out the formula that will be used as well as the price components that will be scored. There are various mathematically defensible ways to compare prices or total contract costs, but they have different effects on the measurement of relative values. This can affect how competitive a bidder with an unusually low bid that might be, bearing in mind that an "outlier" low bid may be a red flag regarding reliability, capacity or quality.

6. Do not over-emphasize low price to the exclusion of performance, reliability or quality concerns. While pricing is very important, it is equally or more important to make sure that the product or service being received is of high quality, is reliable, and will perform its intended purpose(s). Price should usually be less than 50 percent of the consideration. Under Maine statutes (not usually applicable to municipalities but a useful guide), a minimum of 25 percent of the score for a competitive bid must be assigned

to cost. Unusually low pricing may signal a bid that is not otherwise responsive to the purchaser's needs and the "best value" to the municipality's residents. Therefore, assigning too high a point value to price could leave the purchaser trapped with a low bid that doesn't provide a reliable, high quality product or service.

7. Clearly reserve the municipality's rights to reject all bids and cancel the deal. As long as you include the language making it clear the municipality is not responsible for any costs associated with bidding or contesting the results of the competitive bidding process, it is acceptable to reject bids if they do not meet the requirements of the municipality. This should only be done sparingly, because prices will already have been revealed and bidders will not be excited about rebidding on that project or in that town if they perceive that this is a common occurrence.

8. Preserve flexibility regarding screening of bidders for minimum qualifications. Make it clear that the municipality may at its option disqualify those not meeting the criteria



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or choose to reflect the deficits in the course of scoring bids. This leaves you with the flexibility to assess failures against the relative strength and number of bids received. Some municipalities maintain lists of eligible and ineligible bidders.

9. Do not communicate informally with individual bidders or modify any criteria without providing equal opportunity for all bidders to respond. It is not uncommon that new ideas and variations on what were included in the RFP will occur to the municipality after the RFP is issued and bids based on it are submitted. Do not communicate informally with bidders and do not modify criteria unless equal opportunity is given to all bidders to respond to the RFP as modified. Failure to do this will certainly result in a challenge to your contracting decision. Allow bidders an opportunity to pose ques-

tions, do follow ups in writing and do interviews for each bidder, or just for the high scoring finalists. This gives the municipality the opportunity to understand differences in value and options, while being fair to all bidders.

10. Be sure to include a process for an appeal or protest of the municipality's final decision. This allows the municipality to correct any claimed errors and/or throw out the entire bid rather than being involved in expensive and protracted litigation. The errors are reviewed at the local level rather than going directly to court. This approach will typically save time and money.

11. Be open, transparent and consistent. Transparency and consistency in handling issues and evaluating bids go a long way toward avoiding costly and frustrating delays due to dissatisfied vendors challenging the results of the competitive selection process. ■

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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

MARK YOUR CALENDARS!

Maine Municipal Association 2016 Events

Municipal Technology Conference

May 5, 2016 - **online registration now open!**

Augusta Civic Center, Augusta, Maine



Municipal HR & Management Conference

June 7, 2016 - **online registration opening soon!**

Thomas College, Waterville, Maine



MMA 80th Annual Convention

October 5 & 6, 2016 - **online registration open in July**

Cross Insurance Center, Bangor, Maine

www.memun.org



Maine Municipal Association

60 Community Drive
Augusta, ME 04330

phone: 207-623-8428



Lower oil prices are helping somewhat with municipal costs

Locked-in oil prices have meant few 'windfalls,' but gasoline and diesel costs are down and paving costs may drop. However, demand for recycled plastic also has fallen.

By Lee Burnett

Historically low heating oil prices this winter have produced smaller savings than you might expect in municipal treasuries, since most cities and towns lock in purchase prices long before the heating season begins. But there have been exceptions.

Washington County Commissioners budgeting \$10,000 less than last year for 24,000 gallons of heating oil. Then they went a step further and opted to buy oil on the open market, a practice they hadn't done since fixed price contracts became the norm. That gamble should net them another \$15,000 in savings because the winter has been milder than usual and because oil prices have declined further.

"It's a windfall," said Washington County Commissioner Chris Gardner.

Heating oil windfalls have been rare, although managers across the state report other kinds of savings due to low oil prices.

Buying fuel for vehicle fleets has cost less, since gas and diesel are typically bought at current prices. General assistance spending is also down, since fuel oil to needy families is typically bought at current prices.

And road paving dollars are expected to fall farther – oil is an ingredient in asphalt – although that may change by time bidding begins. One area where lower oil prices are hurting is the difficulty in selling recycled plastics collected municipally.

Few gamblers on heating oil

Ever since heating oil pricing began gyrating a half dozen years ago, most cities and towns migrated toward safety and began adopting the practice of



buying heating oil under fixed price contracts.

"If they're smart, that's what they did," said Jamie Pye, president of Maine Energy Marketers Association. The security of predictable budgeting was preferred and gradually fixed price contracts became widely available. That practice has generally been worth it, although not this winter.

Washington County's good fortune involved a bit of calendar luck. Counties have the advantage of developing budgets in the fall, much closer to the onset of the heating season, unlike municipalities that typically develop budgets in the spring. Washington County's windfall was also the result of shrewdness. Commissioner Gardner had noticed the historical anomaly of downward trending prices in the fall.

"It was the first time in the history of Maine Oil Dealers that prices were heading down going in to heating season," said Gardner. "That's why we wait and like to take a look in October." It was the first time that Washington County diverged from its recent practice of buying fuel oil under fixed price contract.

Gardner said whatever the savings eventually amount to will be saved for next year's budget.

"We feel it belongs to taxpayers," he said. "We'll hand that savings to the budget committee to have a positive start to budget."

A smaller windfall of \$1,600 accrued to the Town of Rome in central Maine. The savings proved to be opportune and were spent in a noticeable way, said Labelle. The town increased the frequency of office cleanings from once a month to once a week, said Selectman Richard Labelle, who also serves as town manager in Norridgewock.

"It's a 50-year-old building in an old school. It's kind of always had a dingy smell. Now when you come in to take care of business, it smells good," he said. "It's been a drastic improvement in the office environment." So popular has the improvement been that the town plans to budget for weekly cleanings in the future.

Rome's good fortune was a bit of an accident, explained Labelle. Last spring, the town was offered a fixed price of \$1.98 per gallon through RSU 54. It was at least 50 cents per gallon less than the town had been paying, but there was some miscommunication and the offer was not accepted.

As a result, the town found itself buying heating oil on the open market this winter. By then, prices were 50 cents

Lee Burnett is a freelance writer from Sanford and regular contributor to the *Maine Townsman*. leeburnett_maine@hotmail.com.

per gallon cheaper than last spring. The savings have amounted to \$1,600 so far, as the town buys just 3,200 gallons of heating oil – enough for town office building and two fire stations.

Labelle says the town “made out like a bandit.”

Gas and diesel

Low gasoline and diesel prices benefit any organization with a fleet of trucks to fuel. The savings have been significant enough for the City of Calais to buy a long-delayed replacement truck for the public works director.

“We did buy a second-hand pickup truck for \$15,000,” said City Manager Jim Porter. “The entire price came out of savings from gasoline and diesel.”

The Town of Fairfield’s general assistance program has already seen a \$600 reduction in emergency fuel oil costs over last year with more deliveries.

No one yet knows for sure how much more road paving will be done this summer because most summer road paving contracts have not been let. Lubec Town Manager John Sutherland expressed disappointment that last fall’s paving projects did not seem to benefit from lower oil prices.

The president of Pike Industries, which has gravel pits and asphalt plants all over Maine, cautioned against unrealistic expectations. Prices at Pike asphalt plants are down five to 10 percent from last year, said Christian Zimmermann, but there are many cost variables in asphalt that could change by time paving season starts.

“The price (today) doesn’t matter. We’re not paving today.” He noted further that prices in May and June tend to be lower than in August and September “when everyone’s so busy.”

One likelihood is that paving contracts will contain an upward and downward escalator clause, explained Fairfield Town Manager Michelle Flewelling, who was negotiating a paving contract at the Townsman’s press time. She hopes for a hometown discount because Fairfield is home to a Pike asphalt plant. Last year, the town contracted to buy asphalt at the rate of \$66 per ton base and \$70.90 per ton surface, which she said was “really, really cheap. Most folks were high \$70s or \$80s.”

“There is nervousness. This is the lowest the price has been in a very long time. To be able to project now what the price is going to be in August or Sep-

tember, when you pave, is really kind of risky. That’s what’s hard.”

The first state road project of the year – a one mile paving job in Fryeburg – went to low-bidder Shaw Brothers of Gorham. The \$82/per ton bid was at least 20 percent lower than it would have been a year and a half ago, said President John Shaw. With so much of paving affected by oil prices – liquid asphalt, crushing aggregate, heating the mix and fueling trucks – he predicted towns will be able to pave 25 to 30 percent more road than last year.

“Instead of a mile, it’s a mile and a quarter. That’s a lot. Instead of 10 miles, it’s 12 and a half. It’s huge, absolutely huge. It’s only math. That’s all it is.”

Interest in energy efficiency?

It’s not clear whether low oil prices have significantly dented enthusiasm for energy efficiency projects – at least as of mid-February, according to Efficiency Maine. Businesses (which include municipalities) installed fewer heat pumps than last year, but the comparison may not be valid because there were also new rebate programs available for high efficiency gas and oil boilers and control systems, said Efficiency Maine spokeswoman Anne Stephenson.

“They have a lot more options,” she said. She also noted that there is a delay before trends show up in rebate programs. “We would not be the first to know,” she said. “Installation contrac-

tors would experience a downturn first.”

One town manager confirmed his town has not lost interest in improving the efficiency at Town Hall.

“We’re still doing a window upgrade,” said Lubec Town Administrator John Sutherland. “We’re going to do it no matter what the price of oil is because we know there will be a cost savings whether the price of oil is up or the price is down. If you wait until the price is up, you’re behind the eight ball. We have a maintenance schedule and we try to keep to it.”

Tough on recycled plastics

At the Mid-Maine Solid Waste Corp transfer station in Rockport, Manager Jim Guerra was breathing easy in early February. Because his storage shed was empty.

“Right now, we’re sitting pretty good, we just sold a load,” said Guerra.

For months, it’s been tough to move plastic milk jugs. The price of \$540 per ton is less than half the all-time high of \$1,120 per ton in August 2014. When the price of oil is low enough plastic producers prefer using virgin material over recycled plastic, he explained. “We tend to hold onto our loads longer.”

Except for cardboard, all recycled materials prices are down, said Victor Horton, director of Maine Resource Recovery Association in Bangor.

“I don’t think anyone really knows 100 percent what’s causing it and what isn’t, said Victor Horton of MRRA. ■



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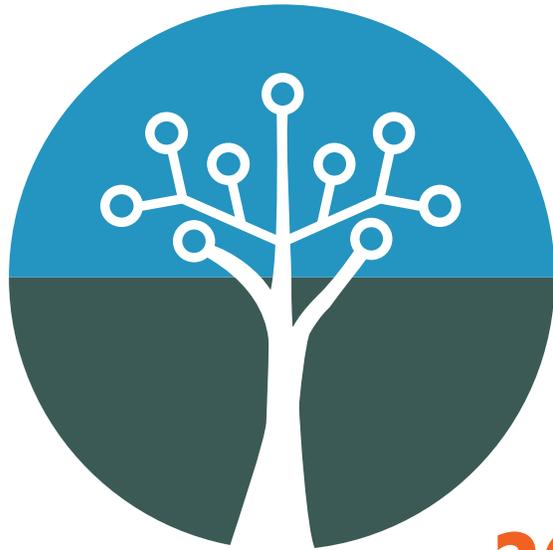
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2016 Municipal Technology Conference



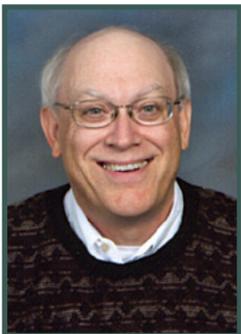
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2016 Keynote Speaker

Dr. Bob Ash – Change is Inevitable. Growth is Optional.

Join Dr. Bob Ash, a sought-after speaker who has informed and entertained more than 1,400 organizations such as ours about dealing with all kinds of change – including changing technology. Dr. Ash founded his company, Life Lessons, in 1995 with the premise that responsible risk-taking leads to personal growth, and growth leads to happiness, and he should know. An educator by training, with a doctoral degree from Indiana University, Dr. Ash worked as a janitor, teacher, principal and superintendent of schools prior to starting his company.

2016 Municipal Technology Conference

“Ready. Set. Grow!” – Preliminary Program

8:00 – 8:45

Registration & Continental Breakfast/Visit with Partners

8:45 – 9:00 – Welcome

Stephen W. Gove, Executive Director, Maine Municipal Association
The Honorable David Rollins, Mayor, City of Augusta

9:00 – 9:45 – Keynote Address

Change is Inevitable. Growth is Optional.

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9:45 – 10:00 Morning Break/Visit with Partners

10:00 – 11:00 Concurrent Sessions

Is the Cloud For You?

Let's explore the decision to consider a cloud or software as a service solution, the best way to procure such a solution and how to protect yourself with a fair contract. Many services that municipal governments are likely to use in the future are either hosted "in the cloud" or provided as "software as a service." We will present on this growing trend, including the advantages and disadvantages of those solutions, selection, contract terms and how to protect yourself and your data while maintaining a positive relationship with your vendor.

Presenters: Richard Thompson, Jr., Chief Information Officer, the University of Maine System; Mark Lutte, Director, State of Maine Division of Purchases

Maine's Broadband Challenge

This session serves as an update on Municipal Broadband after MMA's extensive look at the subject in 2015, focusing on how regulation and competition have contributed to the challenge and what you should know about challenges to sustainability in rural areas. It will also provide highlights from the Fort Fairfield Broadband Feasibility Study.

Presenter: Brian Lippold, Director Broadband/Telecom Consulting, James W. Sewall Company, Old Town

The Advantages and Disadvantages of Cloud-based GIS Services

Historically, local governments have had to rely on disconnected editing and data synchronization scenarios for field-based GIS workflows and to rely on third parties for hosting online mapping applications. More recently, technologies have allowed local governments to conduct live or disconnected editing workflows in the field and to manage and control their own hosted map services and applications. The ultimate question has quickly become, do we use the "cloud," do we use third parties, or do we own and maintain these services ourselves? This session will discuss the advantages and disadvantages of cloud-based GIS services vs. locally hosted and maintained GIS datasets and a look at different options for achieving these solutions.

Presenter: Andrew Land, GIS Specialist SGC Engineering, LLC

ConnectME Authority Planning Grant Program

Hear from ConnectME Authority staff and applicants of awards from the new planning grant program. The panel will discuss the opportunities, the process, the intentions and the desired outcomes of this program.

Panelists: Representation by applicants to be determined; Moderator: Lisa Leahy, Associate Executive Director, ConnectME Authority

11:00 – 11:15 Morning Break/Visit with Partners

11:15 – 12:15 p.m. Concurrent Sessions

Building a Culture of Security

It is the unfortunate reality that your municipal office will undoubtedly face a cyber security threat. Or perhaps you have already experienced it. In this workshop, common threats will be addressed, as well as the controls you can use to minimize damage from those attacks. We will also cover the technical and human aspects of security and the basic steps to building a culture of security within your organization.

Presenter: Eugene Slobodzian, Vice President of Security, Winxnet

Making Sense of the Cloud

The cloud affords municipalities flexible, innovative options for virtual desktops, mobile device management, back-up and recovery, and other diverse choices that can save municipalities time and money. Get a primer on cloud best practices as they relate to municipalities and learn practical information on how to bullet-proof your disaster recovery plan, and whether data center colocation is right for your city or town.

Presenter: Rob Williams, Senior Cloud/Data Center Specialist, Oxford Networks

Recent Advancements in High Resolution Land Cover Mapping

NOAA's Office for Coastal Management (OCM) provides technical assistance, data, tools, and training to the coastal management community. Through its Coastal Change Analysis Program (C-CAP), OCM has been producing moderate resolution land cover for almost two decades. Over the past 5 to 10 years, OCM has also worked to establish an operational higher resolution land cover product line. These products bring the national C-CAP framework to the local level, enabling additional, site specific applications. Recent increases in imagery and LiDAR data availability and improvements in processing techniques are enabling more cost-effective production of high resolution land cover products. This presentation will describe techniques NOAA and its partners are using to develop detailed land cover maps across broadening geographies.

Presenters: Jamie Carter, TBG at NOAA Office for Coastal Management; Nate Herold, NOAA Office for Coastal Management

Municipal Broadband Projects

All across Maine, both large and small municipalities are in various stages of implementing broadband infrastructure projects. Panelists will describe their respective initiatives and share lessons learned along the way.

Panelists: Bri Warner, Island Institute; Steven Buck, Manager, City of Sanford; Belle Ryder, Assistant Manager, Town of Orono; Moderator: Lisa Leahy, Associate Executive Director, ConnectME Authority

12:15 – 1:30 Buffet Luncheon

2016 Municipal Technology Conference

“Ready. Set. Grow!” – Preliminary Program

12:45 – 1:30 Luncheon Address

Streamlining Municipal Government through Location Awareness

Municipal governments are expected to provide an increasingly advanced level of technology services to citizens. At the same time, the number and complexity of problems that municipalities are expected to solve, and the choice in potential technical solutions grows each day. Though location-based data and solutions are often overlooked, recent technological advancements are making these solutions both more affordable and easier to use. Ray Corson will discuss how municipalities can harness the value and power of their location-based data by getting it off the desks, out of the servers, and putting it in the hands and at the fingertips of their staff and citizens.

Presenter: Ray Corson, President Corson GIS Solutions

1:30 – 1:45 Afternoon Break/Visit with Partners

1:45 – 2:45 Concurrent Sessions

New from Maine Municipal Association: IT Services to Help You

MMA has rolled out a suite of new services to help municipal officials deal with the risks, challenges and rewards posed in information technology. We know that your professional and civic lives are busy enough doing the “people’s business.” Come to this session to learn about our newest program and how it can help you back home.

Presenter: Christina St. Pierre, Director, Administration and IT, Maine Municipal Association

Low-Cost GIS for Maine Municipalities

Often considered beyond the reach of small municipalities, GIS technology is now part of the daily workflow for local government departments of every size. No longer constrained by overly complex software requiring highly skilled technicians, or by expensive acquisition and maintenance costs, municipal officials are learning the value of GIS self-sufficiency. This session will demonstrate Maine-based Global Mapper, a powerful, low-cost GIS software offering that is ideally suited to the challenges of local government operations.

Presenter: David McKittrick, Senior Product Specialist, Blue Marble Geographics

What Story Does Your Data Tell: Using Data Visualization to Build Understanding

Most communities have a wealth of data, which can be used to build understanding of trends, analyze policy options, and communicate with citizens. How can you use maps, graphs, and charts to better communicate those stories? We will show examples of how communities are using data to build common understanding and to recognize the implications of various policy options.

Presenter: Judy Colby George, Owner, Spatial Alternatives

Broadband 101: Questions & Answers

This open forum will allow attendees to ask any question pertaining to broadband. The well-informed panelists represent a cross-section of activists in promoting and providing broadband importance, use, and expansion in Maine.

Panelists: Jeff Letourneau, Networkmaine; Jeff Nevins, FairPoint Communications; Melinda Poore, Time Warner Cable; Sue Inches, Tilson Technology Management; Moderator: Phil Lindley, Executive Director, ConnectME Authority

2:45 – 3:00 Afternoon Break/Visit with Partners

3:00 – 4:00 Concurrent Sessions

Not Your Grandparents’ Libraries

The Maine State Library and many community libraries throughout the state are far more advanced technologically than you might imagine. Here’s a look at what’s happening in libraries throughout Maine, and how library technology plays a role in workforce development. The ever-present challenge of rural connectivity will also be addressed as it pertains to libraries’ mission to provide services to their community.

Presenters: James Ritter, State of Maine Librarian; Lisa Shaw, Library Director, Caribou Public Library

Free Web Mapping Tools that Help Local Government

Accessing mapping data online has never been easier than with the free tools offered by the Maine Office of GIS and other state agencies. Your municipality or county could greatly benefit from applications such as Parcel Map Viewer, Maine DOT projects site, Stream Habitat tool and the NG911 change request tool, all available through your web browser.

Presenter: Joseph Young, Administrative Director, State of Maine Office of GIS and Executive Director, Maine Library of Geographic Information

Local Flood Risk Assessment Using Publicly Available Data and GIS Tools

This session will first focus on identifying the probability of a flood risk. Many places in Maine now have access to digital flood risk data and GIS tools and services that support data integration. Presenters will provide an overview of each tool’s purpose and some of their potential uses, such as using the Maine Flood Hazard Map to identify different types of FEMA flood information and what it means to a property owner or local official. You will also be informed of how to locate flood zone and base flood elevation information for an area, and what other types of information can be found in Flood Insurance Studies and Flood Risk Reports. This session will also focus on determining the likely consequences of a flood occurrence.

Presenters: Jenn Curtis - Senior Planner and Mapping Coordinator for the Maine Floodplain Management Program; Leticia vanVuuren - Geospatial Database Manager for Knox County Emergency Management Agency

FirstNetME Update

Learn about FirstNetME’s plans for a dedicated public safety broadband network in Maine, which will be part of a national system. Keep up to date on the project’s status; what work has been conducted thus far and what is left to do.

Panelists: Steven Mallory, Maine Emergency Management Agency; Elissa Tracey, FirstNetME; Moderator: David Maxwell, Program Director, ConnectME Authority and FirstNetME

4:00 – 5:00

GovOffice User Group

Calling all GovOffice Maine clients: This annual meeting of the GovOffice User Group gives you the opportunity to meet with GovOffice staff to discuss advancement and new design solutions, as well as the opportunity to provide feedback and ask questions.

Presenter: Ross Heupel, Marketing Director, GovOffice

2016 Municipal Technology Conference

Thursday, May 5, 2016 – Augusta Civic Center, Augusta, ME

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ATTENDEE REGISTRATION FORM



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Registration Type *(please check ONE):*

- MMA Member Municipality/Patron/Non-Profit/State Agency-\$70.00
 Non Member Municipality-\$140.00
 MEGUG Member-\$70.00 / ConnectME Authority Affiliate-\$70.00 / Business Representative-\$100.00

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Primary Title: _____

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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)*

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

Overnight Rooms:

An overnight room block has been set up at the Best Western Plus Augusta Civic Center Inn for \$72.00/night plus tax on Wednesday, May 4, 2016. Room block is available until April 20, 2016 (release date). Reference "Municipal Technology Conference" and call (207) 622-4751 for reservations.

Questions & Cancellations:

If you have any questions regarding registration, please call Educational Services at 1-800-452-8786 or 623-8428. Notification of cancellation must be given at least 72 hours before the conference to receive a refund (minus processing fee). **All** cancellations are subject to a \$10 administrative fee for processing.

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

2016 MMA & Affiliate Training Calendar

KEY TO GROUPS

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

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

MARCH

3/9	MBOIA Advanced IEBC Training	Augusta – Maine Department of Public Safety - Florian Hall	MBOIA
3/17 🔍	Aerial Drones and the Current Legal Landscape	South Portland – DoubleTree by Hilton	MMA
3/17	MMTCTA Tax Liens	Orono – Black Bear Inn	MMTCTA
3/18	MWDA Advanced GA	Houlton – Houlton Town Office	MWDA
3/23-3/25	MFCA Joint Conference	Newry – Sunday River	MFCA
3/25	MTCMA 37 th Annual Statewide Manager Interchange	Bangor – Hilton Garden Inn	MTCMA
3/25	MeWEA Ski Day	Newry – Sunday River	MeWEA
3/29	MTCCA Records Management	Portland – Fireside Inn & Suites	MTCCA
3/30	MMTCTA Tax Lien Procedures	Portland – Keeley's Banquet Center	MMTCTA
3/31	Planning Board/Boards of Appeal	Orono – Black Bear Inn	MMA

APRIL

4/1-4/2	MACA Annual Meeting/Training	Bangor - Hollywood Casino	MACA
4/5	MTCCA New Clerks	Augusta – Maine Municipal Association	MTCCA
4/5	MTCCA New Clerks- Video Conference	Caribou – Northern Maine Development Commission	MTCCA
4/7	Roles of Elected Officials and Municipal Managers	Presque Isle – Convention Center	MMA
4/7	MCAPWA Annual Spring Meeting	Waterville – T & B Celebration Center	MCAPWA
4/11	Customer Service Excellence	Augusta – Maine Municipal Association	MMA
4/12	Elected Officials Workshop	Saco – Ramada Inn	MMA
4/12-4/13	MCAPWA Supervisory Leadership Part I	Augusta Learning Center	MCAPWA
4/12	MTCCA Vital Records	Bangor – Spectacular Event Center	MTCCA
4/15	MeWEA Spring Conference	Bangor – Hilton Garden Inn	MeWEA
4/20	MTCCA Licensing	Augusta – Maine Municipal Association	MTCCA
4/20	MTCCA Licensing- Video Conference	Machias – Sunrise County Economic Council	MTCCA
4/25-4/26	MWDA Spring Conference	TBD	MWDA
4/27	Labor and Employment Law	Augusta – Maine Municipal Association	MMA
4/28	Elected Officials Workshop	Bar Harbor – Atlantic Oceanside Hotel & Event Center	MMA

MAY

5/2-5/4	MRRA Spring Conference	Rockport – Samoset	MRRA
5/4	MTCCA Voter Registration	Augusta – Maine Municipal Association	MTCCA

5/3	MTCCA Title 21A	Augusta – Maine Municipal Association	MTCCA
5/5	Municipal Technology Conference	Augusta – Augusta Civic Center	MMA
5/17-5/19	MCAPWA Supervisory Leadership Part II	Augusta – TBD	MCAPWA
5/13	MAAO Northern Maine Spring Workshop	Caribou – Northern Maine Development Commission	MAAO
5/16-5/17	MBOIA Code Conference	Sebasco – Sebasco Harbor Resort	MBOIA
5/19-5/20	MMTCTA Annual Conference	Auburn – Hilton Garden Inn	MMTCTA
5/23	Elected Officials Workshop	Union – Union Town Hall	MMA
5/24	MAAO Board of Assessment Review	Augusta – Maine Municipal Association	MAAO

JUNE

6/2	 Planning Board/Boards of Appeal	Augusta – Maine Municipal Association	MMA
6/2	Planning Board/Boards of Appeal- Video Conference	Caribou – Northern Maine Development Commission	MMA
6/2	MCAPWA Highway Congress	Skowhegan – Skowhegan Fairgrounds	MCAPWA
6/7	Municipal HR & Management Conference	Waterville – Thomas College	MMA
6/9	Elected Officials Workshop	Orono – Black Bear Inn	MMA
6/17	MWDA Advanced GA	Augusta – Maine Municipal Association	MWDA
6/21	New Managers Workshop	Augusta – Maine Municipal Association	MMA
6/23	MMTCTA Cash Management	Augusta – Maine Municipal Association	MMTCTA
6/27	Basic Municipal Budgeting	Saco – Ramada Inn	MMA

JULY

7/11	 Firearms Laws including Concealed Handgun Permitting	Augusta – Maine Municipal Association	MMA
7/12	MMTCTA Basic Excise Tax	TBD	MMTCTA
7/14	Elected Officials Workshop	Bridgton – Bridgton Town Hall	MMA
7/19	MTCCA Municipal Law	Waterville – Elks Banquet and Conference Center	MTCCA
7/21	Planning Board/Boards of Appeal	Farmington – Franklin Memorial Hospital	MMA
7/21	MBOIA Membership Training	Augusta – Maine Municipal Association	MBOIA
7/28	MFCA Membership Meeting	Hope – Hope Fire Station	MFCA

AUGUST

8/10-8/12	MTCMA 71 st New England Management Institute	Newry – Sunday River	MTCMA
8/9	MTCCA New Clerks	Bangor – Spectacular Event Center	MTCCA
8/15	 Elected Officials Workshop	Augusta – Maine Municipal Association	MMA
8/15	Elected Officials Workshop- Video Conference	Caribou – Northern Maine Development Commission	MMA
8/16	MTCCA Vital Records	Portland – Fireside Inn	MTCCA
8/17	MMTCTA I've Got the Job – What Now?	Augusta – Maine Municipal Association	MMTCTA

SEPTEMBER

9/7-9/9	MAAO Fall Conference	Sebasco – Sebasco Harbor Resort	MAAO
9/7-9/8	MTCCA Voter Registration	Augusta – Maine Municipal Association	MTCCA
9/6	MTCCA Title 21A	Augusta – Maine Municipal Association	MTCCA
9/9	MCAPWA Golf Tournament	Cumberland – Val Halla Golf Course	MCAPWA
9/9	MSFFF Annual Meeting	York – York Village	MSFFF
9/13	MTCCA Networking Day	Waterville – Elks Banquet and Conference Center	MTCCA
9/14-9/16	MeWEA Fall Conference	Carrabassett Valley – Sugarloaf	MeWEA

9/16	MWDA GA Basics	Augusta – Maine Municipal Association	MWDA
9/22	MBOIA Membership Training	Gray – Spring Meadows	MBOIA

OCTOBER

10/5-10/6	80th MMA Convention	Bangor – Cross Insurance Center	MMA
10/24	Verbal Judo-Tactical Communication for the Public Employee	Augusta – Maine Municipal Association	MMA
10/31	MBOIA DECD & Fire Marshal's Office Training	Portland – Keeley's Banquet Center	MBOIA

NOVEMBER

11/1	MBOIA DECD & Fire Marshal's Office Training	Portland – Keeley's Banquet Center	MBOIA
11/1	Planning Board/Boards of Appeal	Calais – Washington County Community College	MMA
11/2	MBOIA DECD & Fire Marshal's Office Training	Brewer – Jeff's Catering	MBOIA
11/3	MMTCTA Municipal Law for Tax Collectors and Treasurers	Orono – Black Bear Inn	MMTCTA
11/3	MBOIA DECD & Fire Marshal's Office Training	Brewer – Jeff's Catering	MBOIA
11/4	MBOIA DECD & Fire Marshal's Office Training	Augusta – Maine Department of Public Safety - Florian Hall	MBOIA
11/15	Personnel Practices	Portland – Fireside Inn	MMA
11/16	MMTCTA Municipal Law	Augusta – Maine Municipal Association	MMTCTA
11/29	Grant Writing for Municipal Programs and Projects	Augusta – Maine Municipal Association	MMA

DECEMBER

12/2	MTCMA Joint Workshop with NHMMA	New Hampshire	MTCMA
12/6	Elected Officials Workshop	Lewiston – Ramada Inn	MMA
12/8	Planning Board/Boards of Appeal	Portland – Fireside Inn & Suites	MMA
12/8	MBOIA Membership Training	Lewiston – Green Ladle	MBOIA
12/9	MWDA Winter Issues Training	Augusta – Maine Municipal Association	MWDA

A Great Fit

Once we saw how gifted and hard working **Ben Smith** was, it didn't take us long to invite him to become a principal in our firm. We are pleased to announce that Ben is our newest shareholder and director.

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Ben Smith

PEOPLE



Barbara Vining

Wilton Assistant Town Manger **Barbara Vining** retired in late February, after serving the western Maine town for 45 years. Among her many duties over the decades included serving four stints as interim town manager. Town officials said Vining's accomplishments over the decades have been "amazing." A longtime assistant town manager, Vining also most recently worked as deputy treasurer and deputy tax collector.

Mary Ellen Anderson will retire on May 31 after serving as Nobleboro town clerk for 33 years. Anderson also holds the titles of tax collector and treasurer – all elected positions until 1982. Anderson has offered to help incoming clerk **Susan Pinnetti-Isabel** any way that she can.

Bangor police Sgt. **Tim Cotton** was honored as the February humorist of the month by the Erma Bombeck Writers' Workshop, based at the University of Dayton, in Ohio. Cotton was recognized for his funny police blotter communiqués, which have "gone viral" numerous times and helped garner the police department's Facebook page more than 100,000 followers. Cotton was featured on the workshop's website home page in February as a "storyteller at heart." When asked about the Bombeck group's award by the Bangor Daily News, Cotton offered, "If you are a humor writer or even think that you would like to be a humor writer, look into their programs. If you are a police officer, just go back to work. There is nothing to see here."



Angela Higgins

Angela Higgins has been promoted from the Madawaska finance office to the newly created job of human resource generalist. Higgins worked as the town's bookkeeper and finance clerk for two years. She will help manage the issues and needs of the town's 85 employees, which includes 35 full-time staff members, as well as

oversee payroll and tracking personnel evaluations.

The Lincoln County Commission promoted **Carrie Kipfer** to county administrator, effective when **John O'Connell** retires late this month. Kipfer, the county finance director, joined Lincoln County government in 2013 as a payroll clerk and later was named business manager.

Philip Hutchins has been named Farmington public works director. He will replace **Denis Castonguay**, who will retire on April 1. Hutchins leaves the private sector to join municipal government. He presently works as a supervisor for a Maine construction firm. Hutchins was set to start his new job on March 14.



Gerald Schofield

Freeport Police Chief **Gerald Schofield** and Fire Chief **Darrel Fournier** will retire this spring after serving the town for more than 40 years each. Schofield was hired in 1976 as a patrolman and has served as chief since 1988. Fournier joined the fire department in 1970 and became Freeport's first full-time chief in 1988. Fournier also is a former Waterville fire chief.



Darrel Fournier

Rockland councilors honored two department leaders in mid-January for 20 years of service each to the coastal city. Acting Fire Chief **Adam Miceli** was hired in 1995 and promoted to assistant chief in May 2001. He has served as acting fire chief since the spring 2014 while also meeting his duties as assistant fire chief. The chief's position has not been filled permanently to save the city money. Deputy Police Chief **Christopher Young** was hired in January 1996 and promoted to detective in 2001 and to detective sergeant in 2008. He was promoted to deputy chief in May 2015.

Harold "Pete" Bickmore was named Ellsworth police chief, effective this month. He replaces **Chris Coleman**, who took the job for a year and then decided he wanted to explore other career options. Bickmore began his law enforcement career in Scarborough and then worked for 26 years for the FBI. The retired Old Town police chief, **Don O'Halloran**, served briefly as acting chief.

Alfred "Willy" Simmons was promoted to sergeant on Feb. 2, becoming the second-in-command in the Wiscasset Police Department. He replaces **Kathy Williams**, who retired in December. Simmons, who grew up in Wiscasset, worked part-time for the department from 1983 through the late 1990s when Maine Yankee, where he worked full-time, was mothballed. He has worked as a full-time Wiscasset officer for the past 18 years. He also works as a part-time Lincoln County court officer. ■

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**If your municipality submits a news item for the Townsman, consider sending a corresponding photo to:
Eric Conrad or Jaime Clark (econrad@memun.org or jclark@memun.org)**

FALMOUTH

Town officials are seeking the public's help in developing ways to celebrate the community's 300th birthday in 2018. After three centuries, town leaders don't think it's too soon to start planning for a grand party. Falmouth was incorporated in 1718. On an interesting note, the Town of Kittery was incorporated in 1650, followed by York in 1652.

FREEMPORT

The town welcomed nearby Pownal and Durham into the Solarize Freemport program, which offers residents better pricing for energy upgrades due to bulk purchasing opportunities. The program has been extended a year because, while 40 homeowners enrolled by last September's deadline, requests continue to build this year. The town partnered with two private businesses to encourage more people to invest in solar energy. This year, the expanded program will offer bulk pricing for heat pumps, insulation and pellet boilers.

GOULDSBORO

The town office was robbed in late February of \$2,000 in cash and \$14,000 in checks. The town's famous 1875 S.S. Queen Elizabeth ship bell was left behind. In addition to the money and checks, one or more thieves stole pistols and prescription drugs from a locker in the police department, which is housed in the town office complex. The town vault, fireproof and deadlocked, was breached and ruined. Officials believe a crowbar and perhaps metal cutters were used to break into the safe, and the crime took a lot of time and effort to execute. State police are investigating, while selectmen intend to find ways to increase security at the town office, including more lighting and surveillance. The burglars gained entrance to the facility by forcing their way through a back door.

JAY

Town meeting voters in April will act on a proposed budget that both selectmen and the budget committee have reduced by 10 percent over last year's spending plan. Under the proposed plan, the municipal budget would be lower by \$373,209 to about \$5.2 million, and affect nearly all municipal departments and programs. Like other paper mill

NEW ON THE WEB www.memun.org

Highlights of what's been added at www.memun.org since the last edition of the *Maine Townsman*.

Municipal Revenue Sharing. The State Treasurer's Office has released projected 2017 Municipal Revenue Sharing figures. The figures are very conservative, as they are based on May 2015 income and sales tax estimates, which have been rising.

2016 Federal Issues Paper. Staffs from seven Northeast municipal associations this year collaborated on a 14-page document that outlines some of the most pressing federal and Congressional issues, from the town and city point of view.

Local Roads. The Maine Local Roads Center at the Department of Transportation provided a wealth of information on posted local roads, upcoming workshops and some free beacons and signs. The DOT also seeks public input and involvement on transportation issues and questions.

Trash and Sustainability. Solid waste issues dominate the municipal landscape these days. The Sen. George J. Mitchell Center for Sustainability will address this, among many other topics, at a conference later this month.

towns in the state, Jay has suffered deep tax revenue losses in recent years as the industry continues to shed major assets in Maine.

LINCOLNVILLE

The town will apply for a \$500,000 Community Development Block Grant on behalf of its sewer district to build a new sewer collection and treatment system for the Lincolnville Beach area. The present sewer system is privately held and serves only a few businesses and apartments. It is at full capacity. The town's sewer district already has won a \$250,000 grant from the federal Northern Border Regional Commission for the project and is asking for a combination of a loan and grant from the U.S. Department of Agriculture. The project cost is estimated at \$3 million.

OGUNQUIT

The town has been named the 2015 eCity in Maine by online giant Google, designating it as the state's digital "capital." The award recognizes one municipality in each state where businesses are savvy in their use of the Web to grow their operations and the local economy. Town officials said they were delighted to win the award that showcases the seaside town of 900 as an important part of the Maine economy, fueled in part by its broadband service for businesses and residents. The town also garnered

another endorsement in February when TripAdvisor named Ogunquit Beach one of the 25 best in the nation.

PORTLAND

City officials in February removed a dozen vehicles abandoned on Peaks Island in Casco Bay. The island is the most populated in the bay and is part of the city of Portland. It sits about three miles from downtown. The city plans a second removal effort by Memorial Day. Island residents have long been upset that people are intentionally ditching their cars on the island. The city hired a towing company and a private ferry service to get the jalopies to the mainland. Portland police coordinated the first removal effort and will do so again in the spring.

SIDNEY

A doubling in the value of agricultural land last year is inspiring a deeper public discussion over the value of farming in the town located 13 miles from Augusta. The big change in farmland values was attributed to a decade-old valuation that doubled the value of farmland from \$250 an acre to \$500, but was not recorded in tax records. Farmers want more discussion about farmland values and the benefits and costs of placing their property under a special state farmland protection program that would reduce their annual property taxes. ■

MUNICIPAL BULLETIN BOARD

MARCH 18

Advanced General Assistance: Houlton

The Maine Welfare Directors Association will hold a workshop offering advanced general assistance training, which serves as certification for MWDA members. The training is designed for people who have completed the GA Basics course. This is the second of two courses required in order to receive GA certification.

It will be held on March 18 at the Houlton Town Office, starting with registration at 8:15 a.m. and ending at 3 p.m. Cost is \$35 for MWDA members and \$60 for non-members.

MARCH 23-25

MFCA Annual Conference: Newry

The Maine Fire Chiefs' Association will hold its annual conference on March 23-25 at the Sunday River Grand Summit Resort Hotel in Newry. This year's theme: "Partners Leading by Example."

The keynote speaker will be Jim Mathis, of the Mathis Group, who has spoken many times to organizations and written books about "reinvention," to improve results. There will be many other topics presented including information about workers' compensation issues and fire prevention. Costs for the conference vary, depending upon days being attended and accommodation requests.

MARCH 25

MTCMA Statewide Interchange: Bangor

The Maine Town, City & County Management Association will hold its annual Interchange on Friday, March 25 at the Hilton Garden Inn in Bangor, featuring an in-depth look at Maine demographics and the state's economic future. That plenary session will be led by Garrett Martin, executive director of the Maine Center for Economic Policy.

Other topics to be covered at the day-long event include: efforts to support

and work with older residents in Maine communities; models and tools that support "aging in place;" and, a general legislative update from Geoff Herman, Director of State & Federal Relations at Maine Municipal Association. Costs vary.

MARCH 29

Records Management: Portland

Kathy Montejo, city clerk in Lewiston, and Patti Dubois, city clerk in Waterville, will lead a session on Records Management, being held by the Maine Town & City Clerks' Association, on March 29 at the Fireside Inn and Suites in Portland. The workshop will review requirements for records that are overseen and managed by municipal clerks on a daily, monthly and annual basis.

The session begins with registration at 8:30 a.m. and will conclude at 4 p.m. The registration fee includes refreshments, lunch and handout materials and the cost is \$55 for MTCCA members and \$75 for non-members.

MARCH 30

Tax Lien Procedures: Portland

The Maine Municipal Tax Collectors and Treasurers Association will hold a one-day session on Tax Lien Procedures on March 30 at Keeley's Banquet Center in Portland. The program will focus on the proper procedures and paperwork involved in the tax-lien process. The emphasis is on the "how to," rather than legal requirements, of tax liens.

Gilberte Mayo, administrative assistant for MMTCTA, will be the presenter. The workshop starts with registration at 8:30 a.m. and will end at 3:30 p.m. Cost is \$55 for MMTCTA members and \$75 for non-members.

MARCH 31

Planning Boards/BOA: Orono

MMA's Legal Services Department will host a session for local Planning Board and land use Boards of Appeal members from 4 p.m. to 8:30 p.m. on March 31 at

the Black Bear Inn and Conference Center in Orono.

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

APRIL 5

New Clerks: Augusta

This course, designed to familiarize new municipal clerks with their duties and responsibilities, will be held on April 5 at Maine Municipal Association's Christopher G. Lockwood Conference Center in Augusta.

The workshop will be led by April Dufoe, town clerk in Kennebunkport, and Jessica Hanscombe, deputy city clerk in South Portland. It will touch on the many, varied topics that municipal clerks oversee. There will be time for a question-and-answer period following the presentations. Registration begins at 8:30 a.m. Cost for the program is \$55 for MTCCA members and \$75 for non-members.

APRIL 11

Customer Service Excellence: Augusta

Margaret Noel, Assistant Director of the Augusta Civic Center, will lead a workshop on Customer Service at MMA in Augusta on April 11. The interactive workshop walks participants through the customer-service cycle and targets key strategies for implementing and maintaining an excellent customer-service plan.

Registration will begin at 8:30 a.m. and the workshop will end at 4 p.m. Cost is \$75 for MMA members and \$150 for non-members, including workshop materials and a light lunch. ■

All of the upcoming workshops can be found on the MMA website. Use the following link:
<http://www.memun.org/TrainingResources/WorkshopsTraining.aspx>

LEGAL NOTES

New MMA Legal Services Director

Staff Attorney Susanne Pilgrim has been promoted to the position of Director of MMA's Legal Services program. Sue took over on March 7 following the retirement of longtime Director Bill Livengood.

Sue has practiced law in Maine for over 18 years, in both the private sector and at MMA. She is a summa cum laude graduate of Bowdoin College and a cum laude graduate of Harvard Law School. She is very excited about her new role and is dedicated to continuing the delivery of high quality legal services to our members. Sue is well known for her legal expertise, strong work ethic and collaborative style, and we are all looking forward to working with her.

All About Deputies

We get a lot of questions about deputy municipal officials – who chooses them, who pays them, what are their duties, and so on. Here, in summary, is practically everything worth noting about deputies.

Appointment; oath. State law authorizes clerks, tax collectors, treasurers, fire chiefs and town meeting moderators to appoint their own deputies (see 30-A M.R.S.A. §§ 2603, 3153(3)(A) and 2524(3), respectively). For other offices, the appointment of a deputy must be authorized by municipal ordinance, charter or vote of the municipal legislative body (town meeting or town or city council). If a clerk, tax collector or treasurer fails to appoint a deputy, the municipal officers (selectmen or councilors) may appoint one to act during the principal's absence (see 30-A M.R.S.A. § 2603(4)). If a moderator is absent or is unable to act and has not appointed a deputy, the voters may elect one (see 30-A M.R.S.A. § 2524(3)). Before assuming the duties of office, a deputy must be sworn and the fact of the oath recorded.

Legal qualifications. Like the principal, a deputy must be a resident of Maine, at least 18 years of age and a citizen of the United States (see 30-A M.R.S.A. § 2526(3)). In addition, if the principal is required to be trained and certified (like code enforcement officers, local plumbing inspectors and animal control officers, for example), a deputy must also meet these requirements.

Authority. Unless otherwise specified, a

deputy has all the powers of the principal. If the principal wishes to limit the authority of a deputy, the restrictions should be explicitly set forth in the deputy's certificate of appointment or in a job description accompanying the certificate.

Term of office. A deputy's term of office is concurrent with the principal's. Whenever the principal vacates office, whether on the expiration of the natural term or before, the deputy's term also expires. With that, the deputy loses all legal authority to act unless reappointed and re-sworn as a deputy under the new principal or appointed and sworn as interim or acting principal pending selection of a new permanent principal. If a deputy clerk, tax collector or treasurer has been appointed by the municipal officers to act during the principal's absence, their term ends on the principal's return.

Compensation. Because a deputy is appointed by and acts on behalf of the principal, the deputy's compensation is payable from the principal's compensation unless otherwise provided by the municipal budgetary authority. In most municipalities that consistently employ deputies, the budget includes an appropriation for deputies that is separate from the principal's pay.

Bonding. Clerks, tax collectors and treasurers, and the "sureties" (guarantors) on their bonds, are liable for all acts and omissions of their deputies (see 30-A M.R.S.A. § 2603(3)), so it is critical that bonding companies be notified immediately whenever a deputy is appointed. The same goes for deputies of any other officials who are bonded (see "Bonding Requirements," *Maine Townsman*, Legal Notes, May 2000).

Notice to State agencies. If the principal is also, for example, the registrar of voters or a State agent for motor vehicle registrations or hunting and fishing licenses, and if a deputy is also expected to perform these functions, the appropriate State agencies must be notified, and in the case of State agents, a State appointment and training is required. Also, if a deputy treasurer is expected to make disbursements, they must become an authorized signatory on municipal bank accounts.

Removal. Deputy clerks, tax collectors and treasurers serve at the will of the principal and may be removed at any time and for any reason, without due process

MUNICIPAL CALENDAR

DURING APRIL — Municipal officers of municipalities over 2,000 population, and of any other town so voting at town meeting, shall appoint an inspector of buildings (25 MRSA §2351-A).

APRIL 1 — Municipal assessments are controlled by this date (36 MRSA §502).

■ 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).

APRIL 18 — Patriot's Day, third Monday in April, a court holiday (4 MRSA §1051).

ON OR BEFORE APRIL 21 — Every employer required to deduct and withhold tax shall, for each calendar quarter, file a withholding return and remit payment as prescribed by the State Tax Assessor (36 MRSA §5253).

(see 30-A M.R.S.A. § 2603(2)). This rule probably also applies to deputy moderators (see 30-A M.R.S.A. § 2524(3)). On the other hand, deputy fire chiefs may be removed only for cause, after notice and hearing (see 30-A M.R.S.A. § 3153(3)(A)). For all other deputy officials, whether removal is at will or only for cause should be specified in the municipal ordinance, charter or town meeting vote that authorized the appointment. (By R.P.F.)

Law Court to Municipalities: Only Final Action Appealable

The Maine Supreme Court has again urged municipalities to review their ordinances to make appeals procedures more "standardized, understandable, and comprehensive."

In *Bryant v. Town of Camden*, 2016 ME 27, an abutter appealed a decision by the ZBA granting a special exception permit for the expansion of an inn. The zoning ordinance, however, also required site plan approval from the planning board,

LEGAL NOTES

which had not yet acted. Nevertheless, the ordinance purported to authorize a separate court appeal from each decision, before all local decision-making was final, and this the Chief Justice (on behalf of a unanimous court) could not abide.

She criticized it as an "inefficient, time-consuming, and expensive process" and clearly contrary to judicial doctrines requiring finality of decision-making before a local administrative decision is ripe for judicial review. Municipalities, she wrote, simply have no legislative power to override judicial authority to decide when a decision is appealable. Thus, even if an ordinance authorizes an appeal from "any" decision, the Court will still require a final, dispositive decision in order to prevent piecemeal review.

The Court in *Bryant* was plainly annoyed with a local land use appeal it felt it should not have to hear. This is the third such instance within just the past year (see "Law Court to Local Planners: Be Consistent & Thorough!," *Maine Townsman*, June 2015; "Appeal Period Begins on Date of Vote, Not Written Decision," *Maine Townsman*, February 2015). The irony, though, is that it is appellants, not municipalities, who are put at greater risk by this decision since it is now even more ambiguous when an appeal may or must be filed in matters involving multiple local approvals. (By R.P.F.)

Advisory Boards & Executive Sessions

Question: Can a municipal advisory board go into executive session?

Answer: Yes, provided of course that the purpose of the discussion is a permissible one under the law and that the board complies with the procedural protocols.

Nothing in Maine's Freedom of Access Act (FOAA) or "Right to Know" law limits the prerogative to go into executive session to boards with final decision-making authority only. A purely advisory board, such as a budget committee, a comprehensive planning committee or a municipal charter commission, may also exercise the right to a closed-door discussion, again as long as it's for a lawful purpose and the statutory procedures are followed.

To refresh, the FOAA authorizes executive sessions for (1) personnel matters, (2) suspension or expulsion of school stu-

dents, (3) purchase or sale of real estate or economic development, (4) collective bargaining negotiations, (5) attorney-client consultations, (6) confidential records, (7) examination records and (8) code enforcement officer consultations. For details, see 1 M.R.S.A. § 405(6).

Also, for executive sessions the FOAA requires a motion specifying the precise nature of the business to be discussed and citing the statute that permits it, as well as a public, recorded 3/5 vote. Final approval of ordinances, orders, contracts, appointments or any other official action is prohibited in executive session, as is discussion of any business not identified in the motion. For details, see 1 M.R.S.A. § 405(1)-(5).

For the record we note that just as municipal advisory boards may use executive sessions, they are also subject to the "open meeting" requirements of the FOAA, including public notice of all meet-

ings and the public's right to attend and record all meetings other than executive sessions (see 1 M.R.S.A. §§ 406, 403).

For much more on Maine's Right to Know law, see MMA's "Information Packet" by that title, available free to members at www.memun.org. (By R.P.F.) ■

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