

# Maine Town & City

The magazine of the Maine Municipal Association

APRIL 2024 | VOLUME 86 | ISSUE 4

## Extreme Storms

Dealing with the aftermath.

### ALSO IN THIS ISSUE:

THE RISK MANAGER

Q&A WITH PATTI DUBOIS

DIGITAL EQUITY VIA PLANNING

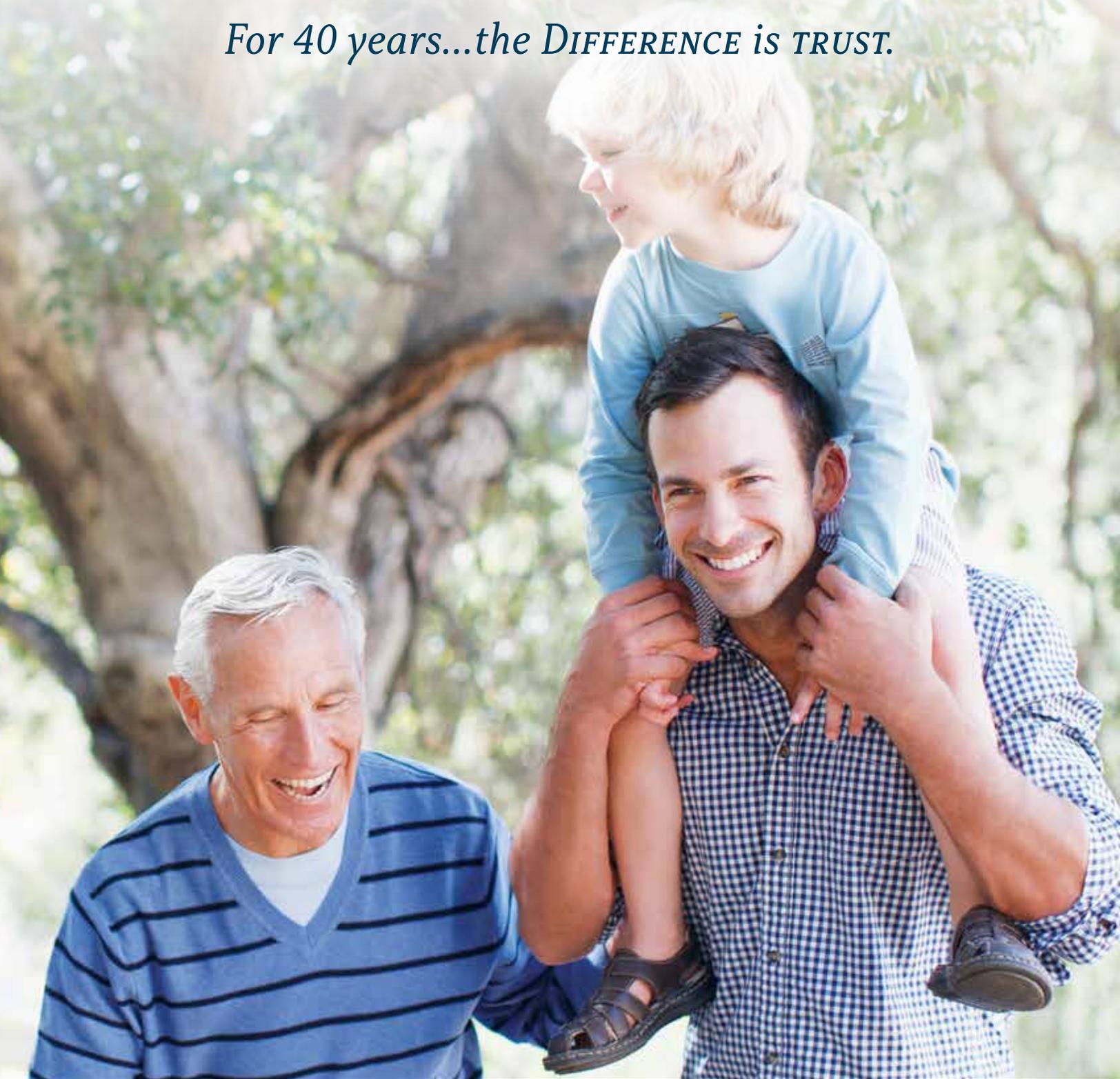
MUNICIPAL TECHNOLOGY CONFERENCE





# MAINE MUNICIPAL EMPLOYEES HEALTH TRUST

*For 40 years...the DIFFERENCE is TRUST.*



**Exceptional Service • Innovative Programs • Quality Benefits**



1-800-852-8300

[www.mmeht.org](http://www.mmeht.org)



**EXECUTIVE COMMITTEE**

**PRESIDENT**

**DIANE HINES**

Town Manager, Town of Ludlow

**VICE PRESIDENT**

**MELISSA DOANE**

Town Manager, Town of Bradley

**IMMEDIATE PAST PRESIDENT**

**ELAINE ALOES**

Chair Selectboard, Town of Solon

**MEMBERS**

**ROBERT BUTLER**

Selectperson, Town of Waldoboro

**DAVID CYR**

Town Manager, Town of Frenchville

**PHIL CROWELL**

City Manager, City of Auburn

**TERRY HELMS**

Selectperson, Town of Grand Isle

**SHILOH LaFRENIERE**

Town Manager, Town of Jay

**DAVID NADEAU**

Councilor, Town of Windham

**JUSTIN POIRIER**

Town Manager, Town of Monmouth

**DINA WALKER**

Selectperson, Town of Weld

**ANTHONY WARD**

Town Manager, Town of Casco

**EXECUTIVE DIRECTOR**

**CATHERINE M. CONLOW**

**MAGAZINE STAFF**

**KATE DUFOUR** / Magazine Editor

Director, Advocacy & Communications

**LAURA ELLIS** / Advocacy Associate

**REBECCA LAMBERT** / Municipal Issues Specialist

**SUE BOURDON** / Design & Advertising

**CAROL WEIGELT** / Web Publishing Technician

**VALARIE POMERLEAU** / Circulation

© 2024 MAINE MUNICIPAL ASSOCIATION.  
ALL RIGHTS RESERVED.

MAINE TOWN & CITY (ISSN 2578-4374) is published monthly, except in November, by the Maine Municipal Association, 60 Community Drive, Augusta, Maine 04330. (207) 623-8428. Periodicals postage paid at Augusta, Maine, and at additional mailing offices. All rights reserved. Postmaster send address changes to: Maine Town & City, 60 Community Drive, Augusta, Maine 04330. Information, policies and opinions do not necessarily reflect the views or policies of the Maine Municipal Association. Subscription price: \$25 per year.



**In this issue**

**WOMEN IN LEADERSHIP.** From U.S. Senators Margaret Chase Smith and Susan Collins and Governor Janet Mills, to city managers Diane Hines, Melissa Doane, Danielle West, Heather Hunter, Deb Laurie and Susan Roberston to MMA's own Ethel N. Kelley, Maine women have left an indelible mark on our state and communities. **PAGE 5**

**BOOKS & BIG IDEAS.** Kittery residents of all ages are turning to reading as a means for fostering community engagement and discussion on important issues. To date, the community wide book club has helped to foster conversations on housing, Maine's Indigenous people and climate change. **PAGE 7**

**EXTREME STORMS.** In this series *Maine Town & City* will report on how municipalities are dealing with the onslaught of extreme storms. This month, we turn our attention to Farmington, Harpswell, Castine and Machias. **PAGE 9**

**ELECTED OFFICIALS SERIES.** In this series, MMA staff provide the advice, tips and tools elected officials need to fulfill their roles. This month, elected officials will learn about the tools and resources available to effectively communicate with members of the board or council, residents, and the media. **PAGE 15**

**FUN SIDE OF MUNICIPALITIES.** It's not all work and no play for many towns and cities across Maine. Parades, historic reenactments, fireworks, summer concert series and winter fishing derbies, show that local leaders know how to let their hair down and have fun. **PAGE 19**

**FIRST RESPONDER SERIES.** This is the second article of a three-part series looking at the challenges of Maine's first responder community. Last month the focus was on recruitment, this month *Maine Town & City* explores challenges around training. **PAGE 27**

**DEPARTMENTS**

Risk Manager / 23

People / 40

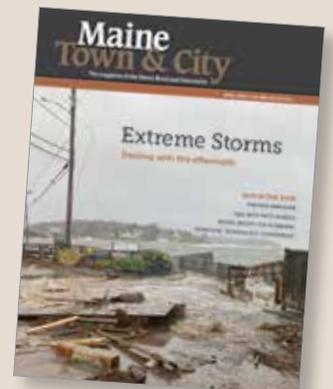
News from Around the State / 42

Legal Notes / 44

Training Opportunities / 47

**ABOUT THE COVER**

The ocean pounds the Sundrenched seafood shack on Jan. 13 in Harpswell, littering the road with debris (*Submitted Photo*)



STREETS

BUILDINGS

SCHOOLS

AMERICAN BUILT



New  
England,  
in its  
**best  
light**

Your partner for  
community-wide  
lighting upgrades



affinityLED.com (978) 378-5338

- Comprehensive audits
- Built in New Hampshire
- Project management
- Efficiency Maine qualified partner
- Budget-neutral financing options through our partners
- Safe disposal & recycling

# A Tribute to Women in Government

By Cathy Conlow / Executive Director



If you are reading this article, you might wonder why I have chosen to recognize Maine women in government in April, instead of March. Well, those who know me might say that I simply missed that March was women's history month. Sure, that is a plausible explanation, but I also offer that I am actually writing this in March, and like many of you, I don't subscribe to the notion that the accomplishments of women in local government can be limited to a single month.

So, it is with that explanation I begin.

As you all know, the tapestry of governance in Maine is woven with the stories of courageous women who have broken glass ceilings, redefined societal norms, and steered the course of their communities towards progress and prosperity.

As we look back in history, Mainers have been familiar with notable women that have held or hold prestigious positions in government. Margaret Chase Smith, the first woman of Maine to be elected to Congress, completed terms in both the Maine House of Representatives and Senate. Senator Olympia Snowe, who represented Maine in both Congress and the U.S. Senate from 1979 to 2013; Senator Susan Collins, who has represented Maine in the U.S. Senate since 1996; Congresswoman Chellie Pingree, who has served the first district since 2009; and Beverly Daggett who was the first woman to serve as Maine Senate President. Of course, when we talk about notable Maine women who have ascended in politics and leadership, Governor Janet Mills, the first female governor of the State, reminds us of the strength and resiliency of our women leaders.

Lesser known to all Mainers, but equally transformative is the impact that women, both elected

and appointed, have had on municipalities across Maine. Over the decades, the unique landscape of Maine's municipal governance has led to quiet transformation – one that champions women to positions of leadership.

Maine, with its close-knit communities, serves as a fitting backdrop for the evolution of women in

leadership roles. However, beneath the surface lies a narrative of perseverance and resilience, where women have long assumed leadership positions in service to their communities. For smaller communities throughout Maine, like Ludlow and Bradley, women in positions of leadership have long been the norm. Whether they lead as selectboard members, councilors, clerks or tax collectors, women have held important positions in Maine, for decades.

Let us consider some notable women in local government going back over a 150 years ago, which provides an important framework. Olive Rose, of Warren, was elected Lincoln County's assistant register of deeds in 1853. She not only became the first woman elected in Maine, but it has been noted that Olive was the first woman elected in the United States, when she crushed her opponent 73-4. Octavia Harlow Moulton Graffte became the first elected assessor of Dennistown Plantation in 1890. These were impressive achievements in their time, given that the women who ran for office could not vote themselves. It is that spirit of electing and supporting the most qualified candidates in Maine that really defines the framework for why women have and continue to be successful in municipal government in Maine.

Following in the early legacy of Olive Rose, women continue to grow and dominate in local government politics.

By the 1970s much had changed when Madeline Freeman of Orono, served not only as Orono Council Chair but was also elected as the first female president of Maine Municipal Association. Not surprising since we are familiar with Ethel Kelley, who served as MMA Executive Director during the Second World War.

In city halls and town offices across Maine, women have emerged as catalysts for change. From Augusta to Lewiston, women have assumed the mantle of leadership, wielded influence and shaped policies that resonate with the desires of their constituents.

Although each female leader in Maine and municipal government has been notable in their own right, it is important to point out that for the first time in history, Maine's three largest communities as well as the Capital City are managed by visionary women who represent the essence of leadership and strength. Danielle West of Portland, Heather Hunter of Lewiston, Deb Laurie of Bangor, and Susan Roberston of Augusta all began their respective

careers as department heads within their communities. All four shared a sense of commitment to their communities, were respected leaders in their cities, and shared no specific desire to become the manager. Yet when each of the communities faced a loss of their managers in 2021, these women emerged as the natural choice for their respective communities. Unfortunately, as I write this, both Heather and Susan have announced their retirements.

As we reflect on the remarkable journey of women in Maine's municipal leadership, one thing becomes abundantly clear – the commitment of women to their communities transcends boundaries and inspires generations to come. In a world fraught with uncertainties, women continue to serve as pillars of strength, guiding their communities towards a brighter tomorrow. As we embark on this journey of discovery and empowerment, let us draw inspiration from the indomitable spirit of Maine's pioneering women, and strive to build a future that is truly inclusive and equitable for all. 🏡



**Stephen Langsdorf**  
slangsdorf@preti.com

**Kristin Collins**  
kcollins@preti.com

**Cameron Ferrante**  
cferrante@preti.com

## OUT WITH THE OLD

Changing times call for a change in thinking. Learn why more Maine cities and towns are putting their municipal challenges in the hands of our growing **Municipal Law and Finance Group**.

**Can we set up a time to talk to you?**

**PretiFlaherty**

207.623.5300 | Preti.com

# Kittery's Books & Big Ideas Initiative

Fostering community engagement through reading and learning. A novel idea.

By Stephanie Bouchard

Many communities in Maine and across the country take part in community reads, usually spearheaded through public libraries. For these programs, only one book title is selected for everybody who participates, but the town of Kittery took the community reads idea to another level. A year ago, it launched its Books & Big Ideas initiative.

With the implementation of the state's new housing legislation (LD 2003) on the horizon and mounting concerns about affordable residential options for shipyard workers as well as healthcare personnel and teachers, town councilors and staff wanted to begin a conversation with residents around the topic of affordable housing.

"It's a complex topic," said Suzanne Esposito, Kittery's communications director, and residents have different understandings of what affordable housing is and of the language and terminology used when affordable housing is discussed.

In thinking about how the town could engage residents on the topic of affordable housing and on a number of big initiatives and goals set by the town council, Esposito, Kendra Amaral, Kittery's town manager, and executive assistant, Haley Mock, hit upon the idea of using books to connect residents with what's happening in their community. With books, Esposito said, "everybody has a chance to learn."

"We talked a lot about some of these topics that were part of the work that we were engaging on here at town hall, part of our annual goals the town council



Storm Impacts on Cutts Island (Submitted photo)

is working on, and we were realizing that for some of these topics, maybe there's a lack of information that's accessible to people," she said. "We figured if we're going to be discussing these topics at length and we're going to be doing ordinance work and we're going to be taking on initiatives, people need to understand the topics, understand why they're important, and understand why they matter here in their

own neighborhood."

This is when Kittery's Books & Big Ideas initiative was born.

The librarians at Kittery's Rice Public Library select books based on a theme associated with work being done at town hall. Selections include fiction and non-fiction books for adults, young adults, and youth, and picture books for the youngest community members.

For the initiative's first program, held last spring, the topic was on the theme of housing, housing insecurity, and the importance of "home" in connection with the implementation of LD 2003. Its second program, held last fall, was on the theme of Maine's Indigenous peoples in connection to the town's diversity, equity, and inclusion initiatives. And the current program, which wraps up in April, is on climate action and sustainability, which relates to development of Kittery's climate action plan.

Town staff, library staff, and the staff of the community center get together to brainstorm ideas for supporting the chosen theme, said Esposito. For instance, if there's a movie based on a selected book, then the community center could host a screening of the movie. The library might host an author event, and school children might create theme-related artwork to be exhibited at town hall.

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



Tribal Flag Presentation (Submitted photo)



Shapleigh Art (Submitted photo)

Having various organizations in town taking part in the Books & Big Ideas program means the town can meet people where they are, and importantly, engage with people that may not typically attend town meetings.

Esposito said she's seeing a lot of digital engagement – people scanning QR codes created to pair with art exhibits, for example – and events have been well attended. "It's been pretty positive," she said.

Kittery resident CiCi Nielsen is at the library weekly, and that's where she first learned about the Books & Big Ideas initiative. When she participated in the first program, on housing, she was impressed. "The books they chose were amazing," she said. "They were the kind of books you wanted to give everybody and say, 'Please read this.'"

In addition to reading good books and learning more about topics, even ones she already knew a lot about, she's been able to meet and talk to people in town that she hasn't run across in the course of her daily life. "I talked to people that I maybe not ordinarily talk to," she said. "The housing (discussion event) was really interesting because there were people there who had some stronger ideas about it."

A former middle school writing and reading teacher, Nielsen appreciates the effort the town is making to provide residents with a variety of entry points to a topic. "I do think it's valuable," she said. "Anytime that you can give people good information is important."

That the program is resonating with residents is exciting to Kittery's town leaders, and they are further encouraged that their initiative is getting attention outside the state as well, says Esposito.

The town of Brewster, Massachusetts, is launching its first Books & Big Ideas program in April. Kittery's town

manager is from the Brewster area and word about Kittery's initiative got to Brewster's town manager, who suggested to Brittany Taylor, library director of the Brewster Ladies' Library, that they should try it.

Taylor was familiar with One book, One Town and community reads programs, but having a community reads program connected to town issues is a first. "What really spoke to us about this type of community read is that we could really reach out to a lot of different people in the community, different departments in the town, just really make it a town-wide event in all the different senses of that," she said. "We really wanted to make these topics and policies affecting our community more accessible and we wanted to be able to encourage and enrich the discussion about these topics in a way that people could really respond to."

In Kittery, while the Books & Big Ideas initiative has not engaged every single person in town, it has reached a broader swath of residents, and helped them better understand the nuances of topics that can't be delved into in the language of a town warrant article or an ordinance or policy, Esposito said.

Approaching what can be "charged" subjects through literature also provides residents with opportunities for discussion without getting personal, she said. "That's a challenge in the work that we do," she said. "If... you're talking about a story that someone else wrote about a character, it's a lot easier to talk about that without feeling insulted or personally attacked. It's providing this opportunity for people to look at it from a different perspective."

To learn more about Kittery's Books & Big Ideas initiative, contact Suzanne Esposito at [SEsposito@kitteryme.org](mailto:SEsposito@kitteryme.org), 475-1309, and go to [www.kitteryme.gov/reads](http://www.kitteryme.gov/reads). 🏡

# Extreme Storms

A too common occurrence for the communities left to address the wreckage.

By Janine Pineo

“Water, water, every where.”

The line from Coleridge’s “The Rime of the Ancient Mariner” aptly describes much of Maine when storms hit the state in December’s nor’easter and January’s sou’easters that were accompanied by hurricane-level wind gusts: 93 mph in Trescott in December and 95 mph at Isle au Haut in January.

December’s “Grinch storm” on the 18th brought with it a deluge of rain in western Maine, melting the snowpack and swelling waterways to overflowing, reminiscent of the notorious 1987 spring floods. January’s storms on the 10th and 13th came with a roaring tide as south-southeasterly winds pushed the sea to devastating levels along the state’s entire coast, wiping out wharves, docks, and coastal roadways, eroding beaches and seawalls and pounding seaside structures from iconic lighthouses to family businesses.

Among those municipalities still in recovery are Farmington, Harpswell, Castine and Machias. Here is what happened to those communities during the December and January storms.

## Farmington

Dig back into the state’s flood history both recent and long ago and Farmington frequently can be found in the mentions.

Which is to say that the Dec. 18, 2023, storm that dumped up to a half-foot of rain in the western Maine region added insult to injury to a town that had been hit by the Christmas storm of 2022 and the May Day storm of 2023.

Town Manager Erica LaCroix sets the scene: “The Sandy River doesn’t have steep banks in most areas, so the river doesn’t have to rise as high as many areas along the Kennebec, for example, to breach the banks. The Intervale –the area where McDonalds and Hippach Field sit – is particularly low-lying and floods frequently, although not to such a dramatic degree. There are also many areas with large, flat fields that come right up to the roads’ edge with little to no rise between the field and the road surface, so a lot of flooding was seen in these areas once the fields



Farmington - Hippach Field Flood Damage (Submitted photo)

flooded. We sit among hills, but a lot of the geography is flat farmland which is prone to flooding, but the hills surrounding us also present a challenge in terms of additional flooding due to runoff. December was a perfect combination of water flowing down out of the hills exacerbated by snow melt and torrential rain that was already filling the low-lying areas.”

Fire Chief Tim Hardy said water levels were the highest seen since 1987, with all businesses in the Intervale on Main Street sustaining significant damage from the flooding, most of which remained closed in late March.

“Multiple roads were washed out due to the amount of quick-flowing water along with flooding of almost every bridge in town,” Hardy said. “We also had multiple propane tanks floating at businesses and down the Sandy River. Some of them are still being found.”

One of the major impacts from the storm is the loss of the Farmington Falls bridge, not expected to reopen until summer. “The loss of that bridge has created a long-term detour that has impacted travel in that area of town,” Hardy said.

“During the height of the flooding, Farmington effectively became a series of several islands between flooded access points,” LaCroix said. All of the major roadways in and out of town were blocked by floodwaters.

Municipal losses were significant.

Hippach Field on lower Main Street had about \$15,000 in damage from the May Day storm, Parks and Recreation

About the Author: Janine Pineo is a freelance writer from Hudson and regular contributor to Maine Town & City, [jepineo@gmail.com](mailto:jepineo@gmail.com).

# Enhanced Incentives for Municipalities and Schools

Efficiency Maine is offering limited-time,\* enhanced incentives to eligible municipalities and schools that are interested in upgrading to energy efficient, whole-building heating, ventilation, and air conditioning (HVAC) technologies.

*\*Applications accepted on a first-come, first-served basis.*



## Municipalities



Scan QR code  
or visit:

[efficiencymaine.com/  
at-work/municipal-  
retrofits/](https://efficiencymaine.com/at-work/municipal-retrofits/)



## Schools

Scan QR code  
or visit:

[efficiencymaine.com/  
at-work/school-  
retrofits/](https://efficiencymaine.com/at-work/school-retrofits/)



Not sure where to start? Sign up for a  
free virtual consultation today.

Visit [efficiencymaine.com/  
business-customer-consultation/](https://efficiencymaine.com/business-customer-consultation/).



Learn more at [efficiencymaine.com/at-work/](https://efficiencymaine.com/at-work/)

Director Matt Foster said, but December was much worse. “Hippach Field was nearly 12 feet underwater in the deepest place and the damages are estimated at nearly \$200,000.”

The entire facility was covered in about a quarter inch of river silt. Buildings and equipment “suffered severe damages,” he said, with some a total loss and the historic fieldhouse in need of significant cleanup and repairs.

The town’s wastewater treatment plant sustained major losses, including two late-model heavy duty pickup/plow trucks and a skid steer. Most of the electronic and motorized equipment housed in the facility was a total loss, LaCroix said, including pumps, electronics, testing devices and more. Heavy damage occurred in the laboratory in the main building, while the treatment facility itself was not damaged and there was no disruption to sewage processing.

Add in numerous road repairs, many of which are still under way, and as of yet unaccounted for labor and costs are expected to top \$500,000.

“FEMA is currently working through site inspections and has not yet provided an estimate of what will be eligible for reimbursement,” LaCroix said. “Even after a determination is made, it could be a significant period of time before any federal funds make their way to the town. Farmington just finally received the FEMA payment for damages done in December of 2022, and no payment has yet been received from the May storm.”

## Harpswell

Maine has 3,478 miles of coastline. Harpswell alone has 200 miles of it, some of it typical rocky shore, and some protected harbors but a considerable amount with open ocean exposure.

In January’s sou’easters, the town’s east-facing locations with that open exposure on Bailey Island and the Harpswell Neck peninsula took a beating as the high winds and high tides hit the shore. While the western shores, particularly on Harpswell Neck, suffered severe flooding from storm surge and massive waves.

Town Administrator Kristi Eiane, Harbormaster Paul Plummer, and Emergency Management Agent Mike Drake came together to provide the details on the destruction to the Cumberland County town.

On the private front, more than 250 Harpswell property and business owners made claims to the Maine Emergency Management Agency. Some wharves were lifted off their cribs or pilings, making some unstable while others toppled over. In the east-facing areas of the shore,



Harpswell - Town wharf (Submitted photo)

wharves were ripped off the land, while some houses in those areas had damage from crashing waves and “rocks being thrown and turned up by the ocean.”

A major problem was the sinking of an 83-foot boat in the Cundy’s Harbor-New Meadows River area. The Coast Guard has been involved with the environmental cleanup issues and may take the lead on its removal.

Granite blocks were shifted on the Cribstone Bridge to Bailey Island on state Route 24, while on state Route 123, Potts Point Causeway on Harpswell Neck was damaged, with more damage occurring in the March 10 storm.

For the town, the largest single item is the total loss of the town wharf at Potts Point at an estimated cost of \$130,000. Multiple town roads were damaged over the two storms, with an estimate of \$55,000 for all the repairs needed, including \$25,000 for Bethel Point Road.

The newly refurbished Giant Stairs Trail has an estimated \$12,000 in damage from a washout, while the new Cribstone Bridge channel markers were a total loss, with replacements expected to cost \$10,000.

Harpswell’s estimate to MEMA for municipal losses was \$218,500. The town still has 85 to 90 percent of the repair work to be completed.

## Castine

Castine sits atop a peninsula in Penobscot Bay with the mouth of the Penobscot River on its western shore and the mouth of the Bagaduce River on its eastern. The drive down the hill that is Castine’s Main Street gives the sensation that you are about to roll straight into the Atlantic. That’s before you reach the very end of the street where you see the town’s dock and its parking lot below.

On a sunny summer day, the waterfront is usually teeming with locals and tourists, the idyllic scene awash in blue sky and blue ocean, numerous boats bobbing in



Castine volunteer cleanup - Jan 11 (Submitted photo)

the harbor while the looming presence of Maine Maritime Academy’s flagship, the State of Maine, quietly rumbles at its nearby dock.

The storms on Jan. 10 and 13 changed all that.

“Our town dock was largely destroyed, two buildings and our town dock parking lot were flooded, a sewage pump station threatened with inundation, our Backshore Recreation Area was flooded, and we have experienced shoreline embankment destabilization in six different locations,” said Town Manager Shawn Blodgett.

Several seasonal homes were damaged, too, Blodgett said, as well as severe damage to a boatyard that has been in operation for generations.

Castine submitted to MEMA an estimate of \$580,000 in municipal damage, but the number is expected to rise.

In late March, the town had appropriated just over \$226,000 for storm damage repair. “This is just a dollar figure without the hard-to-quantify community involvement,” Blodgett said.

“Scott Vogell, Castine’s harbormaster, has gone above and beyond his stipend pay to make our town dock area safe after the first storm in preparation for the second, but also to get it quickly rebuilt for the 2024 boating season. Our volunteer Harbor Committee has been very active in providing advice and recommendations to our Selectboard as well as keeping the community informed throughout the recovery. One can’t say enough good things about the entirety of the volunteer Castine Fire Rescue Department as they were incredibly active throughout each of these events,” Blodgett said. “Lastly, on Janu-

ary 11th, we had hundreds of Castine residents and Maine Maritime Academy staff and students volunteer to clean up from the January 10th storm to prepare for January 13th. All of the aforementioned are volunteers and their contributions have been awe-inspiring.”

Work on the town dock began almost immediately after the storms, Blodgett said, “while being mindful to build back in such a way as to be more resilient to future events such as these.”

The town is hopeful the dock will be running in time for this year’s summer boating season. Estimates are being gathered for the backshore beach, with the aim to have it repaired by Memorial Day.

### Machias

Machias sits at the tip of the tidewaters for the Machias River which tumbles down Bad Little Falls, flowing into a narrow inlet through downtown before meeting the mouth of the Middle River from Marshfield a half mile away and then the East Machias River farther down before passing through narrows of Machiasport and emptying into Machias Bay.

Lumber mills flourished on the Machias River back in the day, harnessing the water that carried the logs straight to them before that same water flowed over the falls and out to sea. And back in the day, Town Manager Bill Kitchen said, the land that stretches along from the downtown to the dike – which carries Route 1 across the mouth of the Middle River and its marshes – did not exist as it does today because it was built up using, among other things, the sawdust from the mills, creating a flat plain a few feet above sea level.

On Jan. 10 in Machias, the four inches of melting snowpack from higher ground combined with heavy rain to meet the incoming high tide surging from southerly winds



Machias Town Office (Submitted photo)

to push the tidewater up and over the Route 1 dike (whose tidal gates are not functioning properly) and its neighboring recreational Sunrise Trail and sent it rolling across the plain, topping several feet high in places and surrounding the Town Office along with other structures and businesses.

Route 1 was closed for more than an hour, Kitchen said, and when the tide receded, it was covered in chunks of ice, seaweed, rocks and logs.

The Town Office had an inch of seawater inside.

On March 10, another storm hit, breaching Route 1 and the trail again and surging within six feet of the town office, which has been closed since Jan. 10. Kitchen said operations were moved into the town's telebusiness center on Stackpole Drive, which houses the Police Department on the first floor.

The town is waiting to find out what insurance will cover, and what FEMA will cover. Kitchen said hazard mitigation assistance was added to the usual public and individual assistance requested, which would let the community build back better as opposed to simply restoring to the previous condition.

For Kitchen, there are "many silver linings to these storms. Some of those silver linings can lead to new plans," he said.

In this instance, there may be a new town office built on land across from Hannaford. A floodwall is a topic of discussion and the dike bridge, which had a temporary bridge erected atop the current structure weeks before the January storms, is in the crosshairs of the Maine Department of Transportation for repair or replacement.

Kitchen said the situation with the Sunrise Trail, which

has extensive damage along the waterway as it runs toward East Machias, has brought state departments, conservation groups and snowmobile and ATV groups together to get the trail reopened by Memorial Day. An economic driver for the area, the trail is the site of an ATV jamboree at the end of June.

"I feel like we are very, very out in front," Kitchen said. 🏔️

## ABOUT THIS SERIES

**Wind. Rain. Ice. Blizzard. Bomb cyclone. Nor'easter. Sou'easter. Flooding. Washouts. Blackouts.**

The Christmas storm. The May Day storm. The Grinch storm. The January storms. The March 10 storm. The March 23 storm.

For many, the ice storm of 1998 is writ large upon the memory, the storm to end all storms with its days of accumulating ice and the resulting aftermath of hundreds of thousands without electricity for weeks. But more recent weather events have been hitting Maine repeatedly with a power and frequency that have left in their wake damage in amounts that can be difficult to grasp as a whole because of the enormity of the destruction in town after town, city after city.

Over the next few months, Maine Town and City will report on how a number of municipalities are dealing with the onslaught of extreme storms, from the initial damage to emergency measures, community aid and plans for what may be coming one day.

Our first story focuses on what has happened recently to four municipalities: Farmington, Harpswell, Castine and Machias.



**Michael A. Hodgins**  
Land Use and Zoning Attorney

Mike represents towns in contract disputes and other general litigation, land use enforcement actions, Rule 80B appeals to Superior Court and he has participated in several appeals to the Law Court. Mike was recently recognized as a Lawyer of the Year by The Best Lawyers in America® for land use and zoning law. Mike has been recognized for his general litigation practice by New England Super Lawyers.

**Eaton Peabody**  
Attorneys at Law

1-800-564-0111 | [eatonpeabody.com](http://eatonpeabody.com)  
Augusta | Bangor | Ellsworth | Portland

Work with a legal team  
**that excels at math.**

Be valued. **BE SHUR.**



**N. Joel Moser**  
ATTORNEY



**Philip Saucier**  
ATTORNEY



**Eben Albert**  
ATTORNEY



**Spencer Shagoury**  
ATTORNEY

### **Meet the Property Tax and Valuation Team.**

We counsel municipalities on local property taxation, property valuation, and assessment, helping you to understand how property will or should be locally assessed for property tax and economic development purposes.



[bernsteinshur.com](http://bernsteinshur.com)

# The Art of Communication

Common sense tips for how to engage with the public without stepping in it.

By Kate Dufour, Director, Advocacy & Communications

For some, public speaking comes naturally. For others, however, the thought of addressing a large group of concerned citizens, responding to a media inquiry, or sitting down to compose an email, is as comforting as a visit to the dentist...no offense to our endodontists. However, like it or not, a large part of an elected official's role is wrapped up in communications. Municipal leaders are expected to address fellow select board and council members, residents, and business owners, as well as municipal employees and volunteers. While everyone is entitled and encouraged to develop their own style of engagement, what follows are a few tips to avoid getting into too much hot water.

**The Basics.** Communication comes in three forms, two of which are the obvious forms, oral and written. In both cases, the same set of rules apply, which revolve around the need to be factual, informative, clear, and easily digested by the greatest number of residents in the community. Additionally, municipal leaders should be thoughtful when speaking or crafting memos, emails, texts, or social media posts. While the advice to think before you speak or hit send is easy to provide, implementation, especially when tensions are running high, can be difficult. Simply stated, never put into writing anything you would feel uncomfortable seeing above the fold of a daily newspaper, having your mother see on a local news broadcast, or better yet needing to defend in a court of law.

The third form of communication is body language.

Even if you are not speaking or writing, your body is telling many stories, and if you have a proclivity to speak with your hands, as I do, those hands are telling a far more involved story, all of which can be prone to misinterpretation. Sitting in council chambers with your arms crossed may send the message that you are bored with the topic at hand, even if you are just getting comfortable. While that odd smirk on your face may be related that to the meme you read before coming to the select board meeting, it could suggest that you find the topic at hand trivial or unimportant.

The best advice on this issue comes from a very wise woman, who before any social event informs her husband that throughout the entirety of the event, he is to remind his face that he is having a good time. In other words, be cognizant of the story your body is telling.

**Rules of Communication.** While the following rules of communication can be amended to better suit your style, from the perspective of an advocate for municipal government interests, and a city councilor, there are four that top the list.

**Be Yourself.** You've been elected to office, therefore it is clear that someone other than immediate family members have confidence in your abilities, and more importantly trust that you will do the best you can for the community. If you are a nerd, bring on the charts, graphs, and pocket protectors. If you are funny, use humor...trust me, toward the end of a three-hour meeting, we can all use a chuckle. You are better at being yourself than anyone else. Just do it.

**Be Unpopular.** This is the toughest of the bunch. Remember that it is okay to have a difference of opinion on an issue. Articulate your position, the reason for disagreement, and to the extent possible, offer suggestions for reaching a common ground solution. At times it is going to be difficult, I mean...who doesn't want to be popular, but it is important to stand your ground, politely and constructively, that is.

## EO101

"An Elected Official's Survival Guide." In this series MMA staff will provide the advice, tips and tools elected officials need to fulfill their roles and to be prepared for the challenges that await.

**Be Reliable.** If you promise to get back to someone, do so. Routinely check in and respond to letters, calls and emails from staff and residents. If you don't know the answer, say so and find someone who does. Being reliable is directly tied to credibility and trust.

**Be Kind.** Although someone may be shaking the patience right out of you, remember that everyone has a story to tell and a need to be heard, regardless of whether it is the first or tenth time you've heard the story. Be kind to municipal staff, worried or nervous residents and neighbors, and most importantly, be kind to yourself. We all make mistakes. Just apologize, learn, and move on.

**Chain of Communications Policies.** Even when you've taken control of, or at the very least notice, your body language, and have put into practice your rules of communication, sometimes it may be necessary to adopt select board or council policies that clearly spell out the chain of communication. These policies can be crafted to put into place different procedures depending on the required response.

**Response to a Resident's Question.** For example, when responding to a question from a resident who is seeking your opinion on an issue, it can be a free for all, no holds barred process, where you are welcome to share your personal opinion. It is important however, when asked for information, rather than an opinion, such as the date of the town meeting, that your information is accurate.

**Response to a Crisis.** There may be times when it is all hands-on deck, and information needs to get out as quickly as possible, such as an emergency road closing or a flood warning. In this case, all elected officials could be called on to get the same message out to as many people as possible.

**Response to a Controversial Issue.** In other cases, however, to protect the interests of the community, it might be that a single person, whether the mayor, board chair, lead staff member or municipal attorney, is designated as the key contact. This will ensure that the same information is being provided by the same individual. This is of particular importance when addressing a disciplinary or legal action.

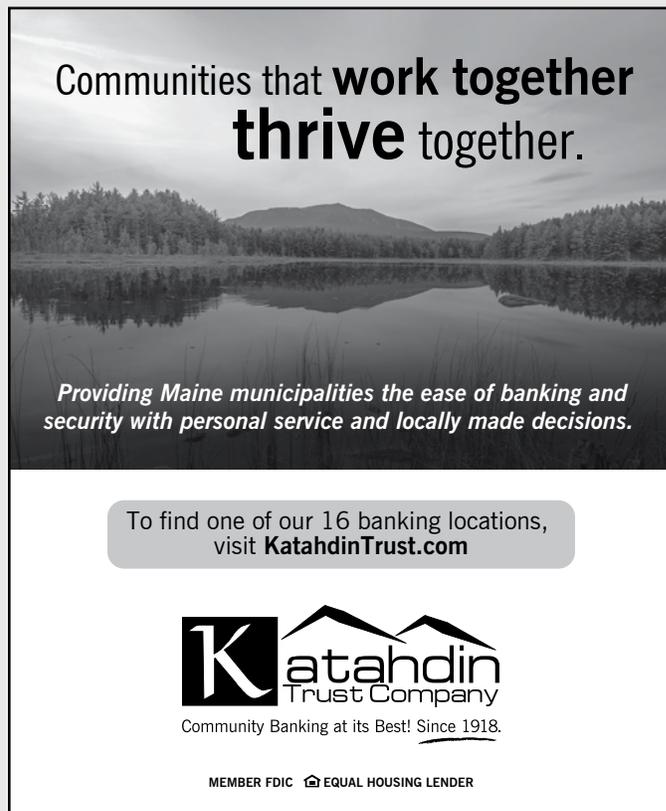
**Broad-based Outreach.** In the absence of the perfect communication tool that reaches and appeals to each resident in our towns and cities, it is important that municipal leaders use multiple avenues for engaging the public in conversations, discussions, and debates. Elected leaders do their best work when broad based feedback is considered in the process of developing programs, services and solutions that meet the needs and desires of the community. One of the toughest roles of a municipal

leader is reaching out to those in our communities that are less likely to share their opinion; read the silent majority.

For that reason, municipal officials should turn to a mix of resources including newspapers, newsletters and bulletin boards, emails and websites, and podcasts, posts, and tweets. While there are potential pitfalls associated with the use of each of these tools, communication policies, thoughtfulness, and care can ensure that these tools are used effectively and responsibly.

**Best Practices.** It should come as no surprise that we live in a society that wants what it wants, when it wants it. We all want immediate access to answers, details, and information. However, avoid the temptation! While timely information is of utmost importance, the intel shared must be accurate, informative, and useful. Rushing to a response can generate more confusion, the need to recall information, and erosion of trust and credibility. Take a breather, reread the question, do the research, and get the response right the first time around.

**Disclaimer.** Finally, while much of the advice provided above falls in the category of common sense, it may be the case that when adopting communication policies or seeking to implement the use of more technically advanced tools, legal review might be warranted. To that end, municipal officials are encouraged to reach out to MMA's Legal Service Department at [legal@memun.org](mailto:legal@memun.org). 🏡



Communities that **work together**  
**thrive** together.

*Providing Maine municipalities the ease of banking and security with personal service and locally made decisions.*

To find one of our 16 banking locations, visit [KatahdinTrust.com](https://www.katahdintrust.com)

**K**atahdin  
Trust Company  
Community Banking at its Best! Since 1918.

MEMBER FDIC 🏠 EQUAL HOUSING LENDER

## MMA Communications

In addition to letters, memos, and emails...oh my...MMA communicates with its members in a variety of different ways. What follows are avenues for municipal officials to keep up to date on the latest legal, risk management, health, training, and legislative issues.

MMA's Website ([www.memun.org](http://www.memun.org)) provides on-demand access to information on all programs and services, including updates on the latest municipal news, training opportunities, Legal Services' guides, notes, and manuals, as well as access to the many services provided by MMA's Risk Management Services, including, but not limited to, mandatory claim reporting.

Maine Municipal Employees Health Trust's website ([www.mmeht.org](http://www.mmeht.org)) provides members with information on health, dental, vision and life insurance, income protection and long-term disability products, as well as access to employee wellness and health promotion tools, including the Employee Assistance Program.

MMA keeps the lines of communication open via several print and electronic publications, which can be accessed on the website via the Advocacy & Communications or Risk Management tabs, and on the Health Trust website.

- [Maine Town & City magazine.](#)
- [The Municipal Risk Manager.](#)
- [Wellness Works Newsletter.](#)
- [The RMS Express.](#)
- [MMA Today Newsletter.](#)
- [Legislative Bulletin.](#)
- [Federal Issues Paper.](#)
- [Municipal Directory.](#)
- [Best Practices for Elected Officials.](#)
- [Local Government in Maine.](#)

MMA has also embraced new technology. While we won't be posting reels to an Instagram account anytime soon, the avant-garde among us can keep up to date on the latest news via the Potholes & Politics Podcast, Facebook and on the platform formerly known as Twitter (@Maine\_Municipal).

## Tips for Dealing with the Press

"Oh dear, why is the press here," is a statement, or version thereof, that is sometimes uttered when suddenly the beat reporter for the local or regional newspaper steps into council or board chambers or makes an electronic appearance on a Zoom meeting. As anyone who has been misquoted—or has completely lost memory of the information provided to an inquiring reporter, only to be reminded via attribution for an oddly phrased statement—can attest, practice makes perfect. To that end, the first time can be a little challenging and depending on the issue, time of day, and mood, it is also possible to stumble on your 50th request for a quote. Fear not, for what follows are steps you can take and tips to keep in mind when dealing with the media.

**Establish Background Relationships.** Get to know your newspaper's reporter. Reach out to let them know why you ran for office, the issues of greatest importance to you and what process you intend to use when making decisions. This will provide an opportunity to educate on the issues facing your community, and while reporters will not print everything you say or focus specifically on your point of view, having that information ahead of time can help avoid misunderstandings and lead to the publication of well-informed articles.

**Clarify Statements as Official or Personal.** When asked for a quote on an issue make certain that the reporter understands whether you are speaking on behalf of the board or council, or if you are sharing your personal perspective on the issue. There is nothing wrong with speaking your mind, however providing that level of clarity will help the reporter set up the correct narrative on an issue.

**Be Transparent.** In a society replete with arm-chair attorneys, psychologists, and policy experts, remember that controversy sells newspapers and that the public is watching your every move. Avoid making off the record comments, and if you do misspeak, own your mistake, correct the record, make apologies, and move on.

**Reporters are Generalists.** Above all else, remember that reporters are human beings assigned to cover a variety of municipal issues, with very little time to dig into the varied specifics. Additionally, daily deadlines can contribute to error rates, as can access to limited staff and other resources.

## FOLLOW US!



[www.memun.org](http://www.memun.org)



[www.facebook.com/MaineMunicipal](https://www.facebook.com/MaineMunicipal)



[@Maine\\_Municipal](https://twitter.com/Maine_Municipal)



[@memun\\_advocacy](https://twitter.com/memun_advocacy)



# LEADING THE WAY



Paving Solutions



Snow Removal



Equipment Rentals



Waste Handling



Generator Rentals



Backup Power

## THE ONE SOURCE FOR PROVIDING CONSTRUCTION AND POWER EQUIPMENT TO MAINE'S CITIES, TOWNS, AND COUNTIES

Brewer, ME  
79 Robertson Boulevard  
(207) 989-1890

Scarborough, ME  
16 Pleasant Hill Road  
(207) 883-9586



[miltoncat.com](http://miltoncat.com)

# The Fun Side of Municipalities

From pickleball to Korean swordsmanship to hip hop dance lessons, municipal government is more than just budgets, potholes, and taxes.

By Betty Adams

While municipal governments bear a large responsibility in caring for people and property, many of them also get in on some fun, offering a variety of activities to their residents and neighbors that help to bring the community together.

Perhaps it's something the recreation department is doing for youth, seniors, or everyone. Lots of municipalities offer parades, music, fireworks, outdoor movies, and winter fishing derbies – when the ice is sufficient to support it – among other things.

A number of those events mark a significant anniversary for the municipality.

Municipalities also facilitate numerous other events organized by other groups, chambers of commerce and various service organizations, and even though the pandemic slowed attendance and forced many cancellations over the past few years, the events are beginning to pick up pace again.

The Town of Smithfield in Somerset County hosted a four-day winter event to celebrate the 46th anniversary of the town's founding, which occurred Feb. 29, 2024. The town was incorporated in 1840 – a leap year. Four years ago, the town's winter celebration took place just two weeks prior to the declaration of a national emergency because of COVID; that summer celebration was canceled.

This winter, most of the events went off without much of a hitch: a movie for children, a hypnotist show, arts and crafts for kids that included making bird feeders and rock painting, and a Fireman's Lunch where the Smithfield Historical Society did a skit dressed up like the founders of Smithfield. The lack of snow meant the horse-drawn sleigh became a horse-drawn wagon, and members of the North American Versatile Hunting Dog Association, which owns a parcel of land in town, demonstrated how they trained their dogs.



S&S Sleigh Ride (Submitted Photo)

“Sunday we were supposed to have a fishing derby on North Pond with a breakfast and lunch and prizes,” said Nichole Clark, administrative assistant to the Board of Selectmen. “The ice did not cooperate, so we had to cancel.”

Plans are set for the summer celebration Aug. 1- 4 and include a fireworks show, a local dance and a carnival-style activity on that Saturday for children, and an ax-throwing exhibition on Sunday.

“For our 175th anniversary, we did a big thing and the

Betty Adams is a freelance writer from Augusta and regular contributor to *Maine Town & City*, [adamsbetty00@gmail.com](mailto:adamsbetty00@gmail.com).

townspeople came together,” Clark said. “That’s what spurred us. Getting to know our community.”

She said that inspired the quadrennial celebrations. “We thought, why not do something every four years, just a little smaller?” There’s a Leap Year Committee and an anniversary fund.

In Richmond, the town runs Richmond Days, held annually on the last weekend in July. This year it’s July 26 and 27, and Oliver Pettengill, town recreation director, helps coordinate the parade. This year’s theme is “Richmond Enchanted.” Last year it was a bicentennial theme to celebrate the town’s 1823 incorporation.

Waterfront Park along Front Street is the staging ground for many activities, and one standard feature is a race with competitors attempting to strategically step on lobster crates strung out in a section of the Kennebec River. “As long as the weather holds out and I have enough volunteers to run the lobster crate races, we will keep doing them,” said Laurisa Loon, town manager, who was completing the brochure for the summer celebration in late February.

The pandemic forced the cancellation of the 2020 Richmond Days, and an abbreviated version, Richmond Nights, with some of the same events, saved for 2021.

The Richmond Area Senior Center, which is just across Front Street, gets involved as well by renting tables for a community yard sale. The center offers programs for



(Submitted Photo)



Laurie Saunders (Submitted Photo)

seniors in that Sagadahoc County community as well as neighboring communities.

“Anybody can come in,” said Laurie Saunders, center director. “I won’t turn anybody away.”

Saunders organizes a number of activities both there and offers some trips as well, including some out-of-state tours in collaboration with a couple of tour companies. “I like to do one or two a year,” she said. “Unfortunately, I think COVID has really done people in and there’s still some people that don’t want to travel. We canceled the trips for 2023.” And in February, she was notifying people that the 2024 spring tour would be canceled because of low participation, but she hopes future trips will draw more attendees.

In the meantime, the center also offers two trips a year to a mystery destination within Maine. Seniors are charged \$55, which includes any admission to an activity, lunch, and the bus rental. “We fund-raise throughout the year to help defray the cost,” Saunders said.

Recent destinations have included visiting The Maine Mill Museum and Veterans Park in Lewiston, walking across the Two Cent Bridge (also known as the Ticonic

Foot Bridge) in Waterville. One previous mystery destination was the Maynard F. Jordan Observatory at the University of Maine in Orono.

Some years ago Saunders started the Senior Center Summit, a meeting of area senior centers. “Sometimes we have a speaker; sometimes we sit around and talk. We want to hear what other people are doing and get inspired by them or maybe we can inspire them to try something,” she said. “Each center takes a meeting which gives everybody a tour of their facility and how they do it.”

Pettengill said the town’s Halloween Parade and trunk-or-treat at the waterfront is among the more unusual town offerings. “We close down half of the downtown for that,” he said. “We basically shut down Main Street, Pleasant Street and Front Street. It’s a full town event. There are houses that set up haunted houses, houses that set up candy walk-throughs.” Along with the treats, there’s a food truck with free french fries and fried dough.

“It’s a really cool town event,” he said. “We do it on Halloween night.” And if it’s a school night, “We just roll with it.”

In Oxford County, Otisfield Recreation Director Molly Bielby planned an inaugural Easter egg hunt and pancake breakfast for March 30, and hoped to attract numbers similar to what the town sees for its own trunk-or-treat. A week prior to the egg hunt, Bielby had received RSVPs indicating that at least 50 people planned to attend the event at the new playground.

A new community recreation project – built without tax dollars, she noted – officially opened for public use

last year behind the Town Office. It consists of a green space that can be used as a soccer field, a new playground and pickleball courts.

“It’s been a dream,” Bielby said. “It’s to be used if anybody wants to go down there now. We had the most wonderful turnout for soccer season this year. It’s the first time we’ve had a home base for quite a while. We got lots of compliments from people who came in.”

She said families have also used the space for picnics. “We’re planning to continue working on this rec space. The idea behind it is to offer a space for everyone in the community. We’re looking to put in a covered area for picnic tables and perhaps some performances.”

The town also offers swimming lessons for the children of Otisfield and surrounding towns at Otisfield Town Beach on Pleasant Lake. Bielby said she is “most proud” that the swim program has been revived.

“The last two years have been very successful. I’d like to give a shout-out to Renshi Lisa Magiera,” she said. “When I was first trying to bring some lessons back to Otisfield, I was not able to find a knowledgeable, seasoned swim instructor or someone willing to work for two weeks. She gave me so much information and support. She is such a breath of light and energy.” Magiera now teaches swimming lessons.

In Rangeley, one of the largest town events is a spectacular fireworks display held yearly on July 3. Funded with a \$10,000 town budget item and a 70% match from a generous donor, “We put on quite a show,” said Town Manager Joe Roach. “We get a lot of folks coming in on that day.”

The fireworks show is the culmination of a day-long

THE **SNOWMAN** GROUP  
PRINTING • MAILING • STATEMENT PRINTING • BANKING SUPPLIES

- Newsletters
- Envelopes & Business Cards
- Sewer & Water Bills
- Tax Bills
- Road Signage
- Permits & Decals
- Name Plates & Badges
- Rubber Stamps & Embossers
- Banners & Signage



Printing & Mailing  
Serving Maine's Towns & Cities  
for over **90** years



800.675.7669 • sales@snowprint.com • www.snowprint.com

celebration that kicks off with a doll carriage parade. Nonprofit organizations have booths and food, and Rangeley Recreation Director Patrick O'Neil noted that for this event and others, including this year's July 13 Logging Parade put on by the Maine Forestry Museum, the Shriner's Parade, and various concerts at the local wellness center and in the park, the department helps coordinate the closure of streets.

"We're a big part when it comes time to shut it down and allow these events to run safely," O'Neil said. For example, early on the Fourth of July, the town's Public Works Department is out cleaning up after the fireworks.

Here's a brief sampling of what some other municipalities around the state have helped host or have scheduled this year:

Yarmouth hosts an April Stools Day where volunteers help to clean up dog waste left behind in some town parks – particularly those close to the river. "It's a light-hearted approach," said Karyn MacNeill, director of Yarmouth Community Services, who noted that it was started by former staff a number of years ago as a way to address the problem.

The town also offers residents an opportunity to rent canoes for a day or a weekend so they can enjoy a paddle along the Royal River. MacNeill said that program began eight years ago when the town purchased canoes

from the school department. "There were 91 rentals last year and that was a slow summer," she said, adding that the canoes are also used as part of the town's summer camp program.

Arbor Day is celebrated by the town on the third Friday in May with a special program aimed at kindergartners and first graders. "We have a dance company come in and teach kids to do hip hop dance," MacNeill said. "It's about trees and tree movement." In addition to various activities, the children are given a tree to take home to plant as well as a book about trees.

And as part of its spring and summer recreation programs, the town offers a course in Korean Swordsman-ship (Chung Suk Kuhapdo) for those ages 13 and up. "It's a lot of exercise, but it's something that anyone can do." MacNeill said. The classes are taught by Sheryl Glidden, a Kuhapdo Master. "She's been a phenomenal teacher for us for about a dozen years, MacNeill added.

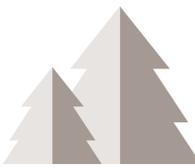
The City of Portland is hosting a free, family-friendly Earth Day celebration in Payson Park on Saturday, April 20 from 10 a.m. to 1 p.m. with face-painting, music, games, e-bike lessons, and food trucks, according to the city's announcement. It will feature composting lessons and a chance to tour one of the electric Greater Portland METRO buses. This year, Earth Day is Monday, April 22, 2024. Edward Payson Park is located in the Back Cove neighborhood. 🌲



## The Pride of Maine Towns for 75 Years.

For three generations, we've brought integrity, quality and beauty to municipal fencing projects all over Maine. Our enduring values ensure you'll be proud to surround your work with ours.

[MainLineFence.com](http://MainLineFence.com) | (207) 829-5549



the Municipal

# RISK MANAGER

A PUBLICATION OF THE MAINE MUNICIPAL ASSOCIATION

APRIL 2024



Several MMA Property & Casualty Pool members have unfortunately been fooled into paying automated clearing house (ACH) payments from fraudulent cyber criminals.

The typical plot utilized by cyber criminals is that they send you an email which resembles that of one of your vendors, and within the email not only request a payment but also advise that they have recently updated or changed their bank accounts, and therefore request that you submit all payments to the new account. It is imperative to note that public and governmental entities are considered soft targets for such attacks, as much of their daily business transactions are publicly disclosed, such as bid awards and requests for proposals. This level of transparency provides criminals with much of the information that they need to assume the identity of your vendor and commit the attack.

A second attack strategy involves direct actions against your employee's banking information. A member of your finance department (again easily determined via a search of your websites contacts) receives an email from the employee requesting a change to their direct deposit bank account. Unknowingly, the receiver doesn't realize that they are being attacked, updates the account details and the money is gone.

In these fast times of electronic communications, we cannot stress enough the importance of implementing safeguards for whenever a banking account change is requested.

- Utilize a written account change form that must be completed by your employees and signed in person.
- Arrange contact logs with all vendors so that you can call a specific phone number and person to verify and document the change request.
- DO NOT respond to the email with the request or use the contact information contained within the email.

The U. S. Cybersecurity & Infrastructure Security Agency (CISA) is issuing strong warnings that every organization—large and small—must be prepared to respond to disruptive cyber incidents. As the nation's cyber defense agency, CISA stands ready to help organizations prepare for, respond to, and mitigate the impact of cyberattacks. When cyber incidents are reported quickly, information can be used to render assistance, warn other organizations, and prevent entities from falling victim to a similar attack. For further CISA information, available tools and recommendations please visit: <https://www.cisa.gov/shields-up>.



**CYBERSECURITY  
& INFRASTRUCTURE  
SECURITY AGENCY**



CISA says "Don't take the Bait" on these phishing messages which usually come in the form of an email, text, direct message on social media or a phone call. These messages are often designed to look like they come from a trusted person or organization, to get you to respond.

## Stay Safe with Three Simple Tips

### 1. Recognize

Look for these common signs:

- Urgent or emotionally appealing language, especially messages that claim dire consequences for not responding immediately.
- Requests for personal and financial information.
- Untrusted shortened URLs.
- Incorrect email addresses or links, like amazon.com.

A common sign used to be messages including poor grammar or spelling errors. However, in an era of artificial intelligence (AI) some emails will now be written without mistakes, so look out for the other signs.

### 2. Resist

If you suspect phishing, resist the temptation to click on links or attachments that seem too good to be true and may be trying to access your personal information. Instead, report it to protect yourself and others. Typically, you'll find options to report near the person's email address or username. You can also report via the "report spam" button in the toolbar or settings.

### 3. Delete

Delete the message. Don't reply or click on any attachment or link, including any "unsubscribe" link. Just delete.

***If a message looks suspicious, it's probably phishing.***

However, if you think it could be real, don't click on any link or call any number in the message. Look up another way to contact the company or person directly.

- Go to the company's website and capture their contact information from the verified website. Search for the site in your web browser or type the address yourself if you're sure you know it.
- Use another way to reach the person to confirm whether they contacted you. For example, if you get a strange message from your friend on Facebook, and you have their phone number, text or call them to ask if they sent the message.



## The Municipal Risk Manager

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

**Publisher:** Risk Management Services **Editor:** Marcus Ballou

**Layout Design:** Sue Bourdon

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

## FREQUENTLY ASKED QUESTIONS

### What is Fraudulent Impersonation & How to Prevent It

Fraudulent impersonation attacks occur when cybercriminals fraudulently pose as members of your business, with the intent of gaining access to funds, stealing data, or harming your operations. Such impersonation attacks are commonly attempted via email communications and routinely contain a sense of urgency prompting you to make a quick and rash decision.

#### Steps to Improve Cybersecurity

Public entities can reduce cyber threats and mitigate the cost of cyberattacks by implementing these recommended security measures.

- Use multifactor authentication, which grants access to login only after successfully presenting two or more pieces of evidence to authenticate user access.
- Update antivirus programs and use software that includes access to firewalls.
- Use encrypted data storage.
- Implement strong password control measures and change passwords frequently.
- Use predesignated contacts for all bank transaction change requests.
- Update hardware and software packages.
- Provide ongoing employee training on security practices, passwords, phishing identification, and overall cyber security.
- Adopt a rapid response plan that includes the response team, vendor contacts, insurance contacts and notification templates.
- Implement computer use and social media policies.
- Prohibit the use of personal drives and or equipment.
- Verify that daily backups are performed so that data is retrievable.

### Property & Casualty Pool Renewal Thank You and Reminder

We would like to thank our members for their continued participation and cooperation in the Property & Casualty renewal application process. Renewal applications were due to be completed by March 29, 2024. For those members that have not yet completed the application, we would like to offer our assistance. If you would like help with your renewal application, please email [rmsunderwriting@memun.org](mailto:rmsunderwriting@memun.org) or call us at (800) 590-5583.

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



# ONLINE UNIVERSITY & SAFETY MANAGEMENT SYSTEM

**MAINE MUNICIPAL ASSOCIATION** is committed to providing participants in our Workers' Compensation Fund and/or Property & Casualty Pool the highest quality educational experience.

We have courses that have been pre-approved for continuing education credits (CEUs) for the Society for Human Resource Management – Certified Professional (SHRM-CP). There are currently 82 courses that have been pre-approved. The education hours will be shown on the employees' certificate of completion if they have added the certification to their profile before taking the training. The certification has already been set up in the system for employees or administrators to add the person profile.

For more information or to become a local administrator, please contact us at 1-800-590-5583, or by email: [rmslosscontrol@memun.org](mailto:rmslosscontrol@memun.org)  
[www.memun.org](http://www.memun.org)

## ▶ **Sample of SHRM pre-Approved Courses:**

- Discipline and Termination
- EEO Laws
- Hiring Liability
- Lawful Interviewing
- Record Retention
- Family and Medical Leave Act
- Title I & ADA

We also have over 200 courses for managers. This could be for a new supervisor or manager or for an existing manager who is looking for a new skill or a refresher of their skills.

## ▶ **Sample of Management Courses:**

- Budgeting
- Dealing with Conflict
- Coaching
- Employee Retention
- HIPAA
- Diversity
- Emotional Intelligence
- Media Training
- PCI Security

## Exposures Spring Up

With the arrival of spring, we find that hazardous insects, vegetation and other environmental exposures are also springing back. Unwelcome exposures including ticks, poisonous plants, and our newest friend the brown-tail moth will be hatching and growing soon, but with some simple steps we can work and enjoy the outdoors while being protected.

### Simple Precautions to Avoid Contact with Insects and Insect

#### Borne Illness

- Avoid direct contact with ticks and other insects.
- Walk in the center of cleared trails to avoid brushing up against vegetation and don't walk through wooded and brushy areas with tall grass, vegetation and debris.
- Wear light-colored clothing to make ticks easier to detect.
- Tuck your shirt in and long pants into socks or boots to keep ticks on the outside of your clothes. Do not wear open-toed shoes or sandals when in a potential tick habitat.
- Use bug and tick repellents. Remember some repellants need to be reapplied periodically to be effective. When using repellents always follow product directions.



pruning trees, clearing brush, removing litter, and mowing grass short and letting it dry thoroughly between watering.

Make your property unattractive to animals that are hosts to ticks by eliminating bird feeders, birdbaths, and salt licks.

- Erect fencing around the property to deter animals.
- Clear away wood, garbage, and leaf piles.
- Remove stonewalls that provide habitats to wildlife.
- Have your property chemically treated. Seek professional advice.

### Avoiding Exposures to Hazardous Plants

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



More information on bug and plant safety can be found on our web site [www.memun.org](http://www.memun.org). Hover over Risk Management and select Toolbox Talks links. Also, members of Risk Management Services programs have access to the Online Safety Training and the Field Biological Hazards course which contains information on ticks and insect bites, as well as poisonous plants.

### Reduce Hazards Through Property Management

Reduce the humidity on your property, since insects tend to be susceptible to dehydration. You can reduce humidity by

## Potholes Season

### WHAT IS THE POTHOLE LAW?

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

### WHAT IS MY TOWN'S LIABILITY?

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

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

### RECOMMENDATIONS:

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

# Training First Responders

If training efforts are not amended to meet current demands, municipalities will continue to struggle with recruitment and retention issues.

By Colleen Hennessy

While it seems like pandemic-related closures in training, education, and certain industries have created a crisis in staffing across Maine's public safety agencies, most stakeholders agree this is an issue caused by historic underfunding and investment in Maine's training infrastructure, facilities, and organizational capacity. Indeed, municipalities have been predicting a first responder crisis for years and asking Maine's Legislature to assist with planning for the need to increase capacity in workforce development ahead of predictable gaps caused by retirements, increased public needs, and a decrease in volunteers. The fire service and emergency medical services (EMS) in Maine have traditionally relied heavily on volunteers, and the police academy relies on volunteers for training new officers. These three services operate together, alongside communications (also short-staffed), sheriff departments, the Maine State Police, and a myriad of other community agencies. Response services available to communities in Maine, especially outside of the jurisdiction of our eleven largest police departments, rely on the availability of volunteers. Even if there is a paid police officer on duty, response times can rely on availability of EMS and fire, especially for accidents and larger emergencies, like the Lewiston mass shooting. Despite the need for all three services to be fully staffed, trained, and equipped, each service is regulated and financed differently, and so their capacity changes alongside political and public will for investment.

The emergency medical services perhaps met its breaking point soonest or perhaps benefitted from a more centralized system of data because of certification requirements unlike the fire service, or perhaps has benefitted from public and political goodwill in recent years, as the result of the COVID public health crisis, un-

like the police force. Either way, the state has stepped in to assist with a significant funding stream for workforce development and stabilization. At the end of 2022, a legislative commission recommended that the state budget \$70 million annually, for the next five years, to cover a shortfall in EMS funding created by low federal Medicare and Medicaid reimbursement rates and a reliance on volunteer labor. The commission also recommended the state invest in the UMaine and community college system to increase needed education and training for future and ongoing certification, and to consider providing healthcare and retirement benefits to Emergency Medical Technicians (EMTs). Even with a system on the brink of collapse, and 15 of the 16 Maine counties being classified as ambulance deserts because many Mainers in those counties live more than 25 minutes away from the nearest ambulance service, the Legislature allocated less than half the required funding. Despite lawmakers allocating a welcome, but insufficient, \$30 million in the summer of 2023, as of early 2024, none of Maine's EMS providers had been paid.

As stressful and damaging as the pandemic was for EMS staff welfare and retention, it did increase public awareness of the service nationally and locally. The police did not fare so well in the public and political goodwill department in the last five years. Even in a relatively safe state with a tradition of community policing like Maine, police departments have faced public scrutiny for racial bias, excessive force, and their response to citizens in mental health crisis, and now their response to active shooters and welfare checks. Increased training opportunities, such as implicit bias training organized by Saco Chief of Police Clements for state-wide departments after he secured a grant, are critical to equipping first responders with the tools to safely stay in the job and provide high-quality services. The changing demands for and overall increased training mandates do create a

Colleen Hennessy is a freelance writer and a former employee of the City of Portland from 2016-2017. She is a regular contributor to *Maine Town & City*, [info@colleenhennessy.com](mailto:info@colleenhennessy.com)

funding challenge, even with grant-funded courses, for municipalities and smaller departments.

Active police officers in Maine are required to take a minimum of thirty hours of annual training and ten of those hours are assigned curriculum. While larger departments, like Auburn Police Department according to Chief Jason Moen, can fund and staff ongoing training requirements through in-house training capacity and training days built into their schedules, smaller departments struggle to meet training requirements. The Maine Monitor investigated the capacity and results of mandated mental health training for law enforcement and found that the Maine Criminal Justice Academy's (MCJA) mandated curriculum does not meet the demand for services placed on police officers and that staffing, and budget shortages have made uptake of additional mental health crisis training limited in Maine. Even with free training offered by partner organizations, such as NAMI Maine, officials from both urban and rural departments shared sentiments like retired chief for Mount Desert Island and Bar Harbor, Jim Willis. "Not everybody can send people to 40 hours of training ... because who works while you're gone?" While the MCJA mandates ten hours of training, the investigation found that over the past four years, they have mandated three-hours of that training be on responses to mental health calls.

The limited capacity of the Maine Criminal Justice

Academy (MCJA) is a crucial factor in policing's struggle with recruitment and training, according to Chief Moen, Interim President of the Maine Chiefs of Police Association. The state's chronic underfunding of the MCJA has meant municipal governments have been subsidizing a portion of their training through payroll costs, according to the Maine Municipal Association. "We have qualified candidates who for family and personal reasons can't do the 18-week residential training," said Chief Moen about the legal requirement that basic law enforcement training is only provided at the residential program in Vassalboro. He added, "We need more flexibility. We need a non-residential option." Maine has an estimated three hundred vacancies in policing currently, with a "silver-tsunami" of retirements in coming years and the MCJA graduates roughly 60-70 students twice a year. Auburn has been successful in recruiting active and experienced officers from other states, such as Massachusetts, Louisiana, and Florida. Those officers, even if they attended a non-residential police academy program, like in Florida, receive waivers from the state for the eighteen-week basic training. Many states run their criminal justice academies through the community college system, which allows for flexibility and subsequently a more diverse pool of candidates that successfully complete the program.

The Maine Municipal Association has supported re-

## Maine lawyers working with Maine municipalities.

With over 65 years experience, it's no wonder that municipalities, counties and school districts across Maine depend on the knowledge of Jensen Baird.

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

With prompt, practical and cost-effective guidance, our lawyers are regularly recognized as among *The Best Lawyers in America*.

At Jensen Baird,  
our commitment is to you.



Portland • 207-775-7271 • [jensenbaird.com](http://jensenbaird.com)

peated attempts to change the law to include a non-residential training option, and Rebecca Graham, Senior Legislative Advocate, testified in March 2023 in support of MMA platform bill LD 673, *An Act to Direct the Maine Criminal Justice Academy to Develop a Nonresidential Law Enforcement Program*, on behalf of MMA’s Legislative Policy Committee. She argued that adding training options would not lower the quality, as evidenced by Maine’s acceptance of basic training from other states with non-residential options as equivalent by waving this requirement for active officers when moving to Maine. She also pointed out the costs to municipalities that have been subsidizing the understaffed and underfunding MCJA model through payroll for years. Because MCJA operates through “volunteer” instructors, a conservative estimate from 2021 is that the number of hours donated by municipal funded law enforcement officers to deliver training, adds up to almost half a million dollars annually (without accounting for paying to replace the individual on shift). The MCJA Board of Trustees opposed the proposed change because of “structural, operational, and logistic obstacles,” and yet with its current budget and staffing can’t increase flexibility of training options, participation numbers, or implement many of the required improvements as outlined in the “Maine Criminal Justice Academy Final Strategic Plan” commissioned by consultants in 2023. This does not help munic-

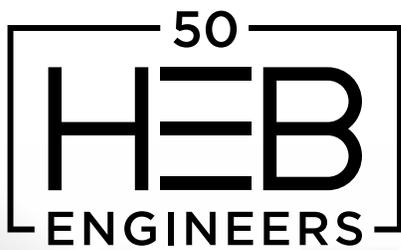
## ABOUT THIS SERIES

This is the second article of a three-part series looking at the challenges facing first responder agencies to recruit, train and retain.

ipalities recruit or train police officers.

While Maine’s fire service, like policing, is subject to state and federal regulations on training and safety, unlike policing, it is not supplemented by paid departments or services outside of major urban areas. The training requirement for volunteer and paid fire fighters are the same. This is important for safety, but it is also a barrier to stretched volunteers with limited time, and also recruitment and staffing in general. The Maine Fire Service Institute (MFSI), like the MCJA, operates with limited paid staff (10) and relies on volunteer fire instructors to provide Basic Fire Schools, Fire Fighter 101 Programs, and Emergency Vehicle Driver Training. After the pandemic, the demand for training was more than MFSI can provide, instructors had increased demands on their time due to fire department staff shortages, and so began the “awkward trend of MFSI’s inability to provide requested training programs to local fire departments,” in the words of Program Training Manager Frank Hammond Jr. A collaboration between Safety Works!, Maine Fire Service Institute, Maine State Fire Marshal, and Maine Forest Service is an attempt to coordinate shared training programs using pooled resources. The Maine Fire Chief’s Association has requested increased and consistent funding for the MFSI to increase the capacity to staff fire departments.

Without coordinated planning and investment in our first responder training network, Maine’s municipalities won’t be able to recruit and staff our public safety services with qualified first responders. While regions and towns are being creative to share resources, the demand on existing staff and organizations is too high. This level of commitment is not sustainable and will result in a crisis, as documented and publicized with Maine’s emergency medical services. Through the continued support by municipalities and the Maine Municipal Association to highlight the importance of investing in training and facilities, hopefully Maine’s legislators will prioritize consistent and long-term funding for the police and fire service as well, but also play a role in coordination and planning for a crucial part of our public infrastructure. 🏡



Bridgton, ME | North Conway, NH

**STRENGTHENING  
COMMUNITY  
FOR 50 YEARS**

[hebengineers.com](http://hebengineers.com)

# MAINE MUNICIPAL BOND BANK

## 2024 SPRING BOND ISSUE SCHEDULE

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

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

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

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

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

**Wednesday, February 7<sup>th</sup> - Application Deadline**

**Wednesday, March 13<sup>th</sup> - Application Approval (MMBB Board Meeting)**

**Monday, April 8<sup>th</sup> - Preliminary opinions and loan agreements due from bond counsel of each borrower**

**Wednesday, April 10<sup>th</sup> - Last date for signing school contracts and rates in place for water district. PUC approvals due**

**Week of April 22<sup>nd</sup> - Maine Municipal Bond Bank Pricing**

**Monday, May 13<sup>th</sup> - Final documents due from bond counsel**

**Wednesday, May 22<sup>nd</sup> - Pre-closing**

**Thursday, May 23<sup>rd</sup> - Closing - Bond proceeds available**

If you would like to participate in or have any questions regarding the 2024 Spring Bond Issue, please contact Toni Reed at [treed@mmbb.com](mailto:treed@mmbb.com) or (207)622-9386 ext. 213.



# Dubois: The challenges, rewards for a city clerk

By Liz Mockler

Patti Dubois is especially busy this year. That's nothing new for the veteran city clerk, but it does make her job especially challenging in an election year.

First, there was the March presidential primary and now the upcoming June primary. And then there's the big event in November, when voters will choose a president, congressional candidates, state legislative candidates, and decide statewide referendum and municipal elections.

A year-long effort, Dubois has the experience to pull it off without much trouble even though it presents the biggest challenge for her and her election aides.

"The hardest part in a busy election year is keeping up with the hours and pace," she said recently. "The other duties (of a clerk) don't go away. It can be really challenging. There are big tasks looming that overshadow everything else. We have to squeeze in all of the tasks to complete the elections."

Dubois, Waterville city clerk, was working in retail management when her parents urged her to apply for a government job, both for its stability and to rid her of weekend and evening work. It was a good decision.

She started her municipal career as an assessor's clerk for the City of Waterville, before accepting the position of assistant assessor for the City of Bath. She returned to Waterville to work in administration for the Assessor's Office and the Public Works Department; she was promoted to city clerk in 2001. In order to improve and hone her skills in a larger community, she accepted the city clerk's job for the City of Bangor in 2004.

She once again returned to Waterville in 2011 as city clerk and has been there ever since.

Of all the elections for which she is responsible, the most challenging at the local level is for city council, she



Patti Dubois

said. "You're the liaison between the city charter and the candidates. It's the biggest challenge because for a lot of those folks it's their first taste for running for office, so they look for a lot of guidance from you.

"I like working for Waterville because it feels like home to me," she added. "I've lived in the area most of my adult life and grown professionally within the city. I really enjoy (Waterville). There's a lot happening here and it's an exciting

community to work for. There are still lots of challenges for me here."

Dubois has served in various capacities over the years for the Maine Town and City Clerks' Association, an affiliate group with 800 members. She was nominated by her peers for the 2023 Lighthouse Award, presented to a clerk who mentors and guides others to help them grow in their knowledge and professionalism.

"I was really honored to receive the award. I enjoy my work, so I don't find I really need to be rewarded," she said. "But it's an honor, especially because it's from my peers. That's really heartwarming to me, humbling that people think well of me."

Below, Dubois took time to share her thoughts about the challenge of elections and her concerns that everyone feel safe and valued during the process.

**Q This is a presidential election year, which is always the busiest for municipal clerks. How do you prepare for a big election and when does the planning begin?**

**A.** The planning for a large election begins at the start of the calendar year with the preparation of budget requests to be sure that there are enough funds for the purchase of needed supplies, replacement of some equipment, along with planning for adequate staffing needs to help with absentee voting and election day voting. The primary elections are used as a dress rehearsal for November, including hiring and training new election

About the Author: Liz Mockler is a freelance writer from Newport and regular contributor to Maine Town & City, [lizmockler1@hotmail.com](mailto:lizmockler1@hotmail.com).

workers, changing voting layouts, etc. I also plan additional training sessions to cover all the nuances of elections that are only experienced in very large elections.

**Q Do you have any concerns about the election, given the division in the country and the passion some people bring with their vote?**

**A.** Absolutely. The national rhetoric trickles down to the election officials and poll workers who have “boots on the ground.” Voters who never questioned anything now question everything about elections, which is fine and actually can be beneficial. But even when an explanation is provided and laws are explained, some simply will not accept the information and actually question our integrity, which can be frustrating.

**Q Do you have enough poll workers; have some decided not to continue serving?**

**A.** Yes, I am very fortunate to have a good supply of workers but am always adding to the list. In fact, I have established a great relationship with the local high school social studies teacher who encourages students to get involved as student election clerks. These students are enthusiastic and are rewarded with credit towards community service and are also paid for their time. It’s a win-win!

**Q Do you worry about their safety?**

**A.** I worry about everyone’s safety – the election workers, the staff at city hall and the voters.

**Q What would you tell someone who questions the validity of a local vote?**

**A.** I would encourage them to volunteer to help out with elections and learn about the procedures and laws that safeguard our elections.

**Q What is your most important job as city clerk, not including holding local elections?**

**A.** I have varied responsibilities that include administering voter registration, administering business licenses, serving as secretary to the city council, managing board and committee memberships, acting as local registrar of vital statistics, being appointed as Freedom of Access Officer, and records management officer. I would say that my most important job is to be an approachable liaison between the city government and its citizens.

**Q What is the most common complaint you hear in your office?**

**A.** The most common complaint we hear is about taxes. Everything is so expensive, and lots of people are really struggling, but we’re feeling it too, so we certainly empathize with them. With that said, most citizens are generally appreciative of the work we do.

**Q Would you encourage young people to work for local government, and specifically as a town or city clerk?**

**A.** I would definitely encourage young people to consider local government positions as a career path, including a town or city clerk position. At the local level, you can really have an impact on your citizens and see the results of hard work.

**Q What do you like the best about being a city clerk?**

**A.** It is important work and I feel like my efforts make a difference in some small way.

**Q Do you have a story that is heartwarming or funny, or an experience that restored your faith in humanity?**

**A.** I serve as a peer instructor for the Maine Town & City Clerks’ Association and teach clerks about election policies, procedures, and applicable laws. When being questioned by clerks about why things are done a certain way, I often say, “We follow all the laws, even the dumb ones.” This usually gets a laugh but is 100% true. 🏔️

## SAVE THE DATE!

Municipal Technology Conference  
May 22, 2024

Municipal Human Resources &  
Management Conference

June 12, 2024

MMA’s Annual Convention

October 2 & 3, 2024

# Digital Equity through Planning and Partnerships

Amber Blum, Associate Community Development Officer, Island Institute  
Zuzana Duffy, American Connection Corps Service Member, Island Institute

“I went to fill my prescription, but my pharmacist said I needed to make an online profile first.”

“I wanted to get a commercial driver’s license, but the training was online, and I don’t have a computer.”

“I wanted to attend the housing committee meeting, but I couldn’t find childcare in time.”

These seemingly unrelated insights have one thing in common: the need for digital equity. Maine often prides itself on doing things its own way. We’re the state where tourists come to get away from the fast paced 21st century world. This ethos has existed for centuries, but here in 2024, even Maine can’t escape how ubiquitous digital technology has become. Connectivity is a necessity, not a luxury. Municipalities are encouraged to incorporate broadband and digital equity goals into their comprehensive plans. But not every municipality has the budget, cultural acceptance, and capacity to implement these goals. Anchor institutions that are already addressing digital access and skills gaps, are doing this work on the local level through partnerships and people who know their communities well.

Digital equity at the local level is a town website with a polling feature to get community feedback on public works projects; citizens able to register dog licenses online; or the ability to send out text messages or emails telling people which roads are closed or when a storm or other natural disaster hits a community. It’s a committee meeting being held online so folks who live away

**Definition.** “Digital equity is a condition in which all individuals and communities have the information technology capacity needed for full participation in our society, democracy, and economy. Digital equity is necessary for civic and cultural participation, employment, lifelong learning, and access to essential services.” - *National Digital Inclusion Alliance*

for parts of the year can still offer input and expertise. Local plans can identify barriers to digital equity, whether that’s a lack of adequate broadband infrastructure or lack of skills and training, and then devise a strategy to break down the barriers. Municipalities benefit from formalizing plans to achieve digital equity. Successful implementation strategies engage partnerships and coalition-building to ensure this work is built to last (Benton Institute Adult Education and Digital Equity).

## Regional Planning Partners

Regional development corporations or planning commissions are useful partners to assist municipalities with writing comprehensive plans and providing technical assistance to address broadband and digital equity. These larger organizations can help municipalities analyze demographic data and gather community input through surveys or polls to assess the current state of digital literacy skills and internet access. In 2022, the Maine Connectivity Authority (MCA) awarded thirteen regional entities funding to increase their capacity to support local broadband and digital equity planning across the entire state of Maine. As one of these thirteen Regional Broadband Partners, Eastern Maine Development Corporation (EMDC) works with municipalities to incorporate digital equity chapters into comprehensive plans and come up with concrete, place-sensitive steps and actions on how to achieve those goals. Municipalities with up-to-date comprehensive plans that include digital equity initiatives are more likely to qualify for funding to cover things like IT equipment, hiring digital navigators, or building remote working spaces. See the Maine State Library’s “Remote Work through Libraries”

## ABOUT THIS SERIES

This article is the second in a series by the Island Institute exploring the topic of digital equity in relation to Maine’s municipalities and digital capacity.

grant program found here: <https://www.maine.gov/msl/lib/admin/funding/ARPA.shtml>.

Some municipalities decide to hire outside consultants to create strategic plans with measurable steps and actions towards implementation. Stonington's Economic Development Plan, prepared by Camoin Associates, identified broadband infrastructure as a valuable asset to prepare for and respond to challenges and create new economic opportunities in the future. Chris Ross, Director of Stonington Public Library and member of the town's economic resilience committee, acknowledges the importance of local partnerships to achieve digital equity and economic resilience: "I think it's more likely going to be a collaboration of organizations and a dissemination of knowledge between them that helps people." The town is now working with the library, adult education, and local non-profit organizations to come up with digital programming that will ensure that residents can make most of their broadband connections.

In addition to addressing issues of digital equity through comprehensive or strategic planning, some municipalities have commissioned standalone Digital Equity Plans to guide their partnerships and help attract funding support. Maine-based National Digital Equity Center (NDEC) has authored over 60 local and regional digital equity plans in Maine. The Waldo Broadband Corporation (WBC), composed of representatives from the

towns of Freedom, Liberty, Montville, Palermo, and Searsmont, commissioned NDEC to help write their Digital Equity Plan after Direct Communications which was awarded over \$10 million from MCA to provide universal fiber broadband service to the five towns. When discussing the goal of "digital equity" for his town of Liberty, WBC board member Joe Meadows likes to skip the jargon: "It's about making the internet work for everyone."

### Adult and Community Education Partners

Adult Education is a great resource for municipalities to leverage to increase digital literacy among their populations. Franklin County has worked since 2017 to improve the region's broadband infrastructure and is now partnering with Adult and Community Education to build digital skills of residents. Thanks to a federal broadband investment in 2021, 85% of Franklin County now has access to world-class fiber optic internet, but according to Charlie Woodworth, executive director of Greater Franklin County Economic Development Corporation, many residents still don't know how to use it to improve their lives.

Greater Franklin, serving alongside EMDC and Island Institute as one of the state's thirteen regional broadband partners, is using MCA grant funding to increase staff capacity at the region's two Adult Education programs to provide free digital literacy instruction. Since January 2023, the adult ed programs at RSU 9 and RSU





*A community member using the library's outdoor space on Swan's Island to connect to Wi-Fi. This patio space is popular during the summer when used by vacationers and seasonal residents.*

73 have held 869 digital literacy classes in 22 local libraries and schools in Franklin County. “We have an aging, shrinking population,” says Woodworth, and the classes are helping close the digital skills gap among older Mainers, with the average student age being 64. When explaining why Franklin County chose to partner with its Adult Education programs to tackle digital equity, Woodworth emphasized, “They’re here and they’re known. They already have connections with community agencies. We’re not establishing new relationships, but leveraging this asset we already have.”

According to MCA’s Director of Strategic Partnerships Maggie Drummond-Bahl, Greater Franklin’s approach aligns well with findings in the state’s Digital Equity Plan. “People are looking for more in-person, small group, or 1-on-1 instruction and help - close to home at the local library where they’re already comfortable.”

## **Libraries**

At their core, libraries have always been institutions that spread knowledge. Historically, this knowledge came in the form of printed media. Libraries are still knowledge sharing institutions, but the medium has become decidedly more digital. According to Maine’s Digital Equity Plan ([https://drive.google.com/file/d/1cMU4pGpH-KQjCyvhq9mgcksE\\_ck88WdLU/view](https://drive.google.com/file/d/1cMU4pGpH-KQjCyvhq9mgcksE_ck88WdLU/view)), “Maine’s 255 public libraries play a crucial role in supporting digital equity and inclusion.” The library is a trusted institution that remains one of the few free ‘third-spaces’ American society has left. A place that’s neither work nor home where an individual can exist. Now libraries are on the forefront of

bridging the digital divide. With a library card, a person has access to web resources, whether educational, professional, or personal. Patrons can download media to watch later at home. Digital literacy can be self-guided through these resources.

Libraries across Maine are connected to advanced, affordable internet through the Maine Schools and Library Network (<https://www.msln.net/about.php>), funded in part through the Federal E-Rate program. Citizens take advantage of this free broadband all year, at various times throughout the day. Stonington librarian Chris Ross elaborated, “We have our wi-fi network at the library which is open 24/7 to the public. I regularly see people, especially during the winter months, parked right outside the library for about 10 minutes as they tap into Wi-Fi and then drive away and I’m sure that’s happening during hours we’re not open too.”

Libraries promote digital equity with more intentional programming as well. Small town libraries are the closest thing to a technical support bar these communities have. Librarians, such as Chris, have to navigate how best to meet their patrons’ digital skills learning goals. “The skills training that we do is ad hoc. I have people coming for everything from ‘I can no longer find out where I put this email on my iPad’ to ‘I’m signing up to get cheap Wi-Fi and I need to do all this stuff, can you help me?’” Librarians don’t always have the capacity to answer every tech question so it’s important to offset that public need through volunteer tech tutors or partnerships with nonprofits such as National Digital Equity Center. NDEC offers free digital literacy classes that can support a person at any stage of developing their digital skills, whether it’s a recent high school graduate learning Microsoft suite, a small business setting up their first Facebook page, or low-income residents learning how to access affordable internet connectivity.

Municipalities with digital services and a digitally literate population are more resilient, economically diverse, and civically engaged. Since the COVID-19 pandemic, there has been extensive investment in broadband infrastructure. Now is the time for municipalities to focus on achieving digital equity goals, whether incorporated into comprehensive plans or as standalone Digital Equity Plans. Municipalities can work with regional entities or consultants to create clear actionable steps towards digital equity. To implement their plans, municipalities can work with local institutions such as libraries or adult education programs. There is as much variance in methods of closing the digital divide as there is variation in municipalities across the state. 🏡



The Maine Chapter of the American Public Works Association  
presents the 31st Annual

# HIGHWAY CONGRESS

SKOWHEGAN FAIR GROUNDS  
Thursday June 6, 2024 7:00AM – 3:00PM

**DEMOS! DEMOS! DEMOS!**

**FREE ADMISSION!  
DOOR PRIZES!**

Complimentary LUNCHEON  
Sponsored by Maine Chapter APWA



The Lions will serve breakfast  
from 7:00 – 9:00AM

Maine Local Roads Center:  
“Time Out for Training”

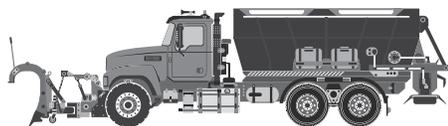
**SKID STEER LOADERS &  
BACKHOE CONTESTS**



## WHO SHOULD ATTEND?

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

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



**Don’t miss the Annual State and Snow Plow  
“Rodeo” Championship & Award Presentation**

Brochure and registration forms will be sent out in mid-April. **Registration Deadline is May 17, 2024.** For more information call the Affiliate Office – Maine Chapter APWA, 1-800-452-8786.

# New Legislative Policy Committee Elections

## Taking Place this Spring and Summer

Have you ever wondered how the Maine Municipal Association establishes positions on legislation, or how it sets its legislative priorities? Would you like to play a role in that process?

If so, please consider asking your select board or town or city council to nominate you. MMA takes its direction on all legislative matters from its Legislative Policy Committee (LPC) which is comprised of 70 members who are municipal officials nominated and elected by their peers to serve a two-year term. Two members are elected from each of Maine's 35 Senate Districts.

**Qualifications.** The only criterion for being a nominee is that you must be an elected or appointed municipal official (e.g., selectperson, councilor, planning board or board of appeals member, assessor, manager, clerk, treasurer, road commissioner, etc.) from any MMA member municipality within the Senate District for which you are running.

**EXPECTATIONS.** Meetings are held roughly once per month during the legislative session, usually on a Thursday. The newly elected LPC also meets once or twice in the fall to set its two-year legislative priorities. According to its bylaws, the purpose of the LPC is to define municipal interests and to maximize those interests through effective participation in the legislative process. The deliberations of the LPC are often rich in matters of public policy with a strong focus on the appropriate role, responsibilities, and opportunities of local government to advance the interests of the state and its citizens.

LPC meetings are run much like a town meeting and moderated by a chair, who is the Vice President of the Association's Executive Committee. Members are also called upon from time to time to communicate with their legislators regarding LPC positions; some-times even testifying at the Legislature if schedules permit.

**NOMINATIONS.** If the idea of serving on the LPC appeals to you, or if you know of somebody in your senate district who may be interested in being nominated, please talk to your selectboard or council and seek the nomination.

Nomination papers were mailed to the key official (town or city manager or chair of the selectboard) on **Wednesday, April 24** with a return deadline of **Wednesday, June 12**. The nomination form must be signed by the chair of the board or council as well as the nominee (if possible). The nominee should also fill out the Nominee Profile Sheet included in that mailing so that a brief biography can be provided on the ballot which will be sent to all key officials within each senate district on **Thursday, June 13** with a return deadline of **Thursday, August 1**.

**Questions.** If you have any questions about the LPC or the process by which they are elected, please contact Laura Ellis in MMA's Advocacy & Communications Department at 1-800-452-8786 or [lellis@memun.org](mailto:lellis@memun.org).

# TECHNOLOGY CONFERENCE

MAY 22, 2024 >>> UNIVERSITY OF MAINE AT AUGUSTA

On Wednesday, May 22, 2024, the Maine Municipal Association will host the 2024 MMA Municipal Technology Conference at the University of Maine at Augusta's Jewett Hall. The cost for the full day conference is \$95 for MMA members and \$190 for non-members, which includes a networking lunch. What follows is a condensed summary of the day's sessions and speakers.

For more information about the conference or to register, please visit <https://www.memun.org/Training/Conferences-Conventions/Technology>. Questions about the conference should be directed to [training@memun.org](mailto:training@memun.org).

## >>> AGENDA >>>

8:00 – 9:00 a.m.: Registration and Breakfast

9:00 – 10:15 a.m.: Welcome and Opening/Keynote Speaker

Welcome from Dr. Jenifer Cushman, UMA President



### Keynote with Elijah Cedeno, Center for Internet Security

>>> **Cybersecurity Practical Insights: Navigating MS-ISAC's No-Cost Resources: Cybersecurity challenges are universal, affecting organizations of all types.**

The threats impacting the private sector mirror those observed by State, Local, Tribal, and Territorial (SLTT) entities across Maine. These adversaries seek not only financial gain, personal data, and organizational secrets but also aim to tarnish the reputations of their targets. This presentation will explore the no-cost cyber services offered by the Multi-State Information Sharing and Analysis Center (MS-ISAC), as well as the policies, procedures, and documentation processes that organizations should consider to enhance their cybersecurity posture effectively.

10:15 – 10:30 a.m.: Morning Break and Visit with Sponsors & Vendors

10:30 – 12:00 p.m.: Concurrent Session #1

# >>> CYBERSECURITY MATTERS FOR MAINE MUNICIPALITIES

>>> **Leadership & Policy Framework for Cybersecurity** (Leadership/Policy Track #1) – Led by Dr. Frank Appunn, Professor of Cybersecurity & Project Management, and staff and students from Thomas College. This session will focus on how municipal leaders should approach cybersecurity from the perspectives of policy, strategy, staffing, and funding, and will provide KPI (key performance indicator) suggestions that enable leaders and officials to measure their current situation, risks, and opportunities.

>>> **Introduction to Incident Response** (Technical Track #1) – Led by Dr. Henry Felch, Professor of Cybersecurity & Computer Information Systems, and staff and students from the University of Maine, Augusta. When a cybersecurity incident occurs in your municipality, are you ready to respond? This session will provide an overview of incident response (IR), including topics related to IR prep; backup and recovery; vulnerability management; managing end-of-life hardware and software; and system monitoring.

12:00 – 1:00 p.m.: Lunch, Networking, and Exhibitor Break

1:00 – 2:00 p.m.: Sponsor Demonstrations and Presentations

2:00 – 3:30 p.m.: Concurrent Session #2

>>> **Managing the People Component Through Policies and Practices** (Leadership/Policy Track #2) – Led by Dr. Frank Appunn, Professor of Cybersecurity & Project Management, and staff and students from Thomas College. The proactive development and implementation of cybersecurity policies and best practices provide essential components for your defense against potential threats. This session will provide an overview of how to develop and leverage acceptable use policies (AUPs), passwords, multi-factor authentication (MFA), and bring-your-own-device (BYOD) policies and practices within your larger cybersecurity strategy.

>>> **Overview of the Maine Cyber Range** (Technical Track #2) – Led by Dr. Henry Felch, Professor of Cybersecurity & Computer Information Systems, and staff and students from the University of Maine, Augusta. The Maine Cyber Range (MCR) provides an immersive training and simulation center for cybersecurity that takes education and planning for municipalities to the next level – at no cost to Maine towns and cities. In this session, the MCR team will provide an overview of the Cyber Range and how it can assist municipalities in their cybersecurity efforts.

3:30 p.m.: “Take one for the road” snack break and last visit with sponsors & exhibitors!



Natalie Andrews

**Natalie Andrews** has been named Paris town manager, effective March 12. Serving as interim manager has been Town Clerk Elizabeth Knox after the resignation of **Dawn Noyes** last December. Andrews, who lives in West Paris, has extensive knowledge of local government. Her experience includes working as a senior tax assessor for the City of Auburn and a tax assessor for neighboring Norway for six years. She worked for just under a year as Bethel town manager. She has also served as chairwoman of the MSAD 17 school board.

**Patricia Collins**, the City of Caribou's second female mayor elected by the city council, died in March at the age of 96. Her late husband, **Donald Collins**, also served as mayor prior to her election, making them the first married couple to have both served in that position. After serving on the council since 1978, Mrs. Collins was elected mayor in January of 1981, succeeding **Elizabeth Hamilton** in the position. Collins served on the council until 1983. She was the mother of Maine Sen. Susan Collins.

Former Fort Fairfield manager **Dan Foster** has put retirement back on hold after being hired as Madawaska interim town manager. Foster managed Fort Fairfield from 1998 to 2013 and returned in 2023 as interim town manager. Foster retired to Florida but has agreed to return to work after manager **Gary Picard** resigned. Picard served as town manager for seven years. Meanwhile, Selectperson **Christopher Braley** has resigned, citing family needs and his work schedule.

Brewer voters in February elected **William Kimball** to succeed longtime Councilor **Jerry Goss**, who died last December. Kimball was unopposed and will serve until the November council election. Kimball moved to Brewer in 2021 and operates a heat pump company. He received 798 votes.



Joshua McIntyre

Ellsworth native **Joshua McIntyre** is the new manager of the nearby Town of Gouldsboro, effective March 1. Most recently, he worked for four years in finance for the Bangor-based Eastern Maine Development Corp. He previously worked as vice president of economic develop-

ment for a nonprofit, as well as Ellsworth finance director for 14 months.



Sasha Pavlak

Biddeford has hired **Sasha Pavlak** as the city's next finance director. Pavlak most recently served as a revenue analyst for Arlington County government in Virginia. She was the primary person who forecasted and managed the county's \$1.5 billion in budget revenue. She holds a master of science degree in accounting from Northeastern University.



Lisa Thompson

Meanwhile, **Lisa Thompson** has been hired as the city's new recreation director. Thompson has worked as deputy director of Biddeford recreation since May 2022. She previously worked in recreation for North Yarmouth, Wiscasset, and South Portland. In 2019, she was awarded the William V. Haskell Recreation Professional of the Year by the Maine Recreation and Parks Association.

The Ellsworth City Council has named Castine resident **Charles Pearce** as its new city manager. Pearce said the position was a "dream job" for him. He was among 30 candidates for the job and one of five interviewed. In May 2023, Pearce earned a master's degree in public administration from Harvard Kennedy School of Government. Most recently, he has worked remotely for the Massachusetts Economic Research Department, beginning in 2020. Previously, he worked as communications director for the Massachusetts labor department.

Longtime Orono public works director, **Rob Yerxa**, resigned in mid-February to take a job in the loss control department for the Maine Municipal Association. His last day was March 15. Yerxa replaced **Calvin Smith** in 2008. 🏡

Clarification. In the March edition of the People feature, it was reported that Tyler Brown had resigned from the position of Presque Isle city manager for personal reasons. Brown has since rescinded the resignation and was reinstated by a unanimous vote of the council. Additionally, Chris Hayes, the city's deputy police chief was promoted to serve as the city's next police chief, replacing Laurie Kelly, who retired in January.

## FOLLOW US!



[www.memun.org](http://www.memun.org)



[www.facebook.com/MaineMunicipal](http://www.facebook.com/MaineMunicipal)



@Maine\_Municipal



@memun\_advocacy



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



Cooperative Marketing  
Recycling Education  
Technical Training  
Legislative Advocacy



**mrra.net**



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

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



### Specializing In The **UNIQUE NEEDS** OF MAINE MUNICIPALITIES

- ✓ 100% financing for Maine municipalities
- ✓ Fixed-rate leasing programs for new or used equipment
- ✓ A streamlined application process—you'll be up and running in no time
- ✓ Plus, a full suite of cash management products catered to municipalities

*That's the power of local banking. That's banking you can believe in.*

(207) 222-1498 | [rproctor@gorhamsavings.bank](mailto:rproctor@gorhamsavings.bank)

 **Gorham Leasing Group**

Gorham Savings Bank Leasing Group, LLC is an affiliate of Gorham Savings Bank

Member FDIC  Equal Housing Lender

**Unexpectedly  
Loyal. Friendly.  
Flexible.  
Passionate.  
Human.**

Bank how you want to—online,  
in the TD Bank app or in person.  
**Connect your way today.**  
**Visit [tdbank.com](http://tdbank.com)**



America's Most Convenient Bank®

Member FDIC, TD Bank, N.A.

**SOLUTIONS**  
**SOLUTIONS**  
**SOLUTIONS**  
**SOLUTIONS**  
**SOLUTIONS**



civil & environmental engineering  
[www.underwoodengineers.com](http://www.underwoodengineers.com)

## STATEWIDE

Gov. Janet Mills told municipal officials during a March housing summit that cities and towns should not fear approving affordable housing units as the state confronts a major housing crunch from north to south. But officials cited voter opposition to affordable housing proposals as the biggest reason they struggle to meet the housing challenge. Some communities can approve projects through the planning board; others hold special town meetings or elections to decide a project's fate. During the summit, it was noted that two recent proposals in wealthy southern Maine towns were rejected by voters. Mills said that while there are 2,100 units approved and being built, more are needed. Maine needs at least 24,000 new homes by the end of this decade, according to the summit sponsor, the Greater Portland Council of Governments. Municipalities statewide are setting goals for local housing needs and in many cases appointing special task forces to work on the problem.

## AUBURN

The city has partnered with a nonprofit to deal with a surge in demand for General Assistance (GA). Maine Immigrant and Refugees Services will provide services to help people get resettled and find work. It also will provide family services. The agency will work out of the community development and GA office, which has offered "drop-in" space for nonprofits at its Main Street location following the end of the state Emergency Rental Assistance Program last summer. The city has seen a sharp increase for GA since then, due to high housing and utility costs. The demand for help has

increased over pre-pandemic levels, officials said. For example, the city received 11 requests for assistance for utility costs in 2022, compared to 200 over the past 12 months. Several other nonprofits have already partnered with the city.

## BAR HARBOR

In a win for home rule authority, a federal judge in February sided with the town to continue limiting cruise ship passengers to 1,000 a day. The judge ruled the cruise ship ordinance passed in November 2022 does not violate laws governing interstate commerce. A group of Bar Harbor businesses sued the town over the limit, which was imposed by a town referendum vote where residents agreed—by a 500-vote difference—that an unlimited number of daily visitors was damaging the land and eroding the character and quality of life of the seaside resort. In a 61-page decision, the judge wrote that residents "have engaged in the exercise of imposing a restriction based on their first-hand experience of the relative deleterious impact of high-volume disembarkations at the waterfront while remaining open to the entire world's visitation." Bar Harbor is one of a handful of coastal communities that welcome cruise ships and visitors. In a second ruling, the Maine Supreme Judicial Court supported the town's right to place limits on short-term rentals. Specifically, voters passed an ordinance in 2021 banning short-term rentals when property was sold to a new buyer. Two real estate agents, one who serves on the town planning board, sued the town and argued the vote was required to pass by a two-thirds threshold, while the town said it required a simple majority vote. The court

**LITIGATION  
SOLUTIONS**  
*for* **MUNICIPAL  
CHALLENGES**



**RUDMAN • WINCHELL**

COUNSELORS AT LAW

Your Defense in  
Municipal Disputes

Rely on Rudman Winchell's experienced litigators to effectively resolve municipal disputes, providing expert guidance on zoning issues and land disputes.

84 Harlow Street, Bangor • 140 High Street, Ellsworth • (207) 947-4501 • rudmanwinchell.com

ruled for the town, agreeing the simple majority vote was allowed under the town charter. The Maine Municipal Association filed an amicus brief in support of the town.

### CUMBERLAND

The town council voted unanimously in February to observe Arbor Day as a town holiday each April. The unanimous vote recognizes the town as a Tree City. It must maintain standards to keep its designation by the Arbor Day Foundation, which have been in place for years: there is a tree committee, the town spends at least \$2 per resident on trees and there is a local tree care ordinance.

### LIMESTONE

On February 27 at a special town meeting voters green-lighted a proposal to offer tax incentives for all current and future developers in a move to help revitalize the former Loring Air Force Base. The vote enables the select board to create three tax increment financing districts for all development projects. The base, now known as the Loring Commerce Center, has attracted numerous developers over the years, but none of the major proposed projects have materialized. Most recently, the Portland-based Green 4 Maine purchased 450 acres and said it has signed up aviation, aerospace and artificial intelligence companies that hope to renovate existing facilities. The projects include a plan to build a \$4 billion aviation fuel production operation and a \$55 million potato chip plant. Green 4 Maine has said it will use any revenue from a tax increment financing district to rehab existing infrastructure on the former base. Under a tax increment financing deal, both the developers and the town will share new property tax revenue, giving builders an incentive to develop properties at the base. 🏡

## WHAT'S HAPPENING *in your* COMMUNITY?

Interested in having your community featured in the People or News segments of the Maine Town & City? Share your successes with municipal officials across the state.

Please send to Liz Mockler at:  
[lizmockler1@hotmail.com](mailto:lizmockler1@hotmail.com).

Photos are encouraged.



# POTHoles & POLITICS

Local Maine Issues

**“Potholes & Politics: Local Maine Issues from A to Z”** is a podcast about municipalities in Maine and the people and policies that bring local government to your doorstep.

Check out our episodes:

**MMA:**

<https://www.memun.org/Media-Publications/MMA-Podcast>

**Spotify:**

<https://open.spotify.com/show/1LR5eRGG1gS-2gu5NRoCUS1>

**Apple Podcasts:**

<https://podcasts.apple.com/us/podcast/potholes-politics-local-maine-issues-from-a-to-z/id1634403397>

## SPEAKING AT TOWN MEETINGS

(Updated from the March 2014 Legal Notes)

**Question:** May someone who is not a registered voter speak at our town meeting?

**Answer:** No, not without the consent of 2/3 of the voters present.

A person must either be a registered voter in the municipality or have the consent of 2/3 of the voters present to speak at a town meeting. This limitation applies even if the non-voter is a resident or taxpayer. See 30-A M.R.S. §§ 2524(1) and (3)(A).

A similar Massachusetts rule was upheld after non-resident taxpayers challenged the restriction on First Amendment “free speech” grounds. In *Curnin v. Town of Egremont*, 510 F.3d 24 (1st Cir., 2007), *cert den.*, 554 U.S. 903 (2008), the Court held that a town meeting is a legislative body, much like Congress or a state legislature, and the voters are akin to legislators. The First Amendment does not give non-members (non-voters) the right to speak at a meeting of that legislative body (see “Limits on Speaking at Town Meeting Upheld,” *Maine Townsman*, “Legal Notes,” February 2008).

For the record, Maine’s 2/3 consent rule applies only to town meetings. It does not apply to any other type of proceeding where the public may have a right to speak, such as at a public hearing.

Non-resident property owners and taxpayers often argue that they should also be allowed to vote at town meetings, but of course they cannot because they are not residents and cannot be registered voters (see “Voting by Non-Residents,” *Maine Town & City*, “Legal Notes,” April 2023).

Incidentally, there’s another rule on speaking at town meetings which is applicable to voters and non-voters alike: No one may speak unless first recognized by the moderator (see 30-A M.R.S. § 2524(3)(A)). A corollary rule is that all must be silent at the moderator’s command; if not, the moderator may order the offender to leave or be removed.

For more on the conduct of town meetings, see MMA Legal Services’ *Moderators Manual*. (By S.FP/R.P.F.)

## STATE MINIMUM EXEMPT SALARY: NOT APPLICABLE

In January, the Maine Department of Labor (MDOL) issued a new 2024 “salary threshold” for determining whether an employee is exempt from the **state’s** overtime pay requirements (26 M.R.S. § 663(3)(K)).

Many municipal employers are confused about how this salary threshold applies to their employees. The simple answer is that it doesn’t apply at all.

Both Maine law and federal law contain minimum wage and overtime requirements, which in most respects are similar. Municipal employers in Maine are subject to both the state and federal minimum wage laws (26 M.R.S. § 663(10)).

However, Maine law specifically exempts municipal employers from Maine’s overtime pay requirements. See 26 M.R.S. § 664(3)(D). Therefore, state overtime requirements, including state overtime pay exemptions and corresponding salary thresholds do not apply to municipal employers in Maine. Instead, municipal employers are governed solely by federal overtime pay regulations in the federal Fair Labor Standards Act (FLSA).

For this reason, the minimum salary threshold for exemption from overtime pay for municipal employees in Maine remains the FLSA salary threshold of \$35,568 per year or \$684 per week. (Note: the U.S. DOL has issued proposed regulations that may significantly raise federal minimum salary levels. The regulations are expected to be finalized later in 2024. See [www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)).

It’s important to remember that paying an employee on a salaried basis does not, by itself, remove overtime pay obligations. Under the FLSA, exempt employees must: (1) be paid on a salaried basis, (2) make at least the federal salary threshold, and (3) meet a “duties” test by holding a job that meets specific FLSA criteria. We discuss these requirements in detail in our “Fair Labor Standards Act” Information Packet available in the “Legal” section of MMA’s website ([www.memun.org/legal](http://www.memun.org/legal)).

Also, it is legal to pay a “nonexempt” employee on a salaried basis provided that the employer recognizes that in almost all cases, the employee remains entitled to overtime pay for any hours worked in excess of 40 in a work week. (For example, police and fire

employees might have a different, longer work period and work-hour threshold for overtime). (By S.F.P.)

### “250-FOOT RULE TWEAKED”

It’s long been the case that on election day, political activities, advertising, or other actions that may influence a person’s decision regarding a candidate or ballot question have been prohibited on public property within 250 feet of the polls. A similar rule applies within 250 feet of the entrance to the building housing the municipal clerk’s office during days and hours when the office is open and may be conducting absentee voting. See 21-A M.R.S. §§ 682, 753-B(8).

Election day limits on candidate activity were revised effective October 25, 2023. (PL 2023 c.109). The law now states that on election day, within 250-feet of the polls, a candidate (or one candidate representative) may greet a voter if the candidate (or representative) does not: (1) state the name of the office the candidate seeks, or (2) wear any button, name tag, apparel or label or have or use any item or sign displaying the candidate’s name or the name of the office the candidate is seeking, or (3) otherwise express support for or opposition to a party, a candidate or a ballot question.

See our *Town Meeting & Elections Manual* for more information. (By S.F.P.)

### POLICE & FIRE RETIREE HEALTH INSURANCE

Here is a reminder to municipal employers that the state’s Retired County & Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program (5 M.R.S. § 286-M) imposes important notice requirements on employers of covered employees.

The program, established in 2005, provides a subsidy (55%) toward the cost of health insurance premiums for retired municipal and county law enforcement and fire employees. Eligible employees must be county or municipal law enforcement officers or employees of a municipal fire department. Full-time emergency medical services line personnel are eligible for the program, but reserve police officers and members of volunteer fire associations are not. Because the eligibility criteria are complex, careful review of the statute is recommended.

## MUNICIPAL CALENDAR

**ON OR BEFORE APRIL 30** – Deadline for employers required to submit quarterly withholding taxes to file return and remit payment to the State Tax Assessor (36 M.R.S. § 5253).

**BY APRIL 30, 2024** – Project and Expenditure Reports for American Rescue Plan Act (ARPA) Funds are due to the U.S. Treasury .

**MAY** – Municipal officers meet to license innkeepers and tavernkeepers during the month of May or at another time they determine. Notice requirements apply. (30-A M.R.S. § 3812).

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

**BY MAY 15** – Monthly/quarterly/semi-annual expenditure statement/claim for General Assistance reimbursement to be filed via online portal, faxed to (207) 287-3455, emailed to [GeneralAssistance.DHHS@maine.gov](mailto:GeneralAssistance.DHHS@maine.gov), or sent to DHHS, General Assistance Unit, #11 SHS, Augusta, ME 04333-0011 (22 M.R.S. § 4311).

To participate in the program, eligible employees must enroll and make contributions during their active employment, participate in the municipality’s health insurance plan or another qualifying fully insured plan, and meet several other criteria listed in the law. Eligible persons may enroll themselves, their spouses, and their dependents.

Employers must notify eligible employees, in writing, of their right to participate in the program no later than 60 days after the employee’s effective date of hire. The employee must choose, in writing, whether to enroll, and a copy of the form through which the employee enrolls or declines to enroll must be retained by the employer. Election forms and guidance

materials are available from the state Division of Employee Health & Wellness at: [www.maine.gov/bhr/oeh/retirees/fire-law-retirees](http://www.maine.gov/bhr/oeh/retirees/fire-law-retirees).

Employees hired after October 1, 2019, may also enroll within five years of their date of hire with retroactive contributions. The law also generally provides for enrollment for all eligible employees after certain involuntary losses of other health coverage.

Note that although members of volunteer or on-call fire associations and reserve law enforcement officers are not currently covered by this program, they may be eligible to participate in the state's Dirigo Health program (24-A M.R.S. ch. 87).

Questions about eligibility should be directed to the Division of Employee Health & Wellness, in the Maine Department of Administrative & Financial Services (207) 624-7749 or [www.maine.gov/bhr/oeh/retirees/](http://www.maine.gov/bhr/oeh/retirees/). (By S.F.P.)

## "MERIT" RETIREMENT PROGRAM NOT APPLICABLE

We've received lots of questions about a new retirement savings program named the Maine Retirement Investment Trust or "MERIT."

Legislation enacted in 2021 authorized the program and created the Maine Retirement Savings Board, which is empowered to implement a workplace retirement savings program for Maine employees who do not have access to an employer sponsored retirement plan. See 5 M.R.S. §§ 170 – 179.

Many municipalities have recently received inquiries from employees who want to participate, or they have received notices from financial providers and payroll companies advising them to implement the program.

However, the program expressly DOES NOT apply to municipal employers or employees. Per 5 M.R.S. § 171(3), a "covered employer" does not include "the federal government, the State of Maine or any other state, any county or municipal corporation, or any of Maine's or any other state's units or instrumentalities."

The MERIT Board is currently distributing notices to some employers requiring them to register for the program. Municipal employers are not required to register with the program and need take no action.

For more information about MERIT, visit [www.merit-saves.org](http://www.merit-saves.org) (By S.F.P.) 📌

## OLVER ASSOCIATES INC. ENVIRONMENTAL ENGINEERS

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

P.O. Box 679  
290 Main Street  
Winterport, Maine 04496  
Telephone: (207) 223-2232 Fax: (207) 223-5448

## MAINE START

offered through



a long-trusted partner for public employee pension plans

**MaineSTART** provides a high-quality tax-advantaged retirement savings program:

- ✓ With defined contribution plan options for public employers looking to expand or update their employee benefit packages to **increase retention and improve recruitment**
- ✓ With **easy low-cost investment options** for employees
- ✓ Open to most public entities, including **school districts, municipalities, and counties**

To find out more about offering this benefit to your employees contact:

**Gary Emery at [gary.emery@mainepers.org](mailto:gary.emery@mainepers.org) or 207-512-3116.**

# TRAINING CALENDAR

Maine Municipal Association & Affiliates

## APRIL

4/18	Thurs.	MMTCTA Accounting 101 Course	Augusta - Civic Center	MMTCTA
4/19	Fri.	MAAO Northern Maine Spring Workshop	Caribou - Northern Maine Dev. Commission & Zoom Webinar	MAAO
4/19	Fri.	Understanding Diversity, Equity, and Inclusion Immersion Workshop	Augusta - MMA	MMA
4/22	Mon.	MMA For A Day Town Hall	Farmington - Community Center	MMA
4/22 & 4/23	Mon - Tues.	MWDA Spring Training Seminar	Bangor - Hilton Garden Inn	MWDA
4/23	Tues.	MTCCA Records Management	Augusta - MMA & Zoom Webinar	MTCCA
4/24	Wed.	Women Leading Government Symposium	Augusta - MMA	MMA
4/24 & 4/25	Wed. - Thurs.	MCAPWA Supervisory Leadership in Public Works Program - Part I (full)	Augusta - MaineDOT	MCAPWA

## MAY

5/1	Wed.	Personnel Practices	Augusta - MMA & Zoom Webinar	MMA
5/6 & 7	Mon. - Tues.	Verbal Judo for the Contact Professional - 2 DAY	Augusta - MMA	MMA
5/8	Wed.	MAAO Board of Assessment Review	Augusta - MMA & Zoom Webinar	MAAO
5/9	Thurs.	MMTCTA Annual Conference	Bangor - Hilton Garden Inn	MMTCTA
5/13	Mon.	Customer Service Excellence	Augusta - MMA	MMA
5/14 & 15	Tues. - Wed.	MTCCA New Clerks Workshop	Bangor - Hilton Garden Inn 5/14 Zoom Webinar 5/15	MTCCA
5/15	Wed.	PFAS in Maine: Regulatory Updates & How Municipalities Can Take Action	Zoom Webinar	MMA
5/20 & 21	Mon. - Tues.	MBOIA Annual Spring Code Conference	Carrabassett Valley - Sugarloaf Mountain Resort	MBOIA
5/21-23	Tues. - Thurs.	MCAPWA Supervisory Leadership in Public Works Program - Part II (full)	Augusta - MaineDOT	MCAPWA
5/22	Wed.	Municipal Technology Conference	Augusta - University of Maine (UMA)	MMA
5/29	Wed.	Communication & Social Media	Zoom Webinar	MMA
5/30	Thurs.	Planning Board/Boards of Appeal	Bangor - Hilton Garden Inn	MMA

## JUNE

6/4	Tues.	MMTCTA Tax Liens Workshop	Augusta - MMA	MMTCTA
6/5 & 6	Wed. - Thurs.	MTCCA Athenian Dialogue	Zoom Meeting	MTCCA
6/6	Thurs.	New Managers Workshop	Augusta - MMA	MMA
6/6	Thurs.	MCAPWA Highway Congress	Skowhegan - Skowhegan Fair Grounds	MCAPWA
6/12	Wed.	Municipal Human Resources & Management Conference	Orono - University of Maine	MMA
6/20	Tues.	MEGFOA Spring Training Workshop	Augusta - MMA & Zoom Webinar	MEGFOA
6/25	Tues.	Elected Officials Workshop	Presque Isle - The Northeastland Hotel	MMA
6/25	Tues.	MFCA Membership Meeting & Luncheon	The Bar Harbor Club, Bar Harbor	MFCA

## PROFESSIONAL DIRECTORY



AndroscogginBank.com



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

[www.aehodsdon.com](http://www.aehodsdon.com)  
**207-873-5164**

**Advertising in the  
Professional Directory**  
BW: \$550/year 4C: \$825/year  
Contact Sue Bourdon:  
sbourdon@memun.org



**MAINE MUNICIPAL**  
ASSOCIATION **SINCE 1936**

60 Community Drive, Augusta, ME 04330

# Experienced Lawyers *for* Established Communities

Drummond Woodsum attorneys Amy Tchao, Leah Rachin, David Kallin, Richard Spencer, Bill Stockmeyer, Aga Dixon and Lisa Whitt guide towns, cities and local governments through a variety of complex issues including:

- Land use planning, zoning and enforcement
- Ordinance drafting
- Coastal and shore-front access
- Bond issues and financing options
- Municipal employment and labor matters
- Litigation and appeals

Learn what the **Drummond Woodsum Municipal Practice Group** can do for you at:

**dwmlaw.com** | 800.727.1941

**DrummondWoodsum**

ATTORNEYS AT LAW