

WINTER 2021

SAND & GRAVEL

A PUBLICATION OF MAINE AGGREGATE ASSOCIATION



MAINE

AGGREGATE ASSOCIATION

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ABOUT US

Board of Directors:

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Gorham Sand & Gravel, Gorham

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Ray Labbe & Sons, Brunswick

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Shaw Brothers Construction, Gorham

Shawn Frank
Sebago Technics, Westbrook

Gary LaPierre
The Rowley Agency, Portland

Ted Johnston
Resource Policy Group, Fayette

The Maine Aggregate Association is a non-profit trade association representing owners and operators of stone quarries, sand and gravel pits, and processing facilities that produce construction aggregates.

We have become a consistent and trusted resource at the State House in Augusta.

Our membership is:

Gravel Pit Owners
Quarry Operators
Aggregate Processors
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Effective Dec. 17, 2020, the Maine Aggregate Association will halt any and all in person gatherings including board meetings.

LEADING BY EXAMPLE

This will not impact our effectiveness and overall success.

Our Facebook page will become a community for members.
We continue to engage legislative issues that impact our industry.
Our website has a resource tab where members can share documents.
Communication via email to all members on 'things you need to know'.

A MESSAGE FROM OUR PRESIDENT

GENE FADRIGON

GORHAM SAND & GRAVEL

It is my pleasure to write my first letter to the membership as the sitting President of Maine Aggregate Association. Presently, I am a Manager at Gorham Sand & Gravel with 31 years of industry experience. I was elected to the Maine Aggregate Association Board Directors in 2013. In addition, I served as an Elected Director and Vice Chair of the Site Work Committee at Associated General Contractors of Maine. I am a proud father of 2 beautiful daughters and reside in Gorham with my wife, Kim. As a family, we enjoy our time boating and fishing on Sebago Lake.

By now, we have all heard enough about COVID-19 so I will be brief. Our industry was resilient and withstood the employment impact as well as the economic impact relatively well. The Maine Aggregate Association worked closely with MSHA to help members maintain current training requirements, kept members informed about the everchanging CDC regulations, and continued to monitor legislative activities. However, as an organization, we were undoubtedly impacted by the pandemic. For an example, due to COVID-19 restrictions, we had no choice but to cancel our highly anticipated Spring Thaw and our member-backed annual meeting. Although difficult to navigate something such as a novel pandemic, I am pleased overall with how well our organization and - more importantly - our members, weathered the storm.

As your newly elected President, I want to share with you my three goals that myself and the Board of Directors work towards every day. I consider these the pillars of my presidency which align with MAA mission.

Safety- Safety truly does come first in our industry. The Maine Aggregate Association is proud of our relationship with MSHA to help our members understand and comply.

Legislative Impact- With the guidance of Tim Walton, from Walton External Affairs, we give our industry a clear voice in the halls of the state Capitol Building. Many issues are discussed and decided with little to no input from the people who are most impacted by it. We have fought against legislative bills such as the responsible

contractor bill that would have crippled our industry, to being asked to be involved in the Maine Climate Council discussions. Having Mr. Walton actively involved with the legislative process backed by our members support, truly gives the Maine Aggregate Association a reputable and trusted voice.

Workforce Development & Education- For our industry to thrive, we must continue to educate employees, municipalities, elected officials, and the general public. Employees are what makes our businesses succeed! Without them, we are essentially out of business. The Maine Aggregate Association holds a Spring Thaw annually that allows employees to complete the annual MSHA requirements. In addition, prior to COVID-19, we had more specific workshops scheduled such as "Minor Concrete in Highway Construction". Furthermore, we educated municipalities about local ordinances by attending and exhibiting at the Maine Municipal Association annual tradeshow. We have also been working to develop industry partnerships with vocational trade programs throughout the state to provide support and help to guide these programs.

To help achieve these three pillars, we have been working tirelessly to create a streamlined image for the organization so we can share a clear message. This includes creating a newly designed website, a totally reformatted newsletter, a new public Facebook page, and professional e-mail software to keep members informed. As your President, I am proud of the work we have achieved thus far and look forward to the future.

In closing, as you continue your day, week, and month, I would implore you to keep safety, legislative impact, and workforce development and education in the back of your mind. If we keep these three items at the forefront of our organization, I have no doubt that we will continue to have a clear and respected voice for the Maine Aggregate Industry.



"I am pleased overall with how well our organization and - more importantly - our members weathered the storm."

UNDER THE DOME

TIM C. WALTON

WALTON EXTERNAL AFFAIRS

COVID-19: A term that will be etched in our minds forever.

A virus, transformed to a pandemic that literally changed our lives in what seemed at the time like a blink of an eye. The uncertainty the early days of the virus offered were at times overwhelming. Everything was up-in-the-air. Were clients going to cancel or postpone work; if so, how would we take care of our people, our teams, our families; were the lenders going to keep the lines of credit open; was the government going to shut it all down and if so, when? This was the general nature of the questions we were fielding from members at the time. Answers were hard to find.

And then came "PPP". A life line of sorts for so many across multiple industries, including ours in a significant way. Authored in large part by Maine's own senior Senator, Susan Collins, the program helped a number of businesses across the State and Country stay afloat and retain their respective workforces, which in turn no doubt helped keep a fragile economy moving forward. That said, because of the PPP, coupled by the fact that we were deemed an "essential" industry from the outset, the majority of our member companies were able to keep working while so many other industries were either shut down or experienced capital paralysis, leaving them in vulnerable positions in the economic food chain. Some will never recover.

Yes, it has clearly been a tough year to be in business. COVID has certainly taken its toll. That said, as former U.S. President Cal Coolidge was famously quoted, "the business of America is business". In the spirit of that living declaration, regardless of where this pandemic takes us, we need to continue to do everything we can to make sure Maine and the Nation enjoy the most robust and productive economies possible. We owe it to our clients, customers and team members.

Government Relations: Adjusting to the "New Normal" in Augusta.

As an Association, we have a strong history of being a prominent and influential voice for the aggregate industry in Augusta. Mainly because we are a Statewide organization, what happens there often has the most direct impact on our membership as a whole compared to the other governmental arenas. Thus, we take our role and responsibilities in the Capitol City on your behalf very serious. Whether it be working with relevant departments of the

Executive Branch, advocating for our issues at the Legislature or interacting with the Governor, the Maine Aggregate Association has always had a seat at the table when decisions are made in Augusta and that won't change going into the upcoming Legislature. Rest assured; you are in good hands.

Like it has everything else, COVID has changed much of how business is done in Augusta. With the restrictions put in place by the Governor's order, department meetings, Legislative hearings and workshops and the various task force and commission proceedings have been meeting remotely via zoom technology for months. And, with no relief from the virus in sight, unable to comply with the social distancing restrictions at the State House, it is very likely, at least for the early part of the Legislative session, the legislature will move its business to the Augusta Civic Center in January. It's unclear exactly how the public and lobby will be allowed to access and interact with Legislators, staff, etc. during the session. That said, we will adjust to whatever new rules are implemented and continue to be effective in our advocacy on your behalf.

"The business of America is business"
-President Coolidge

One thing that hasn't changed in Augusta is the make-up of the Legislature. The Maine House & Senate will remain solidly controlled by the Democrats. In fact, the election left the Senate Republicans with a net loss of one seat, bringing that chamber to 22-13. Both caucuses raised (and spent) a ton of money and ran aggressive campaigns right up until the polls closed on election night, but, when all was said and done it just wasn't in the cards this year for the Republicans. The house side was a little more exciting. Although that chamber will also remain in Democrat hands, the Republicans did improve their numbers significantly, gaining 11 seats. The count in that chamber now will be 80 Democrats; 67 Republicans; and 4 Independents.

And, although not on the ballot this time around, the race for the Blaine House remains the talk of the town. Who will run next time around is a hot topic. That said, it's highly anticipated (or at least seriously rumored) that former Governor Paul LePage will take on Governor Mills, if she runs for a second term. It may seem like a long way off, but, before we know it the TV ads will be firing up again. Stay tuned on this one.

MEMIC AWARD FOR SAFETY EXCELLENCE

Maine Aggregate Association member, Hissong Ready-Mix & Aggregates of Kennebunk, Maine is a 2020 recipient of The MEMIC Award for Safety Excellence. Their long-standing safety record makes them a good fit as a policyholder of The MEMIC Group.

Only eight of the company's 22,000 policyholders along the Eastern seaboard have been honored in 2020 with The MEMIC Award for Safety Excellence. The family-owned company operates concrete batch plants in Eliot, Lyman, and Westbrook, Maine, as well as a quarry. In addition, the company operates a fleet of over 14 trucks that include over-the-road front discharge cement mixers, flat-beds that carry supports for poured concrete basements, triaxle and trailer dump trucks to meet the various site conditions of residential and commercial customers.

"Safety culture has been a driving force in Hissong Ready-Mix and Aggregates, from the top down. Regular meetings of top management, their insurance agency, and loss control are conducted to review all aspects of safety performance, from vehicle operations, quarry management, and the cement plants," said Karl Siegfried, Senior Vice President of Loss Control Services at The MEMIC Group. "That kind of safety record is not a matter of luck."

The MEMIC Group, a leading workers' compensation insurance company, annually reviews the work of policyholders to recognize distinction in workforce safety. Participation in safety workshops and on-site training are the foundation of award consideration. The awards were established in 1994 to celebrate what are considered best practices in protecting workers from injury. The MEMIC Group is recognized as pioneers in many aspects of safety practices.

"Their agent, Anthony Maielli of Cross Insurance, recognized that MEMIC is perfect for employers who want to take their workers' compensation insurance program to the next level," said Siegfried. "We are grateful for that kind of support and partnership."

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If you know a company, vendor, or contractor that would add value to our organization, please contact Chris Voynik at chris@voynik to have an application sent to them. New members can also be directed to sign up online at www.maineaggregate.org.



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NEW MEETING LAYOUT FOR 2020-2021

MAINE AGGREGATE ASSOCIATION

This past summer we rolled out a new meeting format designed to incorporate board members and members.

On July 15th board members, members, and guests were invited to Tommy Shaw's private lakeside residence on Sebago Lake. After snacks and beverages were served, everyone boarded two boats and took a scenic ride to Frye Island. Once on the island, Maine Aggregate Association held a short but very impactful board meeting at Frye's Leap Café. Once business was completed, all attendees were treated to lunch.

This meeting was generously hosted by Gorham Sand and Gravel.

As we move forward, members are encouraged to host a meeting in their area!



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PAST PRESIDENT JANET HUGHES RECOGNIZED FOR SERVICE

Janet Hughes from Hughes Bros, Inc. of Hampden, Maine officially passed the gavel to Gene Fadrigon of Gorham Sand & Gravel in Gorham, Maine in September 2020. Gene will serve as MAA Board President for an approximate two year term.

The 2020 annual meeting scheduled for April 2020 was cancelled due to the Covid-19 pandemic. Directors and officers are traditionally elected at the annual meeting. This year's annual meeting was held by zoom meeting focusing on voting in directors and officers. In addition to Gene, Ryan Carrigan, Larry Grondin, and Don McFadden were voted in as Vice-President, Treasurer and Secretary, respectively.

As President of MAA, Gene plans to build on the foundation constructed by he and his predecessor. There has been change over the past two years, as MAA has said good bye to long time administrator and government liaison, Ted Johnson. Chris Voynik of Capitol Affiliates was hired for administrative services of the organization in 2019 and Tim Walton of Capitol Associates hired as government liaison and lobbyist in 2020. Ted officially retired from government relations in June 2020 and is enjoying his retirement in Florida and his new home in Wyman, Maine. Ted was voted in as director and he hopes to continue his support of the organization for years to come. Chris has been working diligently to upgrade our financial systems and website, and bring us into the 21st century technically, including supporting zoom meetings.

Gene's MSHA safety training and initiatives through Joseph A Holmes Association will continue to be a focus, as well as workforce development. MAA hosts an MSHA 8 hr refresher course that assists many small mines in gaining training to meet MSHA regulations and to improve the safety of our industry. MAA has trained over 100 miners annually. The safety initiatives have been led by Chip Laite and Gene Fadrigon for years. Like the rest of the construction industry, the mining industry continues to be stressed by loss of workforce. MAA will continue initiatives to help grow and attract workforce so our industry can continue to grow.

The Board has worked on several other initiatives over the past year, including: building collaboration with municipal leaders and government officials to build more consensus in permitting of gravel and rock resources lead by Janet Hughes; Working with the Maine Department of Transportation (MDOT) on timing and issues related to on-site aggregate sampling of MDOT projects lead by Larry Grondin; and Meetings with MDOT and workshops to address issues related to quality control procedures of small load concrete lead by Joel Cummings.

MAA continues to prioritize relations with the Maine Department of Environmental Protection (MDEP) Mining Division to ensure that MAA best understands concerns of the MDEP and responds to them, and MAA continues to be good stewards of the environment working hand in hand with the MDEP.

Monthly meetings continue either in person using COVID-19 protocols and/or by zoom meetings. The viability of the annual MSHA 8 hour refresher course will be announced at a later date due to COVID-19. Anyone interested in attending meetings or for more information regarding initiatives, please call Chris Voynik at 207-313-0959.



Incoming President, Gene Fadrigon of Gorham Sand & Gravel presents past President, Janet Hughes of Hughes Bros, Inc with an award for her dedicated service and commitment to the Maine Aggregate Association

APPLYING FOR PPP FORGIVENESS

MAINE AGGREGATE ASSOCIATION

Like many companies across the country, you may have received a Paycheck Protection Program loan. The SBA loan was designed to help businesses keep their workforce employed during the COVID-10 crisis. Should your company apply for forgiveness, you will want to follow these steps.

Borrowers may be eligible for loan forgiveness if the funds were used for eligible payroll costs, payments on business mortgage interest payments, rent, or utilities during either the 8- or 24-week period after disbursement. A borrower can apply for forgiveness once it has used all loan proceeds for which the borrower is requesting forgiveness.

Borrowers can apply for forgiveness any time up to the maturity date of the loan. If borrowers do not apply for forgiveness within 10 months after the last day of the covered period, then PPP loan payments are no longer deferred and borrowers will begin making loan payments to their PPP lender.

How to apply:

- 1) *Contact your PPP Lender and complete one of the following: SBA Form 3508, SBA Form 3508EZ, SBA Form 3508S, or lender equivalent.*
- 2) *Complete and prepare the supporting documents required.*
- 3) *Submit forms and supporting documents to your PPP lender.*
- 4) *Continue to communicate with your lender.*



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TIPPING OUR HARDHATS TO A GREAT FRIEND

TIM C. WALTON
WALTON EXTERNAL AFFAIRS

Since its earliest beginnings, the Maine Aggregate Association (MAA) has enjoyed a long line of dedicated, passionate leaders. From the founding members, to the present-day Officers and Directors, through the years the Association's volunteer leadership has always been committed to doing what's right for the industry, in the best interest of the membership. As a result, MAA has achieved notable success in its advocacy efforts, earning the reputation as being a great voice of influence in the halls of Augusta and throughout Maine's business and industry communities. For the past 27 years the Association has had a consulting partner in that success. One who was just as dedicated and passionate as our volunteer leaders themselves. Earlier this year, after almost three decades of service to the Association as its Legislative Counsel, Edward I. "Ted" Johnston stepped down from that post to pursue a well-deserved life of semi-retirement. He will continue, however, to maintain his company, Resource Policy Group, addressing client needs in the environmental permitting and related services arena.

A true icon in Maine's political world, Ted's service will long be remembered by Legislators, colleagues and members alike for his tenacious, strategic approach to advocacy. At the Summer Directors meeting, the Board thanked Ted for his many years of service to the Association and Industry. He is not leaving us completely though, as he has transitioned to a Board Director's role. We look forward to his involvement in that capacity. With Ted's departure came a need to retain new government relations counsel.



WINTER 2021

I am honored to announce I was chosen to assume that role for the Association. My involvement with MAA began in the mid 1990's when Ted engaged me to assist with some legislative issues impacting the membership and my relationship with the Association grew from there. I had been a long time, active board member, until recently stepping down to assume this position.

For those that don't know me or at least perhaps not as well as others, here is a little information about my professional background. For my entire 30-year career I have defended and promoted the principles of business and industry. And, for 26 of those years, construction and related industries have been a significant part of my services portfolio. I have worked on staff for three members of Maine's Congressional delegation, been involved in leadership positions with a variety of business and industry trade groups and have been a registered lobbyist for 25 years.

In 2012 I was honored by Associated Builders & Contractors of Maine for my service to the construction industry and in 2014, Associated Builders & Contractors National appointed me as that association's first Ambassador to Merit Canada. I am is a two-time recipient of the coveted Flaming Arrow Award, presented annually to a stalwart defender of the Merit Shop, whose unrelenting commitment to free enterprise and fair competition has earned the respect and admiration of Maine's construction industry.

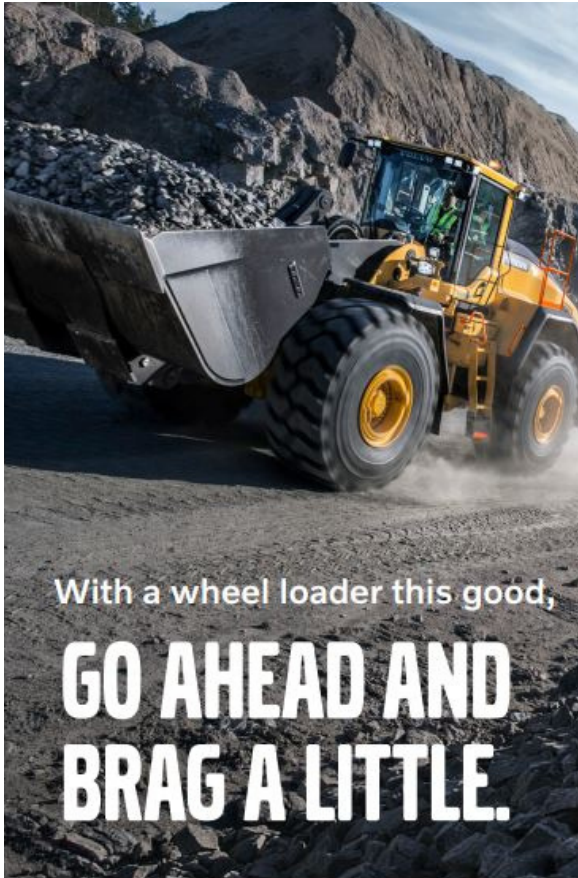
In 2017, I founded Walton External Affairs, LLC., an Augusta Maine based consulting firm representing a client portfolio of reputable companies and organizations with diverse interests and a spectrum of geographic footprints. Committed to delivering high level, quality service, I strategically focus on three key service areas; government, business and industry relations.

I am very excited to continue my commitment to the Association in this new role. I look forward to working with you all.



Tim serves as Government Affairs Counsel to the Maine Aggregate Association and is the President of Walton External Affairs, LLC, an Augusta, Maine based firm specializing in Government, Business & Industry Relations.

*He can be reached at
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NON-METALLIC MINING PROGRAM 2020 SUMMARY

MIKE CLARK AND ERICH KLUCK
DEPT. OF ENVIRONMENTAL
PROTECTION

The Mining Unit of the Department of Environmental Protection would like to thank the businesses in Maine's earth products industry for a continued high level of substantial compliance with the Performance Standards for gravel pits and quarries. In particular, we appreciate that when a compliance issue is identified at a regulated facility, acknowledgement and attentiveness to addressing the issue generally means that compliance is restored promptly and with minimal environmental impact. Additionally, when we respond to citizen complaints, such as dust control, blasting or general operations noise, communication between the operator, the community and Department staff lends to understanding that sometimes operations are below legal thresholds, and sometimes feasible changes can ease concerns.

We offer the somewhat annual reminder that the more typical compliance issues that we see are unmarked property lines and buffers, and as a result, impacts to the required buffers, usually in the form of timber harvesting. The facility operator is responsible for maintaining and in applicable cases, restoring those buffers, but violations can be reduced or prevented by marking the buffers and property lines at the beginning and close of each season. Paint is the preferred method, as flagging tends to survive the elements for only a year or so. It should go without saying that when we conduct compliance inspection, we cannot effectively determine compliance with the buffer standard if we don't know where the property line is...so neither can an unfamiliar operator or a contracted timber harvester. For 2021 we will be considering a standard Letter of Warning (LOW) followed by a Notice of Violation (NOV) if property lines are not marked within two weeks of LOW receipt.

This is simply because lack of markings is a stand-alone violation, and lack thereof can and does lead to actual buffer infringement violations. An equally challenging, if more frequent violation is one that is more difficult to prevent, but we are reaching out to your members for support when possible.

The law that regulates applicable pits and quarries requires that a transfer of ownership or operation in the form of a Notice of Intent to Comply (NOITC) be filed with the Department within 2 weeks after purchase or obtaining operating authority. It would be very helpful if current owners and operators pass along this information as well as our contact information to new owners and operators so that we can assist them as needed in filing a Transfer NOITC within the two weeks. This will help reduce the number of springtime phone calls and emails that we receive in the weeks following receipt of annual fee invoices, which typically begin with the words "I sold (or no longer work) that pit".

This year the Covid-19 Pandemic has brought some challenges to all aspects of our lives. Being an "outdoor" industry, we hope that yours has been less affected than average, but we extend our hope that all are making the best of things and looking forward to a more healthy and prosperous 2021.

CLIMATE, CONSTRUCTION & PEOPLE



The Maine Climate Council is moving rapidly towards recommendations that will change the course of our state's plans for construction, transportation, and work. During this webinar, we reviewed the process, analyzed the timeline, and shared key recommendations that will be headed to the legislature in 2021. Each of the recommendations impact members differently, some will see challenges, others will see opportunity depending on the type of construction and ability to adapt if the laws are enacted. We hope this joint presentation provided insight into what's happening, how you can be engaged, and answer questions about the policy.





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MAINE

AGGREGATE ASSOCIATION

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NEWS

SHAW BROTHERS- After 30 years of producing aggregates in Dayton Maine, Shaw Brothers installs a new scale. The scale was built to increase efficiency of the pit by significantly reducing wait times.

RISBARA BROS.- President of Risbara Bros. Construction Co., Rocco Risbara was recognized my MaineBiz as a 2020 Business Leader Of The Year.

AUBURN CONCRETE- Appeared with Second Generation Construction on HGTV.

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