

# OPEGA Audit Request Form

Office of Program Evaluation and Government Accountability

Please complete this form with information that is as specific as possible. Use additional pages as necessary. If you wish to submit your request in a letter please include as many of the details asked for on this form as possible. You may be contacted by OPEGA and asked for additional information. If you have questions about the form or the request process, please contact OPEGA at 207-287-1901.

---

**1. What is the name of the department, program or function that you want OPEGA to review/audit?**

If you know that specific funds are involved, please name the type of funds, and any specific restrictions, rules, or regulations that you are aware of and concerned about.

Maine Maritime Academy

---

**2. What concerns have led you to request an OPEGA audit?**

Please include names, dates and places, as well as description of actions you observed or experienced, and please attach any supporting documentation.

1. Probable violation of town zoning ordinance, zoning approved by town vote in 2000 and certified by the State.
2. Probable violation of State statute governing Executive Session (Freedom of Access, section 405).
3. Questionable use of State, taxpayer and tuition money. Example: \$550,000 paid to renovate the current president's residence. Then MMA paid \$1,450,000 for a new president's residence, a 200 year-old landmark with significant annual maintenance liabilities.
4. Questionable use of municipal bond financing. If voters knew surplus, discretionary funds were available to spend \$1,450,000 on a second residence, would they approve a \$1,500,000 MMA allocation from the November bond issue?
5. Unplanned growth of student population exceeding the capacity of the Town's infrastructure. The Administration repeatedly states a target of 800 students, a student population the Town infrastructure can not support. It is believed by many but denied by the trustees that a hidden agenda for the Abbott House purchase is to provide future administrations the opportunity for further expansion.
6. Disregard for community interests with negligible financial support of the Town's infrastructure. The appearance of a state funded institution with substantial financial resources attempting to force into submission a small town with limited resources.
7. Disregard of advice and inquiries from elected officials.
8. An apparent lack of oversight and accountability of Maine Maritime Academy.

Details are provided in a separate summary package which has been passed to State Legislature leadership, MMA Trustees and other interested parties. Information can also be found on the website

[www.castinepartnership.com](http://www.castinepartnership.com).

---

**3. What specific questions would you like an OPEGA audit to answer?**

1. Does the Board provide an appropriate review and consideration of town laws when planning for future Academy growth?

2. Do the by-laws comply with State statutes and does the Board follow the by-laws?
3. Did MMA appropriately disclose the existence of discretionary, surplus funds exceeding \$1,500,000 when requesting participation in the November 2007 municipal bond referendum?
4. Is the Board taking an appropriate fiduciary role in regards to MMA expenditures?
5. Are details of senior MMA staff compensation packages available to the public?
6. Does the Board practice appropriate oversight of MMA administrative and financial decisions?
7. Is there a staffing, finance and facilities plan that supports current enrollment growth initiatives?
8. Does the Board understand the ramification of increasing student enrollment?
9. Does the Board take into consideration the ability of the Town to support the current student enrollment and future Academy growth?
10. Has MMA assessed the adequacy of their current payment in lieu of taxes?
11. Is there adequate State oversight of Maine Maritime Academy and its Board of Trustees?

---

**What potential beneficial outcomes do you expect may come from OPEGA performing this audit?**

For example: cost savings, reduction of risk to the state, positive impact on citizens, or any other benefits you think may result from an audit.

1. Begin building a foundation for mutual trust between the citizens of Castine and MMA. A declaratory judgment by the Superior Court may resolve the strength of the zoning ordinance but it will likely do little to resolve the many questions and concerns regarding management practices and procedures of the Academy. Trust, once lost is difficult but not impossible to rebuild. Trust is the bed-rock of an honest dialogue. Trust requires transparency. An OPEGA audit should be viewed by all parties as an important step in this building process. Furthermore, the audit process should not wait. There is too much at stake to delay.
2. Cost savings for students and taxpayers by establishing appropriate financial priorities. Example: expenditures listed above could have been directed to reduce tuitions or improve the value of an MMA education. These issues raise unnecessary questions regarding the quality of state supported education in Maine.
3. Reduce the economic and political risk for the State. If a state institution is permitted to violate either the letter or intent of a local law, what is to prevent it from doing so repeatedly? This is a potentially dangerous precedent that is likely to resonate with the citizens of other towns that are home to a state funded school in Maine and elsewhere.

---

## OPEGA Audit Request Form

Office of Program Evaluation and Government Accountability

---

**5. Have you pursued other avenues to address your concerns?**

If so, please provide contact names, dates, and outcomes of those efforts.

1. The Town of Castine has filed suit for a declaratory judgment. The case is now in the discovery phase.
  2. The Governor's staff has been consulted. It was recommended that citizens of the town submit trustee nominations to facilitate improved Town/Academy dialogue.
-

3. Legislative leaders have been consulted. Several suggested the town submit trustee nominations. It is not clear what communications with MMA or other actions resulted from these meetings.
4. Citizens of Castine submitted six nominees for trustee. There was no response from the Governor's office and the names provided were not submitted to the legislature.
5. Citizens of Castine have been attending Trustee Board meetings with prepared statements. No meaningful response.
6. The Attorney General's office has been contacted regarding probable board violation of the Freedom of Access statute. The Augusta office is providing the declaratory judgment defense for MMA and, therefore, can not engage citizens of Castine in any form of consultation or support. We are corresponding with the Assistant Attorney General in Bangor.
7. Extensive research has been conducted to support the above concerns.

---

**6. What else would you like to add to help the Legislature's Government Oversight Committee and OPEGA understand your concern?**

Please include additional information, with attachments if appropriate, that you would like to share that was not addressed in questions 1 - 5.

An observation: On March 24<sup>th</sup>, the town held its annual meeting. As with most Maine towns, Castine struggled to save every possible dollar. Such meetings are the essence of our democratic process. Many residents participated, all the time becoming increasingly agitated in knowing the town had a substantial and increasing legal bill resulting from MMA's challenge to our democratic right of self-governance. Adding to the agitation at the town meeting was the realization that the Attorney General's office has been retained for defense at no cost to MMA. The Town and its citizens are paying for the prosecution and, through tax dollars, the defense.

This audit request is being submitted on behalf of the Castine Citizens Action Group (CCAG). CCAG was initially formed to provide a strong and constructive voice in response to MMA's expansion efforts and to promote a cooperative and balanced relationship between the Town and the Academy that respects Castine's heritage and resources. This mission statement and the enclosed summary package are available to the public on the website: [www.castinepartnership.com](http://www.castinepartnership.com).

CCAG is comprised of more than 230 members and includes working families, long-term residents, retirees, former MMA faculty, graduates, summer residents and other concerned citizens.

Independent citizen research and inquiries continue to raise questions of operational procedures and financial prudence, potentially impacting the quality of education, reputation of the Academy and voter support.

---

**7. Please provide your contact information so that we can follow up on this audit request with you. If you wish to remain anonymous please check the box and OPEGA will keep your contact information confidential.**

**Please check this box if you are a Legislator and are submitting this at the request of a constituent.**

---

**Name:** Michael Coughlin, Chairman  
Castine Citizen Action Group

---

**Best way to contact you:** either  
(By email or phone?  
Times?)

---

**Telephone day/night:** 207-326-0839

---

**Email address:** [coughlm@verizon.net](mailto:coughlm@verizon.net)

---

**Please submit the completed form to:**

**OPEGA Director  
107 Burton Cross Building  
82 State House Station  
Augusta, Maine 04333**

For OPEGA use only: Request # \_\_\_\_\_