



TOWN OF GRAY
GRAY TOWN COUNCIL WORKSHOP
AGENDA • MAY 17, 2022

**Gray Town
Council Workshop**

Town Council Chambers
24 Main Street, Gray, ME 04039
<https://us06web.zoom.us/j/88628900418>
Phone 646-558-8656 / Meeting ID: 886 2890 0418

6:00 PM

CALL to ORDER

Roll Call

WORKSHOP 6:00 PM - 6:55 PM

1. Remote & Hybrid Meeting Policy
2. Council Rules
3. Sidewalk Standards

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

TOWN OF GRAY TOWN COUNCIL ~~REMOTE AND HYBRID~~ AND REMOTE MEETING POLICY

Pursuant to 1 M.R.S § 403-B

PURPOSE

The Town of Gray strives to provide an open and transparent government that maximizes the ability of its residents to participate in the public process. This Policy sets forth the conditions upon which the Gray Town Council may conduct a hybrid or remote meeting, as that term is defined in this Policy. ~~In addition, this Policy sets forth the conditions upon which the Gray Town Council may conduct a hybrid meeting, as that term is defined in this Policy.~~

DEFINITIONS

A. Hybrid Meeting

A public proceeding, as defined in 1 M.R.S. § 402(2), as may be amended, conducted with some meeting attendees in person/face-to-face at a designated physical location while connecting with other meeting attendees by remote means.

B. Public Meeting

A “public proceeding,” as that term is defined in 1 M.R.S. § 402(2), as may be amended.

C. Remote Means

Means “remote methods” as that term is defined in 1 M.R.S. § 403-B(1), as may be amended. For purposes of this Policy, “remote means” may include, but is not necessarily limited to: Zoom, Go-To-Meeting, Skype, Google Meet, or other comparable internet-based telephonic or videoconferencing platform. Remote means does not include text-only means such as e-mail, text messages, or chat functions.

D. Remote Meeting

A public proceeding, as defined in 1 M.R.S. § 402(2), as may be amended, conducted solely by remote means.

~~REMOTE MEETINGS OF THE TOWN COUNCIL~~

~~The Town Council shall conduct its meetings in person unless the Chair (or in his/her absence, the Vice Chair), in consultation with the Town Manager, makes a determination that an emergency or urgent issue exists that requires the Town Council to conduct a remote meeting, including, but not limited to, inclement weather and/or disasters or catastrophes caused by either natural or man-made causes. The determination of such an emergency or urgent issue shall be made as soon as practicable, and notice of a meeting being conducted solely by remote means shall be disseminated consistent with 1 M.R.S. § 406, as may be amended, and this Policy.~~

HYBRID MEETINGS WITH WITHOUT REMOTE PARTICIPATION BY INDIVIDUAL TOWN COUNCILORS

~~Except for a remote meeting being conducted consistent with Section III of this Policy,~~ The Town Council shall conduct its meetings using the hybrid format whenever feasible as it affords the most participation and transparency. Members of the Town Council are expected to be physically present for all public meetings except when being physically present is not practicable for one or more members.

Circumstances under which physical presence for one or more members is not practicable may be, but are not limited to:

- A. Illness or other physical condition, or temporary absence from the Town of Gray, that causes the member to face significant difficulties travelling to and attending the public meeting in person; or
- B. To provide a reasonable accommodation to a member with a disability.

A Town Councilor who believes it is not practicable, as set forth above, for him/her to attend a meeting in person shall notify the Chair (or in his/her absence, the Vice Chair), as well as the Town Manager, of the existence of such circumstances as far in advance as is possible. The Chair (or in his/her absence, the Vice Chair), shall, in consultation with the Councilor, then make a determination whether being physically present is not practicable for that Councilor and, if such a determination of impracticability is made, so notify the Town Manager and remainder of the Council that the member will participate remotely via the hybrid model. ~~that a hybrid meeting will be conducted.~~

Staff is encouraged to use remote participation in hybrid meetings when feasible except when their physical presence will better facilitate discussions and/or meetings are held during normal work day hours.

The physical address, remote link and dial in phone number will be published on all posted agendas in advance of the meeting.

~~If the agenda has already been posted at the time the determination is made to authorize a hybrid meeting with the Town Councilor's remote participation, an amended meeting agenda containing the information set forth in Section VI(a) of this Policy shall be posted on the Town's website and be distributed to all Town Councilors, relevant Town staff, and local representatives of the media by the same or faster means used to notify Town Councilors at least four (4) hours prior to the originally noticed meeting start time.~~

HYBRID MEETING WITH NO REMOTE PARTICIPATION BY INDIVIDUAL TOWN COUNCILORS

~~The Town Council is not required by law to offer this type of meeting format and will only conduct a hybrid meeting with no remote participation by individual Town Councilors when it is determined by the Town Manager, in consultation with the Chair (or in his/her absence, the Vice Chair), that such a hybrid meeting is necessary for some special reason, such as the need for the Town Council to communicate with Town staff, an outside attorney, professional or consultant without incurring the costs associated with that person's travel to/from Gray.~~

REMOTE MEETINGS OF THE TOWN COUNCIL

The Town Council shall conduct its meetings using the hybrid format unless the Chair (or in his/her absence, the Vice Chair), in consultation with the Town Manager, makes a determination that an emergency or urgent issue exists that requires the Town Council to conduct a remote meeting, including, but not limited to, inclement weather and/or disasters or catastrophes caused by either natural or man-made causes. The determination of such an emergency or urgent issue shall be made as soon as practicable, and notice of a meeting being conducted solely by remote means shall be disseminated consistent with 1 M.R.S. § 406, as may be amended, and this Policy.

PUBLIC NOTICE OF REMOTE MEETINGS OR HYBRID OR REMOTE MEETINGS

When the Town Council conducts a ~~remote meeting~~ or a hybrid or remote meeting, the following shall occur:

- A. Notice of the public meeting shall be provided in a manner that provides ample time to allow public attendance. Such notice shall be disseminated in a manner that is reasonably calculated to notify the general public of the time, date, location, and method to be used to conduct the meeting. Such notice shall provide information regarding how members of the public may attend the public meeting remotely and shall provide the physical location where members of the public may participate in person, if applicable.
- B. Members of the public shall be provided with a reasonable opportunity to participate in the public meeting by remote means, which shall at a minimum include an effective means of communication between such members of the public and the Town Council. Reasonable accommodations may be provided when necessary to provide access to individuals with disabilities.
- C. Unless the entire Town Council is conducting a remote meeting as provided in Section ~~III~~ IV of this Policy, members of the public must be provided the option to attend the meeting in person or by remote means.
- D. Unless the entire Town Council is conducting a remote meeting as provided in Section ~~III~~ IV of this Policy, the Chair (or in his/her absence, the Vice Chair), at the start of the meeting, shall announce the name of any Town Councilor(s) participating by remote means, ~~and state the reason therefor, which reason must be consistent with Section IV.~~
- E. All public documents and other materials considered by the Town Council shall be made available to members of the public by the same or more efficient means as they are provided to individual Town Councilors. This requirement may be met by: (i) posting all public documents and materials to be considered by the Town Council on the Town's website at least one (1) business day prior to the meeting; (ii) making physical copies of all documents and materials to be considered by the Town Council available for in person pick-up at the Town Office at least one (1) business day prior to the meeting; or (iii) enabling the "screen-sharing" function of the remote means utilized for the meeting in such a way that members of the public are able to view all relevant documents and materials while the Town Council is reviewing and discussing the same.

QUORUM

A Town Councilor who participates in a remote meeting or a hybrid meeting is considered present for purposes of determining the presence of a quorum and voting.

ROLL CALL VOTE REQUIRED

All votes taken during a ~~remote meeting~~ or a hybrid or remote meeting must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by all Town Councilors and the public.

ZOOM PREFERRED

The preferred hybrid or remote means for all Town boards and committees shall be Zoom. ~~Webinar~~. The platform shall be set up and hosted by a Town official and a digital recording shall be preserved. The use of private accounts to host a ~~remote meeting~~ or a hybrid or remote meeting is prohibited.

DISRUPTIONS AND ADJOURNMENT

If during the conduct of a ~~remote meeting~~ or a hybrid or remote meeting, the meeting is interrupted through disruptions or glitches in the technology, the meeting shall be automatically recessed for up to 15 minutes to restore communication when audio-visual communication cannot be maintained with a quorum of Town Councilors. If the interruption cannot be resolved within 15 minutes, and the Town Council has not provided reasonable notice to the public as to how the meeting will be continued at an alternative date and time, then the meeting shall be automatically adjourned. If the meeting being conducted is a hybrid meeting with no remote participation by individual Town Councilors and a remote connection to the public location identified in the Town Council's notice pursuant to Section VI(a) of this Policy is interrupted or lost, the meeting shall continue at the public location without the need for a recess or adjournment.

EXECUTIVE SESSIONS

To preserve the executive session privilege of any portion of a meeting closed to the public, the Chair should confirm with each attendee that no unauthorized person is present or has access to any executive session being conducted via hybrid or remote means. There shall be no audio or visual recording of an executive session.

OTHER TOWN BOARDS AND COMMITTEES

This policy applies to all Town Council boards or committees, unless the board or committee adopts its own policy.

~~Any public body organized under the auspices of the Town may adopt this Policy in order to comply with 1 M.R.S. § 403-B. Any public body adopting such a remote and hybrid meeting policy under this section must, after hearing on the same, file written notice of the vote with the Town Clerk upon adoption. Any such public body may also choose to set more stringent regulations for use of remote means, provided that said policy is at least as stringent as this Policy and complies with 1 M.R.S. § 403-B. Such enhanced policy must also, after hearing on the same, be approved by a vote of a majority of the members of said body, and a copy of said enhanced policy must be filed with the Town Clerk upon adoption.~~

APPLICABILITY

This Policy does not apply to Town Meetings.

AMENDMENT; SEVERABILITY; EFFECTIVE DATE

This Policy may be amended as needed by a majority vote of the Town Council. The provisions of this Policy are severable, and if any provision shall be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect. This Policy shall take effect immediately upon adoption by the Town Council.

Date Adopted: September 7, 2021

Revised: June XX, 2022

TOWN COUNCIL RULES

TOWN OF GRAY RULES OF THE GRAY TOWN COUNCIL CHAPTER 602 ADOPTED ON MARCH 19, 1981

Amendments to the Rules of the Gray Town Council

March 15, 1983	February 19, 2002	November 1, 2011
April 1, 1986	February 18, 2003	July 3, 2012
May 19, 1987	July 1, 2003	October 16, 2012
August 2, 1988	December 20, 2005	November 13, 2012
February 20, 1990	June 05, 2007	December 4, 2012
March 20, 1990	June 17, 2008	September 17, 2013
May 4, 1993	August 19, 2008	January 7, 2014
June 20, 1995	March 17, 2009	September 1, 2015
August 1995	April 7, 2009	December 6, 2016
August 6, 1996	September 1, 2009	August 1, 2017
October 1, 1996	September 15, 2009	October 3, 2017
September 15, 1998	December 1, 2009	October 1, 2019
July 6, 1999	August 3, 2010	November 12, 2019
December 5, 2000	February 1, 2011	December 3, 2019
April 17, 2001	May 17, 2011	August 4, 2020

TABLE OF CONTENTS

OPERATIONAL RULES (REPEALED AND REPLACED OCTOBER 1, 2019)

- Section 602.01 - Regular Meeting
- Section 602.02 - Council Workshops and Special Meetings
- Section 602.03 – Council Meetings and Workshop Agendas
- Section 602.04 – Quorum
- Section 602.05 - Enactment Form
- Section 602.06 - Ordinance Style
- Section 602.07 - Order and Resolve Style
- Section 602.08 - Full Reading
- Section 602.09 - Yeas and Nays Taken: When
- Section 602.10 - Ordinance Effective: When
- Section 602.11 - Order and Resolves Effective
- Section 602.12 - Chair and Vice-Chair Duties
- Section 602.13 - Rules of Debate
- Section 602.14 - Breach of Council Rules or Orders
- Section 602.15 - Standing and Special Committees
- Section 602.16 – Social Media Platforms
- Section 602.17 – Councilor Requests for Staff Time & Legal Opinions
- Section 602.18 - to Section 602.19 - **(Reserved)**
 - **** *SEPARATE DOCUMENT - Re-classified as a separate document*
 - Section 602.20 – Town Council, Committees & Affiliations Policy*
- Section 602.42 to Section 602.49 - **(Reserved)**
- Section 602.50 - Severance Clause

OPERATIONAL RULES

SECTION 602.01 - REGULAR MEETING (AMENDED AUGUST 3, 2010, AMENDED FEBRUARY 1, 2011, OCTOBER 3, 2017)

- A. The regular meetings of the Town Council:
1. Shall be held at Henry Pennell Municipal Complex at 7:00 p.m., current time, unless being held remotely.
 2. On the first and third Tuesday of each month, except that in July, August and November, the Town Council shall meet only once during each month on a date of their choosing.
 3. When said days falls on a holiday or on an election day, the regular meeting shall be held on the following Tuesday, at the same time and place.
 4. The date of any regular meeting may be changed by an order or resolve passed with at least four (4) affirmative votes at a previous meeting of the Council provided, however, that said change in date will still provide for two regular meetings in each month provided, there are enough days left in the month to do so.
 5. In case of inclement weather or other public hazard, the Chair may decide, on the day of any regular Council meeting, to switch the meeting to remote or postpone that meeting seven days later at the same time and place and with notification to the public by the most expedient means.

SECTION 602.02 - COUNCIL WORKSHOPS AND SPECIAL MEETINGS

- A. Workshops:
1. Workshop meetings, where Town business is discussed, but not to be voted on, shall be held from time to time as determined necessary by the Town Council.
- B. Special meetings:
1. May be called by the Chair.
 2. In case of his/her absence, disability or refusal may be called by three (3) or more members of the Town Council.
 3. Notice of such meeting shall be served in person or left at the residence of each member of the Town Council at least twenty-four (24) hours before the time for holding said special meeting, unless all members of the Council sign a waiver of said notice.
 4. The call for said special meeting shall set forth the matter(s) to be acted upon at said meeting, and nothing else shall be considered at such special meeting.
 5. All special meetings shall be held in compliance with the Maine Freedom of Access law, 1 M.R.S.A. Sec. 406, as amended.

SECTION 602.03 - COUNCIL MEETINGS AND WORKSHOP AGENDAS

- A. Regular Meetings Agendas:
1. Requests to add an item to a Council meeting agenda for consideration or action shall be forwarded to the Chair or the Town Manager, at least nine (9) work-days in advance of the meeting, to allow for sufficient time to amend the agenda for public notice. Holidays/Elections may impact the cut off dates.
 2. No ordinance, order or resolve, unless of an emergency nature that is expressly identified in the ordinance, order or resolve, shall be in order for action at any regular or special meeting of the Town Council unless such ordinance, order or resolve shall be filed in the office of the Town Clerk at least nine (9) work-days prior to the meeting
 3. When it is anticipated there will be an unusually large volume of background materials to be submitted by proponents, or opponents of an issue, the Chairperson may require submissions to be made at least two weeks, or more in advance.
- B. Workshop Meeting Agendas:
1. No item shall be put on a workshop agenda unless at least two Councilors request it.
 2. Suspending the Rule
Nothing herein shall prohibit the Council from voting to suspend, as opposed to amend, these Council Rules pursuant to Section 602.13.A.4.d to add an agenda item with less than (9) work-days notice.

SECTION 602.04 - QUORUM

- A. Quorum:

1. As per Article II, Section 13, of the Town Charter, a majority of the Council shall constitute a quorum for the transaction of business.
2. The quorum and participants consist ~~solely~~ of those members physically present together in the assembly and those participating remotely.
3. At least three (3) votes shall be required for passage of any ordinance, order or resolution.
4. A smaller number may adjourn from time to time or may compel attendance of absent members.
5. At least twenty-four (24) hours-notice of the time and place of holding such adjourned meeting shall be given to all members who were not present at the meeting from which adjournment was taken.

SECTION 602.05 – ENACTMENT FORM

- A. Enactments:
1. The Town Council shall act only by ordinance, order or resolve.
 2. All ordinances, orders and resolves shall be confined to one subject, which shall be clearly expressed in the title and shall be put in writing on forms designed for that purpose in advance of the Council meeting.
 3. Ordinances, orders and resolves shall each be separately numbered, consecutively, by date of introduction.

SECTION 602.06 – ORDINANCE STYLE

- A. The enacting style for an ordinance shall be:
1. “Be it ordained by the Town Council of the Town of Gray, Maine in Town Council assembled,” followed by the proposed ordinance.

SECTION 602.07 – ORDER AND RESOLVE STYLE

- A. In all votes of command:
1. The form of expression shall be “Ordered”.
- B. All votes regarding opinions, principles, factors or purposes:
1. The form shall be “Resolved”.

SECTION 602.08 – FULL READING

- A. As per Article II, Section 14.B of the Town Charter:
1. After passage on first reading, every proposed ordinance or a summary there of shall be posted in the municipal building and on the Town’s electronic website for at least seven (7) days prior to the next regular meeting of the Council.
 2. At least one public hearing shall be held by the Council before any ordinance shall be passed, but nothing herein shall be deemed to require publication of the ordinance itself.
 3. Every ordinance shall be in order for public hearing and the first reading of ~~same~~, but all ordinances may, at the discretion of said Council, be tabled from time to time.

SECTION 602.09 - YEAS AND NAYS TAKEN: WHEN

- A. The yeas and nays shall be taken upon the passage of all ordinances and entered upon the record of the proceedings of the Town Council by the Clerk:
1. These yeas and nays shall be taken on the passage of an order or resolve when called for by any member of the Town Council.
 2. Every ordinance, order and resolve shall require, on final passage, the affirmative vote of at least three (3) members of the Town Council.

SECTION 602.10 - ORDINANCES EFFECTIVE: WHEN

- A. No ordinance shall take effect and be in full force:
1. Until thirty (30) days from and after it shall have been enacted as required by Article II, Section 14.C of the Charter.

SECTION 602.11 - ORDERS & RESOLVES: EFFECTIVE

A. Unless a later date is expressly provided for:

1. All orders and resolves shall take effect immediately, upon passage.

SECTION 602.12 - CHAIR AND VICE-CHAIR DUTIES

Beyond those outlined here, the Chair and Vice-Chair have no more authority or responsibility than any other Town Councilor.

The Chair and/or Town Manager shall meet with the Vice Chair to review planned meeting agendas, as necessary, to ensure continuity of Town business.

A. The Chair is to be Presiding Officer:

1. The Chair shall take the Chair at the time appointed for the meeting,
2. Call the members to order,
3. Caused the roll to be called and,
4. If a quorum be present, call for the approval of the minutes of the preceding meeting as presented and proceed to business.
5. Shall conduct the meetings in a manner as described below and shall be the arbiter in all matters of meeting protocols, subject to a vote of the full Council.

B. The Chair shall preserve decorum and order. The Chair may;

1. Speak to points of order in performances of other members and shall decide all questions or order subject to appeal of the Council by motion regularly seconded, and no other business shall be in order until the question on appeal is decided.
2. Rule any person out of order and require a speaker to take his or her seat
3. Eject any person from the meeting place who, after being ruled out of order, remains disorderly.
4. In case of disorder, declare the meeting recessed until order is restored. In the event of serious disorder or emergency, declare the assembly adjourned to some other time (and place if necessary,) if it is impracticable to take a vote, or in his or her opinion, dangerous to delay for a vote.
5. A person wishing to address the Council shall raise his or her hand;
 - a) be recognized by the Chairperson,
 - b) give his or her name and address
 - c) **sign in on a roster provided for that purpose.
6. All comments shall be confined to the question under debate and shall avoid personalities.
7. No person speaking may be interrupted, except by the Chair, or to raise a point of order, or to correct an error.

NOTE: **The Council strongly recommends that all Town standing or special committees adopt a similar, sign-in rule.

C. Declaration of Votes:

1. The Chairperson shall declare all votes, but if any member questions a vote, the Chairperson shall cause a recount of the members voting in the affirmative and in the negative without debate.

D. Vice-Chair Responsibilities:

1. The Vice Chair will assume the role and responsibilities of the Chair whenever the Chair is absent or unable to fulfill their role.

|

SECTION 602.13 RULES OF DEBATE

A. Motions:

1. To make a motion:

- (a) The Chairperson shall request from Council members a motion to place on the floor for discussion and subsequent action any ordinances, orders, or resolves.
- (b) Any ordinance, order, or resolve must be moved and seconded to be discussed or acted upon.
- (c) If the Chairperson receives no motion or second from a member, the Chairperson may make the motion or second the motion, provided that no member of the Council may second his or her own motion.
- (d) The Chairperson shall consider a motion to adjourn as always in order except on immediate repetition.
- (e) A motion to adjourn, lay on the table, or to take from the table, shall be decided without debate.
- (f) Any member voting in the majority, or in the negative in a tie vote, may make a motion to reconsider, provided that the motion is made at the same, or the next scheduled meeting.
- (g) Motions for the Previous Question (to close debate) shall be handled according to Robert's Rules of Order, most recent edition.
- (h) Any motion shall be reduced to writing if directed by the Chairperson.
- (i) For the purposes of interpreting rules of order, a Council "session" lasts from the first Council meeting after each June election through the last Council meeting before the next June election. The general rule of order against renewal of motion during the same session applies to this period.

B. When a question is under debate:

1. The Chairperson shall receive no motion but:

- (a) To adjourn.
- (b) To lay on the table.
- (c) For the previous question.
- (d) To postpone to a date certain.
- (e) To refer to committee, administrative official, or legal representative.
- (f) To amend
- (g) To postpone indefinitely, provided that several motions shall have precedence in the order in which they stand arranged
- (h) To divide the question in wording for separate debate.

C. Priority of Business:

1. All questions relating to priority of business to be acted upon shall be decided without debate, and all subsidiary, incidental, and privileged motions shall be decided before debate and action on the main question may resume.

D. Voting:

1. A simple majority vote shall approve all motions for orders, ordinances, and resolves.
2. All members present shall be required to vote on all questions put forth, except that any member may ask to be excused from voting, for good cause shown, by notifying the Chairperson prior to the vote.
3. No Council Rule may be amended or repealed unless at least seven (7) days prior notice is given, and the proposed changes as they will appear in the amended document shall be made available for public review, and approved by at least four fifths (4/5) of the members voting in the affirmative.
4. Council Rules may not be dispensed with or suspended unless at least four fifths (4/5) of the members consent thereto.

E. Parliamentary procedure:

1. if a question or situation arises that is not addressed in the Town Charter or ordinances, or these Rules, the Chairperson shall refer to Robert's Rules of Order, most recent edition, to resolve the matter, subject to a vote of the full Town Council then present and voting.

SECTION 602.14 – BREACH OF COUNCIL RULES OR ORDERS

A. When any member shall be guilty of a breach of any of the rules or orders of the Council:

1. He/she may, on motion passed by the rest of the Council, be required to make satisfaction therefor and shall not be allowed to vote, or speak, except by way of excuse, until he/she has done so.

SECTION 602.15 – STANDING AND SPECIAL COMMITTEES

A. The Town Council shall create such standing committees as are required by law and may create such special committees as it deems necessary.

1. A separate list of both types of committees shall be maintained by the Town Manager, or his/her designee, separate from the Town Council rules, and kept up to date by him/her.
2. Amendments to such list may be made by the Town Council, from time to time, and any such amendment(s) to the list shall only require a majority vote.

SECTION 602.16 – SOCIAL MEDIA PLATFORMS

Recognizing that citizens and the public increasingly gather information through social media sites, Councilors may find it beneficial to use such platforms to enhance their communication with constituents. If Councilors choose to use social media platforms for communication, it should be noted the Maine Freedom of Access Act ("FOAA") requirements would apply to content involving the conduct of government (i.e., Town) business on those platforms. To ensure compliance and clarify communications, Councilors agree to the following:

1. Councilors who choose to use social media for the purpose of communicating with constituents as a Councilor will create a Council-specific account to segregate Town Business content from personal communications and will label the account as such.
2. Councilor social media accounts shall be used for purposes of disseminating information and engaging with residents. The content of such accounts and pages shall be limited to general communication regarding Town business and may either report Town Council votes and actions as reflected in the minutes of Town Council meetings or may communicate items that are included on the Town Council agenda. In no event shall social media accounts be utilized for official actions, decisions or meetings, all of which shall occur at Town Council meetings as required by the FOAA.
3. When posting content to Council specific accounts, Councilors should take care to identify when stating a personal opinion versus an opinion that is reflective of the Council as a whole. All content on the Council account should be limited to Council-related duties and activities and Town business and shall not include personal content.
4. The following disclaimer should be posted on the Council specific account:

The content on this account including comments and replies to comments, may be considered public records, and may therefore be subject to public record requests for review and copying under Maine's Freedom of Access Act (Title 1, Sections 401-521 of the Maine Revised Statutes).
5. Council accounts shall be limited to posting content on the Councilor's page or responding to content on that page and shall not be used to "like" or comment on other users' posts or comments outside of the Council specific page.
6. Councilors shall be required to preserve access to accounts such that a copy of all content remains available for inspection or copying upon request as required under FOAA and shall comply with any request from the Town's public access officer to provide the same within a timely manner.
7. Councilors are responsible to understand what information is considered confidential under the FOAA and shall not post any such confidential information on social media.

Councilors shall not engage with one another on social media in a manner that would be considered a public meeting without notice, i.e., the discussion of Town business by three or more Councilors without advanced notice and opportunity for the public to attend.

SECTION 602.17 – COUNCILOR REQUESTS FOR STAFF TIME AND LEGAL OPINIONS

Councilor requests for information may require significant involvement from staff or the town’s legal team in order to be resolved.

- A. When it will involve more than one (1) hour, requests will be resolved as follows:
 - 1. The Town Manager will determine if requests for staff or legal team time to research questions, generate reports or gather data will make it difficult or expensive to complete current assignments.
 - 2. If the Manager declines a Councilor's request, the Councilor may ask the Chair to determine if the majority of Councilors support their request.
 - 3. The Chair must allow enough discussion to clarify a request. If there is not enough time in the agenda for a discussion and vote, the Chair will schedule the discussion and vote for the next available meeting.
 - 4. The Chair will conduct a poll to determine the Council's support.
 - 5. If the majority of Councilors do not support the request, the request fails.
- B. A request that fails may be brought up at a future meeting and discussed again if the Chair agrees new information has become available making reconsideration appropriate.

II. COMMITTEES

Section II. Committees has been removed from the Town of Gray Council Rules.

602.42TO SECTION 602.49 - (RESERVED)

SECTION 602.50 - SEVERANCE CLAUSE

- A. Whenever there is a conflict between the language contained in these Rules and that of the State statutes, the Town Charter or Ordinances, the Town Charter or ordinance shall prevail except where the State statute is intended to control.

GENERAL SIDEWALK CONSTRUCTION GUIDELINES

SURFACE MATERIAL (Federal Highway Admin)

- Concrete – Last approx. 80 years.
- Bricks / Interlocking concrete pavers – Last approx. 80 years.
- Asphalt – Last approx. 40 years.

SURFACE MATERIAL THICKNESS (Federal Highway Admin)

- Concrete – Generally: 3.5 inches in warm climate; 6 inches or more in cold winters.
 - 4 inches supports vehicle loading of light axle over sand/gravel.
 - 5 inches supports vehicle loading of light axle over silt/clay
 - 5-6 inches supports vehicle loading of heavy axle over sand/gravel.
 - 6+ inches supports vehicle loading of heavy axle over silt/clay
- Asphalt – Generally as low as two inches if laid on top of an adequate aggregate depth of 4 inches & light duty equipment is majority of use.
 - -8 Inches if expectation of medium duty truck use.

SUBGRADE GUIDE (Federal Highway Admin)

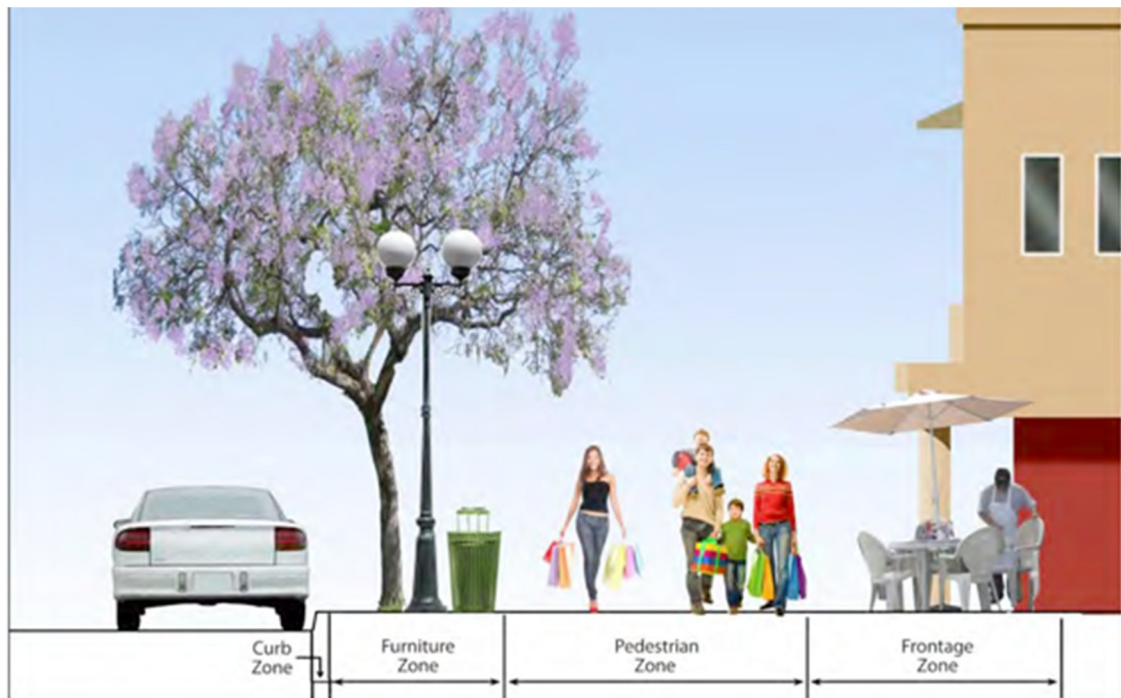
- Subgrade should be uniform material compacted to a minimum 98% standard Proctor density.
- Provide 100 – 150 millimeters (4 – 6 inches) of free-draining granular material under sidewalks for base material
- For pavers, 200 millimeters (8 inches) recommended over slow draining soils or frost zones
- Minimum compaction of 95 % standard Proctor density for concrete and asphalt
- Minimum compaction of 98 % standard Proctor density for pavers

ACCESSIBILITY SIZING STANDARD MINIMUMS (Maine DOT)

- Existing
 - Cross Slope – 2.08% Max
 - Width – Min. 3 feet (may be reduced to 32 inches for 24 inch length).
 - if less than 5 feet – a 5 X 5 ft passing space required every 200 feet.
- New
 - Cross Slope – 2% Max
 - Width – Min. 5 Feet (may be reduced to 4 feet)
 - if less than 5 feet, require a 5 X 5 ft passing space every 200 feet.

ZONES THAT MAKE UP A SIDEWALK

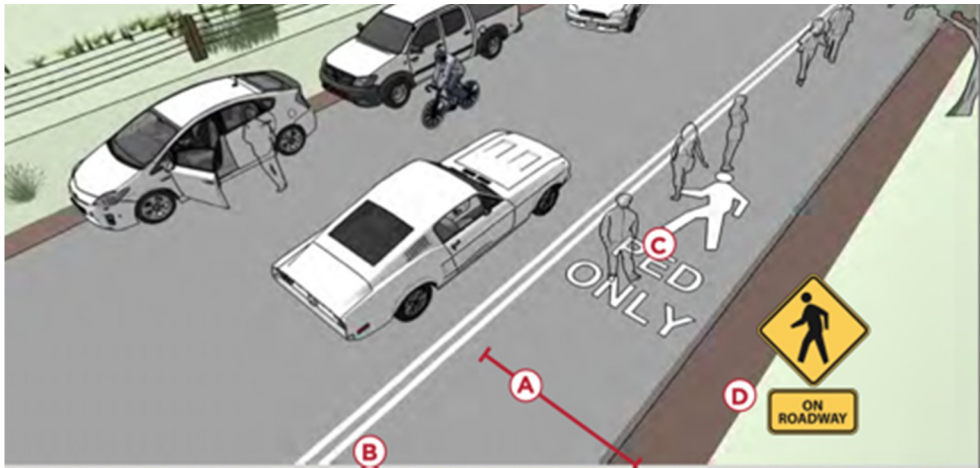
- Frontage Zone: Section of sidewalk that is extension of building.
- Pedestrian Through Zone: Primary accessible pathway running parallel to street.
 - 5-7 feet wide residential.
 - 8-12 feet wide in downtown / commercial.
- Street Furniture / Plant / Curb Zone: Section between curb and through zone.
 - Contains street furniture and amenities.
- Enhancement / Buffer Zone: Space immediately next to sidewalk.
 - Curb Extensions, parklets, stormwater management, parking, bike racks, bike lanes.



TYPES OF SIDEWALKS

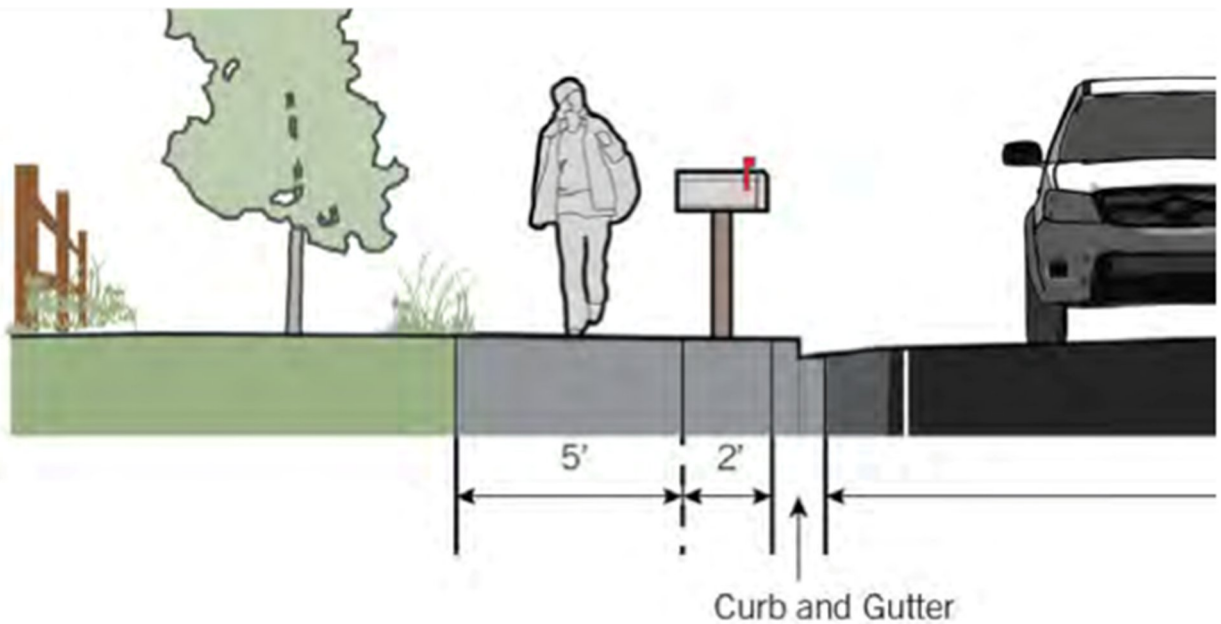
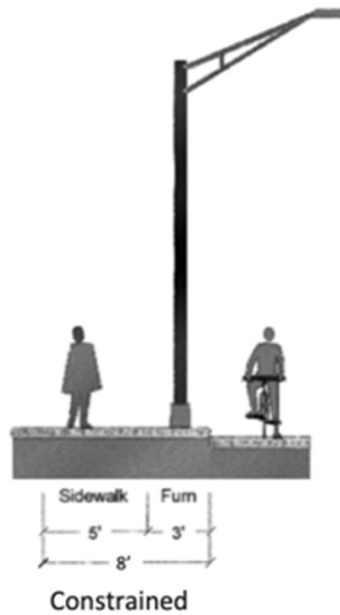
Pedestrian Lane (North Hampton MA)

- Roadway width should be 20 feet minimum and low volume.
- Pedestrian lane should be 5 feet minimum, 8 feet preferred.
- Colored asphalt or paint recommended to enhance differentiation.
- Separation from road by 6-8 inch white line or double 4 inch white line.
- Use of pedestrian warning sign recommended
- Low Cost alternative to a separate sidewalk
- Appropriate where sidewalks are not feasible.
- Works where sidewalks are not appropriate due to right-of-way constraints or storm water infrastructure.



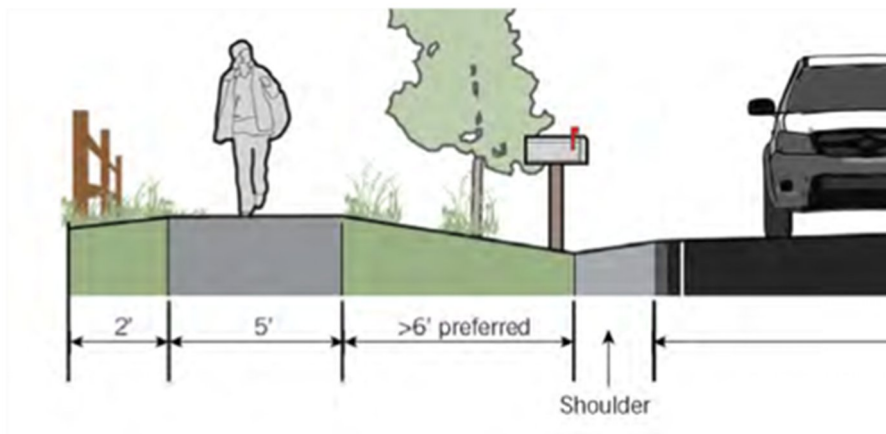
Constrained Sidewalk (City of Salem)

- 8 feet wide total – 5 ft min walkway, 3 ft furnishing / buffer
- Minimizes right of way and construction cost
- Minimizes impervious surfaces for stormwater management
- Limited pedestrian buffer
- Constrained furnishing zones for streetscaping elements.
 - Landscaped Planter Strip
 - Pedestrian Scale Lighting
 - Mailbox



Standard Sidewalk (City of Salem)

- 12-15 feet wide total – 5 ft min walkway, 6-8 ft furnishing / buffer
- Meets standards and accommodates trees & landscaping, bus shelters, benches and bike parking.
- May require increased or reconfigured right-of-way.
- Costs more.
- Furnishing Zone can include following design enhancement or amenity
 - Street Trees
 - Landscaped Planter Strip
 - Paved Furnishing Zone
 - Pedestrian-Scale Lighting
 - Bike Parking
 - Public Art
 - Informational or Wayfinding Signs
 - Transit Shelters



Residential Ribbon Sidewalk (nacto)

- Planting along curb
- Occur in residential areas with low volume pedestrian traffic.
- Ribbons are 2-3 feet wide.
- Ribbons are 3 feet apart



- Includes planted area that is equal in width to pedestrian through zone.
- Helps manage stormwater.
 - Vegetation must have erosion control if stormwater management practice not used
- Vegetation Zone creates a buffer separating sidewalk from vehicular traffic. Promotes comfort and safety (sustainablecitycode.org)
 - Select low-growing plants that have year-round ornamental interest.

Neighborhood Curbless Streets (Delaware Valley Regional Planning Commission)

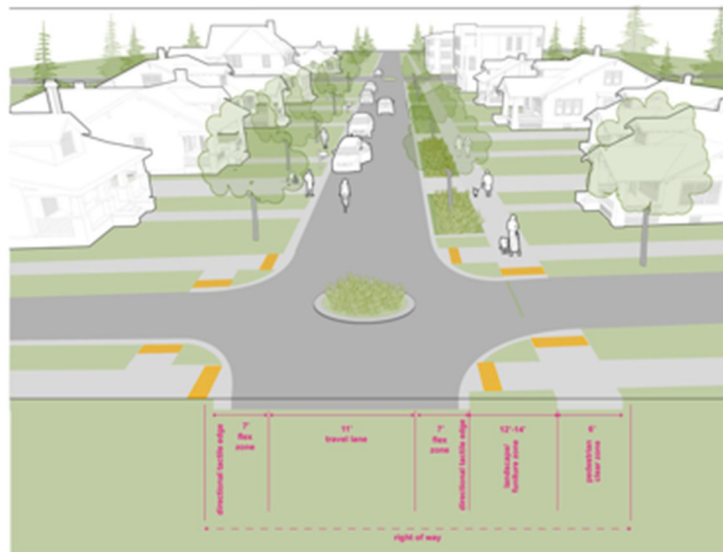
- 12-15 feet wide total – 5 ft min walkway, 6-8 ft furnishing / buffer
- High bike and pedestrian volume, low vehicle volume
- Safety needs are met
- Shared flex space that narrows street and enables plaza like function.
- Separation replacement (directional tactile edge) for curb still needed in more traditional higher volume locations.



Winthrop Street—Cambridge, Massachusetts



photo sources: Cara Seiderman, City of Cambridge



Maine DOT ADA Guidelines

		Minimum Requirements for <u>EXISTING</u> Pedestrian Facilities COLUMN A	Minimum Requirements for <u>NEW or RECONSTRUCTED</u> Pedestrian Facilities COLUMN B
SIDEWALKS			
Cross Slope		Max. 2.08% (1:48)	Max. 2% (1:50)
Clear Width		Min. 3 feet Width may be reduced to 32 inches for a 24-inch length. Widths less than 5 feet require 5 foot by 5 foot passing spaces at least every 200 feet.	Min. 5 feet (standard) Width may be reduced to 4 feet. Widths less than 5 feet require 5 foot by 5 foot passing spaces at least every 200 feet.
* CURB RAMPS			
Running Slope	A	Max. 8.33% (1:12) Max. 10.0% (1:10), with maximum 6" Rise Max. 12.5% (1:8), with maximum 3" Rise	Max. 8.33% (1:12)
Cross Slope	B	Max. 2.08% (1:48)	Max. 2% (1:50)
Clear Width	C	Min. 3 feet	Min. 6 feet
Counter Slope	D	Max. 5% (1:20) Adjacent surface must be flush with the ramp.	Max. 5% (1:20) Adjacent surface must be flush with the ramp.
Flared Sides	E	Max. 10% (1:10)	Max. 10% (1:10)
Landings <i>(Turning Space flatter than 2% in any direction)</i>	F	A turning space 3 feet long and as wide as the ramp must be present to be compliant. <i>Detectable Warnings may be included within the landing.</i> Ramps constructed or altered prior to March 15, 2012 are compliant without turning spaces if the flared sides do not exceed 8.33% (1:12).	A turning space 4 feet long and as wide as the ramp must be present to be compliant. <i>Detectable Warnings may be included within the landing.</i>
Diagonal Ramp Clear Space <i>(Ramps on a radius)</i>	G	A 4-foot square clear space must be present at the bottom of the ramp outside active travel lanes.	A 4-foot square clear space must be present at the bottom of the ramp outside active travel lanes.
Detectable Warnings	H	Required at traffic controlled intersections and mid-block crossings.	Required at traffic controlled intersections and mid-block crossings, full ramp width.

*Letters designate elements in the Figures.

Table 1. Minimum Requirements for Pedestrian Facilities