HAMPDEN TOWN COUNCIL WORKSHOP

HAMPDEN MUNICIPAL BUILDING

AGENDA

MONDAY JULY 12, 2021 6:00 P.M.

A. CALL TO ORDER

B. UNFINISHED BUSINESS

C. NEW BUSINESS

a. Discussion on the naming of the Grist Mill Bridge – *requested by the Hampden Historical Society*

b. Discussion on a sign at the Grist Mill Bridge – *requested by Meghan Collins of the University of Maine*

c. Recommendation for the rate of interest paid on over paid taxes (tax abatements)

d. Discussion on tracking for brown tail moths - update

e. Discussion regarding remote participation in public proceedings

D. ADJOURNMENT

Note: Council will take a five-minute recess at 8:00 p.m.

FOR THOSE THAT WISH TO PARTICIPATE IN THE REMOTE HAMPDEN TOWN COUNCIL WORKSHOP ON JULY 12, 2021 AT 6:00 PM YOU MAY PHONE IN USING THE FOLLOWING NUMBER (FOLLOWED BY THE PIN #)

1-417-553-9321 PIN 211 372 293#

OR-

FROM A LAPTOP OR A DESKTOP, YOU MAY GO TO THIS URL: https://meet.google.com/rru-xvwi-hdk?hs=122&authuser=0 AND JOIN US THAT WAY

INSTRUCTIONS ARE POSTED WITH THE AGENDA AND SEPARATELY ON THE TOWN CALENDAR AT WWW.HAMPDENMAINE.GOV

Using Google Meet to Participate in Hampden Town Council Remote Meetings

How to join:

1. Town Council members will receive an email or a Google Calendar invite with a link to join the meeting.
2. People interested in joining will need to go to the link posted on the town events calendar at www.hampdenmaine.gov.
3. Anyone can also join for audio-only participation by calling the number provided on the town events calendar and then entering the PIN provided followed by the # symbol.

Protocols for Remote Meetings:

1. Log in or call in at least 5 minutes before scheduled start of meeting.
2. For the audio portion, use either your phone or your computer microphone, not both.
3. Mute your phone or computer mic unless speaking. Remember to un-mute if you want to speak. To mute or unmute in Google Meet, click on the little microphone icon at the bottom of the screen; note you may need to move your mouse pointer around the bottom of your screen to get the bottom bar to appear.
4. Speak up if using a computer microphone or if using the speaker function on your telephone.
5. Do not rustle papers in front of your mic unless it's muted. Please minimize background noise.
6. If you're referring to a document, identify it including page or sheet number.
7. If using the video function, have a light source in front of you if possible. Try to avoid backlighting.
8. If you want to look good, have your camera mounted at eye level or above. Look at yourself on screen to check the lighting, camera position, what's in the background, etc. In Google Meet, you can do this "video check" when you open the program before you join the meeting.
9. If you are participating by audio only, identify yourself when speaking.
10. ALL votes will be by roll call.
11. After the meeting is adjourned, click on the red phone icon on the bottom bar to leave the meeting, or (obviously) just hang up the phone if that is how you are participating.

For detailed instructions on using Google Meet, please refer to their website:

support.google.com/a/users/answer/9282720?hl=en

C-a & b

Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: June 18, 2021
RE: Grist Mill Bridge Sign

Deputy Mayor Jarvi was recently contacted by the Historical Society President, Ellyn Chase who also followed up with me, to suggest that the Grist Mill Bridge be officially renamed the Wheeler Grist Mill Bridge. This would be in honor of Benjamin Wheeler, Hampden's first settler who built the grist mill along the sow.

Previous to that, I was contacted by Meghan Collins, Communications Manager for the Advanced Structures and Composites Center at the University of Maine to request that a sign be placed on the Grist Mill Bridge, describing the cutting edge technology of its composition. The idea is that it would highlight the fact that this patented design, the first in the nation of its type, was designed by our own University of Maine and fabricated at a local Maine business.

I bring both of the email correspondence to you for your consideration as to how you would like to proceed with the naming of the bridge and any signage that might be both educational and honorary. These are two separate agenda items. Combining the information is not necessarily mutually exclusive. It might be an interesting little kiosk for visitors to the bridge, especially, as the CEO of AIT stated during the dedication, this bridge, and Hampden's endorsement of this technology, will likely bring interested parties to look at the structure for their projects. It seems like there could be a natural marriage of past and the present in the concept and in the information that might be presented, but that warrants further discussion.

Paula Scott <townmanager@hampdenmaine.gov>

Town Council to consider official naming of Grist Mill Bridge

3 messages

Ellyn Chase <ellynchase@gmail.com> Thu, Jun 17, 2021 at 4:55 PM
To: Paula Scott <townmanager@hampdenmaine.gov>
Cc: Ellyn Chase <ellynchase@gmail.com>

To: Paula Scott, Hampden Town Manager
From: Ellyn Chase, President, Hampden Historical Society

Paula,

We recently learned that the Town Council is going to consider an official name for the new Grist Mill Bridge covering the Souadabscook Stream on Main Road North. It is our understanding that a work session will be held on Monday evening, July 12, at which time this item will be discussed. My first question is whether the work sessions of the Council are open to the public, and secondly, if public comment is accepted at the work session?

The Hampden Historical Society would like the opportunity to share with the Council our thoughts about naming the bridge the Wheeler Grist Mill Bridge. Benjamin Wheeler, as you may know, was the first settler of Hampden in 1768. He was also responsible for building the first grist mill along the "Sow". It is our hope that his name can be included in the bridge name.

The Society is holding its monthly Board meeting on July 12 as well at 6 p.m. If appropriate, several of the Board members would like to attend your work session in support of this suggestion. Is there any way that this item could be placed first on the Council's agenda? I know how difficult it can be to make special arrangements for agenda item discussion but we thought we would ask.

I would appreciate your guidance in this matter. Thank you most kindly.

Ellyn

Paula Scott <townmanager@hampdenmaine.gov> Fri, Jun 18, 2021 at 11:57 AM
To: Ellyn Chase <ellynchase@gmail.com>

Hi Ellyn,

Yes, Deputy Mayor Jarvi and I discussed this the other day and agreed that it should be presented at our next workshop. I have added it to the Clerk's list for the agenda and asked it to be first under new business. The meetings are open to the public and yes, you are allowed to comment on items. We appreciate citizen involvement and look forward to seeing some of your members there.

Respectfully,
Paula A. Scott
Town Manager
Treasurer

Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

[Quoted text hidden]

Ellyn Chase <ellynchase@gmail.com> Fri, Jun 18, 2021 at 1:22 PM
To: Paula Scott <townmanager@hampdenmaine.gov>

Paula,

Thank you so much for your guidance on this matter.

Ellyn

Sent from my iPhone

Paula Scott <townmanager@hampdenmaine.gov>

Sign at the Grist Mill Bridge

6 messages

Meghan Collins <mc@maine.edu> Fri, Jun 4, 2021 at 11:51 AM
To: townmanager@hampdenmaine.gov

Good morning Paula,

Thank you for joining us for the Grist Mill Bridge celebration a few weeks ago. Following that event, I was thinking of how we could inform the public of the cutting-edge R&D happening right here in the state that's extending the life of our transportation assets.

One idea is to place a sign near the Grist Mill Bridge that explains the technology, that it's the first in the country using GBeams designed and patented at UMaine and fabricated in Maine by AIT Bridges.

Would placing a sign near the bridge be possible? If so, what is the process of getting it in place?

Thank you!

Meghan Collins
Communications Manager
Advanced Structures and Composites Center, University of Maine
207-581-2117 (office) 207-852-8414 (cell) mc@maine.edu | composites.umaine.edu

ADVANCED STRUCTURES & composites center

Paula Scott <townmanager@hampdenmaine.gov> Mon, Jun 7, 2021 at 9:22 AM
To: Meghan Collins <mc@maine.edu>

Good morning Meghan,

I think it is a good idea to place a sign. I would need to check with code for dimensions, and then, depending on the location, we may have to get permission from DOT since Route 1A is a State Rd.

I can check on it and let you know.

Paula A. Scott
Town Manager
Treasurer

Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

[Quoted text hidden]

Meghan Collins <mc@maine.edu> Mon, Jun 7, 2021 at 9:23 AM
To: Paula Scott <townmanager@hampdenmaine.gov>

Wonderful! Thank you!

Meghan Collins
Communications Manager
Advanced Structures and Composites Center, University of Maine
207-581-2117 (office) 207-852-8414 (cell) mc@maine.edu | composites.umaine.edu

[Quoted text hidden]

Paula Scott <townmanager@hampdenmaine.gov> Tue, Jun 8, 2021 at 5:57 PM
To: Meghan Collins <mc@maine.edu>

Meghan,

Can you give me a rough idea of the size of the sign that you envision?

Paula A. Scott
Town Manager
Treasurer

Town of Hampden
106 Western Avenue
Hampden, Maine 04444
Tel: (207) 862-3034
Fax: (207) 862-5067

[Quoted text hidden]

Meghan Collins <mc@maine.edu> Wed, Jun 9, 2021 at 8:57 AM
To: Paula Scott <townmanager@hampdenmaine.gov>

Hi Paula,

Good question. We haven't settled on the size yet, I wasn't sure what the requirements are and we are more than happy to design the sign to meet the design standard if there are any.

I called Code Enforcement and left a message to see if there were any size requirements to try and give you a better answer. :)

Is a 24" x 18" sign feasible? Again, that size can be adjusted to meet your requirements.

Thank you!

Meghan Collins
Communications Manager
Advanced Structures and Composites Center, University of Maine
207-581-2117 (office) 207-852-8414 (cell) mc@maine.edu | composites.umaine.edu

C-c

Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: July 7, 2021
RE: Interest paid on abatements in FY21

As a follow up to last Monday's meeting and Councilor Esposito's request for information on how much the Town of Hampden paid to tax payers who overpaid their taxes (received abatements) last year; the answer is zero dollars.

When a tax payer believes there is an issue with the valuation of their property, and seeks an abatement, they must pay the tax first before an abatement is issued. If the Assessor agrees with the information provided by the tax payer, he or she will issue an abatement and the Town will refund the money that is being deducted from the bill. Typically, most abatements are issued directly following the receipt of the tax bill which is mailed in August with two due dates of October and April. When a payment is made directly after the bill is received, and then the tax payer is granted an abatement prior to the due date, there is no interest paid on that abated amount. Until the due date arrives, it is considered a pre-payment and we do not pay interest on prepayments. It is the rare circumstance when the Assessor does not grant the abatement and the tax payer goes through the appeals process with the Board of Assessment Review when the "holding" of funds would cause the Town to pay interest on those held funds if the hearing were after the due date or otherwise delayed.

When there is an abatement issued, the standard policy is for the Tax Collector to ask the resident if they would like a refund check, or if they would like the funds applied to the next year's tax as a prepayment. Nine times out of ten the tax payer will choose the credit on the following year. The remainder request the refund. In speaking with the Tax Collector, the Town issued 13 abatements last year. Five of those were issued between August and September, prior to the first installment due date and the remainder were prior to the second installment due date. The ones granted prior to the second due date had not yet paid their taxes so, therefore, could not request the abatement until that point in time.

To summarize, the Town of Hampden paid no interest on abated taxes last year and the probability of any large abatements for FY22 is minimal. Therefore, if the Council chooses a higher interest rate to pay on abated tax amounts, it will likely not be a concern.

C-d

Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: July 8, 2021
RE: Brown tail moth tracking

This memo is just to briefly follow up on the suggestion that we add a tracking mechanism to our website to let you know that has been done. There is a form on our website where residents may enter an address or location of sightings or infestations and it will be put on a map. I have included a small snap shot of it as an example.

Getting the information reported to us is only half of the equation though, and as we begin to have reports come in, we will also need to develop a plan on what we intend to do about them. Council will need to set a policy directive on how or if the town will respond to sightings, winter nests and/or defoliation of trees. Once the directive is known, staff can look at ways in which we might implement it.

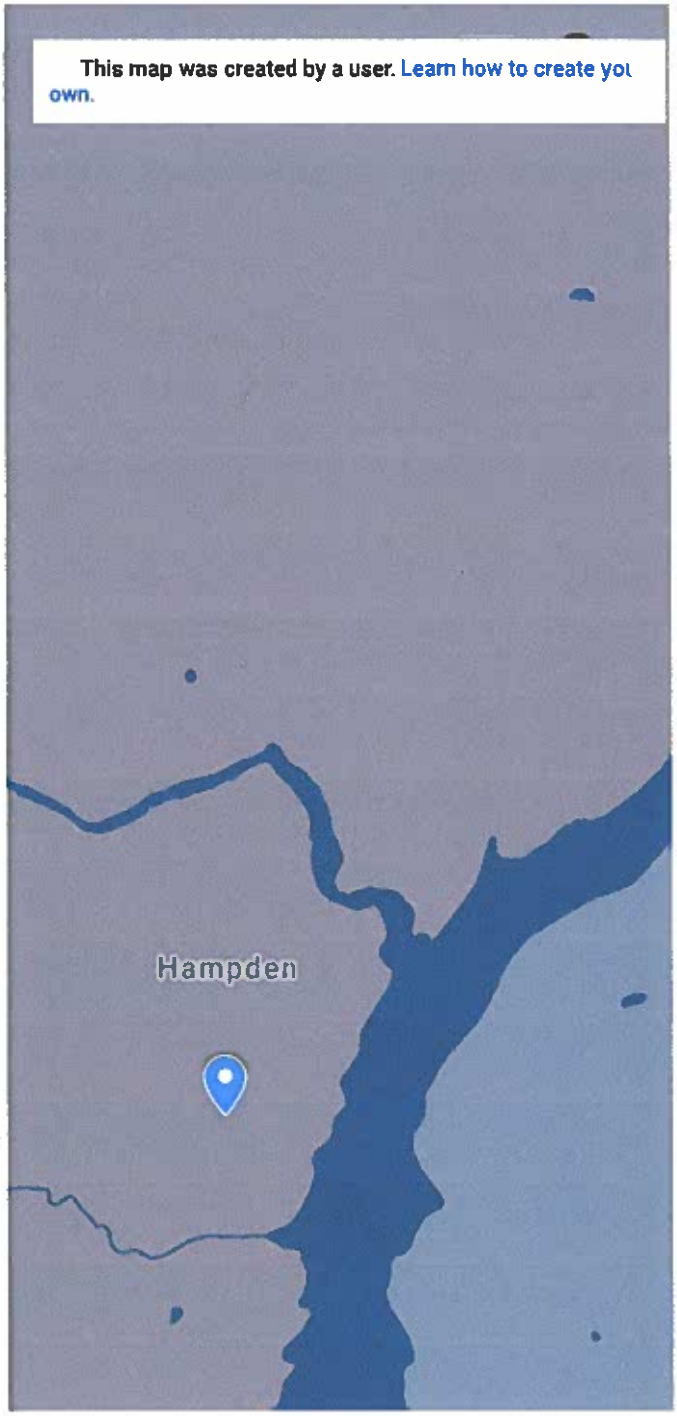
Town Of Hampden Bro...

15 views

SHARE

Brown Tail Moth Reporting Tool (Respo...

- 106 western ave hampden maine
- 1 main road north hampden maine



Made with Google My Maps

Map data ©2021 Terms 1,000 ft

C-e

Memorandum

TO: Town Council
FROM: Paula Scott, Town Manager
DATE: July 8, 2021
RE: Remote Meeting Participation Policy draft

As you recall, the legislature temporarily authorized remote access meetings last year due to the pandemic which is a departure from the fact that Maine law prohibits public bodies from meeting or voting remotely in normal circumstances. (In keeping with the Freedom of Access Act.) That emergency legislation is set to expire on July 30th. However, you may or may not have also heard that public bodies may continue to conduct business through remote methods if done according to the recent legislation LD 32 "An Act Regarding Remote Participation in Public Proceedings" This legislation authorizes it, but only under certain conditions which are delineated in the statute.

Following this memo is an email notification from our attorney and a draft policy which I sent to legal for review and comment; which comment is highlighted in blue. In discussing a couple of my questions, the town's attorney stated that the statute is designed to give a narrow exception for *board members* to participate remotely. It is not designed for the public because it is already understood (under FOAA) that any public proceeding, whether in person or remote, is open to the public.

Concerns from our attorney, as well as the Maine Municipal Association legal department, is the ambiguity of "not practicable". I agree that it is wide open for interpretation and this Council, if you choose to direct me to move forward with notice and hearing, should clearly define what you believe that to mean, and it can be incorporated into the policy. Another question I had was regarding reasonable accommodation for persons with a disability. The technology required to provide simultaneous reception of information, may include other means besides just clear audio and clear video as it also refers to 'chat functions. The statute is unclear what that might be, but it might mean some sort of talk-to-text translation software.

At the end of the day, you will need to weigh the options with regard to adopting this policy, or whether you as a Council intend on reverting back to the law that required elected and appointed officials to conduct business in person with no form of technological proxy. I needed to bring this to the workshop, because of the posting requirement for public hearing and the fact that the current special law expires July 30th.

RUDMAN • WINCHELL

Stephen W. Wagner
swagner@rudmanwinchell.com
(207) 992-4414

June 24, 2021

VIA EMAIL ONLY

Municipal Client

Re: LD 32, "An Act Regarding Remote Participation in Public Proceedings"

Dear Municipal Client:

As you know, prior to the Legislature temporarily authorizing remote proceedings last year, it was generally understood that Maine law prohibited public bodies from meeting remotely. That emergency authorization is set to expire July 30th. However, public bodies may continue to conduct business through remote methods if done in accordance with the recently enacted LD 32, "An Act Regarding Remote Participation in Public Proceedings." LD 32 is codified as 1 M.R.S. § 403-B and effective as of June 21, 2021. A copy is enclosed for your convenience.

It is important to understand that members of a public body may participate remotely under this new law only if that public body has, after a notice and hearing, adopted a written policy consistent with the eight requirements of section 403-B(2). This policy should be drafted carefully to not only incorporate the minimum statutory requirements, but also to provide specific guidance to officers, officials, the public. The Municipal Practice Group is specifically concerned about the statute's vague description of the circumstances in which a member's physical presence is "not practicable" and, therefore, remote participation is authorized. A well-drafted remote proceedings policy should provide greater clarity about the specific circumstances in which a member may participate remotely. Existing polices concerning minimum attendance requirements of members may need to be revised accordingly.

The new law also provides a number of technical and procedural requirements. The telephonic or video technology used must allow for simultaneous reception of information, but conducting meetings by e-mail, text messages, or chat functions is not authorized. It is critical to ensure each body and its members have access to and are familiar with reliable technology because the law requires "effective communication" between members and the public, and documents and other materials considered by the public body generally must be made equally available to those participating remotely (members of the public included). Also, the notice issued in advance of a public proceeding conducted by remote methods must say how the public may access the proceeding remotely and identify a location for in-person attendance. Finally, votes taken during a public proceeding conducted by remote methods must be by roll call.

Failure to adhere to these requirements is a violation of the Freedom of Access Act and could jeopardize the validity of any action taken at a public proceeding conducted by remote methods.

Please contact Stephen Wagner at swagner@rudmanwinchell.com or (207) 992-4414 if you have any questions or would like the Municipal Practice Group to draft or review a remote proceedings policy.

Best regards,

/s/ Stephen W. Wagner on behalf of
RUDMAN WINCHELL'S
MUNICIPAL PRACTICE GROUP

SWW/leb
Enclosure

Town of Hampden
Remote Meeting Participation Policy

Pursuant to 1 MRSA § 403-Bb, and after public notice and hearing, the above-named body adopts the following policy to govern the participation, via remote methods, of members of the body and the public in the public proceedings or meetings of the body.

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. The chair or presiding officer of the body, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible.

The public will be provided a meaningful opportunity to attend via remote methods when any member of the body participates via remote methods. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods. Even when all members of the body are physically present, the chair or presiding officer of the body, in consultation with other members if appropriate and possible, may allow for members of the public to attend and participate via remote methods.

Notice of all meetings will be provided in accordance with 1 MRSA § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Dated: _____ Signed: _____

_____

_____

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_____

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DRAFT