

AGENDA AND PROPOSED ORDERS  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
AUGUST 2, 2011– 7:00 p.m.  
Gorham Municipal Center – Burleigh H. Loveitt Council Chambers

Pledge of Allegiance to the Flag

Roll Call of the Town Council

Acceptance of the minutes of the July 5, 2011 Special Meeting, July 5, 2011 Regular Meeting and the July 19, 2011 Special Meeting.

Open Public Communications

Councilor Communications

Chairman’s Report

Town Manager’s Report

School Committee Report

New Business

Item #8040      Action to consider a request from Mike Parker on behalf of the Presumpscott Regional Land Trust, seeking support for the acquisition of a conservation easement on 500 acres of land, currently known as Randall Orchards. (Spon. Councilor Phinney)

Proposed  
Order #8040      Ordered, that the Town Council appropriate \$20,000 from the Open Space Impact Fee Fund to support administrative and transaction costs associated with the acquisition of a conservation easement on approximately 500 acres of Randall Orchards which straddles the Gorham/Standish Town Line, with some of the land in Gorham and some of the land in Standish.

Item #8041      Action to consider a State Road project to resurface approximately 0.36 miles of New Portland Road. (Spon. Admin.)

Proposed  
Order #8041      Ordered, that the Town Council authorize the Town Manager to sign an agreement with the Maine Department of Transportation and PACTS. to participate in a project (PIN 19121.00) to resurface approximately 0.36 miles of New Portland Road, and

Be It Further Ordered, that the current estimated project cost is \$256,210, and

Be It Further Ordered, that the Town share of costs is normally 25% to 30% however, if the agreement is signed by September 1, 2011 the Town’s share shall be 25% of the first \$15,000 and 10% of all other project costs, and

Be It Further Ordered that, the Town understands that its share of costs will increase if the Agreement is signed after September 1, 2011.

Item #8042      Action to consider refinancing existing bonds for the purpose of reducing costs. (Spon .  
Adm.)

Proposed  
Order #8042

WHEREAS, the Town Council desires to authorize the issuance of the Town's 2011 General Obligation Bonds (the "Bonds") and the sale of such Bonds to the Maine Municipal Bond Bank, pursuant to a referendum vote of the Town on November 2, 1999 and Orders adopted by the Town Council on May 2, 2000, to refund the Town's \$1,295,000 General Obligation Bonds, dated as of June 1, 2000 issued on June 8, 2000 to finance costs of construction of a public works facility;

NOW, THEREFORE, be it ordered by the Town Council of the Town as follows:

ORDERED: That pursuant to Maine law and the Town Charter and referendum vote of the Town on November 2, 1999 and Orders adopted by the Town Council on May 2, 2000, and all other authority thereto enabling, and to provide funds to refund the \$1,295,000 General Obligation Bonds, dated as of June 1, 2000 issued by the Town on June 8, 2000 to finance costs of construction of a public works facility, the Town Treasurer is hereby authorized and empowered in the name and on behalf of the Town to expend and borrow up to \$585,000 from the Maine Municipal Bond Bank (the "Bank") pursuant to a Loan Agreement between the Town and the Bank providing for a loan from the Bank in the principal amount not in excess of \$585,000, and the Treasurer of the Town be and hereby is authorized and empowered, in the name and on behalf of the Town, to execute and deliver, under the seal of the Town, attested by its Clerk, a Loan Agreement to be in the usual and ordinary form utilized by the Bank, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the Treasurer may approve, with his approval to be conclusively evidenced by his execution thereof;

ORDERED: That pursuant to the provisions of Maine law and the Town Charter, and all other authority thereto enabling, and in order to provide funds for the purposes described in the foregoing Order, the Town Council of the Town hereby approves and authorizes the issue, sale and delivery to the Bank as evidence of the aforesaid loan and against payment therefor, the Bonds of the Town in a principal amount not to exceed \$585,000, such Bonds to mature and be payable on such dates and in such amounts as approved by the Town Treasurer; to bear interest at the rates specified by the Bank for its Fall 2011 issue, which rates shall be subject to approval by the Town Treasurer of the Town, such approval to be conclusively evidenced by his execution and delivery of such Bonds, payable semi-annually; to be issued as a single, fully registered Bond in the an amount not to exceed \$585,000 maturing and payable in installments as approved by the Town Treasurer; to be signed by the Town Treasurer and countersigned by the Chair of the Town Council and to be sealed with the seal of the Town and attested by its Clerk; and to be in such form and contain such terms and provisions as the officers executing the same may approve, their approval to be conclusively evidenced by their execution thereof; and further

ORDERED: That the Treasurer of the Town and other proper officials of the Town be, and hereby are, authorized and empowered in its name and on its behalf, to do or cause to be done all such acts and things as may be deemed necessary or desirable in order to effect the borrowing from said Bank of up to \$585,000 and the issue and delivery to said

Bank as evidence thereof of a corresponding principal amount of the Bonds of the Town as hereinabove authorized in the foregoing Orders; and further

ORDERED: That the Town covenants and certifies that no part of the proceeds of the issue and sale of such Bonds authorized to be issued by the foregoing Orders (including any notes and bonds in renewal thereof) shall be used, directly or indirectly, in such manner which would cause such Bonds of the Town to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148, respectively, of the Internal Revenue Code of 1986, as amended (the "Code").

Item #8043 Action to consider adopting the 2011 Cumberland County Hazardous Mitigation Plan. (Spon. Admin.)

Proposed Order #8043 Whereas, the cities and town of Cumberland County, in the State of Maine, recognize that natural hazards create a risk of harm to persons and damage to property, and

Whereas, the Cities and Towns of Cumberland County recognize that implementing certain measures may reduce the risk of harm to persons and damage to property resulting from these natural hazards;

Now Therefore Be It Ordained, that the Town Council of the Town of Gorham, Maine in Town Council assembled on behalf of the Town of Gorham hereby adopts the 2011 Cumberland County Hazard Mitigation Plan, and

Be It Furthered Ordered that the Town Council authorizes the Town Manager to sign any documents necessary to implement this agreement.

Item #8044 Action to accept the resignation of Lauren Carrier from the Planning Board. (Spon. Admin.)

Proposed Order #8044 Ordered, that the Town Council accept the resignation of Lauren Carrier from the Planning Board, and

Be It Further Ordered that, the Town Council expresses their appreciation for her service to the Town of Gorham.

Item #8045 Action to make an appointment to fill an unexpired term on the Planning Board. (Spon. Appointments Committee - )

Proposed Order #8045 Ordered, that the Town Council appoint \_\_\_\_\_ to the Planning Board, to fill an unexpired term that will expire April 1, 2013.

Item #8046 Action to vote for Officers of the Maine Municipal Association. (Spon. Admin.)

Proposed Order #8046 Ordered, that the Town Council vote for the slate of officers of the Maine Municipal Association, as presented.

Item #8047 Action to consider allowing the Capital Improvements Committee to have discussions with the School Board about future sharing of School facilities for different community uses. (Spon. C.I.P. 3-0)

Proposed  
Order #8047 Ordered, that the Town Council authorize the Capital Improvements Committee to have discussions with the School Board about future sharing of School facilities for different community uses.

Item #8048 Action to consider holding a workshop with the Gorham Economic Development Corporation as soon as reasonably possible. (Spon. C.I.P. 3-0)

Proposed  
Order #8048 Ordered, that the Town Council ask the Town Manager to schedule a workshop with the Town Council and Gorham Economic Development Corporation as soon as one can reasonably be organized.

Item #8049 Action to consider going into Executive Session, pursuant to Title 36 M.R.S.A., Section 841 (2) for the purpose of considering an application to abate taxes based on poverty and pursuant to Title 1, M.R.S.A Section 405 (6)(E) to discuss the litigation with Plan-It-Recycling. (Spon. Admin.)

Proposed  
Order #8049 Ordered that the Town Council go into Executive Session, pursuant to Title 36 M.R.S.A., Section 841 (2) for the purpose of considering an application to abate taxes based on poverty and pursuant to Title 1, M.R.S.A Section 405 (6)(E) to discuss the litigation with Plan-It-Recycling.

ADJOURN