

AGENDA AND PROPOSED ORDERS
GORHAM TOWN COUNCIL
REGULAR MEETING
MAY 1, 2012 7:00 pm
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 April 3, 2012 Regular Meeting, April 10, 2012 and April 18, 2012 Special Meetings

Open Public Communications

Councilor Communications

Town Manager's Report

School Committee Report

New Business

Public

Hearing #1 A Public Hearing to hear public comment on a Referendum Question that will be on the ballot for June 12, 2012 authorizing the Town to purchase a Fire Truck at a cost not to exceed \$450,000 and authorizing the Town to fund the purchase with bonds, existing funds or notes. This public hearing is for informational purposes and no further Town Council action is needed.

Public

Hearing #2 Public Hearing on a renewal liquor license for Aramark Educational Services, LLC. (Adm. Spon.)

Item #8165 Action regarding a renewal liquor license for Aramark Educational Services, LLC . (Adm. Spon.)

Proposed

Order #8165 Ordered, that the Town Council approve a renewal liquor license for Aramark Educational Services, LLC, at the University of Southern Maine at Gorham, 37 College Avenue.

Public

Hearing #3 Public Hearing on a renewal liquor license for Ocean Garden Restaurant.

Item #8166 Action regarding a renewal liquor license for Ocean Garden Restaurant. (Adm. Spon.)

Proposed

Order #8166 Ordered, that the Town Council approve a renewal liquor license in the name of Richard Jiang d/b/a Ocean Garden Restaurant at 390 Main Street.

Public

Hearing #4 Public Hearing on a proposal to rezone a parcel of land in the Industrial Park from Industrial Zone to the Roadside Commercial Zone.

Item #8167 Action to consider rezoning a parcel of land in the Industrial Park from the Industrial Zone to the Roadside Commercial Zone. (Adm. Spon.)

Proposed
Order #8167

Whereas, a parcel of land located in the Gorham Industrial Park, and identified on Gorham Tax Map 12, lot 26.1, previously hosted an industrial use that processed waste material, and

Whereas, the parcel has been cleaned up and fully recognized by the Maine Department of Environmental Protection as a clean site, and

Whereas, the Town has an applicant who wishes to locate a solid business on this parcel but needs it to be zoned Roadside Commercial, and

Whereas, the parcel abuts the Roadside Commercial Zone, so that rezoning this property would expand an existing Roadside Commercial Zone, and

Whereas, the Planning Board, after conducting a Public Hearing, recommended that the parcel be rezoned from the Industrial Zone to the Roadside Commercial Zone,

Now Therefore Be It Ordained, that the Town Council rezone a parcel of land identified on the Town's Tax Map 12, lot 26.1 from the Industrial Zone to the Roadside Commercial Zone.

Item #8168

Action to consider a proposal to amend Chapter III, Subdivision, of the Land Use and Development Code to simplify and bring the performance guarantee administrative process into conformity with current procedure. (Adm. Spon.)

Proposed
Order #8168

Ordered, that the Town Council refer a proposal to amend Chapter III, Subdivisions, of the Land Use and Development Code to simplify and bring the performance guarantee administrative process into conformity with current practice, to the Planning Board for public hearing and their recommendation.

Item #8169

Action to consider appropriating funds to support landscaping the area around the Founders Monument. (Finance Committee Spon 3-0).

Proposed
Order #8169

Ordered, that the Town Council appropriate \$5,000 from the proceeds received from the sale of the Town Lot (old Westcott School lot) located on Fort Hill Road and appropriate an additional amount of up to \$5,000 from the Contingency Account to pay for design and landscaping around the placement of the Founders Monument, and

Be It Further Ordered that the Town Council approve relocating the Founders Monument to the "Courtyard" area in front of the Municipal Center with the approximate location to be

_____.

Item #8170

Action to consider asking the Ordinance Committee to review the Baxter Memorial Library's Internet User Policy and Wireless Access Policy. (Councilor Phinney Spon.)

Proposed
Order #8170

Ordered, that the Town Council ask the Ordinance Committee to review the Baxter Memorial Library's Internet User Policy and Wireless Access Policy, and report back to the Town Council with any recommended changes.

Item #8171

Action to consider a request from the Lions Club to use the old antique hearse in the Memorial Day Parade and display it at the Founders Festival. (Adm. Spon.)

Proposed
Order #8171

Ordered, that the Town Council authorize the Lions Club to use the Town's antique hearse in the Memorial Day Parade, to be drawn on a trailer, and subsequently displayed at the Founders Festival.

Item #8172 Action to authorize the Town to accept a proposal from Kim and Richard Higgins for 1 portable building. (Adm. Spon.)

Proposed
Order #8172

Ordered, that the Town Council authorize the Town Manager to accept a proposal from Richard and Kim Higgins for 1 portable building subject to the following conditions:

1. The building will be moved at the expense of Richard and Kim Higgins.
2. The specific portable building to be provided is subject to the final approval of the Town Manager.
3. The details of moving the portable building are subject to the approval of the Public Works Director with the intent to minimize any disruption to municipal services.
4. The moving of the building will be completed by June 1, 2012 with the Town Manager having the right to extend the deadline to July 1, 2012 for good cause.

Item #8173 Action to consider allowing Steve Linnell to make a presentation of his report regarding the options for providing public bus service to Gorham, at his earliest convenience (Councilor Pressey Spon.)

Proposed
Order #8173

Ordered, that the Town Council allow Steve Linnell to make a presentation of his report regarding the options for providing public bus service to Gorham, at his earliest convenience, and

Be It Further Ordered that the Town Council officially accept the written report regarding the options for providing public bus service to Gorham, with gratitude to Steve Linnell (GPCOG), to Craig Hutchinson and Bob Caswell (USM), as well as to David Redlefsen and the Board of Metro.

Item #8174 Action to consider authorizing a November referendum vote to approve the purchase of a second replacement fire engine, utilizing substantially the same language that was developed and approved at the April 10, 2012 Special Council Meeting, including the further order of sending the existing truck to committee to consider options for reuse and/or disposal. (Councilor Pressey Spon.)

Proposed
Order #8174

Ordered that the Town Council authorize a referendum vote to be held on November 6, 2012 to acquire a second replacement fire engine; and,

Be It Further Ordered that the Public Hearing on this referendum question be held on October 2, 2012; and,

Be It Further Ordered, that the questions to appear on the ballot shall be as follows”

REFERENDUM QUESTION NO. 1

Shall a capital expenditure of a sum of money not to exceed \$450,000 be approved to pay for costs of acquisition of 1 fire engine and related equipment, such \$450,000 amount to be paid from existing funds of the Town and/or raised by the issuance of general obligations bonds and/or notes of the Town, hereby authorized, with the amount to be paid from existing funds of the Town and the amount to be bonded to be determined by the Municipal Officers, with the bonds to have such dates, maturities, denominations, interest rate(s) and other details (including provisions that the bonds may be subject to call for redemption with or without premium) as said Municipal

Officers shall determine? (Total estimated debt service of \$558,000 of which the maximum principal amount is \$450,000 and estimated interest thereon at 3% over 15 years is \$108,000.00)

Note: The Town Council recommends a "Yes" vote.

Be It Further Ordered that the Town Council allow the Capital Improvements Committee to review and recommend to the Council an appropriate action for the two disabled fire trucks.

Item #8175 Action to consider a request from David and Jenifer McCullough for a hardship waiver from a requirement to provide public water for a proposed 5 lot residential subdivision.

Proposed

Order #8175 Ordered, that the Town Council in response to a request for a waiver from David and Jenifer McCullough and pursuant to Chapter 2, Section 10(G) of the Land Use and Development Code finds that:

1. The cost of providing public water will be an economic hardship for the property owner when compared to the benefits of an extension of public water to their proposed 5-lot subdivision.
2. The granting of a waiver, from the requirement to extend public water, shall not adversely impact the orderly extension of the public water supply system nor create unnecessary fire protection risks for the property owner or adjacent properties, and

Be It Further Ordered, that the Town Council grants a hardship waiver from the requirement to provide public water to their proposed 5-lot subdivision.

Item #8176 Action regarding the June 12, 2012 Special Referendum and School Budget Validation Referendum Elections. (Adm. Spon.)

Proposed

Order #8176 Ordered that the Town Council authorize the Town Clerk to issue the warrant for the June 12, 2012 Special Referendum and School Budget Validation Referendum Elections; and,

BE IT FURTHERED ORDERED, that the polls be open from 7:00 am until 8:00 pm.; and,

BE IT FURTHER ORDERED, that the Town Council appoint the following persons for the designated voting districts and if any of the following should fail to serve the Town Council hereby gives the Town Clerk the authority to appoint substitutes:

District 1 – Linda Deering, Warden and Laurel Smith, Deputy Warden

District 2 – Patricia Clay, Warden and Nancy Kenty, Deputy Warden

Central – Alida Landry, Warden, Laurie Nordfors, Deputy Warden

BE IT FURTHER ORDERED that the Registrar of Voters be in session during the hours of 8:30 am to 4:00 pm on Tuesday, June 5, 2012 and Wednesday, June 6, 2012; between the hours of 8:30 am and 7:00 pm Thursday, June 7, 2012; between the hours of 8:30 am and 1:00 pm Friday, June 8, 2012 and between the hours of 8:30 am and 4:00 pm Monday June 11, 2012 and,

BE IT FURTHERED ORDERED, that the Town Clerk be authorized to process absentee ballots at the Central Voting District at 9:00 am, 3:00 pm and 8:00 pm.

Adjourn