

AGENDA AND PROPOSED ORDERS
GORHAM TOWN COUNCIL
FEBRUARY 5, 2013
BURLEIGH LOVEITT COUNCIL CHAMBERS

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the minutes of the January 8, 2013 Town Council Regular Meeting.

Open Public Communications

Councilor Communications

Town Manager Report

School Committee Report

Public

Hearing #1

Public Hearing on a proposal to rezone individual lots in the Gorham Village Center District, Urban Commercial District and the Urban Residential District to make technical adjustments to individual lots that are split between two separate zoning districts.

Item #8256

Action to consider a proposal to rezone individual lots in Gorham Village Center District, Urban Commercial District and the Urban Residential District to make technical adjustments to individual lots that are split between two separate zoning districts. (Adm. Spon.)

Proposed

Order #8256

Whereas, the Town has three zones with similar but different requirements, that cover parts of Gorham Village, and

Whereas, many of the lots in Gorham Village are small lots with portions of the lot located in more than one zone, and

Whereas, having small lots located in more than one zone needlessly complicates a change of use of the property and could overly complicate the continued use of the property while providing very limited or no public benefit, and

Whereas, the amendment changes the boundaries of the zones, to be consistent with the boundaries of individual lots, so that these individual small lots are all within a single zone instead of more than one zone, and

Whereas, the Planning Board, after conducting a public hearing, as recommended that the Town Council approve these changes,

Now Therefore Be It Ordered, that the Town Council rezone various individual lots in Gorham Village as proposed in a Planning Board Report from David Galbraith, the Zoning Administrator, dated November 1, 2012.

Item #8257

Action to consider a request from Cumberland Farms to amend the contract zone with Hans Hansen, Inc. (Adm. Spon.)

Proposed
Order #8257

Ordered, that the Town Council forward a request from Cumberland Farms to amend the Hans Hansen, Inc. contract zone to the Planning Board for public hearing and their recommendation.

Item #8258

Action to consider a request from the School Department for the Town to provide funds to prepare plans for the renovation and expansion of Gorham High School. (Adm. Spon.)

Proposed
Order #8258

Ordered, that the Town Council appropriate \$75,000 from the Capital Project Reserve Account, as requested by the School Board in a letter from Mr. Sharp, the Superintendent of Schools, and

Be It Further Ordered, that the appropriation shall be considered a loan (without interest) that is to be paid back to the Capital Project Reserve Account as part of the High School renovation and expansion project costs upon receipt of the proceeds from the issuance of bonds or other funding.

Item #8259

Action to consider consolidating several Baxter Memorial Library Trust Funds into the Library's Centennial Endowment Fund. (Adm. Spon.)

Proposed
Order #8259

Whereas, Baxter Memorial Library has a number of Trust Funds that were established many years ago, and, where known are used in accordance with their specified purpose, and

Whereas, many years ago the documents and instructions for seven (7) of the Trust Funds were lost and the Trust Funds' proceeds haven't been used, and

Whereas, the Town has thoroughly searched its records in an effort to find the lost records but was unable to find them, and

Whereas, the Town believes that the Trust Funds were generally for the benefit and improvement of Baxter Memorial Library and its patrons, and

Whereas, the Town Council on March 4, 2008 authorized the Trustees of Baxter Memorial Library to establish the Centennial Endowment Fund to create an endowment fund for general library purposes including the purchase of books and items for the library collections and necessary library equipment, and

Whereas, the Town Council believes that the spirit and the intent of the Centennial Endowment Fund is consistent with the spirit and intent of the seven (7) Trust Funds, that do not have documentation specifying their use,

Now Therefore Be It Ordered, that the Town Council consolidate the following Trust Funds into the Centennial Endowment Fund, and

Be It Further Ordered, that the principle amount and accumulated interest of each fund be combined to create a new principle amount for the Centennial Endowment Fund with newly earned interest available for use as part of and consistent with the Centennial Endowment Fund:

	Principle	Interest	Combined Principle
1. Daniel Whittier	\$5,000.00	\$2,742.35	\$ 7,742.35
2. E. & J. Bragdon	\$4,746.00	5,567.33	10,313.33
3. Isaac McLellan	\$1,000.00	926.51	1,926.51
4. John Hinkley	\$1,000.00	926.51	1,926.51
5. Nellie Parker-Nason	\$ 500.00	407.72	907.72
6. Hattie Files	\$ 200.00	441.81	641.81

7. Howard McKenney \$ 200.00 468.39 668.39

Item #8260 Action to consider developing a Master Plan for the Little Falls Recreation area. (Adm. Spon.)

Proposed

Order #8260 Ordered, that the Town Council appropriate \$28,000 from the Recreation Impact Fee Funds pursuant to Chapter VII, Section III (A)(4) of the Land Use and Development Code, to prepare a plan and design for the Little Falls Recreation area to increase the number of playing fields.

Item #8261 Action to consider sending a letter to Gorham’s State Senator and State Representatives expressing very serious concern with the Governor’s proposed budget. (Adm. Spon.)

Proposed

Order #8261 Ordered that the Town Council approve a letter, as presented, to Senator James Boyle, Representative Linda Sanborn and Representative Andrew McLean expressing very serious concern with the recent State budget as proposed by the Governor.

Item #8262 Action to consider sending a letter to the Maine Turnpike Authority asking them to move forward with Phase 2 of the Gorham East–West Corridor Study. (Adm. Spon.)

Proposed

Order #8262 Ordered, that the Town Council approve a letter to the Main Turnpike Authority, as presented, asking them to proceed with the Phase 2 Gorham East-West Corridor Study and expressing Gorham’s continued support.

Item #8263 Action to consider a recommendation from the Capital Improvements Committee to have an Engineering firm design a parking plan for Gorham Village. (C.I.P Committee Spon. 3-0)

Proposed

Order #8263 Ordered, that the Town Council authorize the Town Manager to solicit proposals from Engineering firms for the design of a parking plan for Gorham Village that could be incorporated into the Gorham Village Master Plan.

Item #8264 Action to consider a request from the Capital Improvements Committee to remove some items from its work list. (C.I.P. Committee Spon. 3-0)

Proposed

Order #8264 Ordered, that the Town Council approve a request from the C.I.P. Committee to remove the following items from its work list:

1. Meet with property owners on Elm Street, Railroad Avenue and Mechanic Street
2. Discuss the property on Main Street (formerly known as the Mobile Station)
3. Review White Rock facilities to determine appropriate uses.
4. Assess Robie Gym Alternatives.

Item #8265 Action to consider appointing a representative to serve on the PACTS Policy Committee. (Adm. Spon.)

Proposed

Order #8265 Ordered, that the Town Council appoint _____ to serve on the PACTS Policy Committee to represent the Town of Gorham, and

Be It Further Ordered, that _____ is appointed as the first alternate to attend the PACTS Policy Committee as Gorham’s representative if the appointed representative is unable to attend and appoint _____ as the second alternate if the first alternate is not available to attend.

- Item #8266 Action to consider a proposal from Staff to amend the Land Use and Development Code by reducing some of the setbacks in the Industrial District. (Adm. Spon.)
- Proposed
Order #8266 Ordered, that the Town Council refer a proposal from Staff to amend the Land Use and Development Code by reducing some of the setbacks in the Industrial Park, to the Planning Board for public hearing and their recommendation.
- Item #8267 Action to consider authorizing capital funds appropriated for the replacement of pagers in the Fire Department to be transferred for the purchase of protective gear in the Fire Department. (Finance Com. Spon. 3-0)
- Proposed
Order #8267 Ordered, that the Town Council authorize the transfer of \$13,000 from a Capital Account to purchase replacement pagers in the Fire Department to a Capital Account to purchase protective gear in the Fire Department.
- Item #8268 Action to consider an abatement of taxes pursuant to Title 36, M.R.S.A., Section 841 (3). (Adm. Spon.)
- Proposed
Order #8268 Ordered, that the Town Council pursuant to Title 36, M.R.S.A., Section 841 (3) abate all real estate taxes, interest and costs on property at 94 Evergreen Drive (Tax Map 15, lot 7.166.) because of the property is in non-livable condition and an inability to collect the taxes, and
- Be It Further Ordered, that the Tax Collector is authorized to assess a quit-claim deed to facilitate the removal of this property.
- Item #8269 Action to consider a request from the Finance Committee to remove an item from their work list. (Finance Committee Spon. 3-0)
- Proposed
Order #8269 Ordered, that the Town Council approve a request from the Finance Committee to remove the following item from its work list:
1. Assess and review Planning and Code Fees.
- Item #8270 Action to consider amending the Town Streets and Sidewalks Ordinance by limiting parking in the Town's parking spaces located on the North side of Robie Gym. (Councilor Robinson Spon.)
- Proposed
Order #8270 Ordered, that the Town Council refer a proposal to amend Chapter 1, Schedule B, Section 3 of the Streets and Sidewalks Ordinance by limiting parking in the Town's parking spaces located on the North side of Robie Gym, to 2 hours between 7 am and 7 pm to the Ordinance Committee for their review and recommendation.
- Item #8271 Action to consider not authorizing bonds for improvement to the Little Falls building and Little Falls Recreation area. (Councilor Robinson Spon.)
- Proposed
Order #8271 Ordered, that the Town Council vote to not authorize the issuance of \$500,000 in Bonds, approved by the voters on November 6, 2012 for improvements to the former Little Falls School Building and Little Falls Recreation area.
- Item #8272 Action to consider appointing Jennifer Elliott as Registrar of Voters

Proposed
Order #8272 Ordered, that the Town Council appoint Jennifer Elliott as the Registrar of Voters for the Town of Gorham, pursuant to Title 21-A M.R.S.A. Section 101(2), to a two-year term to expire December 31, 2014.

Item #8273 Action to consider accepting the Town Clerk's retirement letter effective in September. (Adm. Spon.)

Proposed
Order #8273 Ordered, that the Town Council accept the letter of retirement, dated January 14, 2013 from Cornelia Loughran as Town Clerk with her retirement to be effective September 6, 2013, and

Be It Further Ordered, that the Town Council express its appreciation for her 27 years of dedicated service to the Town and wish her the very best with her retirement.

Item #8274 Action to consider going into Executive Session, pursuant to Title 1, M.R.S.A., Section 405 (6)(A) to discuss the Town Clerks Position, and pursuant to Title 1, R.R.S.A., Section 405 (6)(c) to discuss the acquisition of property. (Adm. Spon.)

Proposed
Order #8274 Ordered, that the Town Council go into Executive Session pursuant to Title 1, M.R.S.A., Section 405 (6)(A) to discuss the process of replacing the Town Clerk.

Adjourn