

AGENDA AND PROPOSED ORDERS
GORHAM TOWN COUNCIL
SEPTEMBER 2, 2014
BURLEIGH H. LOVEITT COUNCIL CHAMBERS

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the August 5, 2014 Town Council Regular Meeting Minutes

Open Public Communications

Councilor Communications

Town Manager Report

School Committee Report

Old Business

Item #8485 Action to consider sending the certificate of taking document produced for the Phinney Street Extension eminent domain proceedings to a forensic lab for verification.
(Councilor Hartwell Spon.)

Proposed

Order #8485 Ordered, that the Town Council send the Certificate if Taking Document produced for the Phinney Street Extension eminent domain proceedings voted by the Town Council on March 5, 2002, to the Speklin Forensic Laboratories in East Lansing, Michigan for verification, and

Be It Further Ordered that the Town Council appropriates an amount not to exceed \$2,500 from the contingency account to pay for the work.

New Business

Public

Hearing #1 Public hearing on a referendum asking voters to amend the Town Charter by adding language to define a crime of moral turpitude. The proposed amendment is:

Section 5.5 : Pursuant to Section 202 of the Town Charter, if a member of the Town Council is convicted of a crime of moral turpitude, the Council member's office shall immediately become

vacant upon conviction or a guilty plea or a plea of no contest. For the purposes of the Section, the term "crime of moral turpitude" shall include conviction of Murder or a Class A, B, C or D crime, while in office, or conviction of a similar crime if outside the State of Maine.

Public

Hearing #2 Public hearing on a referendum asking voters to approve a proposal to renovate and improve the existing public safety building and construct a new police station at 270 Main Street with an estimated cost of \$4.99 million, to be funded with bonds for up to 20 years.

Public

Hearing #3 Public hearing on a referendum asking voters to authorize the Town to accept a Federal Grant of up to \$632,690 to purchase breathing apparatus and thermal imaging cameras with local funds not to exceed \$31,634.50, which local funds are already included in the budget and so will result in no change in the tax rates.

Public

Hearing #4 Public Hearing on a renewal Liquor License in the name of Gorham Sports Center.

Item #8498 Action to approve a renewal restaurant Liquor License in the name of Gorham Sports Center. (Admin Spon.)

Proposed

Order #8498 Ordered that the Town Council approve a renewal Restaurant Liquor License for Southern Maine Community Recreation Center d/b/a Gorham Sports Center, located at 215 Narragansett Street.

Public

Hearing #5 Public Hearing on a new Restaurant Liquor License in the name of M and G X-Mac II, LLC (Ocean Garden)

Item #8499 Action to approve a new Restaurant Liquor License in the name of G and M, d/b/a Ocean Garden Restaurant located at 290 Main Street. (Admin Spon.)

Proposed

Order #8499 Ordered, that the Town Council approve a new Restaurant Liquor License in the name of G and M, d/b/a Ocean Garden Restaurant located at 390 Main Street.

Item #8500 Action to accept a bill of sale from Sold, Inc. for the Wastewater Pump Station, Force Main and Collector Sewers in Heartwood Subdivision. (Admin Spon.)

Proposed

Order #8500 Ordered, that the Town Council accept a bill of sale from Sold, Inc. for the Wastewater Pump Station, Force Main and Collector Sewers as described on plans entitled "Heartwood, Weeks Road, Gorham dated February 2000 as revised March 19, 2001, and

Be it Further Ordered that the Town Manager is authorized to execute an agreement with the Portland Water District transferring these facilities to them.

Item #8501 Action to consider the disposition of property owned by the Town at 10 Preble Street. (Admin Spon.)

Proposed

Order #8501 Ordered, that the Town Council approve the recommendation from the Village Parking Study to remove the barn at 10 Preble Street and construct a 24 space parking lot.

Item #8502 Action to consider authorizing the purchase of a 14 passenger bus for Recreation Department Programs. (Councilor Robinson Spon.)

Proposed

Order #8502 Ordered, that the Town Council authorize the purchase of a 14-passanger handicap accessible bus for the Recreation Department to provide for cost effective transportation at a cost not to exceed \$56,900, and
Be it Further Ordered, that the bus will be purchased using \$25,000 in Recreation Department Reserve Funds with the balance of funds, not to exceed \$32,000, to be loaned to the Recreation Department from the Town's Fund Balance and paid back in 5 annual payments from Recreation Department fees..

Item #8503 Action to consider authorizing the Town Manager and Finance Director to solicit bids for 3 properties acquired through foreclosed tax liens. (Finance Committee Spon. 3-0)

Proposed

Order #8503 Ordered that the Town Council authorize the Town Manager and Finance Director to solicit bids for the following properties acquired through foreclosed tax liens:

1. A parcel of land(approximately 13.9 acres) located on Deering Road (tax Map 14, Lot 6.102)
2. A parcel of land (approximately 2.9 acres) located on Deering Road (Tax Map 14, Lot 6.101)
3. A house and land located at 4 Briarwood Lane (Tax Map 39, Lot 40)

Be it Further Ordered, that the Town Manager and Finance Director, after the bid process, provide their recommendation to the Town Council for the disposition of these properties.

Item #8504 Action to consider a request from the Gorham Arts Alliance to be designated as the Local Arts Agency. (Councilor Roullard Spon.)

Proposed

Order #8504 Ordered, that the Town Council designate the Gorham Art Alliance as the Local Arts Agency.

Item #8505 Action to consider a proposal to deny general assistance to illegal immigrants. (Councilor Hartwell Spon.)

- Proposed
Order #8505 Ordered, that the Town Council direct its general assistance administration to deny general assistance benefits to illegal immigrants.
- Item #8506 Action to consider taking a position in opposition to the recent law suit filed by the Maine Municipal Association against the State of Maine that seeks clarification for the sharply conflicting instructions from the Department of Health and Human Services, the Governor and the States Attorney General about the proper administration of general assistance. (Councilor Hartwell Spon.)
- Proposed
Order #8506 Ordered, that the Town Council go on record as opposing a recent law suit filed by the Maine Municipal Association against the State of Maine that seeks clarification for the sharply conflicting instructions from the Maine Department of Health and Human Services, the Governor and the States Attorney General about the proper administration of general assistance.
- Item #8507 Action to consider a proposal to amend the Land Use and Development Code to allow creative parking solutions. (Ordinance Committee Spon. 3-0)
- Proposed
Order #8507 Ordered, that the Town Council refer a proposal to amend Chapter 1, Section IX, of the Land Use and Development Code, to allow creative parking solutions, to the Planning Board for public hearing and the Board's recommendation.
- Item #8508 Action to consider a proposal to amend the Land Use and Development Code to allow patios within the setback, except those in the Shore land Zone. (Ordinance Committee Spon. 3-0)
- Proposed
Order #8508 Ordered, that the Town Council refer a proposal to amend the Land Use and Development Code to allow patios within the setback, except those in the Shore land Zone, to the Planning Board for public hearing and the Board's recommendation.
- Item #8509 Action to consider a proposal to amend the Land Use and Development Code to allow people keeping farm animals in the Urban Residential and Suburban Residential Zones to sell products made from their animals and to amend the ordinance to reduce the setback requirements for fences. (Ordinance Committee Spon. 3-0)
- Proposed
Order #8509 Ordered, that the Town Council refer a proposal to amend Chapter II, Section XII to allow people keeping farm animals in the Urban Residential and Suburban Residential Zones, to sell products made from their animals and to allow a reduced setback requirement for fences, to the Planning Board for public hearing and their recommendation.
- Item #8510 Action to consider accepting a bid to purchase a plow truck. (Admin spon.)

Proposed

Order #8510 Ordered, that the Town Council accept the bid of _____ for _____ to purchase a plow truck.

Item #8511 Action to consider accepting a bid to purchase a trackless tractor. (Admin spon.)

Proposed

Order #8511 Ordered, that the Town Council accept the bid of _____ for _____ to purchase a trackless tractor.

Item #8512 Action to consider going into executive session, pursuant to Title 1, M.R.S.A Section 405 (6) (A) to discuss the process for hiring a Police Chief and pursuant to Title 1 M.R.S.A. Section 405 (6) (C) to discuss an offer to purchase Town property at 21 Main Street. (Admin Spon.)

Proposed

Order #8512 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 for hiring a Police Chief and pursuant to Title 1 M.R.S.A Section 405 (6) (C) to discuss an offer to purchase Town property at 21 Main Street .

Adjourn