

REPORT OF THE REGULAR MEETING OF GORHAM TOWN COUNCIL

July 1, 2003

The meeting was opened with the Pledge of Allegiance to the Flag.

Roll Call of Council: Present: Chairman Phinney: Councilors Loveitt, Willett, Robinson, Justice, Dugas and Hamblen; David Cole, the Town Manager and Connie Loughran, the Deputy Town Clerk.

Moved by Councilor Dugas, seconded by Councilor Justice and VOTED to approve the Minutes of the June 3, 2003 Regular Meeting. 7 years.

There were no public communications.

Councilor Willett reported on a memo from Chief Lefebvre regarding the sprinkler system for the Middle School and that the project may not be completed on time.

Chairman Phinney thanked the voters for their participation in the June 10th election.

The Town Manager reported that he had issued a 5 year service pin to James MacDonald of the Fire Department, a 10 year service pin to Larry Irish of Public Works and a 15 year service pin to Steve Rines of the Fire and Rescue Department. Mr. Cole also reported that there would be a meeting of the Bypass Public Advisory Committee on July 14, 2003 at 7:00 p.m. and Public Hearing regarding the Environmental Assessment for the Gorham Bypass Study on July 16th at 7:00 p.m. at Gorham High School Auditorium.

The meeting recessed for a public hearing on proposed municipal fee adjustments. There were no comments from the public.

Item #6812 The order, as read by the Deputy Clerk, was moved by Councilor Dugas and seconded by Councilor Hamblen. Moved by Councilor Justice, seconded by Councilor Dugas and VOTED to amend the proposed order by adding a \$500 flat fee for Commercial or Industrial Subdivision application. 7 years.

The order, as amended, was then VOTED resulting in the following:

ORDERED that the Town council authorize the fee schedule adjustments as recommended by the Finance Committee, with the addition of a \$500 flat fee for Commercial or Industrial Subdivision application and

BE IT FURTHER ORDERED, that said fee adjustments become effective August 1, 2003. 7 years

Item #6813 Moved by Councilor Justice, seconded by Councilor Dugas to waived the reading aloud of the proposed order. 7 years.

Moved by Councilor Justice, seconded by Councilor Robinson and ORDERED that the Town Treasurer is hereby authorized and empowered to borrow an amount or amounts not exceeding \$2,400,000 at any one time outstanding, in anticipation of the issuance of general obligation bonds, by the issuance of a bond anticipation note at the Town, which note shall be designated as "203 Bond Anticipation Note" the proceeds of which shall be used to pay to finance costs of demolishing the two oldest portions of the Shaw Middle School on South Street and to renovate the remaining structure as approved pursuant to a Town Referendum Election held June 10, 2003. Such bond anticipation note, and any extensions, renewals or replacement thereof, shall be signed by the Town Treasurer and countersigned by the Chair of the Town council, shall be payable not more than three (3) years after the date of the notes, except that the Town shall have the right to redeem or prepay such Notes without premium or penalty at any time as deemed feasible

by the Town Treasurer, shall bear interest payable at maturity at a rate determined in the manner as approved by the Treasurer, and shall contain such other terms and provisions, not inconsistent herewith, to be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusive by their executive thereof; and

BE IT FURTHER ORDERED, that the Treasurer is hereby authorized to obtain bids or proposals for the interest rate, and to determine the award, the interest rate, maturity and other terms and conditions of the notes with whatever financial institutions the Treasurer deems appropriate and to award the note to such financial institution or institutions; and

BE IT FURTHER ORDERED, that the notes authorized by the foregoing are hereby designated as a qualified tax exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended; and

BE IT FURTHER ORDERED, that the Treasurer of the Town be authorized to covenant with the purchaser of the note on behalf of the Town and for the benefit of the holders of the note, that the Town will take whatever steps, and refrain from taking any action as may be necessary or appropriate to ensure that interest on the note will remain free from federal income taxes, including, without limitation, the filing of information returns and reports with the Internal Revenue Service and the payment of any rebate due to the United State of America.

BE IT FURTHER ORDERED, that the Town hereby officially declares that the Town intends to finance, on an interim basis out of general funds of the Town and prior to the issuance of the Bond Anticipation Notes authorized above, a portion of the costs of demolishing the two oldest portions of the Shaw Middle School on South Street and to renovate the remaining structure as approved pursuant to a Town Referendum Election held June 10, 2003, which costs and capital expenditures are reasonably expected to be reimbursed with the proceeds of the debt to be incurred by the Town of Gorham in the maximum principal amount of \$2,400,000. This declaration is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2. 7 years.

Item #6814 The order as read aloud by the Deputy Clerk was moved by Councilor Dugas and seconded by Councilor Loveitt. Moved by Councilor Loveitt, seconded by Councilor Hamblen to amend the proposed order by deleting "to appoint a committee of Fire/Rescue members, citizens and business people". 7 years.

The order, as amended, was then VOTED resulting in the following: ORDERED that the Town Council refer a request from the Fire Chief to look at staffing needs for the Fire and Rescue Department to the Appointments and Personnel Committee for their recommendation. 7 years.

Item #6815 The order as read aloud by the Deputy Clerk was moved by Councilor Willett and seconded by Councilor Justice. Moved by Councilor Justice, seconded by Councilor Dugas to amend the proposed order by deleting Waste Management from the list of haulers. 7 years.

The order, as amended, was then VOETD resulting in the following: ORDERED that the Town council authorize the Town Manager, on behalf of the Town of Gorham, to sign Waste Hauling Agreements with Casella/Pine Tree Waste, Inc.; BBI Waste Industries; R.W. Herrick, Inc.; and Troiano Waste Services, Inc., and

Be It Further ORDERED that the Town Manager is authorized to sign substantively similar waste hauling agreements with other waste haulers. 7 years.

Item #6816 Moved by Councilor Dugas, seconded by Councilor Robinson and ORDERED that the Town Council authorize that the personal property taxes of Citizens Leasing Corporation in the amount of \$5,668.86 and NTFC Capital Corporation in the amount of \$791.80 be written off because the businesses no longer exist and the taxes are uncollectable. 7 years.

Item #6817 Moved by Councilor Justice, seconded by Councilor Dugas and ORDERED that the Town Council accept the bid of C.B. Kenworth for \$81,192.11 for the purchase of a Dump Truck. 7 years

Item #6818 Moved by Councilor Robinson, seconded by Councilor Loveitt and ORDERED that the Town Council authorize the Town Manager to execute a contract for preconstruction and preliminary construction services with Ledgewood, Inc. for the project to renovate Shaw School into a Community Center as approved by the voters on June 10, 2003. 7 yeas.

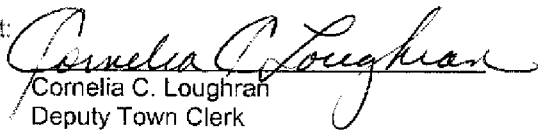
Moved by Councilor Willett, seconded by Councilor Dugas to waive Council Rules and add two items to the agenda. 6 yeas. 1 nay (Hamblen)

Item #6819 Moved by Councilor Willett, seconded by Councilor Robinson and ORDERED that the Council authorize the Town Manager to execute a contract for architectural services with Gawron Turgeon Architects for the project to renovate Shaw School into a Community Center as approved by the voters on June 10, 2003, provided the Town's Attorney has reviewed the contract. 7 yeas.

Item #6820 Moved by Councilor Justice, seconded by Councilor Dugas and ORDERED that the Town Council sign a letter to be sent to Jane Lincoln, the Governor's Chief of Staff, asking that funds be provided to assist the eleven communities who are working cooperatively to implement the national Pollution Discharge Elimination System (NPDES) Phase II rules, which is an unfunded mandate from the Federal Government that currently will have to be paid for by the local tax payers. 7 yeas

Moved by Councilor Justice, seconded by Councilor Dugas and VOTED to adjourn. 7 yeas. Time of adjournment - 8:10 p.m.

A TRUE RECORD OF MEETING

Attest: 
Cornelia C. Loughran
Deputy Town Clerk

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Attest

.- ornelia C. Loughran

Deputy Town Clerk

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