

**REPORT OF THE REGULAR MEETING OF THE GORHAM TOWN COUNCIL  
December 2, 2008 - 7:00 p.m.**

Chairman Robinson opened the meeting at 7:01 pm.

Roll Call: Present: Chairman Robinson, Councilors; Caldwell, Csoros, Loveitt, Miner, Moulton, & Phinney, Town Manager, David Cole and Town Clerk, Christina Silberman.

Moved by Councilor Phinney, seconded by Councilor Moulton and **VOTED** to accept the minutes of the November 10, 2008 Regular Town Council Meeting. **7 yeas.**

**Open Public Communications**

Suzanne Ennis, 9 Academy St., reported to the Town Council that a petition with over 300 signatures has been circulated by herself and other concerned citizens asking that the School Department comply with state law and have an American flag displayed in every classroom and also asks that the Pledge of Allegiance be recited at all Gorham schools, including the High School.

Carolyn Gilman, 72 Wilson Rd., spoke in support of displaying the American flag in all classrooms and having all students recite the Pledge of Allegiance.

Pete Walker, Mighty St., longtime volunteer for GOCAT, complimented GOCAT director Georgia Humphrey and stated that she does an outstanding job.

Harold Mcfarland, 75 Libby Ave., expressed concern with the lack of a sidewalk on Libby Avenue near his home, with standing water and access to the abandoned railroad bed behind his home, and with ditch mowing issues.

Kostas Kourinos, (52 Mosher Rd.) restaurant owner since 1981, asked the Town Council to reconsider item #7630 to change zoning on land on County Road because he wishes to have a restaurant at this property.

**Councilor Communications**

Councilor Loveitt reported that the town clock is keeping time in the steeple. Any issues have been worked out and we should be able to settle accounts by the year end.

**Chairman's Report**

Chairman Robinson reported that the Council goal setting workshop held on November 24<sup>th</sup> was very good. He also reported that the Bypass ribbon cutting ceremony will be on December 5<sup>th</sup> at 1 pm.

**Town Manager's Report**

Town Manager, David Cole, reported that after more than 50 years the bypass will be open with a ribbon cutting ceremony at 1 pm at the south entrance and will be open for the evening commute.

Mr. Cole announced that he has issued a 5 year service pin to Bob Burns, Public Works Director and a 15 year service pin to Pamela Turner, Librarian at Baxter Memorial Library. Mr. Cole thanked them for their years of service to community.

**School Committee Report**

School Committee Chairman Dennis Libby reported on the following;

- 11/13 natural gas leak at Gorham High School
- November 25<sup>th</sup> Channel 13 inaccurate report on Gorham Middle School's geothermal energy system
- State budget curtailment/Gorham's general purpose aide cut by \$324,552, school budget has been frozen for all purchasing except essentials
- Playground equipment removal/relocation/replacement
- Dine and Discuss meeting for School Department scheduled for December 17th
- School talk on GOCAT will be about the new elementary school
- Next School Committee meeting is December 3<sup>rd</sup> at 7 pm

Councilor Phinney asked that Chairman Libby report about the flag and pledge issues next week. Councilor Phinney would also like to have a report with comparisons of geothermal schools next month.

Councilor Loveitt commented on the Channel 13 report and encouraged the town as a whole not to let this rest. The report has planted a seed of doubt and this is a serious matter. The Council can work with the School Committee to discuss the matter and get the news media to join them.

Councilor Miner asked if the School Committee was aware that the Pledge of Allegiance was not being said at the high school. Mr. Libby replied that the Pledge of Allegiance has not been said at the High School for 20 years and the School Committee is reviewing the matter.

### **New Business**

**Public Hearing #1** Chairman Robinson opened the public hearing to consider a new Victualer's license for Thatcher's of Gorham d/b/a Thatcher's Restaurant and Sports Pub. There were no comments from the public. Chairman Robinson closed the public hearing.

**Item #7651** was moved by Councilor Phinney and seconded by Councilor Moulton. Bruce Hodgkin introduced himself and spoke about Thatcher's. The proposed order was then voted. **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve issuance of a new Victualer's license to expire on May 31, 2009 for Thatcher's of Gorham d/b/a Thatcher's Restaurant and Sports Pub. **7 years.**

**Public Hearing #2** Chairman Robinson opened the public hearing to consider issuance of a new liquor license for Thatcher's of Gorham d/b/a Thatcher's Restaurant and Sports Pub. There were no comments from the public. Chairman Robinson closed the public hearing.

**Item #7652** Moved by Councilor Phinney, seconded by Councilor Loveitt and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve a new liquor license for Thatcher's of Gorham d/b/a Thatcher's Restaurant and Sports Pub. **7 years.**

**Public Hearing #3** Chairman Robinson opened the public hearing to consider approval to renew the liquor license for Sebago Brewing Company. There were no comments from the public. Chairman Robinson closed the public hearing.

**Item #7653** Moved by Councilor Csoros, seconded by Councilor Loveitt and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve the renewal of a liquor license for Sebago Brewing Company. **7 yeas.**

**Public Hearing #4** Chairman Robinson opened the public hearing to consider renewal of Massage Therapist / Establishment Licenses. There were no comments from the public. Chairman Robinson closed the public hearing.

**Item #7654** Moved by Councilor Loveitt, seconded by Councilor Phinney and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve renewal of the following Massage Therapist / Establishment Licenses to expire December 31, 2009 pending final approval of the Police Chief:

Julie K. Brown - Combined Massage Establishment/Therapist

Linda Ann Morris - Combined Massage Establishment/Therapist

Jennifer Valentine - Combined Massage Establishment/Therapist. **7 yeas.**

**Item #7655** was moved by Councilor Caldwell and seconded by Councilor Phinney. Moved by Councilor Phinney, seconded by Councilor Loveitt, and **VOTED** to divide the question into two parts with the second part beginning with "Be it further ordered...". **7 yeas.** (Part 2 of the divided order was heard prior to part 1.)

**Item #7655A** (part 1) to refer a request from the Cable Television Committee to appropriate \$22,500 from the Capital Project Reserve Fund was moved by Councilor Phinney and seconded by Councilor Loveitt. Moved by Councilor Phinney, seconded by Councilor Caldwell and **VOTED** to postpone this order until such time as the Ordinance Committee makes their recommendation to the Council. **5 yeas, 2 nays (Csoros & Miner).**

**Item #7655B** (part 2) was moved by Councilor Caldwell and seconded by Councilor Moulton. Moved by Councilor Phinney, seconded by Councilor Moulton and **VOTED** to amend the proposed order and refer this to the Ordinance Committee instead of the Finance Committee. **7 yeas.** Dick Portwine, Cable TV Committee, spoke in favor of referring this to the Ordinance Committee. The proposed order was then voted. **ORDERED** that the Ordinance Committee review the mission and long term direction of the Town's cable television system and operation and make appropriate recommendations to the Town Council regarding their review. **7 yeas.**

**Item #7656** Moved by Councilor Phinney, seconded by Councilor Moulton and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled accept Gerry's Way, located in Gerry Estates Subdivision off South Street (Route 114), as a public road; and,

**BE IT FURTHER ORDERED** that Gerry's Way be classified as a Rural Access Road. **7 yeas.**

**Item #7657** Moved by Councilor Phinney, seconded by Councilor Caldwell and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled accept Jennifer Way, located in Tall Pines Subdivision off Spiller Road, as a public road, and

**BE IT FURTHER ORDERED** that Jennifer Way be classified as a Rural Access Road. **7 yeas.**

**Item #7658** Moved by Councilor Miner, seconded by Councilor Loveitt and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled accept an approximate 660 feet of Boulder Drive, located in Tall Pines Subdivision off Spiller Road, as a public road: and

**BE IT FURTHER ORDERED** that this extension portion of Boulder Drive be classified as a Rural Access Road. **7 yeas.**

**Item #7659** Moved by Councilor Caldwell, seconded by Councilor Phinney and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled appoint Jennifer Elliott as the Registrar of Voters for the Town of Gorham, per M.R.S.A. 21-A, Section 101(2), to a two-year term to expire December 31, 2010. **7 yeas.**

**Item #7660** was moved by Councilor Phinney, seconded by Councilor Loveitt, and **VOTED.**

**WHEREAS**, several years ago, the voters of the State approved a state-wide referendum that required the State to fund 55% of local education costs; and,

**WHEREAS**, the Governor and State Legislature subsequently adopted a plan to phase into compliance with the voter approved referendum; and,

**WHEREAS**, the adopted plan to comply with the voter approved law has never been fully implemented; and,

**WHEREAS**, there are Federal and State highways in Maine; and

**WHEREAS**, a good quality road infrastructure is essential to sustain and grow an economy; and,

**WHEREAS**, the Federal and State Highway system suffers from poor maintenance and a lack of capacity because of a lack of funding that often shifts the financial burden of maintaining these roads to local municipalities,

**NOW, THEREFOR BE IT RESOLVED** that the Town Council of the Town of Gorham, Maine asks the Governor and State Legislature to address these financial needs with any short or long term economic plan proposed by the State. **7 yeas.**

Moved by Councilor Phinney, seconded by Councilor Loveitt and **VOTED** to waive the rules and take up an item not on the agenda. **5 yeas, 2 nays (Csoros & Caldwell).**

Moved by Councilor Phinney, seconded by Councilor Moulton and **ORDERED** to send to the Ordinance Committee the ability to review the Massage Therapist Ordinance and report back to the Town Council. **7 yeas.**

Moved by Councilor Phinney, seconded by Councilor Moulton and **VOTED** to adjourn the meeting at 8:05 pm. **7 yeas.**

A TRUE RECORD OF MEETING

Attest: \_\_\_\_\_  
Christina Silberman, Town Clerk