

## **REPORT OF THE REGULAR MEETING OF THE GORHAM TOWN COUNCIL FEBRUARY 5, 2008**

Chairman Loveitt opened the meeting at 7:05 pm.

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

Absent: Councilor Csoros.

Moved by Councilor Phinney, seconded by Councilor Willett, and **VOTED** to accept the minutes of the January 8, 2008 Regular Meeting. **6 yeas.**

### **Open Public Communications**

Hans Hansen stated that the town should not plow the sidewalks if they are not sanded. People are walking on the streets because the sidewalks are treacherous. He would like the Council to appropriate money for plowing and sanding the sidewalks.

Matt Reed commented that taxes are ridiculous, last year they went up 7% and he doesn't get raises in that amount. Mr. Reed would like the town to keep from increasing taxes.

### **Councilor Communications**

Councilor Phinney reported that he attended the Southern Maine Regional Boys Indoor Track Meet and the Gorham boys won and will proceed on to the state. He also reported that the Ordinance Committee met recently. The meeting was mostly organizational and they discussed everything on their plate. They will meet again on February 25th and will discuss the sound ordinance.

Councilor Willett reported that she attended the Council of Governments meeting in January and they had a speaker on the car-pooling project, Go Maine. If you are interested you can check their website.

Councilor Robinson requested that amended agendas be dated. He reported that the Gorham Lions Club is working on getting flags up on Main Street and have ordered 48 flags. The flags should be up by Memorial Day. The Lions Club worked hard to fund raise. Councilor Robinson thanked Chief Shepard for a tip about an organization in Bangor that donates flags and they received additional flags due to the program.

Councilor Caldwell reported that the Personnel Committee met on January 30th with the Police Chief and the Lieutenant and a recommendation is on tonight's agenda. The Committee also discussed evaluation forms for the Town Manager and the Town Clerk and reviewed applications for committees. They are still short on some committees. There will be another meeting to discuss committee appointments.

### **Chairman's Report**

Chairman Loveitt discussed the financial environment. The Council had a workshop with the School Department and learned about funding issues. Chairman Loveitt discussed the state aid for education and cost shifts that have been foisted upon us by the legislature. Citizen concerns about taxes should be discussed with their legislative representatives.

Chairman Loveitt stated that there are many workshops scheduled for this spring and summer. He asked the Council for their preference on workshop meeting times. The consensus was to open future Town Council meetings at 7:00 pm, per the Council Rules, then adjourn for the workshop and resume the Town Council meeting immediately after the workshop.

Chairman Loveitt discussed the proposed improvements to Public Safety buildings. The Building Committee is meeting and making diligent progress. They are working with the architect, Lyndon Keck and Co., to refine the plan. The final proposal is anticipated to come before the Council at the June meeting.

Chairman Loveitt reminded the Council and the citizens that all committee meetings of the Council, except when personnel issues are being discussed, are public meetings.

### **Town Manager's Report**

Town Manager, David Cole, reported that on February 19<sup>th</sup> at 6 pm the Maine Department of Transportation will hold a public hearing here on the future replacement of the bridge on Gray Road over Little River.

### **School Committee Report**

Jim Hager, School Committee Chairman, thanked the Council for the workshop this evening and reported on the following;

- White Rock School Project is making progress and there will be a public meeting on February 26<sup>th</sup> here in Council Chambers at 7 pm. The next White Rock Project Committee meeting is February 6<sup>th</sup>.
- Request for a Council workshop with PDT Architects to discuss a geothermal heat pump system.

### **New Business**

**Public Hearing #1** Chairman Loveitt opened the public hearing to consider approval of a new liquor license application for Lucky Thai restaurant. There were no comments from the public. Chairman Loveitt closed the public hearing.

**Item #7525** Moved by Councilor Willett, seconded by Councilor Phinney, and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve the application for a new liquor license from Somkhowan Phongvichith for Lucky Thai restaurant. **6 years.**

**Public Hearing #2** Chairman Loveitt opened the public hearing to consider approval for renewal of the liquor license for PineCrest Bed and Breakfast Inn. There were no comments from the public. Chairman Loveitt closed the public hearing.

**Item #7526** Moved by Councilor Robinson, seconded by Councilor Caldwell and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve the renewal of a liquor license application from Matt Mattingly for PineCrest Bed and Breakfast Inn. **6 years.**

**Public Hearing #3** Chairman Loveitt opened the public hearing on approval of a new Victualer's License for Lucky Thai restaurant. There were no comments from the public. Chairman Loveitt closed the public hearing.

**Item #7527** Moved by Councilor Willett, seconded by Councilor Phinney, and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve issuance of a new Victualer's License for Somkhowan Phongvichith doing business as Lucky Thai restaurant. **6 years.**

**Public Hearing #4** Chairman Loveitt opened the public hearing on approval of a Massage Therapist / Establishment license for Michelle C. Loeber. There were no comments from the public. Chairman Loveitt closed the public hearing.

**Item #7528** Moved by Councilor Phinney, seconded by Councilor Willett, and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve the renewal of a Massage Therapist / Establishment license for Michelle C. Loeber to expire on December 31, 2008, pending final approval from the Police Chief. **6 years.**

**Item #7529** Moved by Councilor Phinney, seconded by Councilor Willett, and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled appropriate \$1,946.81 from the Chick Property Site Development Reserve account and \$28,053.19 from the Municipal Center Project Reserve fund to provide funds to obtain a Site Location permit for the Chick Property, so called. **6 years.**

**Item #7530** to consider a proposal to consolidate Voting Districts was moved by Councilor Phinney and seconded by Councilor Moulton. Moved by Councilor Caldwell seconded by Councilor Moulton and **VOTED** to postpone action on this item and ask the Clerk to proceed with the plan to consolidate two voting wards and that the plan be presented to the Council at the March meeting. **6 years.**

**Item #7531** to develop an ordinance to prohibit dogs on athletic fields in Gorham was moved by Councilor Robinson and seconded by Councilor Willett. Moved by Councilor Robinson, seconded by Councilor Caldwell and **VOTED** to postpone action on this item. **6 years.**

**Item #7532** Moved by Councilor Willett, seconded by Councilor Phinney, and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled refer a proposal to adjust the application fees for Massage Therapist / Establishment licenses to cover costs, to the Finance Committee for their recommendation. **6 years.**

**Item #7533** Moved by Councilor Caldwell, seconded by Councilor Moulton, and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled accept perpetual care funds as presented. **6 years.**

Austin, Cynthia: Eastern Cemetery, Section H, Lot 353 A&B (2 gravesites)	\$300.00
Benson, Karen: Hillside Cemetery, Lot 140 west half B (1 gravesite)	\$200.00
Bragdon, Jane: Eastern Cemetery, Section H, Lot 338 A-D (4 gravesites)	\$500.00
Brooks, Lory, Hillside Cemetery, Section R, Lot 29 B (1 gravesite)	\$200.00
Curtis, Kenneth & Bernadette: Eastern Cemetery, Section H, Lot 345 A&B, Section H, Lot 346 A-D, Section H Lot 347 A-D (10 gravesites)	\$1,100.00
Doyle, Ruth & Goldmann, Henry A.: Eastern Cemetery, Section H, Lot 339 A-D (4 gravesites)	\$500.00
Dyer, James: South Gorham Cemetery, Section F, Lot 29 A-D (4 gravesites)	\$1,000.00
Dyer, Ronald M.: South Gorham Cemetery, Section F, Lot 28 A-D (4 gravesites)	\$1,000.00
Flaherty, Virginia: Eastern Cemetery, Section J, Lot 1B A&B (2 gravesites)	\$300.00
Fogg, David: Eastern Cemetery, Section H, Lot 348 A-D, Section H Lot 349 A-D (8 gravesites)	\$900.00
Hoyt, Colleen: West Gorham Cemetery, Section E, Lot 7, A-D (4 gravesites)	\$1,000.00

Johnston, Betty & James: Eastern Cemetery, Section H, Lot 360 C&D (2 gravesites)	\$300.00
LeBlanc, Marilyn & Robert: Hillside Cemetery, Section R, Lot 44 C&D (2 gravesites)	\$400.00
Leslie, Edward & Patricia: Hillside Cemetery Section K, Lot 1 A (1 gravesite)	\$200.00
Martin, Gerald & Therese: Eastern Cemetery, Section H, Lot 371 A-D (4 gravesites)	\$500.00
Maxwell, Mary: Hillside Cemetery, Section P, Lot 22 D (1 gravesite)	\$200.00
McPhail, George & Shirley: North Street Cemetery, Extension Section, Lot 9 (1 gravesite)	\$125.00
Thurston, Lois: Eastern Cemetery, Section H, Lot 344 A-D (4 gravesites)	\$500.00
Weaver, Kathleen: West Gorham Cemetery, Section D, Lot 4 A (1 gravesite)	\$400.00
Willey, Barbara: West Gorham Cemetery, Section E, Lot 5 A&B (2 gravesites)	\$700.00

**Item #7534** to implement a freeze on hiring new personnel until July 1, 2008 was moved by Councilor Robinson and seconded by Councilor Phinney. Moved by Councilor Robinson, seconded by Councilor Moulton, and **VOTED** to postpone action on this item indefinitely. **6 years.**

**Item #7535** was moved by Councilor Caldwell and seconded by Councilor Moulton. Hans Hansen commented that if you call the Gorham PD they come. Mr. Hansen stated that he knows there is a shortage and that crime is up, we need the support of the Police Department. Matt Reid asked about the Police Department overtime budget. The proposed order was then voted. **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled, in consideration that sufficient funds already exist in the current budget, authorize the hiring of a new Police Patrol Officer; and,

**BE IT FURTHER ORDERED** to authorize that the Police Department may convert 2 existing Patrol positions into 2 Sergeant positions. **6 years.**

**Item #7536** was moved by Councilor Willett and seconded by Councilor Phinney. Moved by Councilor Phinney, seconded by Councilor Willett, and **VOTED** to waive the rules and dispense with the reading of the proposed order. **6 years.** Moved by Councilor Phinney, seconded by Councilor Willett and **VOTED** to amend the order by striking the next to last “whereas” paragraph and replacing it with the following “Whereas, the Portland Area Comprehensive Transportation Committee (PACTS) has responsibility for and expertise relating to the Study Area’s transportation infrastructure and has established the improvement of transportation in the Study Area through an integrated approach involving the consideration of land use as well as transportation strategies as a goal in their 2006 long range planning document Destination Tomorrow;” and to amend the last paragraph by inserting the words “approve a Memorandum of Agreement between Maine Department of Transportation, Maine Turnpike Authority, and the Town regarding a Gorham East – West corridor feasibility study and” before the words “authorize the Town Manager to execute said agreement”. **6 years** Hans Hansen commented that the Town Council has worked diligently to address traffic issues. He expressed concern about the time frame to implement this. Mr. Hansen noted that there is a lot of open land from Route 22/114 to the golf course on the westerly side. The proposed order was then voted.

**Whereas,** transportation deficiencies in the east west corridor between the vicinities of Gorham and Portland, Maine (“the Study Area”) have been evident to the Maine public and policy makers for decades, including but not limited to insufficient capacity,

increasing traffic congestion in the area, outdated road design features and safety issues; and,

**Whereas**, said transportation deficiencies have been documented in numerous studies and reports, including but not limited to the Westerly Connector Study (1988), the Route 25 Corridor Study (1993), the Gorham-Portland Alternatives Analysis (1997), the Route 114/I-295 Ramp Study (1998), the route 22/114 Location Study (1999) the Maine Mall Area Transportation Plan (2001), the PACTS 22/114 Overlap Study (2002), the PACTS Destination Tomorrow Plan (2003) and the Gorham Bypass Environmental Assessment (2003); and,

**Whereas**, the Department has recently commenced construction on Phase One of the Gorham Bypass Project, designed to partly address these deficiencies through construction of a two lane bypass of Gorham village connecting Route 114 and Route 25; and,

**Whereas**, the Department and Authority agree that, even with successful completion of Phase One of the Gorham Bypass, the Study Area will continue to exhibit substantial transportation deficiencies, particularly in regard to connectivity between the Study Area and major transportation facilities in Greater Portland, including but not limited to the Maine Turnpike; and,

**Whereas**, the towns of Gorham, Scarborough, South Portland and Westbrook, Maine (collectively “the Towns”), have requested, via various joint resolutions adopted in the year 2007, that the Maine Turnpike Authority participate, in conjunction with the Department, in further study of potential transportation improvements in the area; and,

**Whereas**, the Portland Area Comprehensive Transportation Committee (PACTS) has responsibility for and expertise relating to the Study Area’s transportation infrastructure and has established the improvement of transportation in the Study Area through an integrated approach involving the consideration of land use as well as transportation strategies as a goal in their 2006 long range planning document Destination Tomorrow; and,

**Whereas**, the goal of improving interconnectivity between the Maine Turnpike and other transportation systems in the region is consistent with the Authority’s statutory purposes, including but not limited to 23 MRSA § 1974, and therefore said goal justifies the Authority’s participation in further study of potential improvements in the Study Area;

**NOW THEREFORE BE IT ORDERED**, that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve a Memorandum of Agreement between Maine Department of Transportation, Maine Turnpike Authority, and the Town regarding a Gorham East – West corridor feasibility study and authorize the Town Manager to execute said agreement. **6 yeas.**

Moved by Councilor Moulton, seconded by Councilor Robinson, and **VOTED** to adjourn the meeting at 8:43 pm. **6 yeas.**

A TRUE RECORD OF MEETING

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