

REPORT OF THE REGULAR MEETING OF THE GORHAM TOWN COUNCIL January 6, 2009 - 7:00 p.m.

Chairman Robinson opened the meeting at 7:04 pm.

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

Absent: Councilor Moulton

Moved by Councilor Phinney, seconded by Councilor Csoros and **VOTED** to accept the minutes of the December 2, 2008 Regular Town Council Meeting. **6 yeas.**

Open Public Communications

Kurt Seiferth, 3 Cummings Rd., urged the Ordinance Committee to take action as soon as possible on the animal trespass ordinance. Mr. Seiferth also asked that this be brought to the communities attention.

Councilor Communications

Councilor Caldwell reported that the School Building Committee met on December 10th and the outside is completed now and they were shown a movie on how the school will look. The Finance Committee met December 5th & 10th and had an update on the Finance Department and the status of the audit.

Councilor Loveitt reported the town remains in close contact with the Maine Turnpike Authority to represent Gorham and surrounding communities needs with respect to traffic. Ecomaine's budget is experiencing some stress with respect to the dropping price for recyclables. Ecomaine is being very aggressive with ensuring that the budget remains intact. The Ordinance Committee met recently and cleared the slate of organizational matters and discussed the letter from Mrs. Robie, Chair of the Planning Board. The Ordinance Committee will be meeting with the Cable TV Committee next and will then move on to other items.

Councilor Miner reported that he attended the MMA Legislative Policy Committee meeting in December in place of Councilor Csoros. There are two policy initiatives important to the Town of Gorham. One is that the State is trying to dodge the 55% general purpose aid to local schools. The other is a citizen's initiative likely to be on the ballot to reduce excise tax. If this passes, he estimates there will be about one million cut from our budget. This is a significant cut that will result in lack of road maintenance or an increase in taxes. Councilor Miner thanked the organizers, volunteers, and performers who participated in New Years Gorham.

Councilor Caldwell asked if there have been any arrangements made for a dedication for the Town Clock. The Town Manager replied that he was not aware of any. Councilor Loveitt commented that there is some interest in a reception to be held at the church and perhaps a dedication could be intertwined with this with some information on the history of the clock. Councilor Loveitt will look into putting this together.

Chairman's Report

Chairman Robinson thanked everyone that participated in the opening of the bypass on Dec. 5th and thanked Councilor Loveitt who spoke at the reception and the other

Councilors who attended. The bypass has been open for about a month and is working out nicely so far. On Dec. 11th, Chairman Robinson attended the GOCAT Committee meeting where they discussed items that may come up at the Ordinance Committee meeting. He attended the Fire/Rescue department annual holiday party. Attendees brought a wrapped child's gift to donate, this is a nice thing to do for the community. On December 19th, Chairman Robinson attended a PACTS meeting on regional transportation challenges. He saw Senator Bartlett there and reminded him about the resolution the Council passed asking Augusta to fund education and roads. Councilor Robinson spoke about this issue publicly at the meeting. Shifting the burden to local municipalities does raise taxes by cutting funding to municipalities. They talked about the Obama recovery plan to invest in improving infrastructure for roads and bridges. Chairman Robinson pointed out that this funding should not be used to replace state funding.

Town Manager's Report

Town Manager David Cole thanked Cindy Hazelton, the Recreation Department, Ginny Cross and the many volunteers for putting on the New Years Eve celebration. The events that he attended were well done, well attended, and everyone had a good time. Mr. Cole reported that Maureen Finger will return as Finance Director on Monday January 12th. The possible referendum in November to cut excise taxes could result in a 50% cut in excise tax revenues. This would be a significant hit to the town budget if it passes. The proposed economic stimulus package for road work would be for work that is ready to begin within 90 days for job creation.

School Committee Report

School Committee Chairman, Dennis Libby, reported on the following.

- 85 American flags were installed at Gorham High School
- The Pledge of allegiance recital at the High School issue will be reviewed by the Student Council that consists of 10 students and 10 staff members who will report to the School Committee
- Village School playground equipment removal is complete. Replacement equipment will be installed in the spring. Equipment at the Little Falls School will be moved the White Rock School as the Facilities/Maintenance Department's schedule permits.
- The School Committee has approved an overall reduction to the budget due to a possible State aid curtailment of \$324,552
- The White Rock Building Committee's next meeting will be Feb. 4th
- GOCAT's School Talk will feature Mr. Libby as the School Committee Chair
- The next School Committee Meeting will be on Jan. 14th

Councilor Csoros read a statement supporting recital of the pledge of allegiance.

Department Report – Recreation Department

Recreation Director Cindy Hazelton distributed a packet of information and thanked the Town Council for the opportunity for Department Heads to update them. A slide show of photos of many of the different activities offered by the Recreation Department was shown. Ms. Hazelton reported on the new online registration process where 1,420

households have participated. The Recreation Department received a \$1,000 grant from National Parks and Recreation for the Flag Football program thanks to Alan Grady. A number of upcoming events were discussed. GOCAT is working in partnership with the Gorham Times on a new project called "Advance the Story" to compliment articles in the Times. Councilor Csoros asked how many kids participate in programs. Ms. Hazelton responded that there are between 2,400 and 2,500 different people. Chairman Robinson thanked Cindy for her work.

New Business

Public Hearing #1 Chairman Robinson opened the public hearing to consider approval to renew Massage Therapist / Establishment Licenses. There were no comments from the public. Chairman Robinson closed the public hearing.

Item #7661 Moved by Councilor Phinney, seconded by Councilor Csoros, 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; Cynthia S. Doyle - Combined Massage Establishment/Therapist and Carolyn D. Parker - Combined Massage Establishment/Therapist. **6 years.**

Public Hearing #2 Chairman Robinson opened the public hearing to amend and replace the Town's Streets and Sidewalks Public Safety Ordinance and the Street Opening Ordinance. There were no comments from the public. Chairman Robinson closed the public hearing.

Item #7662 Moved by Councilor Phinney, seconded by Councilor Loveitt and **VOTED** to waive the reading of the proposed order. **6 years.** The proposed order was moved by Councilor Phinney and seconded by Councilor Loveitt. Moved by Councilor Phinney, seconded by Councilor Loveitt and **VOTED** to amend the order and send it to the Ordinance Committee for review. **6 years.** The amended order was then voted. **ORDERED** that the Ordinance Committee review the proposal to void the existing Streets and Sidewalks Public Safety Ordinance and the existing Street Opening Ordinance and enact a new Streets and Sidewalks Ordinance to replace the two voided ordinances and report back to the Town Council with their recommendation. **6 years.**

Item #7663 was moved by Councilor Phinney and seconded by Councilor Miner. The Town Manager explained this item. Councilor Csoros asked if USM officers are armed, Chief Shepard replied that they are. Councilor Miner asked what other options would the university have and the Chief replied they would have to go to another agency. The proposed order was then voted. **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve a contract with the University of Southern Maine for the Town to provide firearms training based on requirements established by the Maine Criminal Justice Academy. **6 years.**

Item #7664 Moved by Councilor Loveitt, seconded by Councilor Caldwell, and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled forward the letter of June 13, 2008 from the Planning Board that recommends changes to the Land Use and Development Code, to the Planning Board with instructions to develop ordinance language that would implement their

recommendations and to hold a public hearing on the proposal and forward their recommendation to the Town Council. **6 yeas.**

Item #7665 was moved by Councilor Phinney and seconded by Councilor Miner. Mr. Kostas Kourinos, owner of the property, explained his request. Moved by Councilor Loveitt, seconded by Councilor Phinney and **VOTED** to amend the order to strike the reference to “Roadside Commercial” and replace it with “zoning suitable for restaurant use.” **5 yeas, 1 nay (Miner).** The amended order was then **VOTED. ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled refer a request to rezone property on County Road, tax map 6, lot 43.2, from Suburban Residential to zoning suitable for restaurant use to the Ordinance Committee for their recommendation. **5 yeas, 1 nay (Miner).**

Item #7666 was moved by Councilor Phinney and seconded by Councilor Loveitt. Jeremy Green, State St., asked what the definition of “disorderly” is. This ordinance may have been useful to him in dealing with a tenant. Matthew Tagget, president of Sigma Nu fraternity, asked if the committee is interested in working with the fraternity for a solution. Councilor Loveitt replied that meetings are open to the public. Town Manager, David Cole, explained the concept of this proposal. Moved by Councilor Loveitt, seconded by Councilor Caldwell and **VOTED** to amend the order by adding the word “the” after the word “regulate” and adding the words “use of” after “disorderly” and striking the word “rental”. **5 yeas 1 nay (Csoros).** The proposed order was then **VOTED. ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled refer a proposal to develop an ordinance to regulate the disorderly use of residential properties to the Ordinance Committee for their review and recommendation. **5 yeas, 1 nay (Csoros).**

Moved by Councilor Phinney, seconded by Councilor Caldwell and **VOTED** to adjourn the meeting at 8:39 pm. **6 yeas.**

A TRUE RECORD OF MEETING

Attest: _____
Christina Silberman, Town Clerk