

**CORRECTED REPORT OF THE REGULAR MEETING OF
THE GORHAM TOWN COUNCIL
October 5, 2010 - 7:00 p.m.**

Chairman Phinney opened the meeting at 7:01 pm.

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

Absent: Councilor Csoros

Moved by Councilor Loveitt, seconded by Councilor Robinson and **VOTED** to accept the minutes of the September 7, 2010 Regular Town Council meeting. **6 yeas.**

Open Public Communications

Representative Jane Knapp, State House District #129, reported on the following:

- Thanked Officer Wayne Coffin for his long service to the Town of Gorham
- Expressed appreciation to the Baxter Memorial Library staff and Friends of the Library for the Candidates Night event held earlier this evening
- Reported on the Vote in Honor of a Veteran program through the Secretary of State's office. Obtain a button to wear on Election Day to honor a veteran and/or view the online book *Maine Remembers Those Who Served*. Visit the website www.maine.gov/sos/cec/elec/voter_info/veteran for more information
- Reviewed the 3 referendum questions for the upcoming election on Nov. 2nd. Voters can contact the Town Clerk for absentee voting if needed. Visit the website www.maine.gov/sos/cec/elec for additional information.

Councilor Communications

Councilor Robinson reported that the Ordinance Committee met on September 21st and discussed many items; Councilors Caldwell and Miner were also present. Councilor Robinson, Councilor Mattingly & School Committee Chairman Libby judged the Gorham Business and Civic Exchange Annual Chili & Chowder Cook-off. Thatcher's restaurant won for the best chili contest and Norway Savings Bank won for the best chowder. The New Year Gorham auction was held at the Odd Fellows hall and was a nice event that raised close to \$4,000. The Cumberland County Budget Advisory Committee is back in full force. The County's preliminary budget is up 2%. Councilor Robinson stated that as a budget committee member, you learn a lot. He found it amazing that the County can't hold the budget flat. He found it interesting how many things the County funds for the City of Portland and he will learn more about this. They will be meeting next Wednesday.

Councilor Loveitt reported on the Maine Department of Transportation / Maine Turnpike Authority meeting for Gorham, Scarborough, Westbrook, and South Portland regarding the east/west corridor study. The findings will be released on October 21st in Scarborough. The study will also be rolled out in Gorham on November 3rd.

Councilor Mattingly reported that the Capital Improvements Committee met and discussed an item on tonight's agenda. Councilor Mattingly asked if the county budget increase is due to the proposed charter. Councilor Robinson was not sure but he will get more info and report back.

Chairman's Report

Chairman Phinney attended the Ecomaine open house last Saturday and it was an interesting and well put together program. Chairman Phinney reported on the Central Maine Power groundbreaking ceremony at the end of Straw Road for the new transmission lines. This was a big presentation. This project will bring a lot of tax dollars to Gorham and will allow Gorham to become a power generator and a power exporter. The current transmission lines are from the early 60's and the new lines are some of the most advanced in the world.

Town Manager's Report

Town Manager David Cole reported that the Town Clerk will be conducting absentee voting at the North Gorham Library on October 27th from 4-7 pm. The Baxter Memorial Library book sale will be October 15th & 16th. Mr. Cole welcomed Police Chief Shepard back. Mr. Cole reported that Shirley Irish, a long time dispatcher for the town, passed away last week and he expressed his condolences to her family.

School Committee Report

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

- This is the last meeting prior to the election and he thanked Councilors Loveitt, Robinson and Csoros for their hard work and dedication
- Overall school enrollment numbers are down by 14 students at 2,666
- Narragansett School Principal Brad Smith has been appointed as Asst. Superintendent for SAD 75. Polly Bran has been appointed as Principal of Narragansett School for the remainder of this year. Jodi Mezzanotte will serve as Asst. Principal of Narragansett and White Rock schools.
- The New Elementary School Building Committee has finished the color selection process. The playground subcommittee has made a recommendation that has been endorsed. The naming subcommittee will be making a recommendation at the next School Committee meeting. Work on the site continues and the paving is nearly complete. The next meeting is scheduled for November 3rd.
- The Next School Committee meeting is scheduled for October 13th at 7 pm.

Councilor Miner asked when parents will know where their children will attend school after the redistricting. Chairman Libby said that this info should be available later in November.

Moved by Councilor Caldwell, seconded by Councilor Loveitt and **VOTED** to take Item #7906 out of order and hear it now. **6 yeas.**

Item #7906 was moved by Councilor Robinson, seconded by Councilor Caldwell and voted. **Whereas**, Wayne Coffin grew up in Gorham and graduated from Gorham High School in 1963; and,

Whereas, Wayne Coffin joined the Gorham Police Department as a Reserve Officer beginning in October, 1970, and was hired as a full-time Police Officer on October 5, 1975, and went on to serve the Gorham Community for the next 35 years; and,

Whereas, Wayne graduated from the Maine Police Academy in 1976, was named Gorham Police Officer of the Year in 2003, and received numerous other commendations and honors during his distinguished career; and,

Whereas, Wayne faithfully discharged his duties with passion and set a high standard with personal integrity that is a credit to the Police profession and Gorham Community; and

Whereas, Wayne Coffin retired on October 5, 2010,

Now Therefore Be It Resolved that the Town Council of Gorham, Maine recognizes Wayne Coffin for his 35 years of service to the Gorham Community, and on behalf of the Town of Gorham, expresses its appreciation for his outstanding service and personal integrity. **6 years**. Chairman Phinney thanked Officer Coffin for his service and presented him with the resolution and a pin for his 35 years of service.

Old Business

Item #7831 was moved by Councilor Miner, seconded by Councilor Caldwell and voted. **WHEREAS**, the Town Council of Gorham, Maine voted to receive a petition from Mary Jane Lecours to impose weight limits on McLellan Road at the March 2, 2010 Town Council meeting; and,

WHEREAS, heavily loaded vehicles accelerate the deterioration of a roadway's useful life,

NOW, THEREFORE, BE IT ORDERED that the Town Council of the Town of Gorham, Maine, in Town Council assembled refer a proposal to amend Schedule C of the Streets and Sidewalks Ordinance to restrict 3, 4 and 5 axle trucks on McLellan Road to the Ordinance Committee for their review and recommendation. **4 years, 2 nays (Robinson & Phinney)**.

New Business

Public Hearing #1 Chairman Phinney opened the Public Hearing to consider renewal of a liquor license for Southern Maine Community Recreation Center. There were no comments from the public. Chairman Phinney closed the public hearing.

Item #7900 Moved by Councilor Caldwell, seconded by Councilor Miner and **VOTED** to amend the proposed order to indicate this is a beer and wine liquor license. **6 years**. Moved by Councilor Loveitt, seconded by Councilor Caldwell and **ORDERED**, that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve renewal of a beer and wine liquor license for Southern Maine Community Recreation Center. **6 years**.

Public Hearing #2 Chairman Phinney opened the public hearing to consider renewal of junkyard/automobile graveyard permits. There were no comments from the public. Chairman Phinney closed the public hearing.

Item #7901 Moved by Councilor Loveitt, seconded by Councilor Robinson and **ORDERED**, that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve renewal of junkyard/automobile graveyard permits for the following:

Chet's Auto Sales, Inc.
Dumbo Enterprises
Hopkins Salvage
LKQ Corp.
M & D Realty, Inc.
Moody's Collision Center
Reichert's Auto Body, Inc.
South Street Auto Body, Inc.
Young's Auto Salvage. **6 years**

Public Hearing #3 Chairman Phinney opened the Public Hearing on a proposal to amend

the Land Use and Development Code, Chapter I, Sections V, VI, VII, VIII, IX, X and XIII by adding a definition of “Fraternity House” and by eliminating “Fraternity House” as a permitted use or as a use by special exception. **Bruce Roullard**, 46 School St., member of the housing corporation for Sigma Nu Fraternity, spoke in opposition to a full ban on fraternity housing in the Town of Gorham. **Tim Allard**, 16 Preble St., spoke in favor of the proposal. **Dan Santos**, president of the Inter Fraternity Council and member of Sigma Nu, spoke against the proposed order. **John Turner**, President Delta Kappa fraternity house, spoke against the proposed order. **Dwayne Dreger**, 8 College Ave. and a national officer and member of the national Board of Directors for Sigma Nu Fraternity, spoke against the proposed order and pointed out issues with the wording of the proposed amendments. **Jacqueline Greene**, member of Alpha Xi Delta fraternity, spoke against the proposed order. **Craig Hutchinson**, Chief Student Affairs Officer at USM, expressed concern with the present wording of the ordinance and expressed that it could have unintended consequences of restricting options for students seeking off campus housing. **Scott Files**, 15 Preble St., spoke in favor of the proposed order. Chairman Phinney closed the public hearing.

Item #7902 Moved by Councilor Loveitt seconded by Councilor Caldwell and **VOTED** to waive the reading of the proposed order. **6 years**. The proposed order was moved by Councilor Loveitt and seconded by Councilor Robinson. Moved by Councilor Loveitt, seconded by Councilor Robinson and **VOTED** to amend the order to adopt the following changes recommended by the Planning Board; adopt the definition for ‘Fraternal Organization’, adopt the amended definition of “Rooming House” and add the term “Fraternal Organization” in all of the locations where the word “fraternal” has been deleted. **5 years, 1 nay (Miner)**.

WHEREAS, there is a university residential campus in the Town of Gorham; and,

WHEREAS, fraternity and sorority housing is often located off-campus and near universities; and,

WHEREAS, there have been several residential properties housing fraternities and sororities in Gorham; and,

WHEREAS, fraternity and sorority houses have frequently been the attraction and location for behavior that has been disruptive of the neighborhood they are located in and required numerous responses by the Police Department; and,

WHEREAS, there have been serious violations of the Life Safety Code that threatened the health, welfare and lives of the residents of these properties; and,

WHEREAS, these properties are often the source of behavior that disturbs and disrupts the peaceful enjoyment of the immediate and nearby neighborhoods,

NOW THEREFORE BE IT ORDAINED, that the Town Council of the Town of Gorham, Maine, in Town Council assembled approve an amendment to the Land Use and Development Code, Chapter I, Sections V, VI, VII, VIII, IX, X and XIII by adding a definition of “Fraternity House” and by eliminating “Fraternity House” as a permitted use or as a use by special exception as proposed.

PROPOSED AMENDMENTS TO GORHAM LAND USE CODE CHAPTER 1: ZONING REGULATIONS

(NOTE: Proposed additions to the Code are underlined; proposed deletions are ~~struck through~~.)

SECTION V – DEFINITIONS

Forested wetland A freshwater wetland dominated by woody vegetation that is six (6) meters tall or taller.

Fraternity House Any building or structure, and the use thereof, traditionally affiliated with a college or university, regardless of whether any such affiliation is currently recognized formally or not, providing common living, dining, kitchen, study and/or sleeping areas for college or university students as members of the fraternity, and their guests. The term shall be deemed to include similarly defined sorority houses, but shall not be deemed to include fraternal organizations, such as the Masons or the Elks.

Fraternal Organization A group of people formally organized for a non-profit common interest, usually cultural, religious, or entertainment, with regular meetings, rituals, and formal written membership requirements, excluding Fraternities/ Sororities. Examples of such groups include, but are not limited to, the Masons, the Odd Fellows, and the Lions Club.

Rooming House Any dwelling in which more than three persons, whether individually or as families, are housed for compensation with or without meals. This shall be deemed to ~~include~~ exclude fraternity and sorority houses.

SECTION VI – URBAN RESIDENTIAL DISTRICT

B. PERMITTED USES

9) Rooming house, apartment building or multifamily housing, except fraternity housing.

12) School, hospital, church, or any other institution of educational, religious, philanthropic, ~~fraternal~~ fraternal organization or social nature which is not used for residential purposes, which has less than two thousand (2,000) square feet of floor area and generates less than two hundred (200) vehicle trips during any twenty-four hour period, except fraternity houses.

C. SPECIAL EXCEPTIONS

3) School, hospital, church or any other institution of education, religious, philanthropic, ~~fraternal~~ fraternal organization or social nature which is not used for residential purposes and has two thousand (2,000) or more square feet of floor area or generates two hundred (200) or more vehicle trips during any twenty-four hour period.

SECTION VII – SUBURBAN RESIDENTIAL DISTRICT

B. PERMITTED USES

10) School, hospital, church, or any other nonresidential institution of educational, religious, philanthropic, ~~fraternal~~, fraternal organization or social nature which has less than two thousand (2,000) square feet of floor area and generates less than two hundred (200) vehicle trips during any twenty-four hour period, except fraternity housing.

C. SPECIAL EXCEPTIONS

5) School, hospital, church or any other nonresidential institution of education, religious, philanthropic, ~~fraternal~~ fraternal organization or social nature and has two thousand (2,000) or more square feet of floor area or generate two hundred (200) or more vehicle trips during any twenty-four hour period.

SECTION VIII – RURAL DISTRICT

B. PERMITTED USES

10) Apartment buildings or multifamily housing, except fraternity housing.

12) School, hospital, church, or any other institution of educational, religious, philanthropic, ~~fraternal~~ fraternal organization or social nature which is not used for residential purposes, which has less than two thousand (2,000) square feet of floor area and generates less than two hundred (200) vehicle trips during any twenty-four hour period.

C. SPECIAL EXCEPTIONS

4) School, hospital, church or any other institution of education, religious, philanthropic, ~~fraternal~~ fraternal organization or social nature which has two thousand (2,000) or more square feet of floor area or generates two hundred (200) or more vehicle trips during any twenty-four hour period.

SECTION IX – VILLAGE CENTERS DISTRICT

SUBSECTION 1. LITTLE FALLS VILLAGE CENTER DISTRICT

B. PERMITTED USES

4) Residential uses including one-family dwellings, two-family dwellings, apartment buildings and multi-family housing but excluding mobile homes and trailers, except fraternity housing.

11) School, hospital, church, or any other institution of educational, religious, philanthropic, ~~fraternal~~, fraternal organization or social nature which is not used for residential purposes, which has less than two thousand (2,000) square feet of floor area and which generates less than two hundred (200) vehicle trips during any twenty-four hour period.

C. SPECIAL EXCEPTIONS

2) School, hospital, church or any other institution of education, religious, philanthropic, ~~fraternal~~ fraternal organization or social nature which is not used for residential occupancy and has two thousand (2,000) or more square feet of floor area or generates two hundred (200) or more vehicle trips during any twenty-four hour period.

SUBSECTION 2. GORHAM VILLAGE CENTER DISTRICT

B. PERMITTED USES

4) Residential uses including one-family dwellings, two-family dwellings, apartment buildings and multi-family housing but excluding mobile homes, ~~and~~ trailers, and fraternity housing.

11) School, hospital, church, or any other institution of educational, religious, philanthropic, ~~fraternal~~, fraternal organization or social nature which is not used for residential purposes, which has less than two thousand (2,000) square feet of floor area and which generates less than two hundred (200) vehicle trips during any twenty-four hour period.

C. SPECIAL EXCEPTIONS

2) School, hospital, church or any other institution of education, religious, philanthropic, ~~fraternal~~ fraternal organization or social nature which is not used for residential occupancy and has two thousand (2,000) or more square feet of floor area or generates two hundred (200) or more vehicle trips during any twenty-four hour period.

SECTION X – URBAN COMMERCIAL DISTRICT

B. PERMITTED USES

5) Rooming house, excluding fraternity housing.

8) School, hospital, church, or any other institution of educational, religious, philanthropic, ~~fraternal~~, fraternal organization or social nature which is not used for residential occupancy which has less than two thousand (2,000) square feet of floor area and which generates less than two hundred (200) vehicle trips during any twenty-four hour period.

C. SPECIAL EXCEPTIONS

2) School, hospital, church or any other institution of education, religious, philanthropic, ~~fraternal~~ fraternal organization or social nature which is not used for residential occupancy which has two thousand (2,000) or more square feet of floor area or which generates two hundred (200) or more vehicle trips during any twenty-four hour period.

SECTION XIII – COMMERCIAL/OFFICE DISTRICT

B. PERMITTED USES

8) Rooming house, excluding fraternity housing.

11) School, hospital, church, or any other institution of educational, religious, philanthropic, ~~fraternal~~, fraternal organization or social nature which is not used for residential purposes, which has less than two thousand (2,000) square feet of floor area and generates less than two hundred (200) vehicles trips during any twenty-four hour period.

C. SPECIAL EXCEPTIONS

2) School, hospital, church or any other institution of educational, religious, philanthropic, ~~fraternal~~ fraternal organization or social nature which is not used for residential occupancy which has two thousand (2,000) or more square feet of floor area or which generates two hundred (200) or more vehicle trips during any twenty-four hour period.

Applicability date notwithstanding the provisions of 1 MRSA, Section 302 or any other law to the contrary, this ordinance, when enacted, shall govern any building permit application that has not received all required approvals prior to July 6th, 2010. **4 yeas, 2 nays (Miner, Mattingly).**

Public Hearing #4 Chairman Phinney opened the public hearing on a proposed ordinance to regulate fraternities. **Dan Santos**, president of the Inter Fraternity Council and member of Sigma Nu, spoke against the proposed order. Chairman Phinney called for a ten-minute recess. Chairman Phinney resumed the meeting. **Tim Allard**, 16 Preble St., spoke in favor of the proposed ordinance. **Bruce Roullard**, 46 School St., member of the housing corporation for Sigma Nu Fraternity, expressed issues with the 15 guest limit and asked that mass gathering be defined. **Jill Armstrong**, president of Sigma Nu Sigma fraternity, spoke against the proposed ordinance. **Scott Files**, 15 Preble St., spoke in favor of the proposed ordinance. **Marie Ces**, previous owner of 27 Preble St., spoke in favor of the fine in the proposed ordinance. **Dwayne Dreger**, 8 College Ave., expressed concerns with several sections of the proposed ordinance that are vague and ambiguous. **Craig Hutchinson**, Chief Student Affairs Officer, USM, indicated that the university will support the will of the Council and will continue to support the fraternity/sorority system. Mr. Hutchinson expressed concerns with some sections of the ordinance. **John Turner**, President Delta Kappa fraternity house, spoke against the proposed ordinance. Chairman Phinney closed the public hearing.

Item #7903 Moved by Councilor Loveitt, seconded by Councilor Caldwell and **VOTED to** waive the reading of the proposed order. **6 years.** The proposed order was moved by Councilor Loveitt and seconded by Councilor Mattingly. Moved by Councilor Loveitt, seconded by Councilor Robinson and **VOTED** to amend the proposed order in section 5.2 for the last sentence to read “May not have recorded more than 5 responses by the Gorham Police Department requiring police action and attributable to violations by the offending fraternity in the preceding license year.” and to section 5.4 to change the reference to 10 responses to 5 and that the license fee will be \$25.00. **6 years.** Councilor Robinson moved the question. **5 years, 1 nay (Miner).** The order as amended was then voted.

WHEREAS, there are several fraternity houses located within the Town of Gorham; and,
WHEREAS, these fraternity houses have been a persistent source of Police summonses, a source of serious violations of the Life Safety Code that threatens the health, welfare, and lives of the residents of the houses and has been a source of behavior that disturbs the peace and quite of the neighborhood,

NOW THEREFORE BE IT ORDAINED, that the Town Council of the Town of Gorham, Maine, in Town Council assembled adopt the Ordinance to Regulate Fraternity and Sorority Houses as proposed;and,

BE IT FURTHER ORDERED that the Town Council, pursuant to section 5.3 of the Ordinance, establish an annual license fee for a Fraternity House (or Sorority House) of Twenty Five (\$25.00) dollars.

Proposed Ordinance to Regulate Fraternity and Sorority Houses.

Section 1. Purpose

1.1 The purpose of this ordinance is to ensure the safe operation of fraternity and sorority houses, as defined below, for residents who are living in these facilities and to ensure that fraternities and sororities are good neighbors within the immediate areas in which they are located.

Section 2. Authority

2.1 This ordinance is enacted pursuant to Title 30-A M.R.S.A., Section 3001.

Section 3. Severability Clause

3.1 If any part of this Ordinance is held to be invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

Section 4. Definitions

4.1 Fraternity or Fraternity House: Any building or structure, and the use thereof, traditionally affiliated with a college or university, regardless of whether any such affiliation is currently recognized formally or not, providing common living, dining, kitchen, study and/or sleeping areas for college or university students as members of the fraternity and their guests. The term shall be deemed to include similarly defined sorority houses, but shall not be deemed to include fraternal organizations, such as the Masons or the Elks.

4.2 License Year: Shall be the period of time from August 1 to July 31 of the following year.

4.3 Mass Gathering: For purposes of this ordinance, a Mass Gathering at a Fraternity House shall be any event when 15 or more non-resident guests are reasonably expected to attend at the Fraternity House.

Section 5. Annual License and Fee Required

5.1 Each Fraternity House shall be required to obtain an annual license from the Town by August 1. Said license will be good for the license year that runs from August 1 to July 31, unless revoked pursuant to section 5.4.

5.2 In order to obtain a license, a Fraternity House:

Must have successfully passed its most recent Life Safety Code Fire Inspection conducted by the Town of Gorham's Fire Inspector.

Must have all of the property taxes on the facility fully paid.

Must pay the annual license fee.

May not have recorded more than 5 responses by the Gorham Police Department requiring police action and attributable to violations by the offending fraternity in the preceding license year.

5.3 The annual license fee shall be established by the Town Council and may be periodically adjusted by Town Council vote.

5.4 The Town of Gorham may revoke an annual license for a Fraternity House when during the course of its license year, the facility:

- a. Complies 2 or more violations of this ordinance, or
- b. Records more than 5 responses by the Gorham Police Department, or
- c. Fails its most recent Life Safety Code inspection by the Town and has failed to bring the Fraternity House into compliance within a reasonable period of time, as solely determined by the Gorham Fire Department.

Section 6. Life Safety Code Inspections

6.1 The Fire Department shall conduct regular semi-annual inspections of Fraternity Houses to ensure continued compliance with all applicable Life Safety Codes. When violations are found pursuant to an inspection, and after written notice thereof and an order to correct any such violations have been given to the appropriate representative of the fraternity house, the Fire Department may conduct as many additional inspections as needed to ensure compliance. The Town Council shall by Council Order set a fee for the regular inspections and for follow up inspections which fee may be changed periodically by Town Council vote.

Section 7. Mass Gatherings

7.1 At any event held at a Fraternity House, when 15 or more non resident guests are reasonably expected to attend, the Officers of the Fraternity House shall notify the Gorham Police Department and Fire Department, in advance, of the time and place of the event, and the number of guests that are expected to be attending.

7.2 The Fire Department shall inspect the facility where the function is to be held and will determine the allowed occupant load for the function.

7.3 At any mass gathering event held at the Fraternity House, when alcohol is being served or allowed to be consumed, the Officers of the Fraternity shall require all guests to sign-in. The sign-in list shall contain the printed name, signature and a method of contact for each guest. This list shall be available for immediate inspection, at any time, by the Gorham Police Department.

7.4 The Officers of the Fraternity shall designate one of the Officers of the Fraternity as the event supervisor who shall be in the facility at all times during the event and available to meet with any Police Officer or Emergency Response personnel, responding to a call.

Section 8. Violations and Penalties

8.1 Except as otherwise provided by law, anyone found to be in violation of any provisions of this Ordinance shall be subject to a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each offense to be recovered for use by the Town and shall be subject to such other legal and equitable remedies as may be available to the Town including, without limitation, an award of attorney's fees pursuant to 30-A MRSA, Section 4452. Each day any such violation continues, shall constitute a separate offense. **5 years, 1 nay (Miner).**

Public Hearing #5 Chairman Phinney opened the public hearing on a proposal to expand the area of Gorham restricted to shotgun only use. Bob Grondin, Vice President of R. J. Grondin & Sons and Gorham property owner, spoke in opposition of the proposed order. Bob Chapin, Windham/Gorham Rod & Gun Club, spoke against the proposed order. Chairman Phinney closed the public hearing.

Item #7904 was moved by Councilor Mattingly and seconded by Councilor Miner. Moved by Councilor Loveitt seconded by Councilor Mattingly and **VOTED** to amend the proposed order and send it to the Ordinance Committee for further review, including a review of the entire Firearms Ordinance. **5 years, 1 nay (Robinson).**

ORDERED, that the Town Council of the Town of Gorham, Maine, in Town Council assembled ask the Ordinance Committee to review the Firearms Ordinance and map to expand the Shotgun Only Zone and report back to the Town Council. **5 years, 1 nay**

(Robinson).

Item #7905 was moved by Councilor Robinson and seconded by Councilor Loveitt. Marie Noelle Ces, former owner and mortgage holder of 27 Preble St., asked what would happen with the proceeds of the sale after taxes and expenses are paid. Ms. Ces asked that she be considered as a recipient of the excess funds. **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled accept the bid of Peter & Dawn Wentworth in the amount of \$81,100, subject to the conditions previously approved by the Town Council that include, but are not limited to:

1. The property shall not be used as a rooming house or as a fraternity or sorority house.
2. The Town will issue a Quit-Claim deed with restrictions prohibiting the property from being used as a rooming house, fraternity or sorority.
3. The sale of this property must be completed by November 4, 2010

All other conditions specified in the Notice of Tax Sale and the Notice of Acknowledgement Document dated August 6, 2010 and signed by Peter and Dawn Wentworth. **6 years.**

Item #7906 This item was taken out of order and heard prior to old business.

Item #7907 was moved by Councilor Robinson and seconded by Councilor Caldwell. Dennis Libby, School Committee Chairman, Mike Chabot, Gorham Football Boosters, and Ben Tuttle, President of Gorham Football Boosters, spoke in favor of the proposed order. Moved by Councilor Loveitt seconded by Councilor Mattingly and **VOTED** to amend the proposed order to strike the words “a reserve account” and replace them with “an account”. **6 years.** The proposed order was then voted. **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled authorize a campaign to raise funds to develop a synthetic turf competition athletic field with a Steering Committee to consist of 2 members of the Gorham Town Council, 2 members of the Gorham School Board, 3 other members to be appointed by the Chair of the Town Council; and,

BE IT FURTHER ORDERED that the Superintendent of Schools and the Town Manager shall be ex officio, non-voting members of the committee; and,

BE IT FURTHER ORDERED that the Town Council appropriate \$200,000 from Recreation Impact Fees into an account for this project; and,

BE IT FURTHER ORDERED that the Committee shall be charged with making a recommendation to the Town Council regarding where this field should be located and developing a design for the facility with said recommendation requiring approval by the Town Council. **6 years.**

Item #7908 was moved by Councilor Loveitt and seconded by Councilor Robinson. Kenneth Curtis explained his request. Moved by Councilor Loveitt, seconded by Councilor Caldwell and voted to amend the proposed order to send this to the Town Manager for his review and recommendation. **6 years.** The order as amended was then voted. **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled refer a request from Kenneth Curtis to prohibit 3 axle trucks or larger on Robie Street to the Town Manager for his review and recommendation. **6 years.**

Item #7909 Moved by Councilor Miner, seconded by Councilor Caldwell and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled accept

the bid of Revision Energy to install solar panels primarily funded through an Efficiency Maine Trust Grant. **6 years.**

Item #7910 Chairman Phinney asked to be recused from participating on this item because he has a business relationship with Great Falls Builders. Vice Chairman Caldwell took over conduction of the meeting during this item. Moved by Councilor Miner to amend the proposed order to send it to the Capital Improvements Committee for review. **Motion fails** due to a lack of a second. Moved by Councilor Loveitt, seconded by Councilor Robinson and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled accept a proposal from Great Falls Builders to construct a dormer and replace the roof at the Public Safety Building; and,

BE IT FURTHER ORDERED that the Town Council appropriate \$165,000 from the Capital Project Reserve Fund to supplement funds already included in the 2010/2011 fiscal year budget for this project. **4 yeas, 1 nay (Miner).**

Item #7911 Moved by Councilor Loveitt, seconded by Councilor Robinson and **VOTED** to amend the proposed order to approve a Capital Improvements Planning Document, dated July 30, 2010 and postpone action on this item until after a workshop has been held. **6 yeas.**

Item #7912 Moved by Councilor Loveitt, seconded by Councilor Robinson and **ORDERED** that the Town Council of the Town of Gorham, Maine, in Town Council assembled agree in concept to conduct a limited review of the South Gorham area similar to the process and type presented at the Special Town Council meeting of July 20, 2010, with the area to include the overlap area and Route 22 west of the overlap and Route 114 up to Waterhouse Road; and,

BE IT FURTHER ORDERED that the Town Council authorize the Town Manager to obtain a proposal for the Town Council to consider. **6 yeas.**

Item #7913 Moved by Councilor Caldwell, seconded by Councilor Robinson and **ORDERED** by the Town Council of the Town of Gorham, Maine, in Town Council assembled that the polls be open for the November 2, 2010 Annual Municipal and State General Election between the hours of 7:00 a.m. and 8:00 p.m.; and,

BE IT FURTHER ORDERED that absentee ballots will be processed on Monday, November 1, 2010 at 9:00 am and on Tuesday, November 2, 2010 at 9:00 am, 11:00 am, 1:00 pm, 3:00 pm, 5:00 pm, 7:00 pm, and 8:00 pm.

BE IT FURTHER ORDERED that the Registrar of Voters be in session between the hours of: 8:30 a.m. and 4:30 p.m. on Wednesday, October 27, 2010, 8:30 a.m. and 7:00 p.m. on Thursday, October 28, 2010, 7:30 a.m. and 4:30 p.m. on Friday, October 29, 2010 and 8:30 a.m. and 4:30 p.m. on Monday, November 1, 2010 for the purpose of registering citizens to vote and correcting the voter list; and,

BE IT FURTHER ORDERED that the Town Council of the Town of Gorham, Maine, in Town Council assembled appoint the following Wardens and Ward Clerks and that the Town Clerk is authorized to make changes to these appointments as needed.

Ward 1: Warden – Linda Deering, Ward Clerk – Laurel Smith

Ward 2: Warden – Patricia Clay, Ward Clerk – Nancy Kenty

Central: Warden – Cornelia Loughran, Ward Clerk – Christina Silberman **6 yeas.**

Moved by Councilor Loveitt, seconded by Councilor Mattingly and **VOTED** to adjourn the meeting at 11:46 pm. **6 yeas.**

A TRUE RECORD OF MEETING

Attest: _____
Christina Silberman, Town Clerk