

**REPORT OF THE GORHAM TOWN COUNCIL
REGULAR MEETING
April 5, 2011**

The meeting opened at 7:03 p.m. There were 42 members of the public present at the start of the meeting.

Chairman Robinson opened the meeting with the Pledge of Allegiance to the Flag.

Roll Call: Chairman Robinson; Councilors Caldwell, Gagnon, Mattingly, Miner, Phinney and Pressey; David Cole, Town Manager and Connie Loughran, Acting Town Clerk.

Moved by Councilor Gagnon, seconded by Councilor Miner and voted to accept the minutes of the March 1, 2011 Regular Town Council Meeting and March 28, 2011 Special Town Council Meeting. 7 yeas.

Open Public Communications

Jane Knapp, State Representative, reported that the State Planning Office has a competitive grant program that municipalities and publically supported solid waste programs are eligible to apply. Seniors aged 60 or older may be eligible to receive \$50.00 of free fresh produce through the Maine Senior Farm Share Program. Information is available at <http://getrealmaine.com>. There is a Maine State Government Summer Internship accepting applications. The Maine Legislative Memorial Scholarship Fund is accepting applications visit http://www.mesfoundation.com/scholarships/scholarships_mes_legislative.asp web site for an application. Sixteen \$1000 scholarships will be awarded. Newly designed drivers licenses are now available there is a \$5 fee to replace your valid one. Ms. Knapp urged the citizens of Gorham to contact their representatives with any concerns.

Gorham Founders' Festival Update: Councilor Philip Gagnon urges citizens to go to www.gorhamfoundersfestival.com which will be updated regularly to see what will be happening at the festival. Banners will start to go up soon. Flyers will be available soon at local business. Baxter library photo contest. Winner will be awarded Sat May 28. Historical Tours of Gorham will be given by the Gorham Historical Society. Also an auction by the Gorham Historical Society. Subcommittee is in planning stages for a book looking at the last 25 years. Amusement rides will run Friday thru Memorial Day. Venues: Matt Zidell will be hosting the opening ceremonies. Burleigh Loveitt will be the historian reviewing the last 25 years. Very strong Saturday programs. We are also looking for additional sponsorships. Keep up with our news and updates there are links on the Town's web site www.gorham-me.org and Facebook. The Founders Festival will be May 27-May 30th.

Councilor Communications

Councilor Miner reported that he attended the Ecomaine meeting, he thanks Councilor Robinson, Councilor Caldwell and Town Manager David Cole for attending the Eco

Excellence Awards ceremony and congratulated Nappi Distributors for receiving the Eco Excellence Award this year for their green initiatives. On April 1st the Capital Improvements Committee met and discussed the cross town trail which should be forthcoming to the Council soon. We also discussed an item with the intent to increase pedestrian circulation in the Village and we have developed a plan the committee will be bringing forth as well.

Councilor Mattingly spoke of his philosophy of looking at the big picture, the people that live here, and the businesses that operate here. He wants to let people know what is going on in Gorham, products that are being created here in Gorham such as a world class violin he has brought with him tonight. Showing these things is a little step, but an important one. In response to a question, Councilor Mattingly said if someone had a product they should call him directly.

Councilor Caldwell asked Councilor Gagnon to report on the Finance Committee as she was unable to attend the meeting. Councilor Gagnon reported that the Finance Committee reviewed the February expenditures and reviewed the lien receivables and came up with criteria to review those. We also looked at the rescue bill process, from Westbrook and looked at an initiative to reduce utilities costs through minimizing usage with computers that are left plugged in. The Committee also looked at the feasibility of bus service.

Councilor Phinney reporting for the Ordinance Committee stated they had discussed the Windmill Ordinance, also the farm animal ordinance and they need a few more meetings for that one.

Councilor Pressey reported that several people had attended the phase 1 final presentation of the Corridor Study. He arranged to have it shown on Gocat at 12:00 pm through tomorrow. He also attended a Pacts transit "Moving Greater Portland" workshop and is working to have this shown on Gocat however it is not available as yet.

Chairman Robinson reported also congratulating Nappi Distributors on their receipt of the Eco-Excellence award. He thanks Councilor Miner for his service on the Eco Maine Board and mentioned that a number of people have commented on Councilor Miner's dedication. He reported that the Town Clerk resigned after 5 years and Zoning Administrator Sandra Mowery is resigning/retiring. Anyone that has dealt with the combination planning/code offices knows that the process is going a lot smoother. He thanked Sandra for her work in changing ordinances and what has been put up on the web site. We have had 3 veteran Police Officers who have retired with a combination of 104 years of service. Wayne Coffin with 35 years; Bob Mailman with 29 years; and David Kearns with 40 years of service to the Town of Gorham.

Town Manager, David Cole reported that he wanted to issue a service pin to David Kearns for his 40 of service, but was not able to get a 40 year pin. Thanks David for his 40 years of Service. He did issue a 20 year service pin to Cindy Hazelton and thanked her for her service to the Town. The 2010 Census shows Gorham with a population of

16,381 and is one of the fastest growing communities in the state. Mr. Cole has handed out the proposed budget for 2011-2012. We will have budget workshops starting this Thursday. There will be a brief presentation by the Maine Rail Transit Coalition.

Tony Donovan made the presentation. Maine Rail Transit coalition advocates for passenger rail transportation. Their web site is www.mainerailtransit.org and they have presented an LD #1330 which seeks to create a task force and take all the studies and data, analyze it and make a recommendation. They are looking for a resolution from the Town of Gorham in support of the legislation. Joan Saxe handed out a copy of the bill.

School Committee Report

Chairman Dennis Libby presented the school report. He announced that Kindergarten registration is underway. There is a meeting scheduled for May 23rd at Narragansett School where administrators and members of the K-5 transition team will be available to answer parent questions. The School Committee is scheduled to take action on the FY12 budget at their meeting tomorrow night and there will be a joint workshop tentatively scheduled for May 17th when the Council will receive the budget. In response to Councilor Phinney's question Chairman Libby reported that yes the new school is still on schedule and that school will start before Labor Day.

New Business

Item #7988 Moved by Councilor Gagnon, seconded by Councilor Phinney to waived the reading of the prepared order. 7 yeas. Four people spoke in favor of the prepared order; three spoke against; and, one commented neither for nor against. Moved by Councilor Phinney and seconded by Councilor Gagnon and **ORDERED**, that the Town Council of the Town of Gorham Maine in Town Council assembled, authorize a referendum vote on June 14, 2011 to seek voter approval to issue general obligation bonds in an amount up to three million dollars (\$3,000,000) to construct public safety site improvements at and near the Narragansett School, a synthetic turf competition field and related facilities; and,

BE IT FURTHER ORDERED that the Town Council schedule a public hearing on the referendum question for June 7, 2011; and,

BE IT FURTHER ORDERED that the Town Council approve the following referendum question;

REFERENDUM QUESTION NO. 1

Shall a capital expenditure for school construction purposes by the Municipal Officers of a sum of money not to exceed \$3,000,000 be approved to construct (a) public safety site improvements at and near the Narragansett School and (b) a synthetic turf competition field and related facilities and site improvements, with any funds remaining after completion of such projects to be used to pay costs of capital improvements to the

public safety building and/or the Narragansett School, such \$3,000,000 amount to be raised by the issuance of general obligations bonds and/or notes of the Town, hereby authorized, with such dates, maturities, denominations, interest rate(s) and other details (including provisions that the bonds may be subject to call for redemption with or without premium) as said Municipal Officers shall determine? (Total estimated debt service of \$4,351,875 of which principal is \$3,000,000 and estimated interest at 4.0-4.5% over 20 years is \$1,351,875)

Notes:

1. The estimated amount of the additional operating costs during the project's first two years is \$_____ for the first year and \$_____ for the second year. The estimated impact on the tax rate is .5 cents the first year and \$.21 cents the second year.
2. The Town is responsible for the local share of annual principal and interest payments for this school construction project included in the total cost of education appropriated pursuant to title 20-A, section 15690, subsection 1, if any, and for the annual principal and interest payments for the non-state funded portion of this school construction project.

Note: The Town shall be responsible for all of the principal and interest payments on the bonds issued for this school construction project under this Referendum Question No. 1 because the State is not providing any funding for this project.

3. The Town Council recommends a "Yes" vote. The School Committee recommends a "Yes" vote.

Financial Statement

The issuing of bonds by the Town of Gorham is one of the ways in which the Town borrows money for certain purposes. The following is a summary of the bonded indebtedness of the Town of Gorham as of the date of this referendum election:

Bonds Now Outstanding and Unpaid:	\$47,554,680
Interest to be Repaid on Outstanding Bonds:	\$14,475,571
Total to be Repaid on Bonds Outstanding:	\$62,030,251
Additional Principal Amount of Bonds Authorized But Not Yet Issued:	\$0
Total Additional Bonds To Be Issued If Question 1 is Approved By Voters:	\$3,000,000
Estimate of Potential New Interest on such Additional Bonds	\$1,351,875
Total Additional Bonds To Be Issued & Estimated Interest If Approved By Voters:	\$4,351,875

When money is borrowed by issuing bonds, the Town must repay not only the principal amount of the bonds but also interest on the bonds. The amount of interest to be paid will vary depending upon the rate of interest and the years to maturity at the time of issue. The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the estimates made of the costs involved, including varying interest rates, the estimated cost of interest on the bond amount to be issued and the total cost of principal and interest to be paid at maturity. 5 years 2 nays. (Miner and Mattingly)

Prior to the above vote Councilor Phinney MOVED the question, seconded by Councilor Gagnon. 6 years. 1 nay (Miner) There was a brief recess.

The meeting resumed at 9:20

Item #7989 Moved by Councilor Phinney, seconded by Councilor Gagnon and **ORDERED**, that the Town Council of the Town of Gorham Maine in Town Council assembled, refer a request from Hans Hansen to develop a contract zone on a lot off County Road (Tax Map 3, Lot 22.402) to the Ordinance Committee for their review and recommendation. 7 years.

Item #7990 Moved by Councilor Phinney, seconded by Councilor Caldwell and **ORDERED**, that the Town Council of the Town Gorham Maine in Town Council assembled refer a request from Barry King and Sons to rezone property on County Road (Tax Map 6, lot 43.001) from the Suburban Residential Zone to the Rural Zone to the Ordinance Committee for their review and recommendation. 6 years. 1 nay (Miner)

Item #7991 Moved by Councilor Gagnon, seconded by Councilor Phinney and **ORDERED**, that the Town Council of the Town of Gorham Maine in Town Council assembled adopt the new Fund Balance Policy, as presented, as a replacement for the Fund Balance Policy adopted by the Town Council on January 2, 1996. 7 years.

Item #7992 Moved by Councilor Phinney, seconded by Councilor Pressey and **ORDERED**, that the Town Council of the Town of Gorham Maine in Town Council assembled pursuant to Section 4 of the Large Outdoor Event Ordinance, establish an application fee of \$100.00 for Large Outdoor Events. 6 years. 1 nay. (Caldwell)

Item #7993 Moved by Councilor Mattingly, seconded by Councilor Gagnon and **ORDERED**, that the Town Council of the Town of Gorham Maine in Town Council assembled pursuant to Title 30-A, M.R.S.A., Section 2761 (3), authorize Police Officer Todd Gagnon to represent the Town of Gorham in District Court in the prosecution of alleged violations of those local ordinances that the Police Department is empowered to enforce, if duly certified in accordance with Title 25, M.R.S.A., section 2008 A (8) or successor statute. 7 years.

Item #7994 Moved by Councilor Gagnon, seconded by Councilor Pressey and **ORDERED**, that the Town Council of the Town of Gorham Maine in Town Council assembled, appropriate \$6,000 from the contingency account to support the Gorham Founders Festival ; and,

BE IT FURTHER ORDERED that the balance of any unused funds from this appropriation as of June 30, 2011, be returned to the contingency account. 7 years.

Item #7995 Moved by Councilor Phinney, seconded by Councilor Gagnon and **ORDERED**, that the Town Council of the Town of Gorham Maine in Town Council assembled refer a request from the Planning Board to amend the Land Use and Development Code, Chapter IV to clarify when construction or expansion of a paved

area needs site plan approval from the Planning Board to the Ordinance Committee for their review and recommendation. 7 yeas.

Item #7996 Moved by Councilor Phinney, seconded by Councilor Gagnon and **ORDERED**, that the Town Council of the Town of Gorham Maine in Town Council assembled authorize the Town Manager to sign a Memorandum of Understanding with the Federal Emergency Management Agency (FEMA) to allow staff to assist FEMA in updating the Town's floodplain maps, provided that the Town is not precluded from appealing any future decision made by FEMA regarding the Town's designated floodplain or floodplain maps. 7 yeas.

Item #7997 Moved by Councilor Miner, seconded by Councilor Pressey and **VOTED**, that the Town Council of the Town of Gorham Maine in Town Council assembled ask the Capital Improvement Committee to review the concepts developed for the Public Safety Project and report back to the Town Council. 7 nays.

Item # 7998 Moved by Councilor Phinney, seconded by Councilor Gagnon and **ORDERED**, that the Town Council of the Town of Gorham Maine in Town Council assembled refer to the Planning Board for public hearing and their recommendation a proposal to amend the Land Use and Development Code to allow a "caretaker" dwelling unit as an accessory use in the Narragansett Development District, Roadside Commercial District, Urban Commercial District and Industrial District. 7 yeas.

Item #7999 Moved by Councilor Gagnon, seconded by Councilor Phinney and **ORDERED**, that the Town Council of the Town of Gorham Maine in Town Council assembled accept the resignation of Stephanie Publicker from the Parks and Conservation Commission, and

BE IT FURTHER ORDERED, that the Town Council expresses their appreciation for her services to the community. 7 yeas.

Item #8000 Moved by Councilor Miner, seconded by Councilor Pressey and **ORDERED**, that the Town Council of the Town of Gorham, Maine in Town Council assembled ask the Finance Committee to review the opportunities for providing a public bus transportation service to Gorham and report back to the Town Council. 7 yeas.

Adjourn Moved by Councilor Phinney, seconded by Councilor Miner to adjourn. Time of adjournment 11:00 p.m. 7 yeas.

A True Attest Copy

Cornelia C Loughran, Acting Town Clerk