

## Report of the Town Council Regular Meeting

June 7, 2011

The meeting opened at 7:00 pm. There were 31 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, Town Manager, David Cole; and, Acting Town Clerk, Connie Loughran

Moved by Councilor Gagnon, seconded Councilor Phinney and VOTED to accept the minutes of the May 3, 2011 Regular Town Council Meeting and the Minutes of the May 17, 2011 and May 26, 2011 Special Town Council Meetings. 7 yeas

### Open Public Communications

Darryl Wright of Elkins Road thanked the Council and School Committee for their support of the Founders Festival. He complimented Councilor Gagnon for providing great leadership and Mr. Wright would like to see this as an annual event.

### Council Communications

Councilor Gagnon thanked everyone that was involved in the Gorham Founders Festival and he thanked the Council for making it happen. Councilor Gagnon thanked individually the Sponsors of events during the festival. He thanked Darryl Wright for being on the committee and being the cornerstone for making the festival happen. He also mentioned that he is on the Noise Abatement Committee for the airport and if anyone has concerns to please contact him through email.

Councilor Phinney thanked Councilor Gagnon as the Founders Festival was a great time and he hoped that we can see this again in the future.

Councilor Pressey also thanked Councilor Gagnon and the Committee for organizing Founders Festival. As the representative to Greater Portland COG Councilor Pressey reported that he had nominated and the first phase of the Gorham East West Corridor Study would be receiving a recognition award. He also read a statement regarding equality and ethical standards.

Councilor Miner gave hats off to all involved with the Founders Festival. He reported that the Capital Improvements Committee met in May and they still need to review a few more leases. Councilor Miner also reported that Ecomaine's annual Meeting would be June 16, 2011.

Councilor Mattingly also extended his thanks to Councilor Gagnon stating that he came forward and made it happen. It was a great achievement in a short amount of time. Councilor Mattingly announced that there were 400 maps sold for the Taste Walk and that the winner was St, Joes Coffee for their "bennies." There was a tie for second place between Amatos and USM.

Councilor Caldwell also congratulated Councilor Gagnon and his committee for a great time. She also reported that at the Finance Committee Meeting discussion was about the current tax liens and bus transportation.

#### Chairman's Report

Chairman Robinson also thanked Councilor Gagnon and all volunteers for making the Memorial Day weekend so special and having it go virtually seamless with only three months of planning. It was a great event. He also thanked Council, the School Committee and Department Heads for the budget workshops last month as it is not easy to get everyone together. Chairman Robinson also congratulated Councilor Phinney who was awarded the Gorham Business Person of the Year Award.

#### Town Manager's Report

The Town Manager, David Cole, announced that he had awarded a 5 year service pin to Julio Santiago of the Recreation Department and one to Katie Johnston of the Finance Department. He thanked them for their dedicated service to the community. Mr. Cole announced that the solar panels are installed in the Public Safety Building. He reminded everyone that Tuesday, June 14<sup>th</sup> is Election day and that absentee ballots are available in the Clerk's office. Mr. Cole also thanked Councilor Gagnon for the Family Festival stating that it was a great event for the community and went very well. It was a very good job and well done.

#### School Committee Report

Chairman Dennis Libby reported for the School Committee. The Gorham Adult Education was holding its graduation ceremony this evening at the Gorham Middle School. Gorham High School graduation is scheduled Sunday, June 12 at 3:00 pm at Merrill Auditorium. There was a closing ceremony held June 2<sup>nd</sup> at the White Rock School. The next meeting of the new elementary school project will be July 6, 2011 at the new school and the next School Committee meeting will be June 8<sup>th</sup> at 7:00 pm.

#### New Business

The meeting recessed for a public hearing on a referendum question on June 14, 2011 seeking voter approval to issue general obligation bonds in an amount up to three million (\$3,000,000.00) dollars to construct public safety site improvements at and near the Narragansett School, a synthetic turf competition field and related facilities. This is an informational public hearing only with no Council action expected. Four (4) people spoke against the referendum and one (1) spoke in favor. The public hearing closed at 8:09 pm.

The meeting recessed for a public hearing on the proposed 2011/2012 fiscal year School and Town Budget. There were no public comments and the public hearing closed at 8:16 pm.

Item #8020 Moved by Councilor Caldwell, seconded by Councilor Phinney and VOTED to waive further reading of the proposed order. Moved by Councilor Phinney, seconded by Councilor Gagnon and VOTED that the following school budget items be adopted and approved for the fiscal year 2011/2012

That \$12,745,876 be authorized to be expended for Regular Instruction;  
that \$4,692,842 be authorized to be expended for Special Education;  
that \$517,945 be authorized to be expended for Career and Technical Education;

that \$533,768 be authorized to be expended for Other Instruction;  
that \$1,974,814 be authorized to be expended for Student and Staff Support;  
that \$676,025 be authorized to be expended for System Administration;  
that \$1,587,909 be authorized to be expended for School Administration;  
that \$1,600,991 be authorized to be expended for Transportation and Buses;  
that \$2,698,923 be authorized to be expended for Facilities Maintenance;  
that \$3,939,761 be authorized to be expended for Debt Service and Other  
Commitments; and  
that \$0 be authorized to be expended for All Other Expenditures.

BE IT FURTHER ORDERED:

1. That \$30,968,854 appropriated for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$10,782,571 be raised as the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

*Explanation: The municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

2. That \$866,512 be raised and appropriated for the annual payments on debt service previously approved by the municipality's legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the municipality's contribution to the total cost of funding public education from kindergarten to grade 12.

*Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the municipality's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.*

BE IT FURTHER ORDERED, that \$1,502,627 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$888,433 as required to fund the budget recommended by the school committee.

The school committee recommends \$1,502,627 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$888,433: The state's funding model does not support all of the costs of the schools because it includes only those costs considered essential by the new state Essential Programs and Services (EPS) model.

*Explanation: The additional local funds are those locally raised funds over and above the municipality's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the school department budget for educational programs.*

BE IT FURTHER ORDERED, that the school committee be authorized to expend \$30,968,854 for the fiscal year beginning July 1, 2011 and ending June 30, 2012 from the municipality's

contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

BE IT FURTHER ORDERED, that the Town will appropriate \$226,816 for adult education and raise \$109,050 as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program. 7 yeas.

After a brief recess the meeting resumed at 8:45 pm.

Item #8021 Moved by Councilor Caldwell, seconded by Councilor Phinney to waived the reading of the proposed order after the reading of the proposed line item totals. The proposed order was then moved by Councilor Phinney, seconded by Councilor Caldwell.

Moved by Councilor Phinney, seconded by Councilor Miner and VOTED to AMEND the proposed order by adding \$3,000 to *Recreation/Community Center/Cable* for concerts at the gazebo. 5 yeas, 2 nays (Robinson and Caldwell)

Moved by Councilor Gagnon, seconded by Councilor Phinney and VOTED to AMEND the order to add \$4,000 to *Other Town Services and Unclassified* to be allocated for a festival next year. 6 yeas, 1 nay (Caldwell)

The Motion as AMENDED was VOTED resulting in the following:

**ORDERED** that the Gorham Town Council vote to adopt the 2011-2012 Fiscal Year Budget with the following departmental totals:

General Government	\$	1,364,575
Public Safety	\$	3,550,460
Public Works and Solid Waste	\$	2,369,810
Health & Welfare and Social Service Agencies	\$	85,835
Recreation/Community Center/Cable	\$	318,281
Libraries and Museum	\$	442,411
Development	\$	65,000
Debt & Interest	\$	1,438,492
Capital Items	\$	293,075
Insurance and Employee Benefits	\$	1,933,713
Other Town Services and Unclassified	\$	<u>107,202</u>
	Subtotal	\$ 11,968,854
Cumberland County Property Tax	\$	<u>793,804</u>
	Total	<u>\$ 12,762,658</u>

BE IT FURTHER ORDERED that the Education budget as finally approved by the Gorham Town Council and subsequently approved by the voters of the Town of Gorham be incorporated into a final Municipal budget; and

BE IT FURTHER ORDERED that the Town Council vote to adopt the Capital Budget Part II in the amount of **\$ 139,220.00** to be funded from the town's undesignated fund balance; and

BE IT FURTHER ORDERED that all taxes on real estate and personal property shall be due and payable upon approval of this Order and that one-half of all real estate and personal property taxes that remain unpaid on **November 15, 2011** shall commence bearing interest on **November 16, 2011**, and that the final half of all real estate and personal property taxes that remain unpaid on **May 15, 2012**, shall commence bearing interest on **May 16, 2012** at the interest rate of **7.0%** per annum as authorized by Maine Law until paid and collected and the Tax Collector and Treasurer are authorized to collect and receive thereof; and

BE IT FURTHER ORDERED that the Gorham Town Council authorizes the Finance Director to accept prepayment of real and personal property taxes; and

BE IT FURTHER ORDERED that pursuant to Title 36, M.R.S.A., Section 506A, the Gorham Town Council establishes an interest rate of **3.0%** per annum to be paid on all real estate and personal property taxes rebated due to overpayment of taxes; and

BE IT FURTHER ORDERED that pursuant to Title 36, M.R.S.A., Section 906, the Gorham Town Council hereby require and direct that any tax payment received from an individual as payment for any property tax be applied against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment shall be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer. This order shall remain in effect until rescinded by the Municipal Officers.  
6 yeas 1 nay (Mattingly)

Prior to the above vote a motion to amend the proposed order by eliminating the excavator from *Public Works and Solid Waste* FAILED OF PASSAGE. 1 yeas, 6 nays (Gagnon, Phinney, Caldwell, Mattingly, Pressey and Robinson) A motion to amend the proposed order to strike the Excavator/Trailer from *Public Works and Solid Waste* FAILED OF PASSAGE. 3 yeas, 4 nays (Gagnon, Phinney, Pressey and Robinson)

Item #8022 Moved by Councilor Phinney, seconded by Councilor Caldwell and VOTED that the Town Council authorize the Town Manager and Finance Director to proceed with the sale of three (3) tax acquired properties by first offering on final opportunity for the prior owner to pay all taxes and costs, in full, within 30 days and then soliciting bids for those properties that remain unpaid with the staff's recommendation for disposition brought back to the Town Council for final action. 7 yeas

Item #8023 Moved by Councilor Phinney, seconded by Councilor Caldwell and VOTED that the Town Council schedule a workshop to discuss opportunities for providing public bus transportation service to Gorham. 6 yeas, 1 nay (Robinson)

Moved by Councilor Caldwell, seconded by Councilor Phinney and VOTED to ADJOURN.  
7 yeas Time of adjournment 10:10 pm.

A TRUE RECORD OF MEETING

Cornelia C Loughran, Acting Town Clerk