

REPORT OF THE
GORHAM TOWN COUNCIL
REGULAR MEETING
September 4, 2012 7:00 pm
Gorham Municipal Center – Burleigh H Loveitt Council Chambers

Chairman Caldwell opened the meeting with the Pledge of Allegiance to the Flag. There were 15 members of the public present at the start of the meeting.

Roll Call: Chairman Caldwell, Councilors; Mattingly, Gagnon, Robinson, Phillips, Phinney and Pressey. Also present were Town Manager, David Cole, and Town Clerk, Connie Loughran.

Moved by Councilor Phinney, seconded by Councilor Pressey and VOTED to accept of the minutes of the August 7, 2012 Regular Meeting, and the August 22, 2012 Special Meeting as printed and distributed. 7 yeas

Open Public Communications

Jane Knapp, State Representative spoke regarding the Governor's new appointments and she read the ballot questions for November 6th. She also reported on another business scam.

Ed Platts, 22 Maple Ridge Road, encouraged the Council to reconsider item #8213. Mr. Platts has visited the Public Safety building and feels that the Bond Referendum is premature. He will not support this bond and will encourage others to vote against it.

Harold McFarland, Libby Avenue, spoke regarding the bamboo growing in the ditch in front of his house. He would like it removed before it becomes too invasive.

Kenneth Curtis, 118 South Street, spoke regarding the Fireworks Ordinance, he reiterated that citizens had spoken against the Saturday use of fireworks and many of them felt Council showed contempt for their feelings in passing the Ordinance. He asked that the Council focus on real Town needs and that many citizens are seeing a bickering Council. Mr. Curtis also asked about repairing New Portland Road.

Brian Deveaux, 5 Herrick Road, requested that the budget process be explained. (David Cole explained the process during the Town Manager's report)

David Garthe, Chairman of Gorham/Westbrook TRIAD announced that the Tri-folds are out and are at the police station and will be distributed through Cumberland County. He encouraged people to pick one up and see what the program is all about.

Judy Hawkes asked if the 'Master Plan' had ever been updated. She is speaking to the buildings that the Town has or is purchasing for parking. She feels that it is a waste to tear down a building of historical value.

Councilor Communications

Councilor Pressey reminded people that we still need applicants for the Planning Board opening, the Appointments Committee needs to move forward with this appointment.

Councilor Robinson reminded everyone that next Tuesday is the anniversary of 9/11. Attorney Dale answered Councilor Robinson's question regarding Right-To-Know requests. Mr. Robinson has become fed up with the emails that go back and forth among the Council. Councilor Robinson had several emails since the August 7th Council meeting that he passed onto Bob Lowell of the American Journal. Councilor Robinson also spoke of holding a Special Council Meeting on a Wednesday night.

Councilor Mattingly wished congratulations to Police Chief Shepard for his 40 years of service and dedication to the Town of Gorham.

Councilor Gagnon also congratulated Chief Shepard. He also gave an update on the Finance Committee. Councilor Gagnon is running a road race this Sunday in honor of a Gorham resident who was killed in the attacks of 9/11. He encouraged citizens to participate in the race or make a donation.

Councilor Phillips also encourages citizens to participate in the road race on Sunday. There is a combined armed forces unit that will be running the race in Afghanistan on the same day.

Chairman Caldwell reported on the Public Safety Building Committee, the next meeting will be September 18 at 10:00 AM.

Town Manager's Report

David Cole also congratulated Chief Shepard on his 40 years of service. We have put in a special order for a 40 year service pin for Chief Shepard. He is pleased to announce that he has issued a 15 year service pin to Mike Coffin of the Police Department. Mr. Cole addressed the questions regarding the budget process and the paving of a section of New Portland Road that is in the budget this year. Mr. Cole gave an update on the two properties that the Town has purchased for parking purposes at 21 Main Street and 10 Preble Street.

School Committee Report

There was no School Committee report.

OLD BUSINESS

Item #8207 Moved by Councilor Gagnon, seconded by Councilor Phillips to POSTPONE to the November Town Council meeting action regarding the appropriation of \$175,000 of the remaining Capital Part 2 funds for the purpose of conducting any environmental cleanup necessary and the subsequent demolition of the White Rock School. 7 years

NEW BUSINESS

Item #8216 Moved by Councilor Robinson, seconded by Councilor Pressey and ORDERED that the Town Council authorize the Fire Chief to solicit bids for a new Fire Engine as approved by the voters in the referendum on June 12, 2012, and

BE IT FURTHER ORDERED that the solicitation provide for an alternate bid to purchase a second Fire Engine with substantially the same specifications as the first Fire Engine, provided that, if the Referendum for a Fire Engine, to be held on November 6, 2012, should not be approved by the voters, the alternate bid to purchase a second Fire Engine would be withdrawn. 7 years

Item #8217 Moved by Councilor Phinney, seconded by Councilor Gagnon and ORDERED, that the Town Council approve a request from the Windham Historical Society for the Town to donate the South Windham/Little Falls Library building to Windham Historical Society for use in their history park as described in their letter of August 21, 2012, provided the building is removed from its current site by October 31, 2012, and

BE IT FURTHER ORDERED that the Town Council appropriate \$3,000 from the Capital Part 2 account to close and remove the Little Falls/South Windham Library paying towards the cost of moving the building, and creating a foundation, which would otherwise be approximately the cost of demolishing the building. 7 years

Item #8218 Moved by Councilor Phinney, seconded by Councilor Robinson, MOVED by Councilor Robinson, seconded by Councilor Phinney and VOTED to AMEND the proposed order by striking the words 'sale or'. 7 years The motion as amended was voted resulting in the following: ORDERED the Town Council authorize the Town Manager to meet with officials from the Town of Windham to negotiate the lease of a portion of the Town of Gorham's unused sewer capacity at the Portland Water District Treatment Plant, located in Westbrook, and

BE IT FURTHER ORDERED that if a suitable proposal is negotiated, it shall be brought back to the Town Council at a future Council meeting for their consideration, or if a tentative agreement cannot be reached, the Town Manager will report these results to the Town Council. 7 years

Item #8219 Moved by Councilor Mattingly, seconded by Councilor Robinson, MOVED by Councilor Pressey, seconded by Councilor Phinney and VOTED to AMEND the proposed order by adding the words 'and circulation' after 'overall downtown parking'. 7 years Moved by Councilor Mattingly, seconded by Councilor Phinney to POSTPONE to the October Council Meeting action that the Town Council appropriate \$7,500 from unallocated Capital Part 2 funds for the purpose of developing an overall downtown parking and circulation plan for the potential utilization of the newly acquired lots and utilize concepts outlined in the downtown master plan and, that the process of developing the plan involves local businesses, residents, community stakeholders and representatives from the Gorham Economic Development Corporation and the Town Council.

Prior to the above vote a motion by Councilor Mattingly, seconded by Councilor Pressey to strike the words 'appropriate \$7,500 from unallocated Capital Part 2 funds for the purpose of' and change the word 'developing' to 'develop' was withdrawn.

The Council gave the Town Manager instructions for a parking needs study.

Item #8220 Moved by Councilor Gagnon, seconded by Councilor Phinney and ORDERED that the Town Council authorize the Planning Board to create a committee to re-catalog and re-organize the Land Use and Development Code and its subsequent chapters.

BE IT FURTHER ORDERED that the Zoning Administrator and Town Planner will provide the resources necessary to the committee to complete the project.

BE IT FURTHER ORDERED that the Town Council will consider the changes recommended by the Planning Board. 7 years

Moved by Councilor Gagnon, seconded by Councilor Phillips and VOTED to take Item #8222 out of order. 7 years

For continuity Item #8222 will be reported on in its proper order.

Item #8221 Moved by Councilor Gagnon, seconded by Councilor Phillips, MOVED by Councilor Pressey, seconded by Councilor Gagnon to AMEND the proposed order by replacing the words 'The Town Manager will have the administrative discretion to utilize the funds for other reasonable requirements to convey the Council's position of support for passage of the referendum.', and replace with 'The Manager will have the discretion to utilize the funds to educate the public about those issues raised by the referendum.' The AMENDED Order was voted resulting in the following: ORDERED that the Town Council authorize the Town Manager, Fire Chief, and Police Chief to organize and implement various methods of educating and informing the public regarding the upcoming referendum vote regarding the Public Safety Building on November 6, 2012, and

BE IT FURTHER ORDERED that up to \$1,000 be allocated from the contingency fund to aid in the organizing, implementing, educating and informing the public. The Manager will have the discretion to utilize the funds to educate the public about those issues raised by the referendum.

BE IT FURTHER ORDERED that PDT Architects refocuses their efforts to utilize the existing Public Safety Building for both Police and Fire uses, and cease the other requests made from the August 7, 2012 Council meeting. The Town Manager will have the administrative discretion to utilize PDT Architects in order to furnish concept plans for the discussion purposes, and the visual aids, and

BE IT FURTHER ORDERED that several "Open House" tours will be provided to the public for educational and informational purposes, and that Educational and Information workshops can be held and televised in the Council Chambers, and

BE IT FURTHER ORDERED that the Manager will have the discretion to utilize the funds to educate the public about those issues raised by the referendum. 5 years 2 nays (Phinney, Robinson)

Item #8222 Moved by Councilor Phinney, seconded by Councilor Gagnon and ORDERED, that the Town Council ask the Ordinance Committee to discuss the principles of denser residential development, and provide guidance to the staff for possible future amendments to the Land Use and Development Code. 7 yeas

There was no motion to reconsider Item # 8213.

Moved by Councilor Phinney, seconded by Councilor Robinson and Voted to Adjourn. 7 yeas Time of Adjournment 9:45 PM.

A True Record of Meeting

ATTEST

Cornelia C Loughran, Town Clerk