

REPORT OF THE  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
March 5, 2013

Chairman Gagnon opened the meeting at 7:00 pm with the Pledge of Allegiance to the Flag. There were 21 members of the public present at the start of the meeting. Before starting the meeting Chairman Gagnon held a moment of silence in respect of Martha Harris.

Roll Call: Present: Chairman Gagnon; Councilors: Moulton, Benner, Robinson, Phillips, Phinney, Pressey. Also present were Town Manager David Cole, Town Attorney William Dale and Town Clerk Connie Loughran.

Moved by Councilor Robinson, seconded by Councilor Phinney and VOTED TO ACCEPT the minutes of the February 5, 2013 Town Council Regular Meeting as Corrected. 7 years

Open Public Communications:

Jim Means, Beatrice Drive spoke regarding the Public Safety Building Referendum and the Repeal of the \$500,000 Referendum. He feels there is a lack of focus on taxes.

Councilor Communications

Councilor Pressey shared a comment from a citizen, not from Gorham, who stated they felt there was not enough parking in Gorham Village.

Councilor Phillips remembered Martha Harris and stated that the numbers in attendance at her funeral were a testament to her. Mrs. Phillips reported that the Finance Committee held a workshop with the Finance Committee of the School Committee and the Finance Committee would like to hold a preliminary budget workshop for the Town on March 19<sup>th</sup>.

Robinson expressed concerns regarding holding a workshop as Council Members could not vote.

Councilor Moulton reported that the Appointments and Personnel Committee would meet on March 11 at 5:30 pm in Conference Room A.

Chairman Gagnon reiterated that Gorham would truly miss Martha Treworgy Harris. He reported that Gorham Market Place would be held on March 30<sup>th</sup>. He reminded citizens that the coming weekend started Daylight Savings Time and this was a good time to replace smoke detector batteries. Chairman Gagnon thanked Senator Boyle and Representatives Sanborn and McLean for holding the Legislative Forum. He also reported that baseball tryouts are next week and that a new youth league has started.

Town Manager Report

David Cole also reminded everyone that Gorham Market Place would be March 30, 2012.

School Committee Report

Kyle Currier, School Committee Chairman, reported regarding curtailments from the State. She also reported that 220 high school students had participated in winter sports. 160 Middle School students had also participated in winter sports. Ms. Currier reminded everyone of the High School production of *Oklahoma* being presented on the following dates: Fridays and Saturdays, March 15th, 16th, 22nd and 23rd at 7:30, and Sundays, March 17th and 24th at 2:30. She also reminded everyone of the School Candidate Election on June 11, 2013.

Tom Ellsworth, Present of the Gorham Economic Development Corporation was not present.

Item #8258 As previously moved and seconded at the February 5, 2013 meeting: it was ORDERED, that the Town Council appropriate \$75,000 from the Capital Project Reserve Account, as requested by the School Board in a letter from Mr. Sharp, the Superintendent of Schools, and

BE IT FURTHER ORDERED, that the appropriation shall be considered a loan (without interest) that is to be paid back to the Capital Project Reserve Account as part of the High School renovation and expansion project costs upon receipt of the proceeds from the issuance of bonds or other funding. 7 years

Moved by Councilor Moulton, seconded by Councilor Pressey and VOTED to take up Item #8274 to the end of the meeting. 7 yeas

#### New Business

A public hearing on an application for a renewal Liquor License in the name of PineCrest Bed Breakfast Inn LLC doing business at 91 South Street. There were no comments from the public and the public hearing closed at 7:10 pm.

Councilor Phillips asked to be recused for discussion and voting on Item #8276.

Item #8276 Moved by Councilor Phinney, seconded by Councilor Moulton; Moved by Councilor Robinson, seconded by Councilor Pressey to Amend the proposed order by extending the current license to the April 2, 2013 Town Council Meeting when the application will come back before the Town Council. 5 yeas 1 nay (Benner) 1 abstention (Phillips) The Order as Amended was VOTED resulting in the following: ORDERED that the Town Council extend the current Liquor License in the name of PineCrest Bed Breakfast Inn LLC, doing business at 91 South Street to April 2, 2013 when the application will come back before the Town Council. 5 yeas 1 nay (Benner) 1 abstention (Phillips)

Public Hearing on an application for a renewal Class III Special Amusement Permit in the name of PineCrest Bed Breakfast Inn LLC doing business at 91 South Street. There were no comments from the public and the public hearing closed at 7:31 pm.

Councilor Phillips asked to be recused for discussion and voting on Item #8277.

Item #8277 Moved by Councilor Robinson, seconded by Councilor Phinney; Moved by Councilor Robinson, seconded by Councilor Phinney and Voted to AMEND the prepared Order by extending the current license to the April 2, 2013 Town Council Meeting when the application will come back before the Town Council. 6 yeas 1 abstention (Phillips) The Order as Amended was VOTED resulting in the following: ORDERED, that the Town Council extend Class III Special Amusement Permit in the name of PineCrest Bed Breakfast Inn LLC, doing business at 91 South Street to April 2, 2013 when the application will come back before the Town Council. 6 yeas 1 abstention (Phillips)

Public Hearing on an application for a new Spirituous Vinous and Malt Liquor License in the name of Spire 29 On The Square LLC doing business at 29 School Street. James Ciampi of Portland, events manager for Spire 29 On The Square, explained the events venue. The public hearing closed at 7:34 pm.

Item #8278 Moved by Councilor Robinson, seconded by Councilor Phillips and ORDERED that the Town Council approve a new application for a Spirituous Vinous and Malt Liquor License in the name of Spire 29 On The Square LLC doing business at 29 School Street. 7 yeas

Public Hearing on an application for a new Class III Special Amusement Permit in the name of Spire 29 On The Square LLC doing business at 29 School Street. James Ciampi of Portland, events manager for Spire 29 On The Square, explained the events venue. The public hearing closed at 7:39 pm.

Item #8279 Moved by Councilor Moulton, seconded by Councilor Phillips and ORDERED, that the Town Council approve a new Class III Special Amusement Permit in the name of Spire 29 On The Square LLC doing business at 29 School Street. 7 yeas

Public Hearing on a proposal to establish a third voting district in the Town of Gorham with the intent to conduct voting at the former Little Falls School. One member of the public spoke against the proposal. The public hearing closed at 7:45 pm.

Item #8280 Prior to the following vote Chairman Gagnon presented a petition in support of a voting district in the Little Falls area. The order as read was Moved by Councilor Benner, seconded by Councilor Moulton, Moved by Councilor Moulton, seconded by Councilor Phinney and Ordered to send the establishment of a third voting district in the Town of Gorham to the Ordinance Committee for their recommendation. 5 yeas 2 nays (Phillips, Gagnon)

Prior to discussion and voting on Item #8281 Councilor Robinson raised a point of order. Chairman Gagnon ruled that Item #8280 was sufficiently different than Item #8260 presented at the last meeting to be heard here and voted upon. Councilor Robinson moved to overrule the Chairman. 2 yeas 5 nays (Pressey, Phinney, Phillips, Gagnon, Benner)

Item #8281 The Order as read was Moved by Councilor Benner, seconded by Councilor Phinney; Moved by Councilor Pressey, seconded by Councilor Phinney and voted to Amend the prepared Order to include examining other existing fields and identify those that need improvement. 4 yeas 3 nays (Phillips, Benner, Moulton) ORDERED, that the Town Council of the Town of Gorham, Maine in Town Council assembled, create a Steering Committee to develop a Master Plan for the Little Falls Recreation Area and to include examining other existing fields and identify those that need improvement, which will consist of three (3) members of the Gorham Town Council (Phinney, Benner, Phillips) and four (4) community members to be appointed by the Chair of the Town Council to serve on the Committee (Chris Allen, Rob Callahan, Chuck Nadeau and Roger Smith) and

BE IT FURTHER ORDERED, that the Town Manager, Recreation Director and Chair of the Town Council be appointed to serve as ex-officio (non-voting) members of the Committee, and

BE IT FURTHER ORDERED, that the Town Council, pursuant to Chapter VII, Section III (A)(4) of the Land Use and Development Code appropriate \$30,000 from the Recreation Impact Fee Account for this project, and

BE IT FURTHER ORDERED, that the Town Council authorize the Town Manager to use the funds made available towards the completion of a Master Plan and to obtain any cost estimates that are useful or necessary for the completion of the plan with the final plan to be presented to the Town Council for approval. 5 yeas 2 nays (Robinson, Moulton)

Moved by Councilor Phillips, seconded by Councilor Pressey to Reconsider Order #8281 FAILED OF PASSAGE. 3 yeas 4 nays (Phinney, Robinson, Benner, Moulton)

Item #8282 Moved by Councilor Robinson, seconded by Councilor Moulton and ORDERED, that the Town Council approve a Memorandum of Understanding between the Town of Gorham and Westbrook Gorham Chamber of Commerce (WGCC ) to have the Chamber organize and conduct the Founders Festival. 7 yeas

Item #8283 Moved by Councilor Moulton, seconded by Councilor Benner; Moved by Councilor Phinney, seconded by Councilor Robinson and voted to split the question. 7 yeas

ORDERED, that the Town Council adjust the fees for Rescue Services in accordance with the attached schedule. 7 yeas

The fees for small Bulky Waste Items be increased from \$5.00 to \$10.00 and for large Bulky Waste Items from \$10.00 to \$15.00 FAILED OF PASSAGE. 3 yeas 4 nays (Pressey, Phinney, Phillips, Robinson)

BE IT FURTHER ORDERED, that the adjustments be effective April 1, 2013.

Item #8284 Moved by Councilor Robinson, seconded by Councilor Phinney and ORDERED, that the Town Council accept the offer from the State of Maine to purchase a small parcel of State owned land, located near the intersection of Narragansett Street and the Gorham By-Pass, consisting of approximately 12,684 square feet, and

BE IT FURTHER ORDERED, that the Town Council appropriate \$5,000 from the Land Acquisition Revenue Fund for this land purchase. 7 yeas

Item #8285 A motion by Councilor Moulton, seconded by Councilor Robinson that the Town Council authorize a referendum on June 11, 2013 to ask the voters to rescind and repeal the approval by the voters of Referendum Question 2 at the Election held on November 6, 2012 that authorized the issuance of bonds not to exceed \$500,000 for the Little Falls School and Recreation area FAILED OF PASSAGE. 7 nays (Pressey, Phinney, Phillips, Gagnon, Robinson, Benner, Moulton)

Item #8286 Moved by Councilor Moulton, seconded by Councilor Phinney and ORDERED, that the Town Council approve a letter to the Maine Department of Environmental Protection to oppose an application to dispose of raw municipal solid waste at the Juniper Ridge Landfill in Old Town, as proposed. 7 yeas

Item #8274 As previously moved and seconded at the February 5, 2013 meeting it was ORDERED, that the Town Council go into Executive Session pursuant to Title 1, M.R.S.A., Section 405 (6)(A) to discuss the process of replacing the Town Clerk. 7 yeas

Moved by Councilor Phillips, seconded by Councilor Moulton and VOTED to come out of Executive Session. 7 yeas

Moved by Councilor Benner, seconded by Councilor Phinney and VOTED to ADJOURN. 7 yeas Time of adjournment 10:09 pm.

A True Record of Meeting

ATTEST

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Cornelia C Loughran, Town Clerk