

REPORT OF THE
GORHAM TOWN COUNCIL
REGULAR MEETING
NOVEMBER 18, 2014

Gorham Municipal Center-Burleigh H. Loveitt Council Chambers

Chairman Phinney opened the meeting with the Pledge of Allegiance to the Flag. There were 15 members of the public in attendance at the start of the meeting.

Roll Call: Chairman Phinney, Councilors; Roullard, Benner, Robinson, Hartwell, Moulton. Also present; Town Manager David Cole and Deputy Clerk Laurie Nordfors.

Moved by Councilor Moulton, Seconded by Councilor Benner and VOTED to approve the Town Council meeting minutes from October 7, 2014. 6 yeas

Moved by Councilor Moulton, seconded by Councilor Roullard and VOTED to approve the Town Council Special meeting minutes from October 7, 2014. 5 yeas, 1 nay (Hartwell)

Councilor Hartwell's name was left out of the minutes from the vote to go into executive session at last month's special meeting.

Moved by Councilor Hartwell, seconded by Councilor Roullard and VOTED to amend the minutes from last month's special meeting for the vote to go into executive session. 6 yeas

Open Public Communications

Brian DeVoe spoke about concern that the population in the Town is growing yet the enrollment in the K-12 School System has not increased.

Suzanne Phillips thanked everybody that has helped her the past three years on the Council and thanked the people who voted for her for School Committee.

Phil Gagnon congratulated Planning Department for the wonderful job they did on the workshop he attended.

Hans Hansen is concerned for the safety of pedestrians trying to cross streets in the Village and suggested forming a committee to address the issue.

Kent Curtis congratulated new Council members and thanked Public works for all that they do. He also suggested replacing Chief Shepard with Chris Sanborn as Gorham Police Chief. He was thankful that the old crumbling service station downtown was purchased by Jon Smith. Stated that he was appalled by the insulting signs on Ball Park Road.

Robert Cassimaro of Bridgeton spoke on his disagreement with the Council for voting to grant General Assistance to Immigrants in Gorham.

Bernard Broder, Jim Means and David Alexander explained that they were appalled by some election signs that were placed around the town.

Council Communications

Councilor Hartwell congratulated Councilor Phinney and Councilor Shepard on their election to the Town Council. He also thanked Suzanne Phillips for her work on the Council. He commented on the success with the Master plan workshop.

Councilor Robinson spoke on his meeting with USM about signage and possibly opening up a bookstore in the Village. He also spoke on being an advocate for people affected by drunk drivers and said his crusade will never cease.

Councilor Benner thought that the Master plan workshop was a brilliant idea and it gave people the chance to voice their opinion. She thanked all of Gorham citizens for coming out and voting on Election Day.

Councilor Roullard congratulated Councilor Phinney and Councilor Shepard on their election to Town Council. He reported that he attended the workshop on certified local government. He was pleased that the Historical Preservation Committee is moving forward with historical preservation for the town of Gorham. He also attended the New Year Gorham silent auction.

Councilor Phinney congratulated everyone elected and thanked everyone for their hard work. He also thanked everyone who supported him during the election.

Town Manager Report

David Cole reported that he gave 10 year pins to Ted Hatch and Tom Poirier. He gave his congratulations to both.

School Committee Report

Chairman Dennis Libby reported that the search for a new Superintendent is still on- going. He congratulated Councilor Phinney and Councilor Shepard for their election to Town Council. He congratulated Suzanne Phillips and Sara Nelson for their election to School Committee. He reported on the last School Committee meeting which took place last week.

Election Report

Deputy Clerk Laurie Nordfors reported that the election went well with 7625 voters voting which is a 59% voter turn-out. She also read the Town election results.

Swearing in of the Newly Election Councilors

Deputy Clerk Laurie Nordfors swore in Councilor Phinney to the 2014-2015 Town Council.

David Cole reported that Ronald Shepard will be sworn in at the next Council Meeting on December 2, 2014 due to retirement details with the Maine State retirement system.

Roll call of the 2014-2015 Council: Chairman Phinney, Councilors; Roullard, Benner, Robinson, Hartwell, Moulton.

Chairman Phinney stated that there is a plaque for Suzanne Phillips to commemorate her time on the Town Council and he will give it to her next time he sees her since she is not present at this time.

Old Business

Item #8425 Motion to postpone until the February Town Council Meeting. Moved by Councilor Moulton, Seconded by Councilor Robinson and VOTED to postpone until February meeting. 6 yeas

Item #8529 Moved by Councilor Robinson, Seconded by Councilor Roullard and VOTED to elect Michael Phinney as Chairman of the 2014-2015 Town Council. 6 years

Item #8530 Moved by Councilor Robinson, Seconded by Councilor Benner and VOTED to elect Bruce Roullard as Vice Chairman of the 2014-2015 Town Council. 6 years

Item #8531 Moved by Councilor Robinson, Seconded by Councilor Moulton and VOTED to appoint the following members of the Council to the following committees: 6 years

1. Finance Committee: Councilor Moulton, Chairman Councilor Roullard
2. Ordinance Committee: Councilor Robinson, Chairman Councilor Hartwell Councilor Benner
3. Appointments/Personnel Committee: Councilor Roullard, Chairman Council Robinson
4. Economic Development/Capital Improvements Committee: Councilor Benner, Chairman
Councilor Moulton Councilor Hartwell
5. Representative to the Greater Portland Council of Governments Councilor Roullard
6. Eco Maine Representative David Cole
7. Representative to Jetport Noise Abatement Councilor Benner
8. Pacts Policy Committee Representative David Cole

Item #8532 Moved by Councilor Moulton, Seconded by Councilor Roullard and ORDERED that the Town Council accept the same Council Rules for 2014-2015 that were used for 2013-2014. 6 years

Chairman Phinney opened Public Hearing #1 on renewal Restaurant Liquor License for Lucky Thai Restaurant. There were no comments from the public and the Hearing was closed.

Item #8533 Moved by Councilor Roullard, Seconded by Councilor Moulton and ORDERED to approve a new restaurant Liquor License for Bouasanith Onemiravong d/b/a Lucky Thai Restaurant. 6 years
Prior to the vote, Councilor Moulton inquired if this is a new ownership and was concerned if they had applied for a new Victuals License.

Item #8534 Moved by Councilor Robinson, Seconded by Councilor Benner to consider accepting a bid of Mike Fowler for a parcel of land, approximately 2.9 acres off Deering Road (Tax Map 14, Lot 6.101) in the amount of \$15688. Moved by Councilor Moulton, Seconded by Councilor Robinson and VOTED to postpone until the January Council meeting, the action to consider accepting a bid of Mike fowler for a parcel of land, approximately 2.9 acres off Deering Road (Tax Map 14, Lot 6.101) in the amount of \$15688. 6 years
Prior to the vote, David Cole commented that there was a concern from the bidder about whether a mortgage company had been notified properly.

Item #8535 Moved by Councilor Robinson, Seconded by Councilor Benner and VOTED to accept the bid of Brian Hodgkin for a parcel of land, approximately 13.9 acres, off Deering Road (Tax Map 14, Lot 6.102) in the amount of \$8,000 2 yeas, 4 nays (Benner,Roullard,Phinney, Moulton)
Prior to the vote, Councilor Moulton stated that this is a decent sized lot and he is not happy with the bid amount. He suggested that the Town keep this property for their own use. Councilor Roullard

suggested having a Real Estate Agent look at this property and obtain a market analysis to assure that we are getting full market value. Councilor Robinson suggested putting a minimum bid on the property. Councilor Hartwell suggested moving along with the sale.

Item #8536 Moved by Councilor Roullard, Seconded by Councilor Benner and ORDERED that the Town Council accept a proposal for Port City Architecture for Architectural and Engineering services as outlined in their proposal dated November 6, 2014. 6 years

Item #8537 Moved by Councilor Robinson, Seconded by Councilor Moulton and ORDERED that the Town Council authorize the Town manager to solicit qualification and proposals for construction management services for the Public Safety Project. 6 years

Item #8538 Moved by Councilor Robinson, Seconded by Councilor Moulton and ORDERED that the Town Council refer a request from Shaw Brothers Construction, to rezone 6 parcels of property, owned by Shaw Brothers and comprised of approximately 23 acres, from Suburban Residential to Industrial, to the Planning Board for public hearing and the board's recommendation. 6 years
Prior to the vote, Dan Shaw commented and displayed what they planned on doing with the property.

Item #8539 Moved by Councilor Roullard, Seconded by Councilor Benner and ORDERED that the Town Council appropriate \$22,800 From the contingency account to bring the Assistant Code Enforcement Officer position to regular full-time status, 40 hours per week, effective December 1, 2014. 6 years

Item #8540 Moved by Councilor Moulton, Seconded by Councilor Benner and ORDERED that the Town Council, pursuant to a recommendation of the Trustees at Baxter Memorial Library and a recommendation of the Gorham Historical Society, approve an agreement to transfer ownership of James Phinney Baxter archival materials currently held at Baxter Memorial Library, to the Portland Public Library where it can be properly preserved, be more accessible and join the already extensive collection of James Phinney Baxter and Percival Proctor Baxter materials housed at the Portland Public library. 6 years

Item #8541 Moved by Councilor Benner, Seconded by Councilor Robinson that the Town Council refer a proposal to amend Chapter II, Section III, Signs of the Land Use and Development Code to allow A-Frame signs and allow directional signs for Farm stands, to the Planning Board for public hearing and the Board's recommendation.
Councilor Robinson made an amendment to add a 12 month sunset clause from 1 year of approval to this order.
Moved by Councilor Robinson, Seconded by Councilor Hartwell and VOTED to add a 12 month sunset clause from 1 year of approval. 3 years, 3 nays(Moulton, Phinney, Roullard)

Item # 8542 Moved by Councilor Robinson, Seconded by Councilor Roullard and ORDERED that the Town Council refer a proposal to amend the Land Use and Development Code to allow a residential garage as a principle use, to the Planning Board for public hearing and the Board's recommendation. 6 years

Item # 8543 Moved by Councilor Moulton, Seconded by Councilor Roullard and ORDERED that the Town Council approve a Memorandum of Understanding between the Town of Windham and the Town of Gorham to address Mutual Fire and Emergency response. 6 yeas

Item #8544 Moved by Councilor Roullard, Seconded by Councilor Moulton and ORDERED that the Town Councilors go into executive session pursuant to Title 1, MRSA Section 405 (6) © to discuss the condition and disposition of property at 21 Main Street and pursuant to Title 1, MRSA Section 405 (6) (E) to discuss the Phinney Street litigation. 6 yeas

Moved by Councilor Moulton, Seconded by Councilor Robinson and VOTED to come out of Executive Session. 6 yeas

Moved by Councilor Moulton, Seconded by Councilor Roullard and VOTED to Adjourn. 6 yeas
Time of adjournment 9:32 pm

A True Record of Meeting

ATTEST: _____
Laurie Nordfors, Deputy Town Clerk