

AMENDED REPORT OF THE  
GORHAM TOWN COUNCIL  
REGULAR MEETING VIA ZOOM  
October 6, 2020

Chairperson Phillips opened the meeting with the Pledge of Allegiance to the Flag. There were 12 members of the public in attendance via zoom.

Roll Call: Chairperson Phillips, Councilors Shepard, Hartwell, Hager, Pratt, Kuech and Wilder Cross. Also in attendance were Town Manager Ephrem Paraschak, Director of Community Development Tom Poirier, and Town Clerk Laurie Nordfors.

Moved by Councilor Shepard, seconded by Councilor Pratt and VOTED to accept the minutes of the September 1, 2020 Regular Town Council Meeting. **7 yeas**

**Open Public Communications**

Marla Stelk, Johnson Road, addressed her concerns of lack of communication between Town Staff, Town Manager and Council on notifying citizens about the gas line being installed in her neighborhood.

**Councilor Communications**

Councilor Pratt reported that the Industrial Park Steering committee met on October 1<sup>st</sup> and discussed progress with DOT and PWD. They also approved a sub committee to review the RFP for brokers. He also attended the GEDC meeting on September 16<sup>th</sup> and reported that they discussed signage in the Village as well as DOT signs and the Revolving Loan Program. The GEDC is continuing to meet with local business to hear their needs during the pandemic. Councilor Pratt also gave his sincere condolences to the families of Jacob Dupuis and Henry O'Neill, two 2019 graduates of Gorham High School who passed away last month.

Councilor Shepard reported that he Ordinance Committee met last month and discussed several issues that are not yet ready to bring to the Council.

Councilor Hartwell stated that the Comprehensive Plan Committee has not met recently but has received back input from the survey they put out regarding the South Gorham future land use. The video is available to view on our website. A meeting is being scheduled for later this month. He also reported that Life's Church will be holding a Trunk or Treat on Halloween at the Municipal Center Parking lot.

Councilor Wilder Cross attended the GPCOG Metro Regional Goal setting meeting and touched upon the goals that they have set, including the on-going issues with Covid and transportation issues as well as economic development issues to align with the State and Federal post pandemic guidelines. They also discussed continuing work on additional housing choices and racial equity. She also met with the Gorham Village Alliance Committee and encouraged everyone to support small businesses in Town as they continue to struggle during the pandemic. And finally she announced that there is a fun contest coming out this fall, sponsored by the Rec Department, to create the best scarecrow in Town.

Councilor Hager stated that the Finance Committee met on September 21<sup>st</sup> and reported that the Town has a budget surplus of \$390,000 representing about 2.3% of the annual budget. Non-property tax revenue was up significantly and property tax revenue was slightly behind but reported that we had collected 96% which he cited was remarkable amount in spite of the pandemic. The next Finance Committee meeting will be determined after the next Council is seated after the Election.

Chairperson Phillips reported that the Founders Festival went really well and thanked Shawn Moody, Life's Church, Fire and Police Departments for all of their help. She announced the winners of the Parade float contest with 1<sup>st</sup> place going to the Lions Club, 2<sup>nd</sup> place to Fort Hill Community Church, 3<sup>rd</sup> place to New Year's Gorham, and 4<sup>th</sup> place to On Purpose Well Being Center. She thanked everyone for participating. She also reported that Maine Maple Sunday, which was postponed last March due to the pandemic, will be this weekend and encouraged everyone to come out.

### **Town Managers Report**

Town Manager Paraschak reminded the public that Baxter Memorial Library and the Town Clerk's office are open to the public for walk in service normal hours with all other Municipal Building departments by appointment only. He reported that absentee ballots are available and encouraged citizens to vote absentee and use the drop box at the entrance to the Municipal Building. He mentioned that road construction in the Village is near completion and reminded everyone that the traffic lights are still not 100% functional but will be soon. He also reminded residents that as of January 1<sup>st</sup>, the Town will discontinue the use of Town Trash Bags and transition to Town Trash Tags.

### **School Committee Report**

Chairman Stewart McCallister reported the following:

Thanks to the collaboration between the Gorham Schools and the Gorham recreation department, the Gorham School Department was able to secure a federal grant in an amount of approximately \$124,000.00 to support the Gorham Recreation Department's early childcare programs currently being offered for Gorham families on student "at home" days in our hybrid model and on Fridays.

The Schools have been operating under our hybrid model smoothly since the opening in September. Just last night we had our first confirmed positive case of COVID19 in our schools, at GHS. All safety protocols are being followed, all communications have been made and we are working closely in collaboration with Maine CDC to ensure the safety of all students and staff. Now is where the real test of our safety protocols comes into play. It continues to be of paramount importance that our entire community follow safety protocols outlined by the CDC, the three primary ones being wearing a face covering, washing/sanitizing hands frequently and maintaining physical distancing. The schools will continue to update the public as information changes. We have expanded our website to include a COVID-19 page where parents and community members can find a significant amount of data and information including summary of active cases. This is updated daily in our schools and can be viewed on our website by anyone interested.

The School Department was notified early last week that we will be getting a second allotment of CRF funds from the state. These are federal Cares Relief Act funds that must be used to support schools with

meeting their COVID-19 Needs. We are focusing a good amount of these funds to help with infrastructure needs at the municipal center now that we are using this building with students due to COVID-19. With these funds, we are planning on upgrading security systems to allow for a true lock down to occur in the building. Additionally, we are looking to improve the wireless infrastructure in the building for our students, which will also benefit the rest of us working in the building as well now and into the future. We are also looking at purchasing additional radios that can "loop in" Town employees into our safety protocols.

Total K-12 population for Oct. 1 stands at 2759 students. This is 40 students lower than last year. There was an increase of 20 students lost to home schooling due to COVID-19 (which is much lower than our neighboring districts)...We are still waiting for other information from the state, but we believe the other losses are likely due to one of two things (1) private school enrollments and (2) Incoming K parents deciding not to send student school until next year. We will continue to monitor these numbers and the financial impact associated with them as we move through the course of the year.

The School Committee will be reviewing a DRAFT Anti-Racist policy for first reading at its Oct. 14th regular meeting. This will be an opportunity for the public to weigh in on this draft policy. Folks can view the draft policy by going to our website and clicking on the folder for School Committee packet information. I will also be sending it out via social media and other posts during the course of this week. The School Committee plans to have the first reading at its October regular meeting and then a second reading at its December regular meeting. At our October 28 meeting we will be discussing the formation of an anti-racism ad-hoc committee (official title not yet decided). This committee will consist of educators, parents, students, community members and school board members and will focus on evaluating the district's current practices and recommending changes that would move our district forward in the area of diversity and equity. They will report their suggestions to the school committee periodically for potential changes. The School Committee is also conducting a district wide hiring process audit utilizing the lense of Diversity, Equity and Inclusion. Humza Khan, a 2015 graduate of GHS will be providing this service. His work will culminate in the presentation of a report to the School Committee in December or January of this year. This report will provide a summary of findings and a series of recommended action steps to improve processes in this area.

Our next School Committee regular meeting will be on October 14, 2020 beginning at 7 pm. The location will be at the High School in the auditorium.

#### **Public hearing #1**

Public hearing to hear comments on a bond referendum question for the November 3, 2020 election for the Town of Gorham to borrow and expend up to \$5,689,000 for the following capital projects on various public schools in the Town.

1. GMS HVAC Heat Pump Upgrade and Repairs - \$2,265,000.00
2. Narragansett Expansion Project Phase II - \$1,423,000.00
3. Narragansett Bus Loop and Sidewalk Upgrades and Repairs - \$351,000.00
4. Middle School Sidewalk Repair - \$300,000.00
5. Field Lighting Safety Repairs for competition field, baseball, softball and tennis fields - \$1,275,000.00
6. Necessary Civil Engineering Costs - \$75,000.00

Chairperson Phillips opened public hearing #1. There were no comments from the public and the hearing was closed.

**Public hearing #2**

Public hearing to hear comments on a referendum question for November 3, 2020, to amend Section 202 of the Town's Charter to clarify the qualifications of office for a Town Council member as follows:

**Sec. 202. Qualifications.** ~~Councilmen~~ Council members shall be qualified electors of the Town and shall reside in the Town during their term of office. ~~They~~ A Council member shall hold no other paid office or position of employment with the Town or the Department of Education (Gorham School District) during the term for which the Council member was elected to the Council ~~of emolument or profit under the Town Charter or Ordinances~~. If a ~~Councilman~~ Council member shall cease to possess any of these qualifications or shall be convicted of a crime involving moral turpitude, his/her office shall immediately become vacant.

Chairperson Phillips opened public hearing #2. There were no comments from the public and the hearing was closed.

**Public hearing #3**

**On item #2020-10-01**

Public hearing to hear comment on issuing a renewal liquor license to M and G X-Mac II, LLC, DBA Ocean Gardens Restaurant and Tavern.  
(Admin. Spon.)

Chairperson Phillips opened public hearing #3. There were no comments from the public and the hearing was closed.

**Proposed**

**Order #20-106**

Moved by Councilor Pratt, seconded by Councilor Shepard and Ordered, that the Town Council issue a renew liquor license to M and G X-Mac II, LLC, DBA Ocean Gardens Restaurant and Tavern, 390 Main Street.  
**7 yeas**

**Public hearing #4****On item #2020-10-02**

Public hearing to hear comment on renewal applications for Automobile Graveyards/Junkyard Permits for 2021. (Admin. Spon.)

Chairperson Phillips opened public hearing #4. There were no comments from the public and the hearing was closed.

**Proposed****Order #20-107**

Moved by Councilor Wilder Cross, seconded by Councilor Pratt and Ordered, that the Town Council approve renewal applications for the following Automobile Graveyard/ Junkyard Permits for 2020;

STEVE LUCE	LKQ CORP/GORHAM AUTO	192 NARRAGANSETT STREET
JIM STONE	CASCO FEDERAL CREDIT UNION	375 MAIN STREET
GARY NELSON	CHET'S AUTO SALES	475 OSSIPEE TRAIL
GORDON REICHERT	REICHERT'S AUTO BODY	112 SHAWS MILL ROAD
SHAWN MOODY	MOODYS/INSURANCE AUTO AUCTION	200 NARRAGASETT STREET
JOHN DUMBROCYO	DUMBO ENTERPRISES	86 LONGFELLOW ROAD

**Order #20-107 was VOTED. 7 yeas**

**Public hearing #5****On item #2020-10-03**

Public Hearing to hear comment on a proposal to amend the Town's General Assistance Ordinance by updating the maximum levels of assistance as required by the State. (Admin. Spon.)

Chairperson Phillips opened public hearing #5. There were no comments from the public and the hearing was closed.

**Proposed****Order #20-108**

Moved by Councilor Kuech, seconded by Councilor Shepard and Ordered,  
Whereas, the Town has an ordinance regulating General Assistance, and  
Whereas, the State annually provides an update maximum level of assistance that must be adopted,

Now Therefore Be It Ordered by the Town Council, that the Town's General Assistance Ordinance is amended to incorporate the updated maximum levels of assistance as required by the State.

**Order #20-108 was VOTED. 7 yeas**

**Public hearing #6**

**On item #2020-10-04**

Public hearing to hear comment on a proposal to amend Gorham's Marijuana Cultivation or Manufacturing Facility Licensing Ordinance to remove the State of Maine's residency requirement. (Admin. Spon.)

Chairperson Phillips opened public hearing #6. There were no comments from the public and the hearing was closed.

**Proposed**

**Order #20-109**

Moved by Councilor Hartwell, seconded by Councilor Kuech and Ordered, that the Town Council amend Gorham's Marijuana Cultivation Manufacturing Facility Licensing Ordinance as follows:

**Section 9 – Application Procedure**

**D. Application to establish a Marijuana Cultivation or Manufacturing Facility**

2. The completed application for a Marijuana Cultivation or Manufacturing Facility license shall contain the following information and shall be accompanied by the following documents:

1. The applicant's mailing address ~~and residential address.~~

~~4. All applicants, including all individuals, officers, directors, managers, members, and partners, for any Marijuana Cultivation or Manufacturing Facility license must be residents of the State, as defined in 28 B.M.R.S. A. §102, and a majority of shares, partnership interests, and membership interests, or other equity interests in corporate applicants must be held or owned by persons who are residents.~~

~~5. If an applicant is a person, the applicant must be a resident as that term is defined in the application. If the applicant is a corporation, partnership, or limited liability company, every officer, director, and managing partner must be a person who is a resident, and a majority of shares, partnership interests, and membership interests, or other equity interests must be held or owned by persons who are residents.~~

\*Note - Deletions ~~Struck Through~~

**Order #20-109 was VOTED. 7 yeas**

## **OLD BUSINESS**

**Item #9507** Action to consider selecting a vendor for solar facility services at 80 Huston Road closed landfill. (Admin. Spon.)

**Proposed Order #20-110** Moved by Councilor Shepard, seconded by Councilor Hager and Ordered, that the Town Council accepts the recommendation of Staff and selects Citizens Enterprises Corporation for a solar facility at the Town's closed landfill at 80 Huston Road; and Be it Further Ordered, that the Town Manager is authorized to enter into a lease agreement for a period not to exceed twenty year.

**Order #20-110 was VOTED. 7 yeas**

## **NEW BUSINESS**

**Item #2020-10-05** Action to consider amending Article VI, Building Additions, in the Fire Suppression Ordinance. (Councilor Hartwell Spon.)

**Proposed Order #20-111** Moved by Councilor Hartwell, seconded by Councilor Pratt and Ordered, that the Town Council instructs the Ordinance Committee to review Article VI, Building Additions, in the Fire Suppression Ordinance, and bring back recommendations to the Council for review and approval.

Marla Stelk, Johnson Road requested that the Council approve the item and that the Ordinance Committee look further into the ordinance.

**Order #20-111 was VOTED. 7 yeas**

**Item #2020-10-06** Action to consider amending the Land Use & Development Code, Chapter 2, Section 2-1, Subsection, H. Noise Abatement to allow for an exemption for well drilling. (Councilor Hartwell Spon.)

**Proposed Order #20-112** Moved by Councilor Hartwell, seconded by Councilor Pratt and Ordered, that the Town Council instructs the Ordinance Committee to review Chapter 2, Section 2-1, Subsection H, Noise Abatement, of the LUDC, to provide for an exemption for well drillers during a time of Severe Drought; and

Be It Further Ordered, that the Ordinance Committee forwards its recommendations back to the Council for review and approval.

**Order #20-112 was VOTED. 7 yeas**

**Item # 2020-10-07**                      Action to consider instructing the Appointments Committee to reactivate the Gorham Board of Health. (Councilor Wilder Cross Spon.)

**Proposed**  
**Order #20-113**                      Moved by Councilor Hager, seconded by Councilor Pratt and Ordered, that the Town Council instruct the Appointments Committee to bring to the Town Council recommendations of appointment to fill vacancies on the Gorham Board of Health.

**Order #20-113 was VOTED. 7 yeas**

**Item #2020-10-08**                      Action to consider instructing the Ordinance Committee to review adding a provision in the Land Use & Development Code to require surveyors to identify setbacks. (Councilor Philips Spon.)

**Proposed**  
**Order #20-114**                      Moved by Councilor Pratt, seconded by Councilor Shepard and Ordered, that the Town Council instructs the Ordinance Committee to review provisions in the LUDC that would require surveyors to identify setbacks to ensure that structures are within the required setback zone defined in the code.

**Order #20-114 was VOTED. 7 yeas**

**Item # 2020-10-09**                      Action to consider designating 43 Mighty Street as a historic structure / site. (Councilor Philips Spon.)

**Proposed**  
**Order #20-115**                      Moved by Councilor Wilder Cross, seconded by Councilor Shepard and Ordered, that the Town Council accepts the recommendation of the Historic Preservation Commission and designates 43 Mighty Street as a historic structure / site under the Town's Historic Preservation Ordinance.

Charlie Pearson presented the history of 43 Mighty and Bruce Roullard, Gorham Historical Society also remarked on the item.

**Order #20-115 was Voted. 6 yeas, 1 nay (Hager)**



**Item #2020-10-10** Action to consider authorizing a six month deferral program on any new Gorham Revolving Loan Fund approvals. (Councilor Pratt Spon.)

**Proposed  
Order #20-116** Moved by Councilor Pratt, seconded by Councilor Shepard and Ordered, that the Town Council authorizes deferring payments on new approved Revolving Loan Fund applications under the terms detailed by the Economic Development Director in his September 25, 2020 memo to the Town Council.

**Order #20-116 was VOTED. 7 yeas**

**Item #2020-10-11** Action to consider reviewing and accepting the recommendations of staff for funding ranking of pedestrian safety improvements & traffic calming measures in the Gorham Village area. (Councilor Philips Spon.)

**Proposed  
Order #20-117** Moved by Councilor Kuech, seconded by Councilor Wilder Cross and Ordered, that the Town Council accept the ranking criteria of staff for Pedestrian safety improvements & traffic calming measures in the Gorham Village to be constructed as funding permits.

Laci Hoskins and Kathy Garrard addressed their concerns on the ongoing issues of speeding on South Street and encouraged the Council to

**Order #20-117 was VOTED. 7 yeas**

**Item #2020-10-12** Action to consider abating the taxes on a mobile home. (Admin. Spon.)

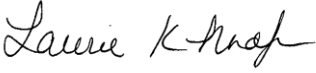
**Proposed  
Order #20-118** Moved by Councilor Shepard, seconded by Councilor Hager and Ordered, that the Town Council abate the taxes in the amount of \$5,555.94 on a mobile home that will be demolished, account #1059, 12 Tamarack Circle.

**Order #20-118 was VOTED. 7 yeas**

Moved by Councilor Shepard, seconded by Councilor Pratt and VOTED to adjourn. **7 yeas**

Time of Adjournment: 8:35PM

A True Record of Meeting  
10/06/2020

ATTEST  \_\_\_\_\_ 10/07/2020  
Laurie Nordfors, Town Clerk