

REPORT OF THE  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
Burleigh Loveitt Council Chambers  
October 5, 2021

Chairman Pratt opened the meeting with the Pledge of Allegiance to the Flag. There were 10 members of the public in attendance.

Roll Call: Chairman Pratt, Councilors Shepard, Hartwell, Hager, Phillips, Wilder Cross and Kuech. Also in attendance were Town Manager Ephrem Paraschak and Town Clerk Laurie Nordfors.

Moved by Councilor Wilder Cross, seconded by Councilor Shepard and VOTED to accept the minutes of the September 7, 2021 Regular Town Council Meeting. **7 yeas**

**Open Public Communications**

Joseph Cerny and Ralph Graffam, Wescott Road voiced their frustration with having to vote at Ward 2, since the State redistricted the Town a few years ago, instead of Ward 1-2 which is closer to their residence.

Harold Parks, George Street asked the Council if the Town had considered having Public Works remove fall leaves from the George Street cul-de-sac and also if the Town would consider designating the cul-de-sac a park.

**Councilor Communications**

Councilor Hager announced that the Finance Committee met on September 27th and discussed the Fiscal year 2021 ending. He reported the numbers were good and will receive the audit report after the first of the year.

Councilor Kuech toured the new fitness facility at the Middle School and was excited to learn that the teachers were trained to use the equipment. She also attended the 4<sup>th</sup> annual Too Small to Fail Laundry Cares Foundation and came away with many new ideas to share with the recently launched Little Rams Early Childhood Project.

Councilor Wilder Cross attended the Jensen Baird Municipal Client Seminar which went over the new Legislative Laws that will go into effect this month. She also attended the recent Board of Health Meeting where they set goals and future meeting times, and reported residents can send any health questions or concerns to the Board through our website. Councilor Wilder Cross also attended the Gorham Village Alliance meeting and revealed that they are working hard to make the Village the best it can be with future events including a public art exhibit and holiday lights being a few. She also attended the GPCOG regular meeting where they discussed plans and goals of long range transportation for the area.

Councilor Phillips thanked the many volunteers who came out and made the recent "Clean-up

Gorham” a success. She revealed that the next Joint Town Council Capital Improvements Committee & School Facilities Committee meeting will be held on October 12<sup>th</sup> where they will be discussing updates on the facilities studies and how to move forward.

Councilor Shepard reported that the Ordinance Committee met on September 21<sup>st</sup> and discussed four items. The next Ordinance Committee meeting will be October 19<sup>th</sup> where they will continue their discussion on these items.

Councilor Hartwell announced that Moody’s will hold their 44<sup>th</sup> Anniversary celebration on Saturday, October 16<sup>th</sup> at the Racetrack, with lots of food trucks and events, a bon fire and fireworks. You can get more information on the Gorham Rec Departments Facebook page.

Chairman Pratt announced that the GEDC met in September to set goals and discussed current items. They meet the third Wednesday of every month. He also attended the Cumberland County Finance Committee meeting on September 29<sup>th</sup> where they selected the current Chair of the Board and discussed the proposed 2022 County Budget.

### **Town Managers Report**

Town Manager Paraschak reminded home owners of the Town Wide Revaluation process which is still taking place in the Town. He said that home owners will receive notice before any visit. He reported that the town had a problem with software which prints our tax bills and many bills were sent out with the exemptions listed on the “other” line which makes it appear that the exemption is gone. He also announced that Life Church will be holding their annual trunk or treat on Halloween from 4-6pm in the Municipal Center Parking lot.

### **School Committee Report**

Anne School, Vice Chair, reported the following:

#### **School Opening**

Good evening! We have had a very positive opening of schools across our district and are now fully in the swing of things. Our staff and administration are working double time due to staffing shortages and increased needs associated with operating during a global pandemic. The challenges are by no means small, but everyone remains focused on providing safe and caring learning environments for *all* children!

We will continue to tackle each challenge head on in order to do what is best for our students. If you see our team out and about, please thank them for all their hard work!

#### **COVID-19**

We wanted to report that as of 09/28/21 we have had just one active case of COVID 19 associated with our schools! Since the beginning of the school year, we have had 26 cases. Further, we have not seen any evidence of transmission occurring within our schools this year!

Gorham High School remains on outbreak status even though there are no active cases, because we must go 14 consecutive days without an active case before, we are removed from the list. We remain *very* proud of our staff for maintaining a 97% vaccination rate and of our students who are 85%! These rates are among the highest in Cumberland County. We are hoping to be able to begin vaccinating children 11 and under by the middle of November by working with our health care partners at Northern Light. We are also working with Northern Light to set up school-based flu clinics at the end of October. Parents and staff should have received information on how to participate in these flu clinics already. If you have questions, please reach out to your school's nurse.

### Anti-Racism and Equity Committee

The Gorham School's Anti-Racism and Equity Committee continues to meet to conduct its important work. The group met last on September 29th and will meet again on October 20th. The group continues its focus on assisting the School Committee in steering this important work with specific focus on curriculum, training, and policy review as well as other important topics.

### Little Rams Early Childhood Project

We have recently launched the "Little Rams Early Childhood Project." Thank you to Town Council member Janet Kuech for her willingness to serve on this important committee! We had our first meeting just a few weeks ago and will be meeting again on October 14th.

At our first meeting we identified many of the strengths of our great community in relation to early learning programs for students as well as many of the challenges our families face in accessing quality early learning programs. We spent some time getting to know one another and talking about the purpose of the work. For our next meeting, we will be reviewing data from a recent survey sent to early care providers in Gorham as well as too many parents of children under 6.

Our goal is to develop a written early childhood vision, report for the community in Gorham that will include the following:

- A vision for early childhood learning for Gorham

- An assessment of current community gaps in actualizing this vision; and

- Creation of draft priority action needed to make early childhood learning vision a reality in Gorham

When this work is completed, our intent will be to share the report in a presentation to both the Gorham Town Council and the Gorham School Committee.

### Re-Visioning

Gorham Schools have recently launched into a new re-visioning process to help create a new strategic plan that will govern our work and direction over the next 3-5 years. As part of this

work, we will be engaging many stakeholders and community members so please stay tuned for additional ways to participate.

Thank you to Tom Poirier for being willing to join our Strategic Re-Visioning team as a community member! His insights and knowledge of the community will be invaluable to this important work. Our group has met once thus far and will be meeting monthly over the course of the coming year.

## Open Positions

The School Department is still looking to fill the following positions.

- 3 Bus drivers
- 3 Van drivers
- ® 2 Educational Technicians
- 2 School Nutrition Staff
- 1 Full time Nurse sub

At this time, we have not had to reduce services to students as a result of these shortages. However, all staff are having to pick up additional duties as a result. Additionally, due to lack of bus drivers, we have had to prioritize travel. For example, we have had to limit field experiences for students, and we have not been able to send several middle school level teams to scheduled events.

We are offering a \$2,000 sign on bonus for any individual who joins our bus driving team. If you are not currently licensed but want to be, we also provide a "earn to learn" program where we will pay you to drive vans for us while you complete your license requirements!

If you or someone you know is interested, please check out our website to apply today! Also, if you want to help our schools but are not interested in employment, please check out our website to learn more about volunteer opportunities within our district!

## Enrollment

Finally, we have our unofficial enrollment numbers. They are as follows:

Great Falls – 509

Narragansett – 361

Village – 415

Gorham Middle School – 630

Gorham High School – 838

Total – 2753

Keep in mind that our final enrollment report is not due to the State until October 15<sup>th</sup>. As always, if you have any question please do not hesitate to reach out.

**Public hearing #1****On item #2021-10-01**

Public hearing to hear comment on renewal applications for Automobile Graveyards/Junkyard Permits for 2021-2022. (Admin. Spon.)

Chairman Pratt opened public hearing #1. There were no comments from the public and the hearing was closed.

**Proposed****Order #21-135**

Moved by Councilor Shepard, seconded by Councilor Hager and Ordered, that the Town Council approve renewal applications for the following Automobile Graveyard/ Junkyard Permits for 2021-2022;

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
SHAWN MOODY	MOODYS/INSURANCE AUTO AUCTION	200 NARRAGASETT STREET
GORDON REICHERT	REICHERT'S AUTO BODY	112 SHAWS MILL ROAD
JOHN DUMBROOCYO	DUMBO ENTERPRISE	86 LONGFELLOW ROAD

Order #21-135 was VOTED **7 yeas**

**Public hearing #2****On Item #2021-10-02**

Public hearing to hear comment on a proposed amendment to adopt the Mosher's Corner Mixed-Use District and the proposed amendment to the Official Zoning Map. (Admin. Spon.)

Chairman Pratt opened public hearing #2. There were no comments from the public and the hearing was closed.

Moved by Councilor Wilder Cross, seconded by Councilor Shepard and VOTED to waive the reading of Order #21-136 due to length. **7 yeas**

**Proposed****Order #21-136**

Moved by Councilor Shepard, seconded by Councilor Hartwell and Ordered, that the Town Council adopt the amendment of the Mosher's Corner Mixed Use District and the amendments to the Official Zoning Map as follows:

**SECTION 1-13 - COMMERCIAL/OFFICE MOSHER CORNER MIXED- USE DISTRICT**

**A. PURPOSE**

To provide areas in the Town of Gorham which accommodate a suitable mix of retail commercial businesses and professional offices in a manner which maintains the attractiveness of the major entrances to Gorham, protects the physical environment, maintains the traffic capacity of existing major roads and protects abutting property owners.

**B. PERMITTED USES**

- 1) Retail Stores
- 2) Business Services establishments
- 3) Personal services
- 4) Business and professional offices and professional out-patient clinics
- ~~5) Shopping centers~~
- 6) Municipal office buildings or uses
- 7) Park or playground
- 8) Rooming house, excluding fraternity housing.
- 9) Funeral home
- 10) Places of public assembly, including indoor theaters **which has less than two thousand (2,000) square feet of floor area.**
- 11) School, hospital, church, or any other institution of educational, religious, philanthropic, fraternal organization or social nature which is not used for residential purposes, which has less than two thousand (2,000) square feet of floor area and generates less than two hundred (200) vehicles trips during any twenty-four hour period.
- 12) Public and private utility facilities, including substations, **and** pumping station(s) **and treatment facilities.**
- 13) Drive-through service which is accessory to a permitted use
- 14) Accessory buildings and uses

- 15) Residential uses, including one-family dwellings, two-family dwellings, apartment buildings and multi-family housing
- 16) Day Care Homes as Home Occupations
- 17) Bed and Breakfast Establishment
- 18) Bed and Breakfast Establishment with public dining as an accessory use
- 19) Inn
- 20) Offices for executive, administrative, and data processing activities
- 21) Commercial Schools **which has less than two thousand (2,000) square feet of floor area.**
- 22) Medical or quick care facilities
- ~~23) Office of a contractor or tradesman~~

#### C. SPECIAL EXCEPTIONS

- 1) Day Care Centers
- 2) School, hospital, church or any other institution of educational, religious, philanthropic, fraternal organization or social nature which is not used for residential occupancy which has two thousand (2,000) or more square feet of floor area or which generates two hundred (200) or more vehicle trips during any twenty-four hour period.
- 3) **Places of public assembly, including indoor theaters which has more than two thousand (2,000) square feet of floor area.**
- 4) **Commercial Schools which has more than two thousand (2,000) square feet of floor area.**

#### D. SPACE STANDARDS

- 1) Residential Uses

	<u>Sewered</u>	<u>Unsewered</u>
Minimum Lot Size	20,000 sq.ft	40,000 sq.ft
Minimum area per dwelling unit	20,000 sq.ft	40,000 sq.ft.

Street frontage	100'	150'
Front setbacks		
MDOT numbered routes	80'	80'
Local Roads	25'	25'
Side/ Rear setbacks	15'	15'

2) Non-Residential Uses

Standards for non-residential uses shall be as follows:

Minimum lot size	630,000 square feet
Minimum street frontage	2100 feet
Minimum front yard - local or collector street	50 feet or two (2) times the building height, whichever is greater
Minimum front yard - <del>arterial street</del> <b>State Numbered Routes</b>	80 feet or three (3) times the building height, whichever is greater
Minimum side and rear yard	50 feet or two (2) times the building height, whichever is greater
<del>Maximum building height</del>	<del>35 feet</del>
Maximum floor area <del>Impervious Coverage ratio</del>	<del>0.35</del> 60
Minimum landscaped buffer on any side abutting an <del>arterial street</del> <b>State Numbered Routes</b>	50 feet
Minimum landscaped buffer on any side abutting <del>all other streets collector or local street</del>	25 feet

Notwithstanding the provisions of this subsection D, an auxiliary public utility structure is exempt from the minimum lot size, street frontage, and floor area ratio requirements of this district. Structures must meet setback requirements. Additional screening and buffering can be requested by the Planning Board.

**E. PERFORMANCE STANDARDS**

- 1) The ~~following~~ performance standards ~~shall apply in addition to the standards contained in Chapter 2 of this ordinance~~ Code shall be fully observed.
- 2) The following additional performance standards shall also apply.
  - a) Lot Layout



1. For lots with frontage on Main Street no parking lots shall be located between any building façade facing Main Street and Main Street.
2. All generators, storage areas, **electrical transformer pads, HVAC ground mounted units, above-ground propane tanks,** and dumpster pads shall be landscaped and located behind the buildings and structures so that they are not visible from any public street or residential properties. The Planning Board ~~may allow~~ may allow generators, storage areas, and dumpster pads to be located so they are not located behind the buildings if the Board finds that the proposed locations are required to provide for a better overall design of the lots/development and that they are sufficiently buffered from public roads and residential properties.

b) Utilities

1. All non-residential uses and subdivisions shall be supplied with public water service meeting the requirements of the Portland Water District.
2. All non-residential uses and subdivisions shall connect to public sewer meeting the requirements of the Portland Water District and the Town of Gorham. ~~which generate a design sewerage flow in accordance with the Maine State Plumbing Code of more than 3,000 gallons per day shall be serviced with public sewer.~~
  - a. The Planning Board may grant a waiver for the requirements of the extension of public sewer main extension if the lot is located greater than 200 feet from the nearest connection to a public sanitary sewer and the costs to connect into the system is greater than 3 times the costs for an onsite sewerage disposal system as identified by the Planning Board.
3. All developments are required to have underground utilities.

c) Buffer yards and landscaping buffering shall conform to the following standards:

1. The required setback between any public road and/or any residential zoning district or property shall be designated as a buffer area unless it's part of a mixed-use project and the

residential/ commercial uses are developed as part of an integrated development plan and provides an aesthetically pleasing environment.

2. A landscaped buffer area shall be designed and maintained to minimize the adverse impact on abutting properties and the public and to soften the appearance of the structure(s) and in particular, to minimize the adverse impact on any structures which exist on abutting lots located outside this district. ~~which structures exist as of the date of enactment of this zoning ordinance amendment on September 17, 1996.~~ **Landscaped buffers should include a mix of evergreen and deciduous trees, shrubs, and plants. Hardscape features such as, but not limited to, stonewalls and decorative metal or wooden fences are also encouraged in the buffer area to provide and shape the buffer area and balance the plantings.** No building, parking or service areas shall be located in the buffer area. Access roads may cross the buffer area to provide access to and from a street, but shall be designed to minimize the disruption of the buffer area. No direct access to parking stalls shall be provided from an access road located in a buffer area.
3. The landscaped buffer area shall require a plan to be prepared or reviewed by a registered landscape architect or qualified landscaping firm. The plan shall provide all the required submission requirements outlined under Chapter 3: Subdivision and/or Chapter 4: Site Plan Review. The name of the landscape professional and firm preparing the plan along with their credentials shall be provided with the landscape plan.
4. Parking lots shall have internal landscape islands designed to reinforce the desired circulation pattern and to provide a visual break and buffer.

d) Building Design Standards:

1. All principal buildings and structures for non-residential purposes shall be of a traditional New England Village design to be compatible with the predominant scale and character of the existing Gorham Village architecture.
2. The predominate exterior building materials shall be on high quality materials, including but not limited to, wood or vinyl clap board siding, masonry units that replicate shake or clapboard siding, brick, sandstone, wood, native stone and

tinted/ textured concrete masonry units and/ or glass products or metal or plastic

roofing that simulates shake or shingle roofing. Simulated material may be substituted for any of the aforementioned building materials.

3. At least three different materials shall be used for the primary front façade for the building facing the primary street the building access and/ or Main Street/ Mosher Road. The Planning Board may waive the building material to two different materials if it finds the building design has enough architectural details to sufficiently break up the massing of the building. Glass for use in windows and doors shall not be considered one of the required building materials. All facades that have frontage on street or private way shall be considered a primary façade.

#### e) Access Management

1. Projects involving more than one building and/ or lot shall provide an internal circulation system to minimize entrances to the project.
2. Entrances and uses in this district shall be combined to the maximum extent possible. Developments must allow for pedestrian and vehicular access into the lot's driveways, sidewalks, and/ or parking lots from the abutting properties.
3. For lots with frontage on Main Street, Mosher Road, and another street the access drives shall be located off the street of lower classification unless the Planning Board finds that no safe alternative exists.
4. A parcel that does not have frontage on Main Street or Mosher Road shall not be granted vehicular access from the street except in cases where:
  - a. Access will be provided through a combined entrance with another parcel which has frontage on the street.
5. Lots with access on Main Street or f Mosher Road must have driveways located so that they are a minimum 400' from another driveway on the same side of the street unless:
  - a. The Planning Board finds that the distance would provide for unsafe circumstances.

- b. The driveway's spacing to abutting properties driveways cannot be spaced to meet the 400' minimum requirement. The Planning Board shall provide for a driveway spacing to the greatest extent practical.
- 6. Lots with frontage on Mosher Road and/ or Main Street are required to install sidewalks for the lot frontage should sidewalks not be located along Mosher Road and/ or Main Street.
- 7. The internal pedestrian access shall connect to the sidewalks located on Mosher Road and/ or Main Street. **The requirement for off-site sidewalk extension shall be modified by the Planning Board or Site Plan Review Committee provided the following conditions are met:**
  - a. For projects under site plan review the costs for off-site sidewalks exceeds a cost of \$1,000 per 2,000 sq.ft. of gross commercial floor area or for projects proceeding under subdivision review the costs for off-site sidewalks exceeds a cost of \$10,000 per lot. Subdivision lots that have been reviewed under this provision are not required to be reviewed again under site plan review.
  - b. In place of a full sidewalk extension, the applicant is required to extend the nearest sidewalk the following lengths towards the proposed development:
    - i. For roads with existing closed drainage systems and curbing, the applicant shall extend the sidewalk 200' for each 5,000 sq.ft. of gross floor area under site plan review or 400' for each lot;
    - ii. For roads without existing closed drainage systems and curbing, the applicant shall extend the sidewalk 100' and close in the drainage system for each 5,000 sq.ft. of gross floor area under site plan review or 250' for each lot;

iii. For existing public roads with sidewalks in poor condition as determined by the Public Works Director or his designee, an applicant can request that half of the required extension be utilized to repair the existing sidewalk network on a foot by foot exchange. The lot is also subject to the connection of pedestrian improvements located off the lot as required under Chapters 2 and 4 of the Land Use Code.

- ~~5) — Parking lots shall have internal landscape islands designed to reinforce the desired circulation pattern and to provide a visual break and buffer.~~
- ~~6) — The location of all entrances to a collector or arterial street shall meet the minimum sight distance requirements of the Maine Department of Transportation for the posted speed limit.~~
- ~~7) — All non-residential uses shall be served by underground utilities.~~
- ~~8) — All principal buildings and structures for non-residential purposes shall be of a traditional New England Village design to be compatible with the predominant scale and character of the existing Gorham Village architecture.~~

Order #21-136 was VOTED **7 yeas**

**Public hearing #3**

**On Order #2021-10-03**

Public hearing to hear comment on proposed amendments to the Land Use and Development Code's Home Occupation ordinance, regarding allowed uses and standards. (Admin. Spon.)

Chairman Pratt opened public hearing #3. There were no comments from the public and the hearing was closed.

Moved by Councilor Phillips, seconded by Councilor Hager and VOTED to waive the reading of Order #21-137 due to length. **7 yeas**

**Proposed**

**Order #21-137**

Moved by Councilor Wilder Cross, seconded by Councilor Hager and Ordered, that the Town Council amend the Land Use and Development Code's Home Occupation Ordinance, regarding allowed uses and standards as follows:

## Chapter 1: ZONING REGULATIONS

### SECTION 1-5 - Definitions

Business and Professional Offices for the conduct of business and involve no sales of tangible products available on the premises, except as a minor and ancillary use as would be directly related to the conduct of a given profession, or storage of materials or equipment that are used off the premises.

Professional offices include, but are not limited to, the following: office facility of a salesman, sales representative or a manufacturer's representative; office facility of an architect, engineer, broker, dentist, physician, optometrist, psychiatrist, insurance agent, land surveyor, lawyer, musician, real estate agent or accountant; office facility of a minister, rabbi or other religious leader, provided that the office is open to the public or congregation. The following uses are not considered business and professional offices:

- 1) Distribution facilities
- 2) Sales offices involving on-premises display and sales of materials, except as a minor and ancillary use as described above
- 3) Offices of building contractors involving the storage of materials or equipment.

Personal Services	<u>A service based on the intellectual or manual efforts of an individual rather than a salable product.</u> <u>Personal services includes, but are not limited to, the following: barber, hairdresser, beauty parlor, spa, barbershop, shoe repair, shoe shine, photographic studio, and businesses providing similar services of a personal nature.</u>
Repair Services	Businesses providing for the repair <b>and maintenance</b> of personal and business property such as radios and televisions; electrical and electronic equipment; watches, clocks, and jewelry; furniture and upholstery; musical instruments; sporting equipment; small engines and equipment; <u>small appliances; bicycles; electric bicycles</u> and similar items but not including the repair of motor vehicles, boats, recreational vehicles or heavy equipment. Retail sales of parts and supplies shall be allowed provided such sales are accessory to the repair service.
<u>Instructional Services</u>	<u>An instructional service is a use in which the practitioner provides the client with special instruction in a specific area of study. Instructional services include, but are not limited to, the following: music, dance, arts and crafts, and tutoring.</u>

Home crafts                      The business activities whereby the commodity for sale is completely manufactured by the resident craftsman. Home crafts may include, but are not limited to, the following: artists, jewelers, sculptors, dressmaking, seamstresses and tailors, and include such activities as model making, bakery, rug weaving, lapidary work and furniture making.

**Online Retail Sales**                      **The sale of goods and services from the seller to the customer over the internet using a web browser or a mobile app.**

## SECTION 1- 13 – COMMERCIAL/ OFFICE DISTRICT

### B. PERMITTED USES

14) Accessory buildings and uses **including home occupations.**

## SECTION 1- 16 – NARRAGANSETT MIXED-USE DISTRICT

### B. PERMITTED USES

3) Residential Uses – as part of a mixed-use development.

**c) Accessory uses including home occupations.**

## CHAPTER 2: GENERAL STANDARDS OF PERFORMANCE

### SECTION 2-15 – HOME OCCUPATION STANDARDS

Home occupations shall conform to the following requirements:

1. The use of a dwelling unit for a home occupation shall be clearly incidental and subordinate to its use for residential purposes.

2. A home occupation may not alter the residential character of the structure, neighborhood or change the character of the lot from its principal use as a residence.

1-3. The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto with the exception of farm/roadside stands which are allowed to be carried on in a separate structure.

2-4. Not more than two people outside the family shall be employed in the home occupation.

3-5. There shall be no exterior display, no exterior sign (except as expressly permitted by the district regulations of this chapter), no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building.

~~4-6.~~ No nuisance, offensive noise, vibration, smoke, dust, odors, heat, or glare shall be generated. The noise standards shall comply with the standards identified under Chapter 4, Section 4-9, and T. Noise.

~~5-7.~~ No traffic shall be generated by such home occupation in greater volumes than would normally be expected in the neighborhood or generate more than 10 vehicle trips per day.

~~6-8.~~ ~~In addition to the o~~ Off-street parking ~~provided to shall~~ meet the standards set forth in Section 2-2 of this Chapter. If additional parking spaces are provided, they shall be located to the rear or side yard of the principal structure but not within the yard setbacks. Off-street parking lots with three (3) or more spaces shall be buffered from abutting residences. normal requirements of the dwelling, adequate off-street parking shall be provided for the vehicles of each employee and the vehicles of the maximum of users, the home occupation may attract during peak operating hours.

9. The sale of products shall be limited to those which are crafted, assembled or substantially altered on the premises, to catalog items ordered off the premises by customers and to items which are accessory and incidental to a service which is provided on the premises.

~~7-10.~~ The home occupation shall not utilize more than 20% of the total floor area of the dwelling unit or 576 square feet, whichever is more, with the exception of day care home facilities which may utilize up to 50% of the dwelling unit in addition to the use of the exterior of the property for State required play areas.

~~8-11.~~ The following uses shall be allowed as home occupations as defined in Chapter 1, Section 1-5 Definitions:

- a. Business and Professional offices
- b. Personal Services
- c. Instructional Services
- d. Repair Services
- e. Day Care Home
- f. Home crafts
- g. Construction Services
- h. Office of a Contractor or Tradesman
- i. Medical marijuana caregiver
- j. Online Retail Sales**

~~A home occupation shall be limited to the following:~~

- ~~a. art studio~~
- ~~b. bed and breakfast~~
- ~~c. day care home~~
- ~~d. dressmaking shop~~
- ~~e. farm/roadside stands~~



- ~~f. hairdressing shop~~
- ~~g. teaching or tutoring facilities~~
- ~~h. office of a physician, dentist, optometrist, lawyer, engineer, architect or accountant~~
- ~~i. office of a real estate broker or agent~~
- ~~j. office of an insurance agent or broker~~
- ~~k. office of construction services~~
- ~~l. uses similar and compatible with the above as determined by the Town's Code Enforcement Officer~~

9-12. Permit required. A permit must be obtained from the Code Enforcement Department prior to commencement of the Home Occupation. As part of the permit approval, the Town's Code Enforcement Officer is authorized to limit the proposed use or require on-site improvements to minimize potential negative impacts to the neighborhood and/or roadways.

~~10~~13. A home occupation shall not be interpreted to include the following:

- a. facilities for the repair of motor vehicles
- b. day care center

~~11~~14. In addition to the home occupation standards listed above, the home occupation uses listed below shall meet the following requirements:

a. Instructional Services

- 1) Instructional services involving a maximum of four students at a time are permitted. In the case of musical instructions, no more than two students at a time shall be permitted.

b. Day Care Home

- 1) Prior to the permit approval of the use by the Code Enforcement Officer, the applicant must obtain a license from the State of Maine Department of Child and Family Services.

c. Construction Services

- 1) Limited to two of the following: pick-up trucks, vans or box trucks and one trailer parked/stored outside.
- 2) No outside storage of materials.
- 3) Material storage buildings/space limited to 20% of the size of the total area of the dwelling unit.

d. Repair Services

- 1) The repair of any small engines or equipment with any type of gas, diesel, oil, or natural gas engine is not permitted.

e. Medical marijuana caregivers:

- 1) All growing and related growing supplies are required to be stored inside and within the 20% of the total floor area of the dwelling unit or 576 square feet, whichever is more.
- 2) No outside cultivation or storage of marijuana, marijuana products, or related supplies is permitted. There shall be no exterior visibility or evidence of marijuana cultivation outside the private residence, including but not limited to, any marijuana plants, equipment used in the growing and cultivation operation, and any light emanating from cultivation lighting.
- 3) The odor generated from marijuana cultivation or harvesting shall not be reasonably detectable from any adjacent lot, public right-of-way, or outside of the growers' leased area. The marijuana cultivation shall provide for adequate ventilation so as to prevent pesticides, insecticides or other chemicals used in the cultivation from being dispersed or released outside the building or lease line.
- 4) The medical marijuana caregiver shall obtain a State of Maine conditional license prior to operating in the town of Gorham.

Moved by Councilor Hartwell, seconded by Councilor Philips and VOTED to amend the order to not strike out "L" in section 11 and move it to "K". **7 yeas**

Order #21-137 was VOTED as amended **7 yeas**

**Old Business**

**Item #2021-9-12**                      Action to consider adopting a remote and hybrid meeting policy.  
(Councilor Pratt Spon.)

Moved by Councilor Phillips, seconded by Councilor Kuech and VOTED to waive the reading of Order #21-138 due to length. **7 yeas**

**Proposed**

**Order # 21-138**                      Moved by Councilor Kuech, seconded by Councilor Shepard and Ordered,  
that the Town Council adopts the following remote and hybrid  
meeting policy pursuant to 1 M.R.S § 403-B as follows:

## TOWN OF GORHAM TOWN COUNCIL

### REMOTE AND HYBRID MEETING POLICY

*Pursuant to 1 M.R.S § 403-B*

- I. **Purpose:** The Town of Gorham strives to provide an open and transparent government that maximizes the ability of its residents to participate in the public process. This Policy sets forth the conditions upon which the Gorham Town Council may conduct a remote meeting, as that term is defined in this Policy. In addition, this Policy sets forth the conditions upon which the Gorham Town Council may conduct a hybrid meeting, as that term is defined in this Policy.
- II. **Definitions:**
- a. “Hybrid meeting” means a public proceeding, as defined in 1 M.R.S. § 402(2), as may be amended, conducted with some meeting attendees in person/face-to-face at a designated physical location while connecting with other meeting attendees by remote means.
  - b. “Public meeting” means a “public proceeding,” as that term is defined in 1 M.R.S. § 402(2), as may be amended.
  - c. “Remote means” means “remote methods” as that term is defined in 1 M.R.S. § 403-B(1), as may be amended. For purposes of this Policy, “remote means” may include, but is not necessarily limited to: Zoom, Go-To-Meeting, Skype, Google Meet, or other comparable internet-based telephonic or videoconferencing platform. Remote means does not include text-only means such as e-mail, text messages, or chat functions.
  - d. “Remote meeting” means a public proceeding, as defined in 1 M.R.S. § 402(2), as may be amended, conducted *solely* by remote means.
- III. **Remote Meetings of the Town Council:** The Town Council shall conduct its meetings in person unless the Chair (or in his/her absence, the Vice Chair), in consultation with the Town Manager, makes a determination that an emergency or urgent issue exists that requires the Town Council to conduct a remote meeting, including, but not limited to, inclement weather and/or disasters or catastrophes caused by either natural or man-made causes. The determination of such an emergency or urgent issue shall be made as soon as practicable, and notice of a meeting being conducted solely by remote means shall be disseminated consistent with 1 M.R.S. § 406, as may be amended, and this Policy.
- IV. **Hybrid Meetings with Remote Participation by Individual Town Councilors:** Except for a remote meeting being conducted consistent with Section III of this Policy, members of the Town Council are expected to be physically present for all public meetings except when being physically present is not practicable for one or more members. Circumstances under which physical presence for one or more members is not practicable are limited to:

- a. Illness or other physical condition, or temporary absence from the Town of Gorham, that causes the member to face significant difficulties travelling to and attending the public meeting in person; or
- b. To provide a reasonable accommodation to a member with a disability.

A Town Councilor who believes it is not practicable, as set forth above, for him/her to attend a meeting in person shall notify the Chair (or in his/her absence, the Vice Chair), as well as the Town Manager, of the existence of such circumstances as far in advance as is possible. The Chair (or in his/her absence, the Vice Chair), shall, in consultation with the Councilor, then make a determination whether being physically present is not practicable for that Councilor and, if such a determination of impracticability is made, so notify the Town Manager that a hybrid meeting will be conducted. If the agenda has already been posted at the time the determination is made to authorize a hybrid meeting with the Town Councilor's remote participation, an amended meeting agenda containing the information set forth in Section VI(a) of this Policy shall be posted on the Town's website and be distributed to all Town Councilors, relevant Town staff, and local representatives of the media by the same or faster means used to notify Town Councilors at least four (4) hours prior to the originally noticed meeting start time.

- V. **Hybrid Meetings with No Remote Participation by Individual Town Councilors:** The Town Council is not required by law to offer this type of meeting format and will only conduct a hybrid meeting with no remote participation by individual Town Councilors when it is determined by the Town Manager, in consultation with the Chair (or in his/her absence, the Vice Chair), that such a hybrid meeting is necessary for some special reason, such as the need for the Town Council to communicate with an outside attorney, professional or consultant without incurring the costs associated with that person's travel to/from Gorham.

- VI. **Public Notice of Remote Meetings or Hybrid Meetings:** When the Town Council conducts a remote meeting or a hybrid meeting, the following shall occur:

- a. Notice of the public meeting shall be provided in a manner that provides ample time to allow public attendance. Such notice shall be disseminated in a manner that is reasonably calculated to notify the general public of the time, date, location, and method to be used to conduct the meeting. Such notice shall provide information regarding how members of the public may attend the public meeting remotely and shall provide the physical location where members of the public may participate in person, if applicable.
- b. Members of the public shall be provided with a reasonable opportunity to participate in the public meeting by remote means, which shall at a minimum include an effective means of communication between such members of the public and the Town Council. Reasonable accommodations may be provided when necessary to provide access to individuals with disabilities.

- c. Unless the entire Town Council is conducting a remote meeting as provided in Section III of this Policy, members of the public must be provided the option to attend the meeting in person or by remote means.
  - d. Unless the entire Town Council is conducting a remote meeting as provided in Section III of this Policy, the Chair (or in his/her absence, the Vice Chair), at the start of the meeting, shall announce the name of any Town Councilor(s) participating by remote means and state the reason therefor, which reason must be consistent with Section IV.
  - e. All public documents and other materials considered by the Town Council shall be made available to members of the public by the same or more efficient means as they are provided to individual Town Councilors. This requirement may be met by: (i) posting all public documents and materials to be considered by the Town Council on the Town's website at least one (1) business day prior to the meeting; (ii) making physical copies of all documents and materials to be considered by the Town Council available for in person pick-up at the Town Office at least one (1) business day prior to the meeting; or (iii) enabling the "screen-sharing" function of the remote means utilized for the meeting in such a way that members of the public are able to view all relevant documents and materials while the Town Council is reviewing and discussing the same.
- VII. **Quorum:** A Town Councilor who participates in a remote meeting or a hybrid meeting is considered present for purposes of determining the presence of a quorum and voting.
- VIII. **Roll Call Vote Required:** All votes taken during a remote meeting or a hybrid meeting must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by all Town Councilors and the public.
- IX. **Zoom Preferred:** The preferred remote means for all Town boards and committees shall be Zoom Webinar. The platform shall be set up and hosted by a Town official and a digital recording shall be preserved. The use of private accounts to host a remote meeting or a hybrid meeting is prohibited.
- X. **Disruptions and Adjournment:** If during the conduct of a remote meeting or a hybrid meeting, the meeting is interrupted through disruptions or glitches in the technology, the meeting shall be automatically recessed for up to 15 minutes to restore communication when audio-visual communication cannot be maintained with a quorum of Town Councilors. If the interruption cannot be resolved within 15 minutes, and the Town Council has not provided reasonable notice to the public as to how the meeting will be continued at an alternative date and time, then the meeting shall be automatically adjourned. If the meeting being conducted is a hybrid meeting with no remote participation by individual Town Councilors and a remote connection to the public location identified in the Town Council's notice pursuant to Section VI(a) of this Policy is interrupted or lost, the meeting shall continue at the public location without the need for a recess or adjournment.

- XI. **Executive Sessions**: To preserve the executive session privilege of any portion of a meeting closed to the public, the Chair should confirm with each attendee that no unauthorized person is present or has access to any executive session being conducted via remote means. There shall be no audio or visual recording of an executive session.
- XII. **Other Town Boards and Committees**: Any public body organized under the auspices of the Town may adopt this Policy in order to comply with 1 M.R.S. § 403-B. Any public body adopting such a remote and hybrid meeting policy under this section must, after hearing on the same, file written notice of the vote with the Town Clerk upon adoption. Any such public body may also choose to set more stringent regulations for use of remote means, provided that said policy is at least as stringent as this Policy and complies with 1 M.R.S. § 403-B. Such enhanced policy must also, after hearing on the same, be approved by a vote of a majority of the members of said body, and a copy of said enhanced policy must be filed with the Town Clerk upon adoption.
- XIII. **Amendment; Severability; Effective Date**: This Policy may be amended as needed by a majority vote of the Town Council. The provisions of this Policy are severable, and if any provision shall be declared to be invalid or void, the remaining provisions shall not be affected and shall remain in full force and effect. This Policy shall take effect immediately upon adoption by the Town Council.

Date Adopted: October 5, 2021

Order #21-138 was VOTED **7 yeas**

#### **New Business**

**Item # 2021-10-04**                      Action to consider accepting 864 feet of Winding Brook Way as a public roadway. (Councilor Pratt Spon.)

Moved by Councilor Phillips, seconded by Councilor Shepard and VOTED to allow Councilor Hartwell to recuse himself from the vote due to a conflict of interest. **6 yeas**

#### **Proposed**

**Order # 21-139**                      Moved by Councilor Hager, seconded by Councilor Kuech and Ordered, that the Town Council accepts Winding Brook Way as a public roadway;  
And  
Be it Further Ordered, that the Winding Brook Way be classified as a rural access road.

Order #21-139 was VOTED **3 yeas, 3 nays (Wilder Cross, Pratt, Shepard) 1 recuse. Item fails**

**Item# 2021-10-05**

Action to consider filling a vacancy on the Gorham Conservation Commission. (Appointments Committee Spon.)

**Proposed**

**Order #21-140**

Moved by Councilor Wilder Cross, seconded by Councilor Philips and ORDERED, that the Town Council appoint Jacinda Wilson to the Gorham Conservation Commission.

Order #21-140 was VOTED **7 yeas**

**Item #2021-10-06**

Action to setting a date for a Town Council workshop. (Councilor Pratt Spon.)

**Proposed**

**Order #21-141**

Moved by Councilor Kuech, seconded by Councilor Hager and Ordered, that the Town Council sets a workshop date of October 19, 2021 starting at 6:30pm in Council Chambers to review the ARPA funds program also to have a general discussion on department leads information requested for presentations to the council and discussion on possible zoning improvements within the Town.

Order #21-141 was VOTED **7 yeas**

**Item # 2021-10-07**

Action to consider instructing staff to provide written recommendations to the Council to improve waste issues on Gorham trails and properties. (Councilor Philips Spon.)

**Proposed**

**Order #21-142**

Moved by Councilor Shepard, seconded by Councilor Phillips and Ordered, that the Town Council instructs staff to provide written recommendations back to the Town Council on cost effective ways to reduce litter and improve the overall cleanliness of municipal trails and properties.

Order #21-142 was VOTED **7 yeas**

**Item # 2021-10-08**

Action to consider adopting a resolution on immunization mandates.  
(Councilor Hartwell Spon.)

**Proposed**

**Order #21-143**

Moved by Councilor Hartwell, seconded by Councilor Phillips and Ordered, that the Town Council adopts the following resolution:

Whereas, the Gorham Town Council believes in promoting the benefits of vaccination through education;

Whereas, COVID-19 vaccinations were developed at an exceptionally fast pace;

Whereas, COVID-19 vaccinations have caused side effects in some patients;

Whereas, COVID-19 vaccinations have not been available long enough to understand the long term effects;

Whereas, the lack of understanding of the long term effects is a justifiable reason to wait on being vaccinated;

Therefore, Be It Resolved, that the Gorham Town Council hereby recognizes that the State of Maine has gone too far by mandating that certain employees receive COVID-19 vaccinations by threatening them with their loss of employment if they choose to wait to be vaccinated.

The following e-mails were received by residents:

Dear Town Council Member, As a pharmacist and resident of Gorham I am embarrassed to see this resolution on the table for discussion. This resolution was not written by anyone who works in or understands public health. While some of the statements in the resolution are true, the conclusions drawn from them are not supported by data. The statement that vaccines were developed exceptionally quickly needs to be clarified. In the United States there are two different vaccine technologies that are used in the vaccines. The Johnson and Johnson vaccine uses a disabled adenovirus which has been given the COVID spike protein. This is the same technology we have been using for decades with the vaccines like the flu vaccine. While this vaccine is new to the market – because COVID 19 is a new virus – it is in no meaningful way different than the flu vaccine that we have been giving patients every year. For those who are not aware, the flu vaccine is NOT the same vaccine each year. Each year the flu vaccine is reworked to insert the predicted viral protein into the adenovirus. The idea that we don't have long term data on the effects of the Johnson and Johnson vaccine is the same as saying we don't have long term effects data on this year's flu vaccine. So if your concern with the long term safety of the COVID vaccine then you can feel confident that we know the long term safety of the J & J vaccine. Now, regarding the two vaccines that use the mRNA technology, these do in fact use a new to the market vaccine technology. That said, the technology is not new. I learned about the potential of mRNA technology all the way back in 2003 while still a pharmacy student at the University of Rhode Island. And while I could go into the specifics of how these vaccines work, I am not sure that is helpful in this letter. It is true that we do not know with certainty the long-term effects of mRNA vaccines. We do however know, with a lot of certainty, their short-term safety profiles. These vaccines are extremely safe. Yes, there have been side effects. Yes, a small number of these have been severe, but every single vaccine available on the market has side effects. Every single medication on the market has side effects. And while the trials were done relatively quickly, we now have FAR more data on the short-term safety profile of these drugs than we do on almost all drugs on the market. Globally there have been more than 4 billion doses of these types of medications administered and the safety data speaks for itself. In the world of health care science, the anecdotal reports and case studies of 1 mean nothing against the volume of doses that have been given globally. And to the final point that the state has gone too far in mandating vaccines, I completely disagree. There are numerous rules and conditions set forth by the state and by the individual boards of medicine, pharmacy, nursing which are in place to keep the public safe. Working in these professions is a privilege that comes with a great deal of responsibility. If I choose not to follow these rules, whether I agree with



them or not, I will have my license taken and ability to practice will end. This is no different. Because of everything I have outline above I ask you please not to pass this resolution. Thank you for your time, Jason Schucker, PharmD

Dear Councilors -

I urge you to oppose the "action to consider adopting a resolution on immunization mandates". This resolution is incredibly misinformed and will continue to perpetuate misinformation on vaccines and in particular the COVID-19 vaccines.

I encourage you to understand the facts as it relates to the COVID-19 vaccinations; a couple of the "whereas" statements are gross generalizations:

1. "Fast pace": the speed of the development may have been rapid, however, the process followed the same rigorous steps
2. "Side effects": what is the definition of "side effects" in "some" patients? This is much too vague. Side effects prove your body is having the appropriate immune response and building protection against the virus.

Please do not support this resolution; focus on activities that matter to our community members instead of publicly declaring you disagree with the State of Maine. This type of activity by our Town Council is quite frankly embarrassing.

Sincerely,  
Naomi

Dear Councilor Pratt:

I am writing to ask you to vote no on Proposed Order #21-143 (Item # 2021-10-08 Action to consider adopting a resolution on immunization mandates).

The incorrect information that the proposed resolution contains should not be disseminated by the Town Council. As a country, we can take pride in the quick response of the scientific community and vaccine manufacturers in developing not one, but at least three COVID vaccines. Cases of serious side effects from the vaccines (anaphylaxis) are very rare, with the CDC reporting:

"During December 14–23, 2020, monitoring by the Vaccine Adverse Event Reporting System detected 21 cases of anaphylaxis after administration of a reported 1,893,360 first doses of the Pfizer-BioNTech COVID-19 vaccine (11.1 cases per million doses); 71% of these occurred within 15 minutes of vaccination." <https://www.cdc.gov/mmwr/volumes/70/wr/mm7002e1.htm>  
The technology that the Pfizer and Moderna vaccines used has been in development for over 20 years and is not considered new or unstudied.

I was an employee of Dartmouth-Hitchcock Medical Center for four years and gladly took my yearly flu shot as was required for ongoing employment. I considered it my duty and privilege to protect those who were at most risk. I saw it as equal to hand hygiene and staying home when I was ill. It was the least I could do.

Now, as Lead Minister of First Parish Church, I have a moral responsibility to care for my neighbors and my members. I have people in my congregation who have health issues that put them at risk and others who are too young to wear a mask. I encouraged everyone who was eligible to get vaccinated, and we still require the wearing of masks in worship and in the building and will until children 5-12 are able to be vaccinated and the case numbers decline. I am pleased that the overwhelming majority (if not all) of those eligible in the congregation have been vaccinated, and the current conversation among those 65+ is not if they will get the booster, but when.

We currently have over 1000 blue ribbons hanging in our sanctuary, one for every person in the State of Maine who has died from COVID. I believe we need to be doing everything we can, including being vaccinated, so no one else must die.

Please vote against Proposed Order #21-143 and support the ethical and safe stance Maine has taken regarding COVID vaccination. Thank you for the time that you give to the residents of Gorham.

Sincerely,  
Rev. Christine Dyke  
Resident, Gorham, Maine

Town Council Members,

I am writing to ask you please not to support the anti-vaccine resolution that is before you tonight. When it comes to matters of health and science, I strongly urge all of us especially those of you who represent our communities through your elected position, to listen to the experts. Those experts have repeatedly refuted the inflammatory, misleading, false and dangerous statements that appear in this proposed resolution. Please allow the doctors and scientists, not politics, to be our guide through these difficult times.

Thank you  
Bethany Sanborn

To the Gorham Town Council,

I read with some interest and dismay the upcoming agenda for the Town Council. My background – I am a PhD molecular biologist. Following my PhD and post-doctoral training, I completed medical school, then residency and fellowship training, and I am currently a pediatric pulmonologist. Locally I volunteer as a member of the Gorham board of health and the medical advisory board for the high school. It is in the setting of this background, that I am dismayed at Item # 2021-10-08 – proposed order #21- 143 There have been two vaccine mandates in Maine in the past several years. The language of this resolution indicates it is addressing the COVID-19 mandate. To address it line by line 1. Whereas the Gorham Town Council believes in promoting the benefits of vaccination through education a. While this is a preferred approach and ideal, it is simply not effective enough in the setting of an international pandemic. This is especially true when it comes to staffing public services, such as health care which was addressed by the state mandate. During a pandemic such as the one we are currently experiencing, it is essential to keep the health care workforce safe so that health care services can continue to function, and to keep at risk patients safe who come into contact with health care workers. The most effective way to do this is vaccination of all people working for the organization against COVID-19. 2. Whereas COVID-19 vaccinations were exceptionally fast paced a. This line has an unspoken assertion that the speed of development of the vaccine has made it unsafe. This is simply untrue, misleading, and irresponsible for a public institution like our town council to promote. No safety steps were skipped in the development of the vaccine. The speed of development was secondary to several factors. i. The nature of the COVID-19 virus 1. Because it is closely related to the SARS-CoV1 virus that caused a pandemic in 2003, the protein responsible for entry into cells was already known. Technology for sequencing the RNA that codes for the protein has also advanced over the past decade. The time to develop the target for the vaccine, was therefore exceptionally short. 2. COVID-19 virus spreads rapidly. A placebo-controlled vaccine trial, like what was completed with the COVID-19 vaccines, relies on the placebo group to get infected with the virus. In numbers high enough that it can be demonstrated that the vaccine group is protected against the infection. With a slower moving virus, this can take months to years (the HPV vaccine took 529 days) to generate enough data to prove effectiveness of the vaccine. Because of the speed of the spread of COVID-19, the numbers to demonstrate effectiveness were generated in 105 days. When compared to the time required for trials with a slowly moving virus like HPV, this is a saving of 424 days. ii. The nature of mRNA vaccines 1. mRNA vaccines are synthesized in a lab from the known RNA genome of the virus. They do not require the slow lab techniques of virus culture or cell culture to produce the vaccine. This significantly shortens production time of the vaccine. This is a very well understood technology. I was working with a predecessor of this technology in the lab 20 years ago. iii. Public awareness of the virus and the public health crisis it created 1. This permitted rapid recruitment of volunteers for the vaccine trial. 500,000 people in America alone were enrolled in the trials within months of availability of the trial vaccine, 43,000 were enrolled in the first 16 days. As a comparison in 2013 the rabies mRNA vaccine trial took 813 days to get 101 volunteers enrolled in the trial. That is a saving of 730 days. iv. The FDA allowed the safety information for the vaccines to jump in line in front of other medications submitted for approval. 1. A process that usually takes 10 months was completed in approximately 20 days (21 for the Pfizer vaccine, 19 for the Moderna vaccine). That is a saving of 283 days. v. The Federal government provided funding to vaccine companies to produce the vaccine through Operation Warp Speed. 1. This allowed the pharmaceutical companies to produce the vaccine while they were waiting for the safety data. Normally companies wait until after safety data and FDA approval are in place to avoid losing money on vaccine production. However, with the federal funds companies did not have to worry about the financial implications of scrapping a vaccine production run and starting from scratch on new production lines if the vaccine proved ineffective or unsafe. Fortunately for our country and the world the vaccines were proven as both safe and effective, and the head start the pharmaceutical companies had on producing the virus led to faster availability for the public. b. The speed of the vaccine development should be celebrated as a triumph of modern medicine and science, not derided by public institutions. 3. Whereas COVID-19 vaccinations have caused side effects in some patients. a. This assertion overstates the risks of the vaccine, which are greatly surpassed by the risks from COVID-19 infection. b. Many side effects touted on social media are simply not true, and there are too many to address in this letter. c. The malaise, fatigue, headaches, chills, and sometimes fevers experienced by some after the vaccine (more commonly the second dose of either Pfizer or Moderna) are short lived, not an illness, and are related to how our bodies make antibodies. d. The reports of myocarditis and pericarditis following vaccination are being actively investigated. i. Myocarditis following vaccination: There was a paper published in the Journal of the American Medical Association in August 2021 found that of 2,000,287 people receiving a dose of the COVID-19 vaccination there were 20 cases of myocarditis (0.001%) and 37 cases of pericarditis (0.002%). A study completed by the military reported a rate of myocarditis of 0.019% following the second dose of the mRNA vaccine. This is relevant because it is young men that have been demonstrated as having the highest rate of complication following vaccination. However, how does

this compare to the rate of myocarditis after infection? ii. Myocarditis following infection: A recent CDC morbidity and mortality weekly report using hospital records revealed the risk for myocarditis in patients with COVID-19 is 16 times the risk of patients without myocarditis. One study revealed the risks of myocarditis from COVID-19 infection in young males (12-17 years old) as 450 per million or 0.045%. This is 45 times the rate of myocarditis in the general population following vaccination and roughly twice the rate of post vaccination myocarditis reported by the military. In a paper published in JAMA Cardiology the rates of myocarditis in 1597 athletes from Big Ten universities (perhaps even more comparable to the military experience) was examined post COVID-19 infection and noted a rate of 2.3%. This higher rate was likely secondary to advanced clinical monitoring picking up 28 cases of subclinical myocarditis. When limited to clinical myocarditis the rate was 0.5% which is still 500 times the rate post vaccination in the general population and 26 times the rate reported by the military. iii. Summary: There may be a link between COVID-19 vaccine and myocarditis. This most commonly affects young males. It is a transient process with no long term consequences. However, the risk for developing myocarditis from COVID-19 infection is 26 to 500 times greater than the risk for developing myocarditis from vaccination depending on the patient group you are examining. 4. Whereas COVID 19 vaccinations have not been available long enough to understand the long term effects a. This assertion is ill informed and inaccurate. b. While these vaccines have not been administered to humans prior to this pandemic, the technology of mRNA vaccines is very well understood. It is exceptionally unlikely that there will be long term consequences of the COVID-19 vaccine for several reasons i. The ingredients of the vaccine are safe and their biology is understood. 1. mRNA a. The half-life of the MRA in a human can be measured in hours. Once the mRNA is broken down into its component parts, there is no persistent biologic effect. This is known because the the component parts of mRNA already exist throughout our body. b. There is no integration of the mRNA into DNA. The mRNA requires transcription to become DNA by an enzyme that is not present in human cells – reverse transcriptase. Furthermore, our cells have surveillance enzymes that prevent integration into our chromosomes and excise errant DNA sequences that are found. This happens every time one of our cells replicates its DNA and divides. 2. Lipids: allow entry of the mRNA into cells. These are biologic compounds that are the components of cell membranes and have no deleterious effect. They are easily broken down by the immune system. 3. Salts: used to correct the pH of the vaccine. The salts are water soluble and easily eliminated from the body. 4. Sucrose: this is used to help maintain the solubility of the vaccine particles. This sugar is already contained within our body and has no adverse effect. c. Beyond the fact that there is not a plausible mechanism for long term deleterious effects of the vaccine, there are known long term deleterious effects of the infection it prevents including shortness of breath, fatigue, difficulty concentrating or thinking, vascular aneurysms in children, and several more. 5. Whereas the lack of understanding of the long term effects is a justifiable reason to wait on being vaccinated a. This is a repeat of line 4 and is addressed above. It is exceptionally unlikely that there will be long term effects from vaccination. b. There are long term effects from infection for COVID-19 Order #21-143 has no benefits for the people of Gorham. I am concerned this is a political statement based on assumptions made from misinformation or at worse is intentionally misleading to support a political agenda. Misinformation is dangerous and hurts people. This order should not be supported by any public institution, and I hope that my town and the people representing my town would not pass this item but would instead stand for and support public health and stand against misinformation by voting against this item. Best regards, Colby A. Wyatt MD, PhD

**Order #21-143 was VOTED 2 yeas, 5 nays (Hager, Kuech, Wilder Cross, Pratt, Shepard) Item fails**

<b>Item #2021-10-09</b>	Action to consider authorizing the Town Manager to enter into a License Agreement. (Councilor Pratt Spon.)
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<b>Proposed Order #21-144</b>	Moved by Councilor Hager, seconded by Councilor Phillips and Ordered, that the Town Council authorizes the Town Manager to enter into a License Agreement with Patio Park, LLC to resolve property line encroachment issues.
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**Order #21-144 was VOTED 7 yeas**

**Item # 2021-10-10**

Action to consider going into executive session pursuant to 1 M.R.S.A. § 405(6) (A) to discuss personnel matters. (Admin. Spon.)

**Proposed**

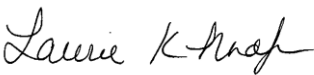
**Order #21-145**

Moved by Councilor Phillips, seconded by Councilor Shepard and Ordered, that the Town Council enters executive session pursuant to 1 M.R.S.A. § 405(6) (A) to discuss personnel matters.

Moved by Councilor Shepard, seconded by Councilor Hager and VOTED to come out of Executive Session. **7 yeas**

Moved by Councilor Hager, seconded by Councilor Phillips and VOTED to adjourn. **7 yeas**  
Time of Adjournment: 9:23pm

A True Record of Meeting  
10/05/2021

ATTEST  \_\_\_\_\_ 10/06/2021  
Laurie Nordfors, Town Clerk