

REPORT OF THE
GORHAM TOWN COUNCIL
REGULAR MEETING
Burleigh Loveitt Council Chambers
December 7, 2021

Chairman Pratt opened the meeting. There were 38 members of the public in attendance.

Cub Scouts from Webelos 2, Pack 85 gave a short ceremony and led the Pledge of Allegiance to the Flag.

Roll Call: Chairman Pratt, Councilors Shepard, 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 November 7, 2021 Regular Town Council Meeting. **6 yeas**

Open Public Communications

Dan Bouchard, Winding Brook Way voiced his opinion on the recent vote of street acceptance of Winding Brook Way and Cotton Drive.

Councilor Communications

Councilor Hager reported that the Finance Committee met and set up their meeting schedule for 2022. Their next meeting will be January 24, 2022 where they hope to have Dick Ranaghan attend and discuss the Town's debt ratio.

Councilor Kuech attended the latest Little Rams Early Childhood Project meeting. They are a powerful community partnership focused on opportunities for early learning, nurturing care and healthy development for our birth to age 5 children. In the three meetings that she attended so far, she reported that they have drafted norms, a vision statement and outlined what a final report to the School Committee and Town Council might contain. There have also been parent surveys, a discussion of Municipal and State data, and a presentation on State licensing rules. The next meeting is scheduled for December 16th to hear from the kindergarten teachers. For more information, you can contact Superintendent Perry.

Councilor Wilder Cross thanked everyone involved in the Thanksgiving weekend events of the Town. She competed in the Turkey Trot and attended the light parade and tree lighting. She thanked the Rec Department and everyone who participated and built a float. She also reported that the New Year's Gorham event is going to have something for everyone, including plenty of food, fun and entertainment. You can purchase a wrist band for \$5 and enjoy the event, but remember to wear a mask. The Gorham Times will have the complete schedule in their next

issue. Councilor Wilder Cross attended the GPCOG metro regional coalition meeting where they discussed letters of support to the homeless situation in Portland and South Portland.

Councilor Phillips attended the latest meeting with the Turnpike Authority on the turnpike connector plan. She also attended the last joint Town Council Capital Improvement Projects Committee & School Facilities Committee meeting where they discussed the on-going facilities study. Councilor Phillips thanked the Gorham Village Alliance for the wonderful job they did with the Christmas lights in the Village.

Councilor Shepard reported that the Ordinance Committee met on November 16th and discussed when to refund zoning Board of Appeals application fees, performance standards for multifamily housing and amending the LUDC South Gorham Crossroads District. All items will be going to the Council soon. Their next meeting will be January 18, 2022. He also attended the ribbon cutting of No Repeats Fiberworks, a new gallery celebrating Color and Fiber works by Jo Eaton.

Chairman Pratt attended the latest GEDC meeting where they discussed the upcoming conference on key real estate that Towns have available. He also attended the ribbon cutting of No Repeats Fiberworks at 2 School Street.

Town Managers Reports

Town Manager Paraschak thanked Webelos 2 Pack 85 for wonderful performance. He also thanked the Rec Department, Public Works and the Gorham Village Alliance for the beautiful light displays throughout the Village. He reminded citizens of the winter parking ban in effect from midnight to 6am through spring. He also pointed out that winter sand is available at Public Works on Huston road. Town Manager Paraschak noted that there will be a special election on January 11, 2022 for voters in Ward 1-1 and 1-2 to fill a seat in House District 27. Absentee ballots will be available this week. He reported that the next public meeting on the Gorham Skatepark design will be December 15th at 6pm.

School Committee Report

Anne School, School Committee Chair reported the following:

1. Athletics

Winter athletics are opening up in full swing this week! We are pleased that all of our GHS and GMS winter teams will be competing this year. We are following COVID-19 safety protocols that apply to both participants and spectators. Generally, we will require that everyone wear masks inside, but we will not be limiting audience capacity at this time. However, we may revisit this decision if the need arises throughout the season. If anyone has any questions, please reach out to our athletic director, Tim Spear.

2. Facilities

We would like to thank the Town Council's Facilities Committee for hosting the joint meeting of both the Town Council Facilities Committee and the School Committee's Facilities Committee to review the results of our comprehensive facilities study conducted by CHA last week. We look forward to our joint meeting scheduled for January 11th to continue collaboration in developing a plan to address our community's overall short and long-term needs.

3. COVID 19

We have had 122 positive cases associated with our schools since the beginning of the school year. If you compare this number to the 132 cases that we had over the entire school year last year, you will see that COVID is still very much present in our communities. Therefore, we are happy to announce that we had just over 420 students participate across our K-6 vaccine clinics for students ages 5-11. Additionally, we anticipate that at least another 300 students have gotten their vaccinations outside of our school sponsored clinics! We will be collecting that data after the holiday break and will be prepared at that time to share school level vaccination rates.

We will be hosting our second vaccine clinic for 5-11-year-old children and remind everyone that students who have been fully vaccinated do not need to quarantine if they are designated as a close contact to a positive individual. We would encourage anyone who still has questions to watch the webinar hosted by the Maine Department of Education on December 9th at 8:00pm entitled "COVID 19 Vaccines for School Aged Children." Finally, we greatly thank Maine health for their incredible partnership in offering school-based clinics!

4. Budget Development

The School Department's administrative team is in full FY 23 budget development mode! The deadline to submit school and program-based budget requests to Central Office was today. Next, the Superintendent and Assistant Superintendent will work with our business manager to schedule individual meetings with each principal and program director to review each request in detail.

This data will then be used to develop the Superintendent's initial budget proposal for FY 23 which will be submitted to the School Committee in February. From there, the School Committee will meet several times to finalize the initial budget proposal that will be submitted to the Town Council in late April, and then to referendum in June. The Superintendent will maintain the data on the FY 23 proposed budget in February on our website so people can follow our work should they wish. Additionally, all budget workshop meetings are open to the public.

5. Substitutes

As you know, we have a shortage of substitute teachers which has had a ripple effect across our district. To help alleviate some of the challenges this situation has brought our district, the School Committee added two additional half days in December. In addition, we will be discussing adding additional half days during our regular 'Meeting tomorrow evening.

We will be offering a four-session substitute orientation class, have increased our substitute pay, and are continuing to try to get the word out in our community about this need. If you know anyone who wishes to be a substitute teacher, please encourage them to go to our website to learn more and to apply!

We also have our Greater Sebago Education Alliance (GSEA) job fair coming up on December 11th from 9:00-11:00 at Westbrook Middle School! There will be on the spot interviews for support staff, custodians, food service workers, bus drivers and substitutes. Participating districts include Gorham, Cape Elizabeth, RSU 5, MSAD 15, RSU 14, Scarborough, South Portland, and Westbrook.

Our next meeting is Wednesday, December 8th at 7:00pm in Council Chambers

Public hearing #1

On item #2021-12-01

Public hearing to hear comment on a proposal to issue a renewal Special Amusement License to JBN1, LLC, DBA Junction Bowl. (Admin. Spon.)

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

Proposed

Order #21-161

Moved by Councilor Shepard, seconded by Councilor Phillips and Ordered, that the Town Council approve a renewal Special Amusement License for JBN1, LLC, DBA Junction Bowl, 7 Railroad Avenue.

Order #21-161 VOTED 6 years

Item #2021-12-02

Action to consider accepting Grove Street as a public road.
(Councilor Phillips Spon.)

Order #21-162

Moved by Councilor Phillips, seconded by Councilor Hager and Ordered, that the Town Council accepts 513 feet of Grove Street as a urban access road; and

Be It Further Ordered, that the Town Council accepts associated easements for recreation access.

Order #21-161 VOTED 6 years

Item #2021-12-03

Action to consider accepting Dogwood Lane as a public road.
(Councilor Phillips Spon.)

Order #21-163

Moved by Councilor Phillips, seconded by Councilor Hager and Ordered, that the Town Council accepts 609 feet of Dogwood Lane as a urban access road; and

Be It Further Ordered, that the Town Council accepts associated easements for recreation access.

Order #21-163 VOTED 6 yeas

Item #2021-12-04

Action to consider accepting a portion of Water Street as a public road.
(Councilor Phillips Spon.)

Order # 21-164

Moved by Councilor Hager, seconded by Councilor Wilder Cross and Ordered, that the Town Council accepts 113 feet of Water Street as a urban access road; and

Be It Further Ordered, that the Town Council accepts associated easements for recreation access.

Order #21-164 VOTED 6 yeas

Item #2021-12-05

Action to consider establishing a Town Council workshop date to discuss Recreation Impact Fees. (Councilor Phillips Spon.)

Proposed

Order # 21-165

Moved by Councilor Phillips, seconded by Councilors Hager and Ordered, that the Town Council sets January 18, 2022 at 6:30pm as a Town Council workshop on Recreation Impact Fees and additional uses.

Moved by Councilor Pratt, seconded by Councilor Wilder Cross and **VOTED** to amend the order to include a discussion on the Turnpike Resolution as part of the workshop. **6 yeas**

Order #21-165 VOTED as amended 6 yeas

Item #2021-12-06

Action to consider accepting a Memorandum of Agreement in support of the Gorham Connector project. (Councilor Pratt Spon.)

Proposed

Order #21-166

Moved by Councilor Hager, seconded by Councilor Wilder Cross and Ordered, that the Town Council authorizes the Town Manager to enter into a Memorandum of Agreement with the Maine Turnpike Authority in support of the Gorham Connector as follows:

Moved by Councilor Wilder Cross, seconded by Councilor Shepard and **VOTED** to waive the reading of Order #21-166 due to length. **6 yeas**

Memorandum of Agreement

Between the
MAINE TURNPIKE AUTHORITY,
MAINE DEPARTMENT OF TRANSPORTATION, AND
THE MUNICIPALITIES OF
GORHAM, SCARBOROUGH, SOUTH PORTLAND AND WESTBROOK
REGARDING A GORHAM CONNECTOR 2021 - 2026

Whereas, transportation deficiencies in the east-west corridor between the vicinities of Gorham and Portland, Maine and communities to the west (“the Region”) have been evident to the Maine public and policy makers for decades, including but not limited to: insufficient capacity, increasing traffic congestion in the area, outdated road design features, and safety issues;

Whereas, said transportation deficiencies have been documented in numerous studies and reports, including but not limited to: the Westerly Connector Study (1988), the Route 25 Corridor Study (1993), the Gorham-Portland Alternatives Analysis (1997), the Route 114/1-295 Ramp Study (1998), the Route 22/114 Location Study (1999), the Maine Mall Area Transportation Plan (2001), the PACTS 22/114 Overlap Study (2002), the Gorham Bypass Environmental Assessment (2003), the Gorham East-West Feasibility Study (2012) (aka, Phase 1 Study); and the Portland Area Comprehensive Transportation System (PACTS) Destination Tomorrow Plan (2017);

Whereas, in 2007, after decades of on-going conversations about the need for better east-west transportation connections between the Greater Portland area and points west, the 123rd Maine Legislature enacted LD 1720, which directed the Maine Department of Transportation (“MaineDOT”) and the Maine Turnpike Authority (“MTA”) to conduct a study “of existing highway infrastructure and future capacity needs west of Route 1 in York and Cumberland counties including the Greater Gorham and Sanford areas;”

Whereas, in 2008, the Maine Department of Transportation (MaineDOT) opened the southern portion of the Gorham Bypass Project, designed to partly address these deficiencies through construction of a two lane bypass of Gorham village connecting Route 114 and Route 25;

Whereas, in 2009, MaineDOT, the MTA, PACTS, and the municipalities of Gorham, Scarborough, South Portland, and Westbrook (“the Municipalities”) signed a Memorandum of Agreement that: endorsed in principle the findings and recommendations of the 2012 Study; committed to participating in the refinement and preparation of detailed scopes of work for recommended subsequent tasks; and agreed to implement tasks including such legal agreements as may be necessary by fall 2013 or a date determined by the Study Committee;

Whereas, the Municipalities agree that significant mobility and safety deficiencies documented by the MTA and MaineDOT persist in the Region despite implementation of consistent local comprehensive land use plans to address growth and development patterns and expansion of transit routes as providers have deemed economically feasible;

Whereas, the 2012 Gorham East-West Feasibility Study (aka, Phase 1 or 2012 Study) identified three prudent and feasible land use management strategies and transportation investments that, if integrated, would facilitate coordinated land use and transportation decisions, foster economic development and community revitalization, and preserve sense of community and quality of life for the Region’s cities and towns in a manner consistent with Maine’s Sensible Transportation Act (“STPA”);

Whereas, in 2017, the State Legislature enacted LD 905, authorizing the MTA and MaineDOT to evaluate reasonable alternatives for building a roadway to Gorham in Cumberland County from Route 114 in South Gorham to an interchange on the turnpike, and, concurrent to this second legislative directive, the four towns expressed their support for the action by renewing their prior agreement supporting additional capacity in the region;

Whereas, on September 6, 2018, the MTA Board approved the *Resolution Relating to the Proposed Gorham Connector* to authorize evaluating potential corridor alignments for a Gorham Connector from the existing roundabout at the Gorham Bypass to Exit 45 on the Maine Turnpike by forecasting traffic volumes and revenue estimates, engaging with potentially affected landowners, completing a desktop analysis of natural resources present in the general area, and determining the likely permitting requirements/ramifications of constructing a potential roadway and/or roadway improvements;

Whereas, the Greater Portland Council of Government’s 2016 *Destination 2040* regional long range transportation plan and 2021 *Transit Tomorrow* transit strategic plan project that the Region will continue to experience population growth, further exacerbating existing transportation deficiencies, particularly in regard to connectivity between the Region and major transportation facilities in greater Portland, including but not limited to, the Maine Turnpike;

Whereas, MaineDOT has acknowledged that its funding levels and work plan obligations do not support construction of an effective roadway improvement along existing roadways, and the goal of improving interconnectivity between the Maine Turnpike and other transportation systems in the region is consistent with the MTA’s statutory purposes, including but not limited to 23 MRSA § 1974, and therefore said goal justifies the MTA constructing new capacity via a Gorham Connector; and

Whereas, a new Gorham Connector is consistent with the 2020 *Maine Won’t Wait: A Four-Year Plan for Climate Action* goal of mitigating Maine’s greenhouse gas emissions to 2030 and 2050 targets, in part through significant private investment, and reduced travel time translates to increased economic opportunity.

Therefore, the MTA, MaineDOT, and the Municipalities agree as follows:

1. The MTA agrees to advance development of the Gorham Connector between the southern terminus of the Gorham Bypass and Exit 45 on the Maine Turnpike based on financial viability, legislative direction and municipal support.
2. Based on project viability, the MTA advance the Gorham Connector through design, permitting and construction consistent with the requirements of the STPA, Maine Natural Resources Protection Act (NRPA), National Environmental Policy Act (NEPA) and the US Army Corps of Engineers New England Highway Methodology.
3. The MTA will be responsible for advancing the Gorham Connector through appropriate public processes.
4. Following construction, the MTA will be responsible for ongoing operation and maintenance funded through the collection of toll revenues.
5. MaineDOT agrees to participate in the development of the Gorham Connector in a supporting role. Support shall include, but not be limited to:
 - (a) Participating in an Advisory Committee through appointment of a representative to regularly attend Committee meetings provide input on comments and questions relevant to MaineDOT.
 - (b) Advocating for the Gorham Connector as part of an integrated solution to safety and mobility deficiencies in the Region. Examples of advocacy include: participation in public forums, expressions of public support, and representation of goals articulated in MaineDOT's work plans and asset management plans; and
 - (c) Evaluating regional transportation improvements to maximize the effectiveness of investments in the transportation network and support municipal land use goals.
6. The Municipalities agree to participate in the development of the Gorham Connector in a supporting role. Support shall include, but not be limited to:
 - (a) Each Municipality appointing a representative to an Advisory Committee to guide development of the Gorham Connector. The representatives will be available for regular attendance at Committee meetings and will further serve as coordinators between the MTA and the Municipalities in all matters related to the advancement of the project.

- By their signature below, the parties acknowledge that they have read and understood the Agreement above and are fully authorized to bind their principals to the terms thereof.

Michael Foley
Mayor
Westbrook, Maine

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Item #2021-12-07 Action to consider instructing staff to work on a revised voting ward district map that would correct outlying issues on Wescott Road and also address travel distance inequities. (Councilor Hartwell Spon.)

Proposed
Order #21-167 Moved by Councilor Phillips, seconded by Councilor Shepard and Ordered, that the Town Council instructs staff to propose revisions to the Town's voting ward district map to address outlier voter issues on Wescott Road and also look for travel distance inequities; and

Be It Further Ordered, that the Town Council will approve such revisions before submission to the state of Maine.

Order #21-167 VOTED 6 yeas

Item #2021-12-08 Action to consider instructing staff to establish a municipal point of contact for state of Maine PFAS report investigation in the Town of Gorham. (Councilor Hartwell Spon.)

Proposed
Order #21-168 Moved by Councilor Hager, seconded by Councilor Phillips and Ordered, that the Town Council instructs the Town Manager to appoint a staff member and/or department to be the point of contact for information relating to PFAS contamination in the Town of Gorham.

Order #21-168 VOTED 6 yeas

Item #2021-12-09 Action to consider authorizing the Town Manager to enter into a contract with a vendor for the Gorham Skate Park Project. (Councilor Pratt Spon.)

Proposed
Order #21-169 Moved by Councilor Shepard, seconded by Councilor Phillips and Ordered, that the Town Council authorizes the Town Manager to enter into a contract with Pillar Design Studios for the Gorham Skate Park providing that funding sources and in kind matches are fully established and available.

Order #21-169 VOTED 6 yeas

Item #2021-12-10 Action to consider entering into executive session. (Admin. Spon.)

Proposed

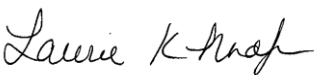
Order #21-170 Moved by Councilor Shepard, seconded by Councilor Phillips and Ordered, that the Town Council goes into executive session pursuant to 1 M.R.S.A. § 405 (6) (C) where discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein, or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency.

Order #21-170 VOTED 6 yeas

Moved by Councilor Shepard, seconded by Councilor Phillips and VOTED to come out of Executive Session. **6 yeas**

Moved by Councilor Hager, seconded by Councilor Shepard and VOTED to adjourn. **6 yeas**
Time of Adjournment: 8:30pm

A True Record of Meeting
12/07/2021

ATTEST  _____ 12/08/2021
Laurie Nordfors, Town Clerk