

REPORT OF THE
GORHAM TOWN COUNCIL
REGULAR MEETING
Burleigh Loveitt Council Chambers
March 1, 2022

Chairman Pratt opened the meeting. There were 6 members of the public in attendance.

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

Moved by Councilor Hager, seconded by Councilor Shepard and VOTED to accept the minutes of the February 1, 2022 Regular Town Council Meeting. **7 yeas**

Councilor Communications

Councilor Hager disclosed that the Finance Committee will meet on March 28, 2022.

Councilor Kuech wished everyone a happy Mardi Gras. She also reported that the Little Rams Committee will be meeting on March 17, 2022 to discuss learning and play, and will put together a report for the School Committee.

Councilor Wilder Cross reported that the Appointments Committee had a very successful recruitment for board and committee members, and those chosen will be appointed tonight. She encouraged all applicants that were not chosen to attend meetings of the boards that they are interested in and pointed out that their applications will be kept on file in case of openings throughout the year. She also attended last month's GPCOG meeting where they discussed the housing problem for asylum seekers and homeless individuals. Councilor Wilder Cross also attended a zoom public transit meeting where they discussed the future of public transportation for Gorham.

Councilor Phillips announced that the next Joint Town Council Capital Improvement Projects Committee & Schools Facilities Committee meeting will be March 7, 2022 at 6:30pm. She also pointed out that this year's Maine Maple Weekend will be March 26 & 27 and encouraged residents to visit the many maple farms in Gorham. She also announced that the Gorham Outdoors Club will have some fun events coming up in the next few weeks including fire safety and fire building with Bob Crowley. For a list of all events you can visit their Facebook page or email them at gorhamoutdoors@gmail.com.

Councilor Hartwell reported that the Ordinance Committee met on February 15th and discussed making outdoor seating for restaurants permanent. The item was tabled. They also discussed the next phase in the village expansion zones. The next Ordinance Committee meeting will be March 15th.

Chairman Pratt attended the latest Jetport Noise Abatement Committee meeting, where they discussed the Jetport runway closure which will take place from April 18th – June 13th. He pointed out that there may be increased noise while planes are diverted around the closure. He also reminded citizens of the blood shortage at blood banks and to donate blood if possible.

Town Manager Report

Town Manager Paraschak informed citizens of the many road postings in Town due to the constant freezing and thawing of the roads. If there are any questions, please contact Public Works. He reminded homeowners of the on-going town wide revaluation by Vision Appraisal. For questions you may contact the Assessing Department. Town Manger Paraschak announced that Nomination Papers will be available March 4th for a seat on the Portland Water District due to a resignation. Those papers are due back in the Town Clerks office by April 15th. He also reported that there will be a Town Council workshop on March 15th to discuss ARPA funding for rec projects.

School Committee Report

Anne Schools, School Committee Chair reported the following:

The School Committee will hold its first full day budget workshop meeting this coming Saturday, March 5, 2022 from 9:00-2:30pm in the GHS library. The meeting is open to the public to attend should they wish and materials will be uploaded to the website.

The School Committee has begun its discussions regarding the 2022-23 School Calendar. The initial draft included an early release day for each Wednesday throughout the school year in order to address the professional development needs for our teachers as a result of the past two years of operating during a pandemic. The School Committee will continue the discussion and review additional data during its March 9th regular meeting and again during the workshop scheduled for March 23rd. Action to approve a final calendar will likely occur during our regular meeting in April.

The Maine CDC will be evaluating updated COVID-19 data this week and possibly throughout next week as well. They will determine by mid-March if there will be any additional adjustments to the SOP regarding masking. Right now the Maine CDC still recommends masking for all k-12 students while inside. The School Department has followed MCDC recommendations from the beginning of the pandemic. We are hopeful that changes will be announced soon as we work as a state and country to move from pandemic to endemic. We expect that March will bring a flurry of changes, and as of right now, the School Committee is scheduled to discuss our masking policies at both the upcoming March 9 and March 23 meetings.

The State of Maine requires that all school buildings are tested for lead annually. This is the first year of the implementation of this new law, and the Gorham Schools recently conducted this testing. The information is posted on our website and has also been sent to families. If anyone wants to view the results, please go to our website (www.gorhamschools.org) and click the link provided on the front new and announcements page

We are looking forward to our joint facilities committees' meeting scheduled for March 7th at 6:30pm. During this meeting we will review comments from the CHA presentation to the Town Council and School Committee and will begin making plans for creating a town wide capital needs project list that we hope will guide our future decision-making as we address our joint facilities needs together.

The GMS Heat Pump Project. We are now working feverishly to get things in place to allow work to begin as soon as possible given the

tight time frame. The bid was awarded to J&J with a total budget of just under \$3 million plus contingencies.

Students from GMS will be putting on a musical entitled "The Emperor's New Clothes." Opening night will be Friday, March 11th at 7:00pm with additional showings on Saturday at 7:00pm and on Sunday at 2:00pm. Masks are required to attend. Tickets cost is \$5.00 at the door.

Basketball-Girls basketball won the Class AA South Regional Championship over Scarborough Saturday night. The girls will play in the state championship game on Saturday night vs. Cheverus at 7:00pm. Anna Nelson was named Red McMann Outstanding Player, the Ms. Basketball semifinalist honors, and received, along with Elijah Wyatt, the Maine McDonald's Academic recognition award.

Skiing-the girls Alpine Ski team finished 16th of 24 teams and the boys finished 11th of 21 teams. The girls were awarded the Sportsmanship Award!

Indoor Track-The boy's team finished 5th in State Championship meet highlighted by Andrew Farr winning the state championship in the 400 Meter Dash and setting a new state record as well as winning the 200 meter dash. The girls finished as the Class-A runner up—highlighted by state championships by Alyvia Caruso I the 55 Hurdles, Emma Green in the High Jump, and the 4x200 relay team of Maddie Michaud, Ashley Connolly, Emma Green, and Sydney Connolly who won the state championship with a new state record time.

Ice Hockey—the boys team is the 7th seed in the Class B South Play-offs. The girl's team was awarded MPA Sportsmanship Award!

Swimming—Boys swimming finished 9th and girls finished 11th at the state championships!

We want to congratulate all of our student athletes for another great winter season and a job well done!

Public hearing #1
On item #2022-03-01

Public hearing to hear comments on the designation of its proposed Municipal Development and Tax Increment Financing District #12 and the adoption of a Development Program for the said District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The proposed District would include the 10.75 acre site located at 551 Main Street in the Town of Gorham (Tax Map 32, Lot 19) to be developed by Prescott Holdings, LLC as an eight unit self-storage facility, including an office space. The proposed District is located across from the Town's Sebago Brewing Company TIF District #9, and next to the Town's Nappi Distributors TIF District #6. The proposed District would capture 100% of the increased assessed value of the real and personal property of the storage facility for a period of 30 years. The tax revenue from the

increased assessed value of the property in the District would be retained by the Town to be used for various public improvements and facilities as identified in the Development Program for the proposed District. (Councilor Pratt. Spon.)

A copy of the proposed Development Program for the District is on file with the Town Clerk and may be obtained from and reviewed at the offices of the Town Clerk during normal business hours. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at the hearing.

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

**Proposed
Order #22-14**

Moved by Councilor Hager, seconded by Councilor Hartwell and Ordered, that the Town Council approves the Municipal Development and Tax Increment Financing District #12 as follows:

Moved by Councilor Phillips, seconded by Councilor Wilder Cross and VOTED to waive the reading of Order #22-14 due to length. **7 yeas**

WHEREAS, the Town is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to adopt a Tax Increment Financing District and Development Program; and

WHEREAS, the Town has identified certain property within its Roadside Commercial Zoning District that is centrally located, underutilized and in need of redevelopment, and has received a proposal for the development of said property by an existing commercial property owner; and

WHEREAS, adopting and implementing the proposed District and Development Program will provide opportunities for significant new commercial development within the Town and new employment opportunities for residents of the Town and surrounding communities, and will improve and broaden the tax base of the Town and improve the general economy of the Town, the region and the State of Maine; and

WHEREAS, the Town has held a public hearing on the proposed Town of Gorham Municipal Development and Tax Increment Financing District #12 (the "District") in accordance with the requirements of 30-A MRS §5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and,

WHEREAS, the Town desires to designate the proposed District and adopt the proposed Development Program as presented to the Town Council this day and as has been on file in the Town Clerk's Office at Town Hall; and

WHEREAS, it is anticipated that the Commissioner of the Maine Department of Economic and Community Development ("DECD") will approve the designation of the District and adoption of the Development Program;

NOW THEREFORE, the Town Council hereby Orders as follows:

Section 1. The Town Council hereby finds and determines that:

(a) Adoption and implementation of the District and the Development Program will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitute a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and

(b) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that adoption and implementation of the District and the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the District and the Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the projects and improvements described in the District and the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby designates the proposed Town of Gorham Municipal Development and Tax Increment Financing District #12, as presented to the Town Council.

Section 3. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby adopts the Development Program for the District in the form presented to the Town Council.

Section 4. The foregoing designation of the District and adoption of the Development Program shall automatically become final and shall take full force and effect upon approval of the District and Development Program by the Commissioner of the State of Maine Department of Economic and Community Development (DECD), without requirement of any further action by the Town, the Town Council, or any other party.

Section 5. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of the Increased Assessed Value to be retained as Captured Assessed Value in the District and the term of said District is confirmed as set forth in the Development Program.

Section 6. The Town Manager be and hereby is authorized and directed, on behalf of the Town of Gorham, Maine, to submit to the Commissioner of DECD for review and approval, pursuant to the requirements of 30-A M.R.S.A. §5226(2), the application and such other documentation as may be necessary or appropriate for the final approval of this District and the Development Program. The Town Manager is further authorized and empowered, at his or her discretion from time to time, to make such technical revisions to the District or the Development Program for the District, or to the scope, cost or description of the public improvements to be financed with the portion of tax increment revenues generated by the District and retained by the Town as described in the Development Program, as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District and Development Program by DECD, or for any other reason, so long as such revisions are not

inconsistent with these resolutions or the basic structure and intent of the District and the Development Program.

This Order shall take effect immediately upon adoption.

Order #22-14 was VOTED 7 yeas

Public hearing #2

On item #2022-03-02

Public hearing to hear comment on a proposal to issue a Medical Use Marijuana License to Corey Harmon, White Pine Farms, LLC, 11 Industrial Pkwy, Units B & E. Property owned by Jack McNerny. (Admin. Spon.)

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

Proposed

Order #22-15

Moved by Councilor Phillips, seconded by Councilor Kuech and Ordered, that the Town Council issue a Medical Use Marijuana License to Corey Harmon, White Pine Farms, LLC, 11 Industrial Pkwy, Units B & E. Property owned by Jack McNerny.

Order #22-15 was VOTED 7 yeas

Public hearing #3

On item #2022-03-03

Public hearing to hear comment on a proposal to issue a Medical Use Marijuana License to Connor Shaw, New England Care Group, 11 Gorham Industrial Pkwy, Unit C. Property owned by Kodiak Hollow. (Admin. Spon.)

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

Proposed

Order #22-16

Moved by Councilor Kuech, seconded by Councilor Phillips and Ordered, that the Town Council issue a Medical Use Marijuana License to Connor Shaw, New England Care Group, 11 Industrial Pkwy, Unit C. Property owned by Kodiak Hollow.

Order #22-16 was VOTED 7 yeas

Public hearing #4

On order #2022-03-04

Public hearing to hear comment on a proposal to issue renewal Massage Licenses to Heather Theriault, Elizabeth Berks, Rhonda Lodgek and Natalie Bagley. (Admin. Spon.)

Chairman Pratt opened public hearing #4. There were no comments from the public and the hearing was closed.

Proposed

Order #22-17

Moved by Councilor Wilder Cross, seconded by Councilor Phillips and Ordered, that the Town Council issue renewal Massage Licenses to Heather Theriault, Elizabeth Berks, Rhonda Lodgek and Natalie Bagley.

Order #22-17 was VOTED 7 yeas

Public hearing #5

On order #2022-03-05

Public hearing to hear comment on proposed amendments to the Fire Suppression Systems Ordinance. (Ordinance Com. Spon.)

Chairman Pratt opened public hearing #5. There were no comments from the public and the hearing was closed.

Proposed

Order #22-18

Moved by Councilor Phillips, seconded by Councilor Hartwell and Ordered, that the Town Council amend the Fire Suppression Systems Ordinance as follows:

**TOWN OF GORHAM
FIRE SUPPRESSION SYSTEMS ORDINANCE
ADOPTED JULY 7, 1987; effective August 6, 1987
AMENDED OCTOBER 6, 1987; effective October 6, 1987
AMENDED July 10, 1990 effective July 10, 1990
REVISED SEPTEMBER 4, 2001; effective October 7, 2001
Revised September 4, 2018; effective October 5, 2018
Revised _____, 2022; effective _____, 2022**

ARTICLE VII. SPRINKLER/SUPPRESSION SYSTEMS FOR ONE AND TWO FAMILY HOMES:

B. Exemptions

- 1) Tiny homes as defined under 29-A M.R.S.A. § 101(80-C) shall be exempt from the requirements of Fire Suppression System Ordinance.

***Note - Additions Underlined**

Order #22-18 was VOTED 7 yeas

Item #2022-03-06 Action to consider 2022-2023 Board and Committee appointments. (Appointment Committee Spon.)

Proposed

Order #22-19 Moved by Councilor Wilder Cross, seconded by Councilor Hager and Ordered, that the Town Council make appointments to various Town Boards and Committees as recommended by the Appointments Committee, as presented.

Planning Board:	Russell Frank, Seven Siegel, David Burrows
Gorham Economic Development Corporation:	Mark Curtis, Benjamin Gilman, Peter Mason
Board of Appeals:	Gary Baca, Craig Stirling, Michael Weisman
Fair Hearing Board:	Eric Thistle
Conservation Commission:	William Moreno, Thomas Mazza, Brian Rancourt
Board of Trustees-Baxter Memorial Library:	Gerry Day, Barbara McLean, David Arthur Fogg
Historic Preservation Committee:	Lawrence Peterson, Linda Whitten
Board of Assessment Review:	Marilyn Amoroso
Board of Voter Registration Appeal:	Sara Fleming, Tony Taylor, Michelle Plourde
Revolving Loan Fund Committee:	April Edwards, Jeremy Hanken
Board of Health:	Eric Thistle

Order #22-19 was VOTED 7 yeas

Item #2022-03-07 Action to consider authorizing the release of up to \$4,000 for a structural analysis of the Gorham Civil War Memorial. (Councilor Philips Spon.)

Proposed

Order #22-20 Moved by Councilor Phillips, seconded by Councilor Shepard and Ordered, that the Town Council authorizes the release of up to \$4,000 from account 950-02-50640-01 (Contingency Account) for the purpose of a structural and long term maintenance analysis of the Gorham Civil War Memorial.

Order #22-20 was VOTED 7 yeas

Item #2022-03-08 Action to consider authorizing the Gorham School Department to contribute to a reserve account. (Admin. Spon.)

Proposed

Order #22-21 Moved by Councilor Shepard, seconded by Councilor Hager and ORDERED, that the Town Council approve the Board of Education recommendation to establish a School Capital Reserve Fund pursuant to applicable law, including Charter Section 506 and,

Be It Further Ordered, that the Town Council approve the procedure adopted by the Board of Education to fund and use the School Capital Reserve Fund with approval of this Council, as follows:

Board of Education Procedure to Fund and Use School Capital Reserve Fund with Town Council Approval

1. Annually, following completion of the prior year's fiscal year audit the Superintendent will determine a recommended amount for transfer to School Capital Reserve Fund;
2. The recommended amount may not to exceed 2% of the difference between the audited school general fund balance ("Total fund balance – budgetary basis") for the prior fiscal year and the carryforward fund balance amount used to budget for the current fiscal year;
3. The Superintendent on behalf of the Board of Education will request that the Town Council transfer such recommended amount to the School Capital Reserve Fund pursuant to applicable law, including Charter Section 506; and
4. The Superintendent will report back to the Board of Education the amount of the transfer and the new School Capital Reserve Fund balance.
5. From time to time, the Board of Education will recommend expenditures from the School Capital Reserve Fund for specified capital improvement and/or capital equipment needs. The Superintendent will present these recommendations to the Town Council for its approval or, when required by Town Charter, will request that the Council submit a proposed capital expenditure to referendum vote [*Note: for example, as of 2021, the Charter required "[a]ny proposed capital expenditure over \$250,000 except emergency ordinances" to be submitted to referendum vote. See Charter at Section 901.*]

Order #22-21 was VOTED 7 yeas

Item #2022-03-9

Action to consider resolving a municipal release deed issue. (Admin. Spon.)

Proposed

Order #22-22

Moved by Councilor Shepard, seconded by Councilor Hager and ORDERED, that the Town Council authorizes the Town Manager to execute and deliver a municipal release deed on behalf of the Town, as Grantor, to Randell Rice, as Grantee, with regard to the real property located at 10 Old Orchard Road, which parcel is designated as Tax Map 57, Lot 19-2, on such terms as the Town Manager deems to be in the best interests of the Town of Gorham.

Order #22-22 was VOTED 7 yeas

Item #2022-03-10

Action to consider setting a Town Council workshop to discuss fire department staffing and recruitment. (Councilor Hartwell Spon.)

Proposed

Order #22-23

Moved by Councilor Hartwell, seconded by Councilor Shepard and ORDERED, that the Town Council sets April 19, 2022 at 6:30pm as a workshop to discuss fire department station staffing and efforts to assist with recruiting and/or retaining call company employees within the department to aid in emergency responses.

Order #22-23 was VOTED 7 yeas

Item #2022-03-11

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

Proposed

Order # 22-24

Moved by Councilor Shepard, seconded by Councilor Hager and ORDERED, that the Town Council goes into executive session pursuant to 1 M.R.S.A. § 405(6) (A) for the Town Manager's annual performance evaluation and 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.

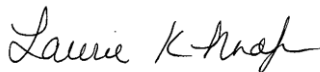
Moved by Councilor Hager, seconded by Councilor Shepard and VOTED to come out of Executive Session. **7 yeas**

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

Time of Adjournment: 9:40pm

A True Record of Meeting
03/01/2022

ATTEST _____
Laurie Nordfors, Town Clerk



____ 03/02/2022