

REPORT OF THE
GORHAM TOWN COUNCIL
REGULAR MEETING
Burleigh Loveitt Council Chambers
May 3, 2022

Chairman Pratt opened the meeting. There were 11 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 Deputy Town Clerk Paula Nystrom.

Moved by Councilor Hager, seconded by Councilor Wilder Cross and VOTED to accept the minutes of the April 5, 2022 Regular Town Council Meeting and the April 19, 2022 Special Town Council Meeting. **7 yeas**

Open Public Communications

Residents Fred Adams and Noah Miner both from Green Street expressed concerns about the removing of trees from Robie Park recently. They both said that if this space is being used for parking for the High School students to remind parents that driving a car and parking at the high school is a privilege and not a right. We must not take any more of Robie Park.

Councilor Communications

Councilor Kuech will attend the Little Rams Early Childhood meeting May 19, 2022. She also wanted Chairman Pratt to know she achieved her 48th Lifetime Blood Donation.

Councilor Wilder Cross sang praises to “The Northern Force” Gorham/Falmouth High School Robotics team for their performance at Regional Finals in Springfield, MA and for being awarded “Most Spirited” team. She attended the monthly GPCOG meeting which included a presentation to provide housing for refugees and asylum seekers in the Portland area. GPCOG will continue to make a priority reliable public transportation as well as addressing the need for affordable, temporary and optional housing.

The Village Alliance met reminding residents of two art-related Village events. May 13, 2022, 7-9 PM, First Parish Church will hold an “Inside Outside Digital Art Show” featuring local artists’ original work projected on the outside of the church building. Then on June 4, 2022, 10 AM-2 PM the second “Art On South Art Fair” will be held on Preble Street Common (the green space next to Robie Gym) where local artists will offer their original artwork for sale.

The Village Alliance and Village Beautification groups are constantly working to make the Village an inviting place to walk and shop. Plans are for more flowers and pedestrian scale lighting at least along one corridor leading to the Village.

Thank you to the Recreation Department staff for working on the Preble Street Common, getting it ready for Memorial Day, as well as events and the summer to come.

Councilor Phillips reported the joint School Committee, Town Council and Facilities Committee met to go over the capital needs for all areas and to see how to merge these lists. They also discussed adopting a growth cap for Gorham which will be discussed as an item on this agenda. There is a plan to discuss the Town's fifteen year capital plans with bonding capabilities and how the Town Council, Facilities and the School Committee can move forward working together rather than separately.

Councilor Hartwell reported that on April 19, 2022 the Ordinance Committee met to discuss the South Gorham Commercial District corridor. Recommendations and changes from Staff were referred back to the Town Council which will be on an upcoming agenda. After receiving a list of outstanding items in the Comprehensive Plan from the Town Planner the Ordinance Committee chose three items to bring forward to the Town Council for consideration. They are to create a vernal pool transfer program between low and high value vernal pools; the White Rock Mixed Use district plans and a long term plan for pedestrian development within Gorham. The Recreation Impact fees were tabled. At the next Ordinance meeting they will discuss integrating complete streets within the Village expansion zone. They will also speak on the Fire Suppression Ordinance to modify the increased third party inspection times. Councilor Hartwell also reminded residents to come out for the Memorial Parade planned by the Recreation Department and to partake in the various Veterans activities available.

Councilor Hager reported that the Finance Committee will meet May 9, 2022.

Chairman Pratt reported that on April 7, 2022 the Jetport Noise Abatement group met. One of the Jetport runways will be closed from April 18 through June 13, 2022 for construction. Therefore the flight patterns have changed so Gorham will notice and hear more planes flying over. On Tuesday, May 10, 2022 there is a Budget Workshop with the Town Council and the School Committee in the Council Chambers at 6:30 pm.

As always Chairman Pratt made a request for more blood donors and commended Councilor Kuech on her achievement with hers.

Town Manager Report

Town Manager Paraschak reminded citizens that the Vision Appraisal by Cumberland County Assessing is still going on throughout the town. They should be wrapping up their work by the summer. Sidewalks are being put in on Narragansett Street from State Street to Access Road. Town Manager Paraschak thanked Public Works for the hard work getting this project done. He also thanked Public Works for the sidewalk and street sweeping and clean up that has been going on from the winter months.

School Committee Report

Anne Schools, School Committee Chair reported the following:

Teacher Appreciation Week

Teacher appreciation week is this week from May 2-6th. If you see a teacher, make sure to thank them today! Without teachers, all other careers, would not be the same!

NWEA Testing

NWEA testing will be happening during the month of May. NWEA is also now the state testing. Students are tested across grades 3-8 and grade 11 in ELA, math, and science as part of the state required testing.

Students in grades K-12 and grades 9-10 will be tested in just ELA and math considering that these grades are not required by the state to participate in NWEA testing. However, we test these grades because we use this information for our benchmark testing annually.

Impaired Driving

On Thursday May 5th, GHS juniors and seniors, in collaboration with the Gorham Police Department will be participating in an impaired driving simulator as a reminder of the dangers of driving while intoxicated. This is purposefully timed just before the GHS prom to try and make sure this important lesson is fresh in their minds. Speaking of prom, GHS will host our first prom in two years on Saturday, May 7th.

Diversity, Equity, and Inclusion

The School Department continued its focus on diversity, equity, and inclusion last week by sponsoring a microaggression training for all students and staff across grades 6-12. This training was during student advisory time and was facilitated by Lawrence Alexander from Carney Sando & Associates.

Budget

We are looking forward to our joint budget meeting with the Town Council on May 10, 2022, at 6:30 pm in Council Chambers. During this time the School Committee will present information to the Town Council regarding the proposed FY23 School Budget. We have developed a Q&A document for questions to be asked in advance of the meeting. A link has been sent out to council members.

Internships

Our seniors will be spending the last two weeks of school participating in internship and/or job shadowing experiences beginning on May 23rd. Thank you to our area business people and municipal partners for helping us find placements for these students as they continue to explore what their future will look like.

GHS Spring Concert

The spring concert for band and jazz band will be held on May 17th at 7:00pm in the MPAC.

Looks like it will be a great show! We hope to see you there!

Last Day of School

The last day of school for students across the district will be a half day and will be on Monday, June 13th!

Our next regular meeting will be on May 11th at 7:00pm in Council Chambers.

Public hearing #1

On Item #2022-05-01

Public hearing to hear comment on a referendum question for the June 14, 2022 Election, for voter approval to appropriate a sum of money not to exceed \$325,000 for a capital expenditure to make improvements to Middle Jam Road, such \$325,000 amount to be paid from the general fund of the Town in a fiscal year to be determined by the Municipal Officers. (Admin. Spon.)

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

Public hearing #2

On Item #2022-05-02

Public hearing to hear comment on a referendum question for the June 14, 2022 Election, for voter approval to appropriate a sum of money not to exceed \$350,000 for a capital expenditure to replace a box culvert on Plummer Road, such \$350,000 amount to be paid from the general fund of the Town in a fiscal year to be determined by the Municipal Officers, and which expenditure shall leverage \$125,000 in state grant funding. (Admin. Spon.)

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

Public hearing #3

On Item #2022-05-03

Public hearing to hear comment on a referendum question for the June 14, 2022 Election, for voter approval to appropriate a sum of money not to exceed \$375,000 for a capital expenditure to make improvements to Lower Mighty Street, such \$375,000 amount to be paid from the general fund of the Town in a fiscal year to be determined by the Municipal Officers. (Admin. Spon.)

Chairman Pratt opened public hearing #3. Resident Pam Nicely from Mighty Street spoke that the residents on Mighty Street are very excited to have this on the ballot in June and hopes it will pass with the voters. The public hearing was closed.

Public hearing #4

On item #2022-05-04

Public hearing to hear comment on a referendum question for the June 14, 2022 Election, for voter approval to appropriate a sum of money not to exceed \$550,000 for a capital expenditure to acquire, install and implement financial and operations software for the Town of Gorham including the Gorham School Department, such \$550,000 amount to be paid from the general fund of the Town in a fiscal year to be determined by the Municipal Officers. (Admin. Spon.)

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

Public hearing #5

On item #2022-05-05

Public hearing to hear comment on a proposal to issue a Special Amusement License to Lone Pine Brewing Company. (Admin. Spon.)

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

Proposed

Order # 22-44

Moved by Councilor Phillips, seconded by Councilor Shepard and Ordered that the Town Council issue a Special Amusement License to Lone Pine Brewing Company, 48 Sanford Drive.

Order #22-44 was VOTED 7 yeas

Public hearing #6

On item #2022-05-06

Public hearing to hear comment on a proposal to issue a Medical Marijuana License to Josh Moody, 36 Bartlett Road, Unit 8. Property owned by Hinks Realty. (Admin. Spon.)

Chairman Pratt opened public hearing #6. There were no comments from the public and the hearing was closed. Per Detective Young from the Gorham Police Department Mr. Moody's background was checked and approved.

Proposed

Order #22-45

Moved by Councilor Phillips, seconded by Councilor Hager and Ordered that the Town Council issue a Medical Marijuana License to Josh Moody, 36 Bartlett Road, Unit 8. Property owned by Hinks Realty.

Order #22-45 was VOTED 7 yeas

Public hearing #7

On item #2022-05-07

Public hearing to hear comment on a proposal to issue a Medical Marijuana License to Anthony Digilio, 36 Bartlett Road, Unit 7. Property owned by Hinks Realty. (Admin. Spon.)

Chairman Pratt opened public hearing #7. There were no comments from the public and the hearing was closed. Per Detective Young from the Gorham Police Department Mr. Digilio's background was checked and approved.

Proposed

Order #22-46

Moved by Councilor Phillips, seconded by Councilor Hager and Ordered that the Town Council issue a Medical Marijuana License to Anthony Digilio, 36 Bartlett Road, Unit 7. Property owned by Hinks Realty.

Order #22-46 was VOTED 7 yeas

Public hearing #8

On item #2022-05-08

Public hearing to hear comment on a proposal to issue a Medical Marijuana License to Matthew Burnham, 36 Bartlett Road, Unit 7. Property owned by Hinks Realty. (Admin. Spon.)

Chairman Pratt opened public hearing #8. There were no comments from the public and the hearing was closed. Per Detective Young from the Gorham Police Department Mr. Burnham's background was checked and approved.

Proposed

Order #22-47

Moved by Councilor Phillips, seconded by Councilor Hager and Ordered that the Town Council issue a Medical Marijuana License to Matthew Burnham, 36 Bartlett Road, Unit 7. Property owned by Hinks Realty.

Order #22-47 was VOTED 7 yeas

Item #2022-05-09

Action regarding the June 14, 2022 School Budget Validation/Referendum Election. (Admin. Spon.)

Proposed

Order #22-48

Moved by Councilor Hager, seconded by Councilor Shepard and Ordered that the Town Council authorize the Town Clerk to issue the warrant for the June 14, 2022 School Budget Validation/Referendum Election; and

Be It Further Ordered, that the polls be open from 7:00am until 8:00pm; and

Be It Further Ordered, that the Town Council appoints the following persons for the designated voting districts and if any of the following should fail to serve, the Town Council hereby authorizes the Town Clerk to appoint substitutes:

District 1-1 – Susan Emerson, Warden and Laurel Smith, Ward Clerk

District 1-2 – Katherine Corbett, Warden and Marie Plummer, Ward Clerk

District 2 – Martha Towle, Warden and Nancy Kenty & Heidi Pratt, Ward Clerks

Central – Paula Nystrom, Warden and Alida Landry, Ward Clerk

Be It Further Ordered, that the Registrar of Voters be in session during the hours of 8:00am and 4:00pm on Tuesday, June 7 and Wednesday, June 8; between the hours of 8:00am and 6:30pm on Thursday, June 9; between the hours of 8:00am and 1:00pm on Friday, June 10 and between the hours of 8:00am and 4:00pm on Monday, June 13, 2022, and

Be it Further Ordered, that the Town Clerk be authorized to process absentee ballots on Tuesday, June 7th, Wednesday, June 8th, Thursday, June 9th, Friday, June 10th and Monday, June 13th at 10:00 am and 2:00pm; and Tuesday June 14th at 10:00am, 2:00pm and 8:00pm.

Order #22-48 was VOTED 7 yeas

Item #2022-05-10

Action to consider entering into a contract with Cumberland County for Assessing Services. (Admin Spon.)

Proposed

Order #22-49

Moved by Councilor Phillips, seconded by Councilor Shepard and Ordered that the Town Council authorizes the Town Manager to enter into a three year contract extension with Cumberland County for Assessing services starting July 1, 2022 and ending June 30, 2025.

Order #22-49 was VOTED 6 yeas, 1 nay (Hager)

Item #2022-05-11 Action to consider adopting growth caps in the Town of Gorham.
(Councilor Philips & Hartwell Spon.)

**Proposed
Order #22-50** Moved by Councilor Phillips, seconded by Councilor Hartwell and
Ordered that the Town Council instructs the Ordinance Committee to
review and propose amendments to the Land Use and Development
Code that would provide for dwelling unit growth caps in the Town of
Gorham while promoting development towards grow areas and away
from the rural zones.

Order #22-50 was VOTED 7 yeas

Item #2022-05-12 Action to consider establishing a Town Council workshop to discuss
micro rail from Gorham to Portland. (Councilor Hartwell Spon.)

**Proposed
Order #22-51** Moved by Councilor Hartwell, seconded by Councilor Wilder Cross
and Ordered that the Town Council sets May 17, 2022 as a Town Council
workshop to hear a citizen proposal on micro rail.

Order #22-51 was VOTED 7 yeas

Item #2022-05-13 Action to consider establishing a Town Council workshop to discuss the
Town's fifteen year capital plans. (Councilor Philips Spon.)

**Proposed
Order #22-52** Moved by Councilor Phillips, seconded by Councilor Hager and Ordered
that the Town Council sets June 21, 2022 as a Town Council
workshop to discuss the Town's fifteen year capital plan.

Order #22-52 was VOTED 7 yeas

Item #2022-05-14 Action to consider transferring Recreation Impact Fees. (Admin. Spon.)

**Proposed
Order #22-53** Moved by Councilor Shepard, seconded by Councilor Kuech and Ordered
that the Town Council authorizes the transfer of up to \$234,296 originally

allocated for construction of a baseball field at the Chick Property towards the construction of two multi use courts to be completed in conjunction with the Gorham Skate Park Project.

Order #22-53 was VOTED 5 yeas, 2 nays (Hager and Phillips)

Item #2022-05-15

Action to consider writing off tax collections on four mobile homes/campers. (Finance Committee Spon.)

Proposed

Order #22-54

Moved by Councilor Hager, seconded by Councilor Shepard and Ordered that the Town Council writes off the following amounts on tax collections as recommended by the Finance Committee:

Account #67167 - \$468.26

Account #67251 - \$281.39

Account #67165 - \$249.29

Account#67156 - \$170.91

Order #22-54 was VOTED 7 yeas

Item #2022-05-16

Action to consider authorizing the Town Manager to enter into an agreement with Griffon Security for an active shooter response alert system. (Councilor Shepard Spon.)

Proposed

Order #22-55

Moved by Councilor Shepard, seconded by Councilor Hager and Ordered that the Town Council authorizes the Town Manager enter into an agreement with Griffon Security for an active shooter response alert system for all major municipal buildings, and

Be It Further Ordered that the Town Council authorizes the transfer of funds from the COVID contingency account #204-05-50637-28 to complete this project.

During Council discussion Councilor Hartwell bought up another company doing similar security work and would like to get a proposal for bid from Guard 911 to compare the two systems.

Motion on Order #22-55

Moved by Councilor Hager and seconded by Councilor Wilder Cross to table the item until a future meeting.

Order #22-55 was VOTED 7 yeas

Item #2022-05-17 Action to consider going into executive session. (Admin. Spin.)

Proposed

Order #22-56

Moved by Councilor Hager, seconded by Councilor Phillips 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 and 1 M.R.S.A. § 405(6)(D) labor negotiations.

Order #22-56 was VOTED 7 yeas

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

Item #2022-05-18 Action to consider authorizing the Town Manager to enter into a collective bargaining agreement with Teamsters Local Union #340. (Admin. Spon.)

Proposed

Order #22-57

Moved by Councilor Shepard, seconded by Councilor Hager and Ordered that the Town Council authorizes the Town Manager to enter into a new collective bargaining agreement with the Fire Department Union, Teamsters Local #340.

Order #22-57 was VOTED 6 yeas, 1 nay (Hartwell)

Item #2022-05-19 Action to consider adopting MainePERS retirement for the Gorham Fire Department effective June 1, 2022 (Admin. Spon.)

Proposed

Order #22-58

Moved by Councilor Shepard, seconded by Councilor Hager and Ordered that the Town Council adopts Maine Public Employees Retirement System for the Gorham Fire Department (Gorham Fire & Police P0334) effective June 1, 2022 and other provisions of 5 M.R.S. §18252-C as follows:

1.) To offer Special Plan 3C to its regular, full-time firefighters who work at least 40 hours per week;
2.) To authorize EPHREM PARASCHAK, TOWN MANAGER to sign the Amended Agreement between Gorham Fire, Police and Maine Public Employees Retirement System;
3.) To exclude all other employees from participating in MainePERS;
4.) To allow its eligible firefighters who are currently employed by the Town on May 1, 2022 and who elect to join MainePERS, to purchase past service upon the employee's full payment of all associated costs. The Town of Gorham will not participate in the purchase of past service and so employees are responsible for paying the full liability associated with this service.
5.) To adopt the provisions of 5 M.R.S. §18252-C as enacted by PL 2021, Chapter 286 as allowed by MainePERS Rule Chapter 803 for its non-participating employees with optional membership who previously declined to participate in MainePERS ("eligible employees") and to comply with the following requirements:

- a. Beginning in 2022, to annually offer eligible employees who have been employed for less than 5 years, and in 2022 eligible employees who had reached 5 years of employment between November 1, 2021 and November 1, 2022, the opportunity to join MainePERS on a prospective basis during an open enrollment period from September 1st through November 1st and to provide MainePERS with documentation of each election made by eligible employees under this provision; and
- b. To withhold employee contributions for employees who join under this provision after all taxes have been withheld, and to remit them to MainePERS as after-tax contributions.

6) To authorize *Ephrem Paraschak, Town Manager* to sign the Amended Agreement between the Employer and the Maine Public Employees Retirement System.


Order #22-58 was VOTED 6 yeas, 1 nay (Hartwell)

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

Time of Adjournment: 8:50 pm

A True Record of Meeting

05/04/2022

ATTEST  05/06/2022
Paula Nystrom, Deputy Town Clerk