

REPORT OF THE  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
Burleigh Loveitt Council Chambers  
July 11, 2023

Chairman Pratt opened the meeting. There were 28 members of the public in attendance.

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

Moved by Councilor Gagnon, seconded by Councilor Lavoie and VOTED to accept the Minutes of the June 6, 2023 Regular Town Council Meeting and the June 20, 2023 Special Town Council Meeting. **6 yeas**

**Councilor Communications**

Councilor Wilder Cross reported that the Ordinance Committee met on June 20. The bulk of the meeting was spent discussing the proposed contract zone of Robie Street. That discussion will continue at their next regular meeting on Monday, July 17 at 8:30am. In addition, three of the items discussed at the meeting will be included in next month's agenda for Council approval, which includes stream protection, pedestrian improvements and standards for curb cuts on arterials. Councilor Wilder Cross thanked staff and volunteers who put together a fun afternoon to welcome summer at Baxter Memorial Library. She noted that it was wonderful to see so many families come out to enjoy the fun and food together on one of the very few nice days in June. She also attended the reception to recognize Linda Frinsko's countless year of volunteering at the library. Councilor Wilder Cross reported that the Husky Line transit will begin extending their route to the Ocean Gateway Terminal, which means residents will be able to get on the bus in the Village and go directly to the Old Port in Portland. In addition, Metro plans to add two additional weekday round trips to the BREEZ route that goes from Portland to Freeport and Brunswick.

Councilor Phillips announced the passing of former Town Councilor Paul Smith, who passed away at the beginning of June at the age of 71 from complications following heart surgery. She remembered him as being a no nonsense type of guy that asked questions as a Town Councilor and was a great service to the residents of Gorham. He also worked for Public Works before owning his own trucking company. She recalled that a few years ago, Paul hauled a 43 foot endangered right whale that was found dead floating in the ocean to Benson's Farm for a necropsy and composting. Councilor Phillips reflected that Paul was a family friend and she will miss his weekly phone calls and determination to keep Gorham a great place to live. She sends her thoughts and prayers to his entire family.

Councilor Lavoie announced that the new Summit Church, at 26 Cressey Road, will have its ribbon cutting on July 13 at 1:00pm.

Councilor Gagnon reminded residents that the Robie Park Steering Committee will hold their Community Charrette on July 12 at 6:00pm to discuss the future of the park. All are invited to attend.

Chairman Pratt explained that Councilor Siegel was absent due to Covid 19 illness. He also reminded citizens to donate blood if possible.

## Department Manager Report

Public Works Director Terry Deering gave a review of the Public Works Department and their duties.

## Town Manager Report

Town Manager Paraschak thanked PW Director Deering for a great presentation. He announced that the Brackett Street/Saco Street improvements have started and that the work will be done mostly at night. He reminded residents that the Little Falls Food Truck Event will be at Little falls Rec area on Thursdays from 4pm-8pm through the summer as well as the upcoming School Budget Referendum vote will be held on July 25. Polls will be open form 7am-8pm. He also noted that Senior Property Tax Refund applications are available and due back by August 1<sup>st</sup>.

## Public Hearing # 1

### On Item #2023-7-1

Public Hearing on the proposed 2023-2024 Fiscal Year Budget for the Gorham School Department. (Admin. Spon.)

Chairman Pratt opened public hearing #1.

Ken Curtis, South Street and Jim Means, Beatrice Drive voiced their opinion against the proposed school budget and hoped the Council will consider making changes.

Sarah Plummer, Brookwood Drive spoke in support of the proposed school budget.

The public hearing was closed.

Chairman Pratt asked to be recused from the discussion and vote of Order #23-93 due to a conflict of interest.

Moved by Councilor Gagnon, seconded by Councilor Lavoie and VOTED to allow Chairman Pratt to be recused from the discussion and vote of Order #23-93 due to a conflict of interest. 5 yeas, 1 abstention (Pratt)

## Proposed

### Order #23-93

Moved by Councilor Phillips, seconded by Councilor Lavoie and ORDERED, that the following school budget items be adopted and approved for fiscal year 2023-2024:

**NOTE:** Pursuant to Section 405 of the Council-Manager Charter of Town of Gorham, "The Town Council, after reviewing the proposed budget, may change the total appropriation prior to approving the final budget." Pursuant to State law, 20-A M.R.S.A. Section 2307, "In charter municipalities where the municipal charter confers upon a municipal council or other municipal legislative body the authority to determine the total amount of the school budget and confers upon the school committee or school board the authority to direct the expenditure of those funds for school purposes, the municipal council or other municipal legislative body shall determine the total amount of the school budget to be submitted to a budget validation referendum and the school committee or school board shall determine the allocation of the approved school budget among the cost centers of the cost center summary budget format." **Pursuant to section 15671-A(5 of Title 20-A of the Maine Revised**

***Statutes, when the Council approves a school budget exceeding the State's EPS funding model, a separate recorded council vote is required to approve the funds raised. Consequently, a separate Order follows this Order for that purpose.***

ORDERED, that the following school budget items be adopted and approved for fiscal year 2023-2024:

That **\$22,438,920** be authorized to be expended for Regular Instruction;  
that **\$8,656,452** be authorized to be expended for Special Education;  
that **\$0** be authorized to be expended for Career and Technical Education;  
that **\$1,055,194** be authorized to be expended for Other Instruction;  
that **\$4,362,538** be authorized to be expended for Student and Staff Support;  
that **\$1,609,397** be authorized to be expended for System Administration;  
that **\$2,527,249** be authorized to be expended for School Administration;  
that **\$2,600,343** be authorized to be expended for Transportation and Buses;  
that **\$4,594,713** be authorized to be expended for Facilities Maintenance;  
that **\$2,387,674** be authorized to be expended for Debt Service and Other Commitments;  
and that **\$0** be authorized to be expended for All Other Expenditures.

**BE IT FURTHER ORDERED:**

1. That **\$50,232,480** appropriated for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that **\$14,926,952** be raised as the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

*Explanation: The municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

2. That **\$1,256,943** be raised and appropriated for the annual payments on debt service previously approved by the municipality's legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects in addition to the funds appropriated as the local share of the municipality's contribution to the total cost of funding public education from kindergarten to grade 12.

*Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the municipality's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.*

**BE IT FURTHER ORDERED**, that the school committee be authorized to expend **\$50,232,480** for the fiscal year beginning July 1, 2023 and ending June 30, 2024 from the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

ORDERED that **\$10,000,684** be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by **\$10,000,684** as required to fund the budget recommended by the School Committee.

The School Committee recommends **\$10,000,684** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$10,000,684**. The State's funding model does not support all of the costs of the schools because it includes only those costs considered essential by the new State Essential Programs and Services (EPS) model.

*Explanation: - The additional local funds are those locally raised funds over and above the municipality's local Contribution to the total cost of funding public education from Kindergarten to grade 12 as described in the Essential Programs and Services funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the School Department budget for educational programs.*

Moved by Councilor Phillips, seconded by Councilor Shepard and VOTED to amend Order #23-93 and reduce the amount of the School Budget by \$2,000,000 for a total of \$48,232,480. 5 years

Order #23-93 was VOTED as amended 5 years

Order #23-93 now reads as follows:

Proposed

Order #23-93

Moved by Councilor Phillips, seconded by Councilor Lavoie and ORDERED, that the following school budget items be adopted and approved for fiscal year 2023-2024:

***NOTE:*** Pursuant to Section 405 of the Council-Manager Charter of Town of Gorham, "The Town Council, after reviewing the proposed budget, may change the total appropriation prior to approving the final budget." Pursuant to State law, 20-A M.R.S.A. Section 2307, "In charter municipalities where the municipal charter confers upon a municipal council or other municipal legislative body the authority to determine the total amount of the school budget and confers upon the school committee or school board the authority to direct the expenditure of those funds for school purposes, the municipal council or other municipal legislative body shall determine the total amount of the school budget to be submitted to a budget validation referendum and the school committee or school board shall determine the allocation of the approved school budget among the cost centers of the cost center summary budget format." **Pursuant to section 15671-A(5 of Title 20-A of the Maine Revised Statutes, when the Council approves a school budget exceeding the State's EPS funding model, a separate recorded council vote is required to approve the funds raised. Consequently, a separate Order follows this Order for that purpose.**

ORDERED, that the following school budget items be adopted and approved for fiscal year 2023-2024:

That \$21,432,070 be authorized to be expended for Regular Instruction;  
that \$8,552,452 be authorized to be expended for Special Education;  
that \$0 be authorized to be expended for Career and Technical Education;  
that \$767,044 be authorized to be expended for Other Instruction;  
that \$4,270,038 be authorized to be expended for Student and Staff Support;  
that \$1,359,397 be authorized to be expended for System Administration;  
that \$2,369,749 be authorized to be expended for School Administration;  
that \$2,551,843 be authorized to be expended for Transportation and Buses;  
that \$4,542,213 be authorized to be expended for Facilities Maintenance;  
that \$2,387,674 be authorized to be expended for Debt Service and Other Commitments;  
and that \$0 be authorized to be expended for All Other Expenditures.

**BE IT FURTHER ORDERED:**

1. That \$48,232,480 appropriated for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that \$14,926,952 be raised as the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

*Explanation: The municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

2. That \$1,256,943 be raised and appropriated for the annual payments on debt service previously approved by the municipality's legislative body for non-state-funded school construction projects, non-state-funded portions

of school construction projects in addition to the funds appropriated as the local share of the municipality's contribution to the total cost of funding public education from kindergarten to grade 12.

*Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the municipality's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body.*

**BE IT FURTHER ORDERED**, that the school committee be authorized to expend **\$48,232,480** for the fiscal year beginning July 1, 2023 and ending June 30, 2024 from the municipality's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

ORDERED that **\$10,000,684** be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by **\$10,000,684** as required to fund the budget recommended by the School Committee.

The School Committee recommends **\$10,000,684** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$10,000,684**. The State's funding model does not support all of the costs of the schools because it includes only those costs considered essential by the new State Essential Programs and Services (EPS) model.

*Explanation: - The additional local funds are those locally raised funds over and above the municipality's local Contribution to the total cost of funding public education from Kindergarten to grade 12 as described in the Essential Programs and Services funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the School Department budget for educational programs.*

**Public hearing #2  
on Item #2023-7-2**

Public hearing to hear comment on a proposal to issue a renewal Medical Marijuana License to Alexis Cantara, XOCC LLC, LLC, 5 Little Wing Lane, Unit A. Property owned by Dave Cowan. (Admin. Spon.)

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

**Proposed  
Order #23-94**

Moved by Councilor Phillips, seconded by Councilor Lavoie and Ordered, that the Town Council issue a renewal Medical Marijuana License to Alexis Cantara, XOCC LLC, LLC, 5 Little Wing Lane, Unit A. Property owned by Dave Cowan.

**Order #23-94 was VOTED 6 yeas**

**Item #2023-7-3**

Action to consider amending the Roadside Commercial District standards in the Land Use & Development Code. (Ordinance Committee Spon.)

**Proposed  
Order #23-95**

Moved by Councilor Wilder Cross, seconded by Councilor Shepard and Ordered, that the Town Council forwards amendments to the

Roadside Commercial District to add accessory use outdoor storage, to the Planning Board for recommendation and public hearing, as follows:

**PROPOSED AMENDMENT LANGUAGE TO ORDINANCE:**

The TC Ordinance Committee amendment language is shown in black and underlined.

**Chapter 1: Zoning Regulations**

**Section 1-11– Roadside Commercial District**

**B. Permitted Uses**

3) Accessory uses and buildings including a care taker unit and accessory outdoor storage with an area not greater than 2 times the total square footage of all the structures located on the site or 15,000 sq.ft whichever is greater.

**E. Performance Standards**

2) The following additional performance standards shall also apply.

a) Lot Layout

2) All generators, HVAC units, outdoor storage areas, and dumpster pads shall be landscaped and located behind buildings and structures so that they are not visible from any public street or residential properties. The Planning Board may allow generators, HVAC units, outdoor 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 are sufficiently buffered from public roads and residential properties.

**Order #23-95 was VOTED 5 yeas, 1 nay (Gagnon)**

**Item #2023-7-4**

Action to consider appointing a member to the Revolving Loan Fund Committee. (Appointments Committee Spon.)

**Proposed**

**Order #23-96**

Moved by Councilor Shepard, seconded by Councilor Lavoie and Ordered, that the Town Council appoint Nicholas Smith to the Revolving Loan Fund Committee.

**Order #23-96 was VOTED 5 yeas, 1 nay (Gagnon)**

**Item #2023-7-5**

Action to consider accepting a resignation from the Board of Trustees – Baxter Memorial Library. (Admin. Spon.)

**Proposed  
Order #23-97**

Moved by Councilor Wilder Cross, seconded by Councilor Phillips and Ordered, that the Town Council accept the resignation of Linda Frinsko from the Board of Trustees – Baxter Memorial Library; and

Be It Further Ordered, that the Council thanks Linda Frinsko for her many years of service on the Board.

**Order #23-97 was VOTED 6 yeas**

**Item #2023-7-6**

Action to consider appointing a member to the Board of Trustees-Baxter Memorial Library. (Appointments Committee Spon.)

**Proposed  
Order #23-98**

Moved by Councilor Shepard, seconded by Councilor Lavoie and Ordered, that the Town Council appoint Deborah Arcaro to the Board of Trustees-Baxter Memorial Library.

**Order #23-98 was VOTED 6 yeas**

**Item #2023-7-7**

Action to consider utilizing American Rescue Plan Act (ARPA) funding to provide for capital projects. (Councilor Lavoie.)

**Proposed  
Order #23-99**

Moved by Councilor Lavoie, seconded by Councilor Phillips and Ordered, that the Town Council authorizes the release of \$70,000 in ARPA funding for the following projects:

State Park Style Bathroom Privy for Weeks Road Recreation Area - \$35,000

State Park Style Bathroom Privy for Cherry Hill Farm Recreation Area - \$35,000

Be It Further Ordered that all funds be spent by December 31, 2026.

**Order #23-99 was VOTED 6 yeas**

**Item #2023-7-8**

Action to consider utilizing American Rescue Plan Act (ARPA) funding to provide for capital projects. (Councilor Philips Spon.)

**Proposed**

**Order #23-100**

Moved by Councilor Phillips, seconded by Councilor Shepard and Ordered, that the Town Council authorizes the release of \$47,000 in ARPA funding for the following projects:

Heat Pump Mini Splits for Climate Control at Baxter Museum

Be It Further Ordered that all funds be spent by December 31, 2026.

**Order #23-100 was VOTED 6 yeas**

**Item #2023-7-9**

Action to enter into executive session for personnel matters and to discuss confidential economic development matters.

**Proposed**

**Order #23-101**

Moved by Councilor Shepard, seconded by Councilor Phillips and Ordered, that the Town Council enters into executive session pursuant to MRSA § 405(6) (A) Personnel Matters and 1 MRSA § 405(6) (C) for 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 #23-101 was VOTED 6 yeas**

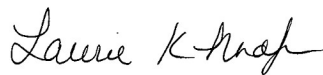
**Moved by Councilor Phillips, seconded by Councilor Shepard and VOTED to come out of Executive Session. 6 yeas**

**Moved by Councilor Phillips, seconded by Councilor Shepard and VOTED to adjourn. 6 yeas**

**Time of adjournment: 9:55pm**

A True Record of Meeting  
07-11-2023

ATTEST



Laurie Nordfors, Town Clerk  
07-12-2023