

REPORT OF THE  
GORHAM TOWN COUNCIL  
SPECIAL MEETING VIA ZOOM  
July 16, 2020

Chairperson Phillips opened the meeting with the Pledge of Allegiance to the Flag. There were 17 members of the public in attendance via zoom.

Roll Call: Chairperson Phillips, Councilors Shepard, Hartwell, Hager, Pratt, Kuech and Wilder Cross. Also in attendance were Town Manager Ephrem Paraschak, Director of Community Development Tom Poirier, and Town Clerk Laurie Nordfors.

Chairperson Phillips announced that Councilor Kuech has resigned from her position with the School Department as of today so she will be able to participate in tonight's vote.

Chairperson Phillips opened public hearing #1. There were no comments from the public and the hearing was closed.

Moved by Councilor Hager, seconded by Councilor Pratt and VOTED to waive the reading of Order #2020-067 because of length. **7 yeas**

**Order #2020-067** Moved by Councilor Pratt, seconded by Councilor Hager and ORDERED, that the following school budget items be adopted and approved for fiscal year 2020-2021:

***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 2020-2021:

That **\$18,924,148** be authorized to be expended for Regular Instruction;  
that **\$6,847,635** be authorized to be expended for Special Education;  
that **\$0** be authorized to be expended for Career and Technical Education;  
that **\$966,522** be authorized to be expended for Other Instruction;  
that **\$3,343,231** be authorized to be expended for Student and Staff Support;  
that **\$1,315,364** be authorized to be expended for System Administration;  
that **\$2,248,730** authorized to be expended for School Administration;  
that **\$1,957,275** be authorized to be expended for Transportation and Buses;  
that **\$4,231,329** be authorized to be expended for Facilities Maintenance;  
that **\$2,564,045** 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 **\$42,398,279** 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 **\$13,882,278** 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 **\$593,959** 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 **\$42,398,279** for the fiscal year beginning July 1, 2020 and ending June 30, 2021 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.

**BE IT FURTHER ORDERED**, that the Town will appropriate **\$316,176** for adult education and raise **\$131,692** as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

ORDERED that \$7,322,826 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$7,322,826 as required to fund the budget recommended by the School Committee.

The School Committee recommends \$7,322,826 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$7,322,826. 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.*

**Order #2020-067 was VOTED 7 yeas**

Chairperson Phillips 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 #2020-068 due to length. **7 yeas**

**Order #2020-068** Moved by Councilor Shepard, seconded by Councilor Pratt and ORDERED, that the Gorham Town Council vote to adopt the 2020-2021 Fiscal Year Budget with the following departmental totals:

General Government	\$	1,831,027
Public Safety	\$	4,634,164
Public Works/Solid Waste/Engineering & Insp Services	\$	2,986,867
Health & Welfare and Social Service Agencies	\$	54,600
Recreation/Community Center/Cable	\$	591,878
Libraries and Museum	\$	502,397
Development	\$	155,749
Debt & Interest	\$	2,113,588
Capital Items	\$	35,000
Insurance and Employee Benefits	\$	2,909,449
Other Town Services and Unclassified	\$	<u>335,732</u>
Subtotal	\$	16,150,451
Cumberland County Property Tax	\$	<u>1,329,231</u>
Total	\$	<u>16,714,935</u>
Non-Property Tax Revenues	\$	7,808,127

BE IT FURTHER ORDERED that the Education budget as finally approved by the Gorham Town Council and subsequently approved by the voters of the Town of Gorham be incorporated into a final Municipal budget; and

BE IT FURTHER ORDERED that the Town Council vote to adopt the Capital Budget Part II in the amount of \$2,256,931 to be funded from the town's undesignated fund balance; and

BE IT FURTHER ORDERED that all taxes on real estate and personal property shall be due and payable upon approval of this Order and that one-half of all real estate and personal property taxes that remain unpaid on November 15, 2020 shall commence bearing interest on November 17, 2020, and that the final half of all real estate and personal property taxes that remain unpaid on May 15, 2021, shall commence bearing interest on May 18, 2021 at the interest rate of 8.0% per annum as authorized by Maine Law until paid and collected and the Tax Collector and Treasurer are authorized to collect and receive thereof; and

BE IT FURTHER ORDERED that the Gorham Town Council authorizes the Finance Director to accept prepayment of real and personal property taxes; and

BE IT FURTHER ORDERED that pursuant to Title 36, M.R.S.A., Section 506A, the Gorham Town Council establishes an interest rate of 5.0% per annum to be paid on all real estate and personal property taxes rebated due to overpayment of taxes; and

BE IT FURTHER ORDERED that pursuant to Title 36, M.R.S.A., Section 906, the Gorham Town Council hereby require and direct that any tax payment received from an individual as payment for any property tax be applied against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment shall be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer. This order shall remain in effect until rescinded by the Municipal Officers.

Moved by Councilor Shepard, seconded by Councilor Hager and VOTED to amend the order to re-instate the 29 hour Clerk position into the Town Clerk budget.

Moved by Councilor Hartwell, seconded by Councilor Pratt and VOTED to make an amendment to the amendment to re-instate the 29 hour Clerk position into the Town Clerk budget for 6 months. **2 yeas, 5 nays (Phillips, Shepard, Wilder Cross, Hager, Kuech) Motion failed**

Amendment was VOTED **6 yeas, 1 nay (Hartwell)**

Councilor Kuech made a motion to re-instate the part time librarian position back into the Library budget. There was not a second and the motion failed.

**The amended Order #2020-168 reads as follows with adjusted totals:**

Moved by Councilor Shepard, seconded by Councilor Pratt and ORDERED, that the Gorham Town Council vote to adopt the 2020-2021 Fiscal Year Budget with the following departmental totals:

General Government	\$	1,861,245
Public Safety	\$	4,634,164
Public Works/Solid Waste/Engineering & Insp Services	\$	2,986,867
Health & Welfare and Social Service Agencies	\$	54,600
Recreation/Community Center/Cable	\$	591,878
Libraries and Museum	\$	502,397
Development	\$	155,749
Debt & Interest	\$	2,113,588
Capital Items	\$	35,000
Insurance and Employee Benefits	\$	2,911,852
Other Town Services and Unclassified	\$	<u>335,732</u>
Subtotal	\$	16,183,072
Cumberland County Property Tax	\$	<u>1,329,231</u>
Total	\$	<u>17,512,303</u>
Non-Property Tax Revenues	\$	7,808,127

BE IT FURTHER ORDERED that the Education budget as finally approved by the Gorham Town Council and subsequently approved by the voters of the Town of Gorham be incorporated into a final Municipal budget; and

BE IT FURTHER ORDERED that the Town Council vote to adopt the Capital Budget Part II in the amount of \$2,256,931 to be funded from the town's undesignated fund balance; and

BE IT FURTHER ORDERED that all taxes on real estate and personal property shall be due and payable upon approval of this Order and that one-half of all real estate and personal property taxes that remain unpaid on November 15, 2020 shall commence bearing interest on November 17, 2020, and that the final half of all real estate and personal property taxes that remain unpaid on May 15, 2021, shall commence bearing interest on May 18, 2021 at the interest rate of 8.0% per annum as authorized by Maine Law until paid and collected and the Tax Collector and Treasurer are authorized to collect and receive thereof; and

BE IT FURTHER ORDERED that the Gorham Town Council authorizes the Finance Director to accept prepayment of real and personal property taxes; and

BE IT FURTHER ORDERED that pursuant to Title 36, M.R.S.A., Section 506A, the Gorham Town Council establishes an interest rate of 5.0% per annum to be paid on all real estate and personal property taxes rebated due to overpayment of taxes; and

BE IT FURTHER ORDERED that pursuant to Title 36, M.R.S.A., Section 906, the Gorham Town Council hereby require and direct that any tax payment received from an individual as payment for any property tax be applied against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment shall be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer. This order shall remain in effect until rescinded by the Municipal Officers.

**Order #2020-068 was VOTED as amended. 7 yeas**

Order #2020-069      Moved by Councilor Pratt, seconded by Councilor Kuech and ORDERED, that the Town Council authorize the Town Manager to enter into waste and recycling hauling agreement(s) for a period of up to five years under terms and conditions most beneficial to the Town of Gorham. **7 yeas**

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

Time of adjournment; 7:45pm,

A True Record of Meeting  
06-16-2020

ATTEST \_\_\_\_\_ 06-17-2020  
Laurie Nordfors, Town Clerk