

REPORT OF THE  
GORHAM TOWN COUNCIL  
SPECIAL MEETING  
Burleigh Loveitt Council Chambers  
May 16, 2023  
6:30PM

Chairman Pratt opened the meeting. There were over 100 members of the public in attendance.

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

**Public Hearing #1**

**On item # 2023-5-8**

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

Chairman Pratt opened public hearing #1.

Many residents, including Michelle Littlefield, Brook Prouix, Sara Plummer, Ken Curtis, Mark Curtis, Susan Sato, Susan Adolf, Joe McCarthy, Bill Neily and Jim Means voiced their opinion on the proposed School Budget. Some were in support of the budget as is, some support the school system, but are worried about increasing taxes and some were not in support of the budget.

Chairman Pratt closed the public hearing.

**Proposed**

**Order # 23-76**

Moved by Councilor Gagnon, seconded by Councilor Siegel 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 **\$23,059,353** be authorized to be expended for Regular Instruction;  
that **\$8,806,971** 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 **\$4,440,585** 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 **\$5,454,713** 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 **\$51,941,479** 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 **\$51,941,479** 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.

**BE IT FURTHER ORDERED**, that the Town will appropriate **\$353,366** for adult education and raise **\$208,299** 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 \$11,738,684 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$11,738,684 as required to fund the budget recommended by the School Committee.

The School Committee recommends \$11,738,684 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$11,734,684. 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.*

**BE IT FURTHER ORDERED**, that the Town Council authorizes the Gorham School Department to use all of additional state subsidies received but not already included in the proposed FY23 budget to decrease the local cost share expectation, as defined in Title 20-A, section 15671 A(1)(B), for local property taxpayers for funding public education as approved by the School Board.

**Chairman Pratt asked the Council if he could be recused from the discussion and vote due to a conflict of interest.**

**Moved by Councilor Pratt, seconded by Councilor Shepard and VOTED to recuse Chairman Pratt from the discussion and vote due to a conflict of interest. 6 yeas, 1 abstention**

**Moved by Councilor Shepard to amend the order to reduce the School Budget by \$1,839,000. There was no second and the motion failed.**

**Moved by Councilor Wilder Cross to amend the order to reduce the School Budget by \$1,000,000. There was no second and the motion failed.**

**Moved by Councilor Phillips, seconded by Councilor Wilder Cross and VOTED to amend the order to reduce the School Budget by \$1,500,000. 3 yeas, 3 nays (Lavoie, Gagnon, Siegel) Motion failed**

**Moved by Wilder Cross, seconded by Councilor Phillips and VOTED to amend the order to reduce the School Budget by \$1,000,000. 2 yeas, 4 nays (Siegel, Shepard, Lavoie, Gagnon) Motion failed**

**The Council took a 5 minute recess**

**Moved by Councilor Gagnon, seconded by Councilor Lavoie and VOTED to amend the order to reduce the School Budget by \$800,000. 5 yeas, 1 nay (Siegel)**

**Order #23-77 was VOTED as amended 6 yeas**

## **Public Hearing #2**

**On item # 2023-5-9**

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

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

**Proposed**

**Order # 23-77**

Moved by Councilor Phillips, seconded by Councilor Shepard and ORDERED, that the Town Council vote to adopt the 2023-2024 Fiscal Year Budget with the following departmental totals:

ORDERED that the Gorham Town Council vote to adopt the 2023-2024 Fiscal Year Budget with the following departmental totals:

General Government	\$	2,485,379
Public Safety	\$	5,715,125
Public Works/Solid Waste/Engineering & Insp Services	\$	3,616,752
Health & Welfare and Social Service Agencies	\$	100,600
Recreation/Community Center/Cable	\$	741,192
Libraries and Museum	\$	590,602
Development	\$	263,756
Debt & Interest	\$	1,734,950
Capital Items	\$	515,000
Insurance and Employee Benefits	\$	4,119,686
Other Town Services and Unclassified	\$	<u>302,572</u>
Subtotal	\$	20,185,614
Cumberland County Property Tax	\$	<u>1,543,224</u>
Total	\$	<u>21,728,838</u>
Non-Property Tax Revenues	\$	10,559,759

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 \$4,330,765 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, 2023 shall commence bearing interest on November 16, 2023, and that the final half of all real estate and personal property taxes that remain unpaid on May 15, 2024, shall commence bearing interest on May 16, 2024 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 4.0% 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.

BE IT FURTHER ORDERED that in the event that the amount of interest on unpaid taxes is calculated to be less than \$1.00 on the payment date, and the payment instrument is for the full amount of the unpaid tax, the Finance Director is authorized to waive imposition of interest.

BE IT FURTHER ORDERED that this order shall remain in effect until rescinded by the Municipal Officers.

**Moved by Councilor Phillips, seconded by Councilor Lavoie and VOTED to amend the order to remove \$145,000 from Capital Part II Budget, #16-Comprehensive Plan Update and set the funds aside for use by the School Department. 7 yeas**

**Moved by Councilor Gagnon, Seconded by Councilor Phillips and VOTED to amend the order to remove \$70,000 from Capital Part II Budget, #19-Refurbishment of Central Station Floors (Fire EMS) 1 yea, 6 nays (Lavoie, Phillip, Pratt, Wilder Cross, Siegel, Shepard)**

**Moved by Councilor Shepard, seconded by Councilor Siegel and VOTED to amend the order to add two firefighter/paramedics to the budget, but wait to hire them until January 1, 2024, for a total of \$64,927. 7 yeas**

**Moved by Councilor Wilder Cross, seconded by Councilor Shepard and VOTED to amend the order to add \$7750 to the budget for a stipend for the Planning Board Members with \$1500 per year going to the Chairman, \$1250 per year going to the Vice Chairman and \$1000 per year going to each of the remaining members of the Planning Board. 5 yeas, 2 nays (Phillips, Gagnon)**

**Moved by Councilor Lavoie, seconded by Councilor Wilder Cross and VOTED to amend the order to increase the Conservation Commission budget from \$3000 to \$4000. 7 yeas**

**Moved by Councilor Siegel, seconded by Councilor Gagnon and VOTED to amend the order to increase the Gorham Health Council budget from \$600 to \$1000. 7 yeas**

**Moved by Councilor Gagnon, seconded by Councilor Shepard and VOTED to amend the order to add to the Health & Welfare Budget a line for the Gorham Food Pantry, with a budget of \$1000. 7 yeas**

**Order #23-77 was VOTED as amended. 7 yeas**

**Order #23-77 AMENDED reads as follows:**

**Proposed**

**Order # 23-77**

Moved by Councilor Phillips, seconded by Councilor Shepard and ORDERED, that the Town Council vote to adopt the 2023-2024 Fiscal Year Budget with the following departmental totals:

ORDERED that the Gorham Town Council vote to adopt the 2023-2024 Fiscal Year Budget with the following departmental totals:

General Government	\$	2,493,129
Public Safety	\$	5,781,896
Public Works/Solid Waste/Engineering & Insp Services	\$	3,616,752
Health & Welfare and Social Service Agencies	\$	102,000
Recreation/Community Center/Cable	\$	741,192
Libraries and Museum	\$	590,602
Development	\$	263,756
Debt & Interest	\$	1,734,950
Capital Items	\$	515,000
Insurance and Employee Benefits	\$	4,161,203
Other Town Services and Unclassified	\$	<u>303,572</u>
Subtotal	\$	20,304,052
Cumberland County Property Tax	\$	<u>1,543,224</u>
Total	\$	<u>21,847,276</u>
Non-Property Tax Revenues	\$	10,603,074

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 \$4,330,765 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, 2023 shall commence bearing interest on November 16, 2023, and that the final half of all real estate and personal property taxes that remain unpaid on May 15, 2024, shall commence bearing interest on May 16, 2024 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 4.0% 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.

BE IT FURTHER ORDERED that in the event that the amount of interest on unpaid taxes is calculated to be less than \$1.00 on the payment date, and the payment instrument is for the full

amount of the unpaid tax, the Finance Director is authorized to waive imposition of interest.

**Item #2023-5-10**

Action to enter into executive session to discuss confidential economic development matters. (Admin. Spon.)

**Proposed**

**Order # 23-78**

Ordered, that the Town Council enter into executive session pursuant to 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 #23-78 VOTED 7 yeas**

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

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

**Time of adjournment: 9:25 pm**

A True Record of Meeting  
05-16-2023

ATTEST 

Laurie Nordfors, Town Clerk  
05-17-2023