

REPORT OF THE
GORHAM TOWN COUNCIL
REGULAR MEETING
June 5, 2018

Chairman Hartwell opened the meeting with the Pledge of Allegiance to the Flag. There were over 80 members of the public in attendance at the start of the meeting.

Roll Call: Chairman Hartwell, Councilors Benner, Shepard, Stelk, Hager, Smith and Phillips. Also in attendance were Town Manager Ephrem Paraschak and Town Clerk Laurie Nordfors.

Moved by Councilor Shepard, seconded by Councilor Benner and VOTED to accept the minutes of the May 1, 2018 Regular Town Council Meeting. **7 yeas**

Councilor Communications

Councilor Hager reported that the Finance Committee met on May 31st and discussed that we are slightly ahead on revenues and under on expenses in this quarter. The next Finance Committee meeting is on June 25th.

Councilor Stelk announced that the Greater Portland Council of Government held its annual summit last month focusing on transportation needs for the region and revealed that they have recently merged with PACT. She also announced that the Senior Land use planner has been invited to attend the workshop on growth in Gorham, to give a brief presentation on a new 3-D software program to help us get a handle on our projected growth in Gorham.

Chairman Hartwell reminded everyone about the new recycling rules and a new fact sheet on what to and not to recycle is available in the Town Clerk's Office or on our website. Councilor Benner added that ECO-Maine will soon be doing a presentation on GO-CAT with actual visuals on what to recycle and what not to recycle.

Town Manager Report

Town Manager Ephrem Paraschak reminded citizens that the State Primary/Referendum and School Budget Referendum Election is coming up on Tuesday, June 12th and to get out and vote. He also affirmed that the last day to absentee vote is Thursday, June 7th.

School Committee Report

Vice Chairman Stewart McCallister congratulated the GHS Seniors and reported that they will be graduating Sunday, June 10th at 4pm at Merrill Auditorium. There are 202 members of the senior class and 116 are going on to a 4 year college, 40 to a 2 year college and 5 will be entering the Military. Others are either directly entering the workforce with specific plans or are taking a gap year. You can tune in to the District Facebook page on Friday, June 8th at 9am to watch the "Senior Walk Celebration" as our seniors visit all of our K-8 schools and are greeted with warm celebrations by all students and staff. The

last day for K-12th grade students is Tuesday, June 19th. The projections for next year's incoming kindergarten class are for a total of 245 students. As of right now, we are at 230 students. The Gorham School Department voted recently to change the transportation policies in order to limit the number of different pick up and drop off locations for each student to a maximum of 2. This change will impact the 2018-2019 school year for parents, who have already been notified. The next school committee regular meeting is scheduled for June 13th.

Councilor Hager asked the Council if it was a conflict of interest for him to participate in the Vote for the School Budget since his son is an employee of the School Department. The Council VOTED to let Councilor Hager participate in the School Budget Vote. **6 yeas, 1 abstention (Hager)**

Chairman Hartwell opened public hearing #1.

There were several citizens who spoke in opposition of the Item because of the impending increase in taxes due to the increase of the School Budget. There were also several citizens who spoke in favor of the item and asked the Council to approve the School Budget as is, and to invest in the future of our children.

The public hearing was closed.

Item #9339 Moved by Councilor Stelk, seconded by Councilor Benner and Ordered, that the following school budget items be adopted and approved for fiscal year 2018-2019:

Moved by Councilor Stelk, seconded by Councilor Shepard and **VOTED** to waive the reading of the order. **7 yeas**

***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 2018-2019:

That \$17,445,436 be authorized to be expended for Regular Instruction;
that \$5,978,034 be authorized to be expended for Special Education;
that \$50,000 be authorized to be expended for Career and Technical Education;
that \$907,355 be authorized to be expended for Other Instruction;
that \$3,154,067 be authorized to be expended for Student and Staff Support;
that \$1,187,852 be authorized to be expended for System Administration;
that \$2,037,631 be authorized to be expended for School Administration;
that \$1,887,848 be authorized to be expended for Transportation and Buses;

that \$3,686,735 be authorized to be expended for Facilities Maintenance;
that \$2,707,688 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 **\$39,042,646** 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 **\$13,378,358** 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 **\$618,409** 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 **\$39,042,646** for the fiscal year beginning July 1, 2018 and ending June 30, 2019 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 **\$245,860** for adult education and raise **\$75,822** 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 \$6,335,411 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$6,335,411 as required to fund the budget recommended by the School Committee.

The School Committee recommends \$6,335,411 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$6,335,411. 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 Shepard to make an amendment to reduce the School Budget by \$500,000. There was no second. Motion failed.

Moved by Councilor Smith, seconded by Councilor Phillips and VOTED to make an amendment to reduce the School Budget by \$350,000.

Moved by Councilor Shepard, seconded by Councilor Smith and VOTED to make an amendment to the previous amendment to reduce the School Budget by \$500,000. 2 yeas, 5 nays (Benner, Hartwell, Stelk, Phillips, Hager) Motion Failed

Amendment to reduce the School Budget by \$350,000 was VOTED 3 yeas, 4 nays (Benner, Shepard, Stelk, Hager) Amendment Failed.

Moved by Councilor Hager to reduce the School Budget by \$173,000. There was no second. Motion failed.

Moved by Councilor Smith, seconded by Councilor Phillips and VOTED to reduce the School Budget by \$200,000.

Moved by Councilor Shepard, seconded by Councilor Smith and VOTED to make an amendment to the previous amendment to reduce the school Budget by \$346,000. 4 yeas, 3 nays (Hager, Stelk, Benner)

The amendment to reduce the School Budget by \$346,000 was VOTED 4 yeas, 3 nays (Hager, Stelk, Benner)

Item # 9339 was VOTED as amended 4 yeas, 3 nays (Hager, Stelk, Benner) and reads as follows:

ORDERED, that the following school budget items be adopted and approved for fiscal year 2018-2019:

That \$17,411,436 be authorized to be expended for Regular Instruction;
that \$5,978,034 be authorized to be expended for Special Education;
that \$50,000 be authorized to be expended for Career and Technical Education;
that \$907,355 be authorized to be expended for Other Instruction;
that \$2,982,067 be authorized to be expended for Student and Staff Support;
that \$1,182,852 be authorized to be expended for System Administration;
that \$2,037,631 be authorized to be expended for School Administration;
that \$1,887,848 be authorized to be expended for Transportation and Buses;
that \$3,551,735 be authorized to be expended for Facilities Maintenance;
that \$2,707,688 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 \$38,696,646 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 \$13,378,358 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 **\$618,409** 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 **\$38,696,646** for the fiscal year beginning July 1, 2018 and ending June 30, 2019 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 **\$245,860** for adult education and raise **\$75,822** 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 \$5,989,411 be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$5,989,411 as required to fund the budget recommended by the School Committee.

The School Committee recommends \$5,989,411 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$5,989,411. 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

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

Item # 9340 Moved by Councilor Phillips, seconded by Councilor Shepard and ORDERED that the Town Council vote to adopt the 2018-2019 Fiscal Year Budget with the following departmental totals:

Moved by Councilor Stelk, seconded by Councilor Benner and VOTED to waive the reading of the item.
7 years

General Government	\$	1,644,874
Public Safety	\$	4,362,213
Public Works/Solid Waste/Engineering & Insp Services	\$	2,696,426
Health & Welfare and Social Service Agencies	\$	57,600
Recreation/Community Center/Cable	\$	550,487
Libraries and Museum	\$	489,261
Development	\$	79,153
Debt & Interest	\$	1,800,707
Capital Items	\$	178,431
Insurance and Employee Benefits	\$	2,469,881
Other Town Services and Unclassified	\$	411,710
Subtotal	\$	14,740,743
Cumberland County Property Tax	\$	1,169,303
Total	\$	<u>15,910,046</u>
Non-Property Tax Revenues	\$	6,776,222

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 \$2,104,048 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, 2018 shall commence bearing interest on November 16, 2018, and that the final half of all real estate and personal property taxes that remain unpaid on May 15, 2019, shall commence bearing interest on May 16, 2019 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 3.0% 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 Phillips, seconded by Councilor Smith and VOTED to amend the Town Budget to remove the 20 hour a week part time clerk position in the Finance/Clerks budget line. 3 yeas, 4 nays (Shepard, Benner, Stelk, Hager) Motion Failed

Moved by Councilor Phillips, seconded by Councilor Smith and VOTED to amend the Town Budget to replace only 2 police vehicles instead of 3 from the capital equipment budget line. 1 yeas, 6 nays (Shepard, Benner, Hartwell, Stelk, Smith, Hager) Motion Failed

Moved by Councilor Phillips, seconded by Councilor Smith and VOTED to amend the Town Budget to remove the \$12,000 for Computer Tech Updates from the Capital Equipment budget line. 2 yeas, 5 nays (Shepard, Benner, Hartwell, Stelk, Hager) Motion failed

Moved by Councilor Phillips, seconded by Councilor Smith and VOTED to amend the Town Budget to remove the Little Falls Rec Field House project request in the Capital Project line and pay for the Great Falls School Alarm upgrade project in the School Budget. 4 yeas, 3 nays (Shepard, Hager, Benner)

Moved by Councilor Smith, seconded by Councilor Phillips and VOTED to amend the Town Budget to remove the request for \$30,000 for extra salt from the Public Works line.

Moved by Councilor Smith, seconded by Councilor Phillips and VOTED to make an amendment to the prior amendment and replace it with remove \$25,000 for extra salt and leave \$5000 for new salt shoots. 3 yeas, 4 nays (Hager, Stelk, Benner, Shepard) motion failed

Amendment to remove the request for \$30,000 for extra salt from the Public Works line was VOTED 2 yeas, 5 nays (Hager, Stelk, Hartwell, Benner, Shepard) amendment failed

Moved by Councilor Benner, seconded by Councilor Stelk and VOTED to amend the town Budget to use the \$2500 from the capital part 2 budget line for new salt chutes for Public Work plow trucks. 6 yeas, 1 nay (Smith)

Moved by Councilor Hager, seconded by Councilor Benner and VOTED to have the part-time position of Storm Water Compliance that is shared with Windham become full-time with Gorham and allow that position to also work with the GIS system. 5 years, 2 nays (Smith, Philips)

Item # 9340 ORDERED that the Town Council approve the Town of Gorham Budget for the 2018-2019 fiscal year with the departmental totals as follows:

ORDERED, that the Town Council vote to adopt the 2018-2019 Fiscal Year Budget with the following departmental totals:

General Government	\$	1,644,874
Public Safety	\$	4,362,213
Public Works/Solid Waste/Engineering & Insp Services	\$	2,716,969
Health & Welfare and Social Service Agencies	\$	57,600
Recreation/Community Center/Cable	\$	550,487
Libraries and Museum	\$	489,261
Development	\$	79,153
Debt & Interest	\$	1,800,707
Capital Items	\$	178,431
Insurance and Employee Benefits	\$	2,501,608
Other Town Services and Unclassified	\$	411,710
Subtotal	\$	14,793,013
Cumberland County Property Tax	\$	1,169,303
Total	\$	<u>15,962,316</u>
Non-Property Tax Revenues	\$	6,776,222

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 \$2,104,048 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, 2018 shall commence bearing interest on November 16, 2018, and that the final half of all real estate and personal property taxes that remain unpaid on May 15, 2019, shall commence bearing interest on May 16, 2019 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 3.0% 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.

Item # 9340 was VOTED as amended 5 yeas, 2 nays (Smith, Phillips)

Item # 9341 Moved by Councilor Phillips, seconded by Councilor Stelk and ORDERED, that the Town Council nominate the Town Manager for a year term on MMA's Legislative Policy Committee. **7 yeas**

Item # 9342 Moved by Councilor Stelk, seconded by Councilor Shepard and ORDERED, that the Town Council ask the Ordinance Committee to consider developing an amendment to the Land Use & Development Code, to increase the minimum lot size for new lots in the rural district and bring the committee's recommendation back to the Council, at a later date, for the Town Council to consider. **4 yeas, 3 nays (Smith, Hartwell, Phillips)**

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

Time of adjournment; 10:15pm

A True Record of Meeting
6/6/18

ATTEST _____
Laurie Nordfors, Town Clerk