

AGENDA AND PROPOSED ORDERS
GORHAM TOWN COUNCIL
REGULAR MEETING
May 3, 2022
6:30pm
Burleigh Loveitt Council Chambers

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the minutes of the April 5, 2022 Regular Town Council Meeting and the April 19, 2022 Special Town Council Meeting.

Open Public Communications

Councilor Communications

Town Manager Report

School Committee Report

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.)

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.)

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.)

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.)

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.)

Proposed
Order # 22-44

Ordered, that the Town Council issue a Special Amusement License to Lone Pine Brewing Company, 48 Sanford Drive.

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.)

Proposed
Order #22-45

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

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.)

Proposed
Order #22-46

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

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.)

Proposed
Order #22-47

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

Item #2022-05-09

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

Proposed
Order #22-48

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 Clerk

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.

Item #2022-05-10 Action to consider entering into a contract with Cumberland County for Assessing Services. (Admin Spon.)

Proposed

Order #22-49 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.

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

Proposed

Order #22-50 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.

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 Ordered, that the Town Council sets May 17, 2022 as a Town Council workshop to hear a citizen proposal on micro rail.

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 Ordered, that the Town Council sets June 21, 2022 as a Town Council workshop to discuss the Town's fifteen year capital plan.

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

Proposed

Order #22-53

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.

Item #2022-05-15

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

Proposed

Order #22-54

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

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

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.

Item #2022-05-17

Action to consider going into executive session. (Admin. Spin.)

Proposed

Order #22-56

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.

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

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.

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

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 4 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.

Adjourn