

AMENDED AGENDA AND PROPOSED ORDERS
GORHAM TOWN COUNCIL
REGULAR MEETING
June 2, 2020
6:30pm
On-line Zoom Meeting

The Town of Gorham invites you to view our upcoming Regular Town Council Meeting on June 2, 2020, starting at 6:30PM. This meeting will be held remotely, hosted as a Zoom Webinar and streamed over GoCAT and Facebook Live for anyone who wishes to view. Staff strongly recommends those who would like to make public comment regarding agenda items to email written comments by 4pm on Tuesday, June 2, 2020 to the following email address: TC_Mtg_Public_Comment@gorham.me.us.

To join the meeting, follow this link on your computer or mobile device:

<https://us02web.zoom.us/j/87892266105> or join by phone by calling 1-929-205-6099 and entering Webinar ID: 878 9226 6105. To make a public comment during the meeting, we ask that you raise your hand using the button in Zoom, or for those joining by phone, you may type *9.

Please be advised that any comments made during the meeting on Facebook Live or GoCAT will not be reviewed and are not considered public comment for purposes of the public record.

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the minutes of the May 5, 2020 Regular Town Council Meeting.

Open Public Communications

Councilor Communications

Town Manager Report

School Committee Report

**Public
Hearing #1
On Item #2020-6-01**

Public hearing on the first amendment to the VIP/County Road Tax Increment Financing District #4 and Development Program for the said District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The District includes 2 acres located at 14 County Road (Tax Map 6, Lots 5 & 6) and the proposed amendment to the District and Development Program would extend the term of the District for an additional 16 years through March 31, 2036. The proposed amendment would also increase the percentage of captured assessed value from 50% to 100%, with the tax increment revenue from such captured assessed value to be retained by the Town to be used for various public improvements to be designated by the Town within the Development Program, such as roads and utilities within the District, land and facilities for public use, economic development programs, professional services related to development of the District, public safety improvements, capital costs associated with transit service, environmental services, and recreational trails that promote economic development.

**Proposed
Order #20-060**

WHEREAS, the Town is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to adopt a Tax Increment Financing District and Development Program; and

WHEREAS, the Town identified certain property within its Suburban Residential zoning district that was underutilized and in need of redevelopment; and

WHEREAS, the Town determined that adopting and implementing a Tax Increment Financing District and Development Program would provide opportunities for significant new commercial development within the Town and new employment opportunities for residents of the Town and surrounding communities, and would improve and broaden the tax base of the Town and improve the general economy of the Town, the region and the State of Maine; and

WHEREAS, the Town adopted the VIP/County Road Tax Increment Financing District #4 on March 1, 2005 (the "District") and the Commissioner of the Maine Department of Economic and Community Development ("DECD") approved the designation of the District and

adoption of the Development Program by letter dated January 31, 2006;
and

WHEREAS, the District was approved for a period of 15 years to expire
March 31, 2021; and

WHEREAS, the Town recognizes the ongoing benefits of the District to
continue to provide opportunities for employment and commercial
activity within the Town; and

WHEREAS, the Town Council held a public hearing on the proposed first
amendment to the District and Development Program on June 2, 2020
in accordance with the requirements of 30-A MRSA §5226(1) upon at
least ten (10) days prior notice published in a newspaper of general
circulation within the Town; and

WHEREAS, the Town desires to amend the District and Development
Program as presented to the Town Council this day and as has been on
file in the Town Clerk's Office at Town Hall; and

WHEREAS, it is anticipated that the Commissioner of the Maine
Department of Economic and Community Development ("DECD") will
approve the amendment of the District and Development Program;

NOW THEREFORE, the Town Council hereby Orders as follows:

Section 1. The Town Council hereby finds and determines that:

(a) Adoption and implementation of the District and the
Development Program have and will continue to generate substantial economic
benefits for the Town and its residents, including employment opportunities,
broadened and improved tax base and economic stimulus, and therefore
constitute a good and valid public purpose and will contribute to the economic
growth or well-being of the inhabitants of the Town or to the betterment of the
health, welfare or safety of the inhabitants of the Town; and

(b) The Town Council has considered all evidence presented to it
with regard to any adverse economic effect on or detriment to any existing
business and has found and determined that adoption and implementation of
the District and the Development Program will not result in a substantial
detriment to any existing business in the Town, and any adverse economic
effect of the District and the Development Program on any existing business in
the Town is outweighed by the contributions expected to be made by the
projects and improvements described in the District and the Development
Program to the economic growth or well-being of the Town or to the
betterment of the health, welfare or safety of the inhabitants of the Town.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby adopts the first amendment to the Town of Gorham VIP/County Road Tax Increment Financing District #4, as presented to the Town Council.

Section 3. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby adopts the first amendment to the Development Program for the District in the form presented to the Town Council.

Section 4. The foregoing amendment of the District and Development Program shall automatically become final and shall take full force and effect upon approval of the amendment by the Commissioner of the State of Maine Department of Economic and Community Development (DECD), without requirement of any further action by the Town, the Town Council, or any other party.

Section 5. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of the Increased Assessed Value to be retained as Captured Assessed Value in the District and the term of said District is confirmed as set forth in the Development Program.

Section 6. The Town Manager be and hereby is authorized and directed, on behalf of the Town of Gorham, Maine, to submit to the Commissioner of DECD for review and approval, pursuant to the requirements of 30-A M.R.S.A. §5226(2), the application and such other documentation as may be necessary or appropriate for the final approval of the amendment to the District and the Development Program. The Town Manager is further authorized and empowered, at his or her discretion from time to time, to make such technical revisions to the District or the Development Program for the District, or to the scope, cost or description of the public improvements to be financed with the portion of tax increment revenues generated by the District and retained by the Town as described in the Development Program, as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval of the amendment to the District and Development Program by DECD, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the District and the Development Program.

This Order shall take effect immediately upon adoption.

**Public
Hearing #2
On Item #2020-6-02**

Public hearing on the first amendment to the Pettingill Tax Increment Financing District #3 and Development Program for the said District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The District includes 6.48 acres located at 20 Hutcherson Drive (Tax Map 12, Block 23, Lot 1) and the proposed amendment to the District and Development Program would extend the term of the District for an additional 15 years through June 30, 2035. The proposed amendment would also increase the percentage of captured assessed value from 50% to 100%, with the tax increment revenue from such captured assessed value to be retained by the Town to be used for various public improvements to be designated by the Town within the Development Program, such as roads and utilities within the District, land and facilities for public use, economic development programs, professional services related to development of the District, public safety improvements, capital costs associated with transit service, environmental services, and recreational trails that promote economic development.

**Proposed
Order #20-061**

WHEREAS, the Town is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to adopt a Tax Increment Financing District and Development Program; and

WHEREAS, the Town identified certain property within its Industrial zoning district that was underutilized and in need of redevelopment; and

WHEREAS, the Town determined that adopting and implementing a Tax Increment Financing District and Development Program would provide opportunities for significant new commercial development within the Town and new employment opportunities for residents of the Town and surrounding communities, and would improve and broaden the tax base of the Town and improve the general economy of the Town, the region and the State of Maine; and

WHEREAS, the Town adopted the Pettingill Tax Increment Financing District on March 2, 2004 (the "District") and the Commissioner of the Maine Department of Economic and Community Development ("DECD") approved the designation of the District and adoption of the Development Program by letter dated September 8, 2005; and

WHEREAS, the District was approved for a period of 15 years to expire June 30, 2020; and

WHEREAS, the Town recognizes the ongoing benefits of the District to continue to provide opportunities for employment and commercial activity within the Town; and

WHEREAS, the Town Council held a public hearing on the proposed first amendment to the District and Development Program on June 2, 2020 in accordance with the requirements of 30-A MRSA §5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

WHEREAS, the Town desires to amend the District and Development Program as presented to the Town Council this day and as has been on file in the Town Clerk's Office at Town Hall; and

WHEREAS, it is anticipated that the Commissioner of the Maine Department of Economic and Community Development ("DECD") will approve the amendment of the District and Development Program;

NOW THEREFORE, the Town Council hereby Orders as follows:

Section 7. The Town Council hereby finds and determines that:

(c) Adoption and implementation of the District and the Development Program will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitute a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and

(d) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that adoption and implementation of the District and the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the District and the Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the projects and improvements described in the District and the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

Section 8. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby adopts the first amendment to the Town of Gorham Pettingill Tax Increment Financing District, as presented to the Town Council.

Section 9. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby adopts the first amendment to the Development Program for the District in the form presented to the Town Council.

Section 10. The foregoing amendment of the District and Development Program shall automatically become final and shall take full force and effect upon approval of the amendment by the Commissioner of the State of Maine Department of Economic and Community Development (DECD), without requirement of any further action by the Town, the Town Council, or any other party.

Section 11. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of the Increased Assessed Value to be retained as Captured Assessed Value in the District and the term of said District is confirmed as set forth in the Development Program.

Section 12. The Town Manager be and hereby is authorized and directed, on behalf of the Town of Gorham, Maine, to submit to the Commissioner of DECD for review and approval, pursuant to the requirements of 30-A M.R.S.A. §5226(2), the application and such other documentation as may be necessary or appropriate for the final approval of the amendment to the District and the Development Program. The Town Manager is further authorized and empowered, at his or her discretion from time to time, to make such technical revisions to the District or the Development Program for the District, or to the scope, cost or description of the public improvements to be financed with the portion of tax increment revenues generated by the District and retained by the Town as described in the Development Program, as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval of the amendment to the District and Development Program by DECD, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the District and the Development Program.

This Order shall take effect immediately upon adoption.

Item #2020-6-03 Action to consider appointing Peter Mason to the Gorham Economic Development Corporation. (Appointments Committee Spon.)

Proposed
Order #20-062 Ordered, that the Town Council appoint Peter Mason to the Gorham Economic Development Corporation.

Item #2020-6-04 Action to consider a resolution declaring all businesses in the Town of Gorham essential and calling on the Governor of the State of Maine to open all businesses. (Councilor Hartwell Spon.)

**Proposed
Order #20-063** Ordered, that the Town Council accept the following resolution declaring all businesses in the Town of Gorham essential as follows:

WHEREAS, the members of Gorham Town Council are grateful for the initial swift measures taken by Governor Mills and Dr. Shah to prevent the projected rampant spread of COVID-19, to buy them some time to assess the situation, and to make reasonable plans to mitigate the virus going forward; and

WHEREAS, the goal of "flattening the curve" and keeping the healthcare system from being overwhelmed has been accomplished here in Cumberland County to date; and

WHEREAS, the residents of the Town of Gorham and Cumberland County have been diligent in taking the prescribed precautions to utilize social distancing and limit social gatherings to the prescribed numbers; and

WHEREAS, the ripple effects of business closures and resultant economic decline are simply no longer sustainable; and

WHEREAS, the Town of Gorham already anticipates a significant revenue decline over the next 12 months from loss of business; and

WHEREAS, additional effects of revenue decline are expected to be seen into 2023, due to business losses that can be carried forward; and

WHEREAS, if businesses remain shut down, the Town of Gorham will soon be faced with decisions regarding which services can continue, and which must be cut, as we must balance our budget;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Gorham, Maine declare:

SECTION I: All businesses are essential.

SECTION II: We support all businesses opening immediately subject to reasonable health and safety measures.

SECTION III: Governor Mills and Dr. Shah should delegate the authority to local and/or regional health departments to review and make recommendations on businesses' reopening plans, to review such plans for adherence to the CDC guidelines for preventing the spread of COVID-19, and to allow those complying businesses to reopen upon each local or regional health officer's approval.

NOW THEREFORE, BE IT ORDERED that the Town Council goes on the record to allow any business in Gorham that wish to open, permission to do so.

Item #2020-6-05 Action to consider instructing the Ordinance Committee to create an Emergency Management Ordinance. (Councilor Philips Spon.)

**Proposed
Order #20-064** Ordered, that the Town Council instruct staff to work with the Ordinance Committee to draft an Emergency Management Ordinance for Council review and approval.

Item #2020-6-06 Action to consider establishing a due date for the payment of excise taxes according to Amended Executive Order 53-A FY 19/20. (Councilor Philips Spon.)

**Proposed
Order #20-065** Ordered, that the Town Council establish June 30, 2020 as the due date for payment of excise tax within the Town of Gorham for the registration of motor vehicles that are expired or will expire by that time, and

Be It Further Ordered, that the Town Council instructs staff to provide for notice to the public on the means by which to register motor vehicles to also include all-terrain vehicles, watercraft, snowmobiles, trailers and temporary registrations.

Item #2020-6-07 Action to consider authorizing a 90 day deferment period for Revolving Loan Fund payments. (Councilor Pratt Spon.)

**Proposed
Order #20-066** Ordered, that the Town Council authorize loan payment deferments for the Gorham Revolving Loan Fund on existing loans for up to 90 days at the request of the borrower from April 1, 2020 through September 30, 2020, and

Be It Further Ordered, that new loans provided after April 1, 2020 have the same loan payment deferment period for up to 90 days ending September 30, 2020.

Adjourn