

**AGENDA AND PROPOSED ORDERS  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
July 11, 2023  
6:30PM  
Burleigh Loveitt Council Chambers**

**Pledge of Allegiance to the Flag**

**Roll Call**

**Acceptance of the minutes of the June 6, 2023 Regular Town Council Meeting and the June 20, 2023 Special Town Council Meeting.**

**Open Public Communications**

**Councilor Communications**

**Department Manager Report**

**Town Manager Report**

**School Committee Report**

**Public Hearing # 1**

**On Item #2023-7-1**

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

**Proposed**

**Order #23-93**

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 **\$22,438,920** be authorized to be expended for Regular Instruction;  
that **\$8,656,452** 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 **\$4,362,538** 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 **\$4,594,713** 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 **\$50,232,480** 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 **\$50,232,480** 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.

ORDERED that **\$10,000,684** be raised and appropriated in additional local funds, which exceeds the State's Essential Programs and Services allocation model by **\$10,000,684** as required to fund the budget recommended by the School Committee.

The School Committee recommends **\$10,000,684** for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by **\$10,000,684**. 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.*

**Public hearing #2  
on Item #2023-7-2**

Public hearing to hear comment on a proposal to issue a renewal Medical Marijuana License to Alexis Cantara, XOCC LLC, LLC, 5 Little Wing Lane, Unit A. Property owned by Dave Cowan. (Admin. Spon.)

**Proposed  
Order #23-94**

Ordered, that the Town Council issue a renewal Medical Marijuana License to Alexis Cantara, XOCC LLC, LLC, 5 Little Wing Lane, Unit A. Property owned by Dave Cowan.

**Item #2023-7-3**

Action to consider amending the Roadside Commercial District standards in the Land Use & Development Code. (Ordinance Committee Spon.)

**Proposed  
Order #23-95**

Ordered, that the Town Council forwards amendments to the Roadside Commercial District to add accessory use outdoor storage, to the Planning Board for recommendation and public hearing, as follows:

**PROPOSED AMENDMENT LANGUAGE TO ORDINANCE:**

The TC Ordinance Committee amendment language is shown in black and underlined.

**Chapter 1: Zoning Regulations**

**Section 1-11– Roadside Commercial District**

**B. Permitted Uses**

3) Accessory uses and buildings including a care taker unit and accessory outdoor storage with an area not greater than 2 times the total square footage of all the structures located on the site or 15,000 sq.ft whichever is greater.

**E. Performance Standards**

2) The following additional performance standards shall also apply.

a) Lot Layout

2) All generators, HVAC units, outdoor storage areas, and dumpster pads shall be landscaped and located behind buildings and structures so that they are not visible from any public street or residential properties. The Planning Board may allow generators, HVAC units, outdoor storage areas, and dumpster pads to be located so they are not located behind the buildings if the Board finds that the proposed locations are required to provide for a better overall design of the lots/ development and that are sufficiently buffered from public roads and residential properties.

**Item #2023-7-4** Action to consider appointing a member to the Revolving Loan Fund Committee. (Appointments Committee Spon.)

**Proposed Order #23-96** Ordered, that the Town Council appoint Nicholas Smith to the Revolving Loan Fund Committee.

**Item #2023-7-5** Action to consider accepting a resignation from the Board of Trustees – Baxter Memorial Library. (Admin. Spon.)

**Proposed Order #23-97** Ordered, that the Town Council accept the resignation of Linda Frinsko from the Board of Trustees – Baxter Memorial Library; and

Be It Further Ordered, that the Council thanks Linda Frinsko for her many years of service on the Board.

**Item #2023-7-6** Action to consider appointing a member to the Board of Trustees-Baxter Memorial Library. (Appointments Committee Spon.)

**Proposed Order #23-98** Ordered, that the Town Council appoint Deborah Arcaro to the Board of Trustees-Baxter Memorial Library.

**Item #2023-7-7** Action to consider utilizing American Rescue Plan Act (ARPA) funding to provide for capital projects. (Councilor Lavoie.)

**Proposed Order #23-99** Ordered, that the Town Council authorizes the release of \$70,000 in ARPA funding for the following projects:

State Park Style Bathroom Privy for Weeks Road Recreation Area - \$35,000

State Park Style Bathroom Privy for Cherry Hill Farm Recreation Area - \$35,000

Be It Further Ordered that all funds be spent by December 31, 2026.

**Item #2023-7-8**

Action to consider utilizing American Rescue Plan Act (ARPA) funding to provide for capital projects. (Councilor Philips Spon.)

**Proposed**

**Order #23-100**

Ordered, that the Town Council authorizes the release of \$47,000 in ARPA funding for the following projects:

Heat Pump Mini Splits for Climate Control at Baxter Museum

Be It Further Ordered that all funds be spent by December 31, 2026.

**Item #2023-7-9**

Action to enter into executive session for personnel matters and to discuss confidential economic development matters.

**Proposed**

**Order #23-101**

Ordered, that the Town Council enters into executive session pursuant to MRSA § 405(6) (A) Personnel Matters and 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.