Amended REPORT OF THE

GORHAM TOWN COUNCIL

REGULAR MEETING

December 4, 2018

Chairman Hartwell opened the meeting with the Pledge of Allegiance to the Flag. There were 10

Members of the public in attendance at the start of the meeting.

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

Moved by Councilor Shepard, seconded by Councilor Wilder Cross and VOTED to accept the minutes of the November 13, 2018 regular Town Council meeting. **7 yeas**

Open Public Communications

Susan Duchaine, 166 Narragansett Street, voiced her concerns to the Council over the recent changes to the Narragansett Development District.

Steven Bibula, Orchard Ridge Farm, addressed his opinion on agricultural and farming rules and regulations within the Comprehensive Plan.

Dan Glover, Archangel Committee presented a commemorative plate to the Council celebrating the Bridges of Friendship 2018 between numerous towns in Maine and our sister city Archangel, Russia. He also noted that there will be an annual meeting at the Walker Memorial Library in Westbrook on January 17, 2019.

Councilor Communications

Councilor Shepard reported that the Ordinance committee met on November 20th and welcomed its new members.

Councilor Phillips reported that he High School Building committee was snowed out its last two meetings and will have its next meeting on December 11th. She also noted that the Capital Improvements Committee will meet in January.

Councilor Wilder Cross disclosed that the Appointments Committee has chosen a date to interview prospective Planning Board members to fill the recent vacancy in the Planning Board. She also thanked the Rec Department for pulling off a spectacular light parade and tree lighting. She congratulated the GHS Chamber Singers and the Gorham Community Chorus for the wonderful performance they gave at their Holiday Concert. Councilor Wilder Cross reminded people of the upcoming New Year’s Gorham Celebration and is excited that more local talent will be contributing to the celebration. A full schedule will be in the Gorham Times and on our website.

Councilor Hager noted that the Finance Committee met on November 20th and reported that the Town revenue is up and expenses are down slightly. They are waiting on the final audit report sometime in January.

**Chairman Hartwell suggested that the Council make motions and seconds without being asked by the Chairman for each item on the agenda. The Council agreed.**

Town Manger Report

Town Manger Paraschak thanked everyone involved in the Holiday Light Parade and Tree Lighting for a wonderful show and wished everyone a happy and safe holiday. He reminded citizens that Gorham Police Department will deliver sand to seniors who cannot pick it up themselves. They can call the non-emergency number at 222-1660 and make arrangements. He also touched upon the passing of former President George HW Bush and reminded people to take a moment to reflect during the National Day of Mourning.

School Committee Report

Darryl Wright, Chairman reported that school enrollments are holding steady at 2782 students, which a growth of 143 students over the last 4 years. He also reported that He and Superintendent Perry met with Representative McLean and Sanborn to help them understand the needs of the growing school system. Darryl thanked the GPD and GOCAT for their assistance in working with the schools on creating two very informative Public Service Announcements regarding the need to stop for school busses and to ensure folks are not driving distracted. The videos can be found on the Town’s website and on the School Departments Facebook page. He noted that at the most recent workshop meeting, the School Committee gave direction to the administration as part of the K-5 Facilities vision work to focus on Narragansett School becoming the focal point for further growth at the K-5 level. They believe that this site is the most capable of absorbing additional long term growth at these grade levels. No decisions have been made in regards to the attendance zones at this time as the discussions are just beginning. The School committee is also considering the possibility of adding time to the length of the school day for K-12. They have not yet determined if they will add time, and if so, how much time. Feedback is currently being sought from parents on this issue through meetings with the PIE groups and will continue to work with administration to determine possible next steps moving forward. The School committee will have a joint meeting with the Town Council in mid-January to update the Town Council on the GHS Building Committee work to date and the next Regular School Committee meeting is scheduled for December 12th.

Chairman Hartwell opened public hearing #1. There were no comments from the public and the hearing was closed.

**Item # 9404** Moved by Councilor Hager, seconded by Councilor Phillips andORDERED, that the Town Council approve a new liquor license for Rustic Taps & Catering.

**7 yeas**

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

was closed.

Moved by Councilor Phillips, seconded by Councilor Shepard and VOTED to waive the reading of the

order due to length. **7 yeas**

**Old Business**

**Item # 9331** Moved by Councilor Phillips, seconded by Councilor Shepard and ORDERED, that the Town Council amend the Land Use & Development Code as follows:

**CHAPTER 2: SECTION 2-11 - FIRE PROTECTION WATER SUPPLY**

A. Purpose. The purpose of this Section is to establish standards for the installation of fire protection ~~water supplies~~ in ~~residential~~ subdivisions ~~where a public water system and hydrants are not available.~~ where public water supplies exist or could feasibly be extended, as established under Chapter 2, Section 2-10. ~~Water lines and fire hydrants shall be provided as determined by the Gorham Fire Chief,~~

B. Applicability. This Section applies to all applications for new ~~residential~~ subdivisions and for the expansion of existing or already approved ~~residential~~ subdivisions.

C. Standards. Where a public water system and hydrants are ~~not~~ available for fire protection, a developer shall install a fire protection water supply that meets the following standards:

1) Fire Hydrants shall be provided at a maximum distance spacing of 1,500’ as measured along the road centerline. The specific location of the fire hydrants shall be approved by the Gorham Fire Chief prior to installation.

~~Except as otherwise provided in Subsection C(6) of this Section, the fire protection water supply shall include a fire pond which shall be designed with 2:1 pitched bankings and shall have a minimum depth of ten feet (10').~~

~~2) The fire pond shall contain a minimum of 120,000 gallons of water in storage as certified by a registered professional engineer, for the purpose of supplying the fire flow requirements of 500 gallons per minute for the duration of two (2) hours, with the additional amount being a safety margin for dry weather and additional fires. This water storage level shall be maintained at all times by a spring, well point, pumping facility and rain and snow run-off. An overflow system shall be installed with proper drainage materials and facilities to handle the projected overflow.~~

~~3) The fire protection water supply shall include dry hydrants and associated piping and materials, which shall be installed in accordance with the illustration attached hereto as Figure 1 and the provisions of paragraph 5.~~

~~4) In cases where the dry hydrant cannot be placed next to a Town accepted street, an access road to the dry hydrant shall be provided to allow a fire department pumper to be capable of connecting to the dry hydrant connection with one (1) ten foot (10') length of hard suction hose. The access road shall be a mini D of twelve feet (12') wide and capable of handling fire department apparatus in all seasons and weather conditions. The access road shall be approved as meeting these requirements by the Town Engineer, and the developer shall, prior to final subdivision approval, provide an executed easement deed to this access road to the Town in a form approved by the Town Attorney. The access road shall be posted "No Parking Fire Lane".~~

~~5) Dry hydrants shall be installed in accordance with the following standards:~~

~~a) A minimum of eight inch (8") piping and fittings shall be utilized from the screen to the 90 degree elbow.~~

~~b) Piping and fittings shall be a minimum of schedule 40 rating. The streamer hose connection shall be bronze with a 4 1/2 inch National Standard Thread (NST).~~

~~c) The riser piping and 90 degree elbows shall be schedule 40 steel.~~

~~d) The piping from the suction screen to the 90 degree elbow below ground shall be schedule 40 PVC pipe capped off at the screen end.~~

~~e) All pipe connections shall be cleaned and cemented so as to provide air tight connections.~~

~~f) The 90 degree elbow below ground shall have six feet (6') of cover from finished grade.~~

~~g) The maximum amount of lift permitted shall be fifteen feet (15') as measured from the surface of the water to the center of the suction inlet of a pumper at draft at the dry hydrant.~~

~~h) The riser piping shall be exposed above grade level twenty-four inches (24") as measured from the center of the hydrant opening to the grade level of the fire apparatus position.~~

~~i) A suction screen shall be formed in the end of the PVC pipe by drilling a minimum of nine hundred and sixty (960) 3/8" holes along the piping leaving a four inch (4") wide strip along the top of the pipe that is not drilled. The section screen shall be raised off the bottom of any Fire Pond twenty-four inches (24"), and shall be twenty-four inches (24") away from~~

~~j) All piping and fittings exposed to sunlight shall be primed and painted with fluorescent orange reflective paint, except the threads of the streamer connection.~~

~~k) The hydrant riser pipe shall be protected with four inch (4") in diameter steel pumper posts that are at least three feet (3') above grade.~~

 ~~l) The area around the pond and where the piping has been installed shall be graded and seeded.~~

~~m) Fencing is optional; however, if a fence is provided it shall have a gate access point and a lock box shall be installed holding the keys for the gate.~~

~~n) The maximum distance from the dry hydrant to any dwelling with the project shall be two thousand feet (2,000')~~

~~6) Storage tanks. In cases where a pond cannot be supported, the developers shall install underground storage tanks, the size and number of which shall be determined by the Fire Chief; proof shall be supplied by the developer that the property to be developed will not support a fire pond before the developer will be allowed to substitute underground storage tanks for a fire pond.~~

~~D. Easement Deed. The developer shall, prior to final subdivision approval, provide an executed dry hydrant easement deed to the Town in a form approved by the Town Attorney to provide the Town of Gorham with the right to enter onto the property to use, maintain, repair, replace and install the fire pond or underground storage tanks, dry hydrant, water lines and all necessary fixtures and appurtenances.~~

~~E. Plan. A detailed plan of the fire pond or underground storage tanks, hydrant, piping, overflow and roadway shall be submitted to the Fire Chief and Town Engineer and to the Planning Board as part of the Preliminary Plan submission in Chapter 3, Section 3-3.B(17) of this Code. The Fire Chief and Town Engineer shall review the plan and make their recommendations in writing to the Planning Board.~~

~~F. Inspection. The fire protection water supply with dry hydrant shall be installed by the developer in accordance with these standards and no certificate of occupancy for any dwelling in the subdivision shall be issued unless and until the fire protection water supply and dry hydrant are tested and approved as being in working order by the Fire Chief or his designee and the Town Engineer.~~

~~G. The requirement of Compliance with this ordinance shall not apply if the developer, as a written condition of subdivision approval, agrees to install a sprinkler system in each and every dwelling in accordance with the Town's Sprinkler Ordinance.~~

 \*Deletions ~~Struck Through~~

 \*Additions Underlined

**Item # 9331 was VOTED 7 yeas**

Chairman Hartwell opened public hearing #3. There were no comments from the public and the hearing

was closed.

Moved by Councilor Shepard, seconded by Councilor Wilder Cross and VOTED to waive the reading of

the order due to length. **7 yeas**

**Old Business**

**Item # 9196** Moved by Councilor Phillips, seconded by Councilor Shepard and ORDERED, that the Town Council amend the Land Use & Development Code as

follows:

**CHAPTER 1: SECTION 23 ‑ SMALL DWELLING OVERLAY DISTRICT**

Structure Requirements: Residential buildings eligible for conversion into small dwelling unit buildings must have been constructed prior to or in 1925. Additions are allowed but cannot increase the size of the building by more than 25% and the additions need to meet all underlying zoning space standards. Commercial buildings and residential buildings built after 1925 cannot be used for conversion to small dwelling unit buildings.

Space Standards: The standard residential density for the lot is based on the underlying zoning district’s space standards. Lot owners located in the overlay district are allowed to convert the standard residential density to small dwelling units based on the below formula:

1 bedroom apartment                   1/3 of a dwelling unit

2 bedroom apartment                   2/3 of a dwelling unit

3 or more bedroom apartment     1 dwelling unit

Bonus Unit Provisions: Existing structures and lots that could support and meet the required performance standards for additional small dwelling units may add dwelling units as identified under Chapter 1, Section 1-18 Development Transfer Overlay District, E. Performance Standards, 1. Development Transfer Fee and Calculations.

Fee Based Calculation:

1 bedroom apartment                   1/3 of a bonus unit fee

2 bedroom apartment                   2/3 of a bonus unit fee

3 or more bedroom apartment     1 full bonus unit fee

Off-street Parking Standards: Conversion of existing buildings into small dwelling unit structures must meet the following requirements:

1 bedroom apartment                   1 parking space

2 bedroom apartment                   1.5 parking spaces

3 or more bedroom apartment     2 parking spaces

Half parking spaces are required to be rounded up to the next full number. Parking is not allowed within the front yard setback as identified in the underlying zoning district or no portion of the lot between the street to the front building line shall be used for off-street parking.

Buffering requirements: The conversion and development of the site shall comply with the requirements under Chapter 2: General Standards of Performance, Section 2-1: Environmental, I. Buffer Areas.

Town Review Requirements: The conversion of existing buildings into multiple small dwelling units shall be subject to review and approval under the provisions of the Chapter 3: Subdivision and Chapter 4: Site Plan. The conversion also must meet all the requirements under Chapter 2: General Standards of Performance, except it is not required to meet the standards under Chapter 2, Section 2-4 Residential, B. Performance Standards for Multi-family Housing.

Public Utilities: Structures are required to be connected to public water and sewer meeting the requirements of the Portland Water District and the Town of Gorham.

Fire and Building Codes: The conversation of the structure shall comply with all applicable Fire and Building Code requirements.

Minimum Apartment Sizes: The total floor area of an apartment unit shall meet the following minimum standards.

Studio:          400 square feet

1 bedroom:      550 square feet

2 bedrooms:     700 square feet

3 bedrooms:     850 square feet

4 bedrooms:     1,000 square feet

**CHAPTER 2: SECTION 2-4 – RESIDENTIAL , B. PERFORMANCE STANDARDS FOR MULTI-FAMILY HOUSING**

The construction of any new multi-family dwelling or the conversion of an existing single-family or two-family dwelling into a multi-family dwelling**,** except for the conversion of a residential building that meets the requirements of Section 1-23 (Small Dwelling Overlay District), shall be done in accordance with the following standards:

\*Additions Underlined

\*Note: A new Land Use Code Zoning Map will be adopted as a result of this order.

**Item # 9196 was VOTED 7 yeas**

**Old Business**

**Item # 9391** Moved by Councilor Shepard, seconded by Councilor Pratt and ORDERED, that the Town Council adopt rules for the 2018-2019 year as amended and dated November 28, 2018.

Moved by Councilor Shepard, seconded by Councilor Hager and VOTED to amend section 2.12, #2 to

read at the discretion of the Council not Chairman. 6 yeas, 1 nay (Smith)

Moved by Councilor Hager, seconded by Councilor Phillips and VOTED to amend section 5.4. # 5 to read

shall not should. 7 yeas

The new Council Rules shall read as follows:

**RULES OF THE GORHAM TOWN COUNCIL**

**Dated December 4, 2018**

**SECTION 1. TOWN COUNCIL MEETINGS**

**1.1** Within seven days after the Municipal Election, the Council shall hold **Organizational**

an organizational meeting for the purpose of electing aChairman and the **Meeting**

following committees with each Council member serving on two standing

Committees to include either (1) the Finance Committee or Ordinance Committee

and either (2) the Appointments/Personnel Committee or Economic Development/Capital

 Improvements Committee.

 1. Finance Committee

 2. Ordinance Committee

 3. Appointments/Personnel Committee

 4. Economic Development/Capital Improvements Committee

The members of the Council to serve on the Finance, Ordinance, Appointments/Personnel,

and Economic Development/Capital Improvements Committees shall be chosen

by a majority of the Council and the Chair of the Council shall serve as an ex-

officio member, having no vote on any Committees. Committees shall serve at

the pleasure of the Council and will receive and act upon only those items and

will perform only such duties as have been specifically referred to each

Committee by Council action.

**1.2** The regular meetings of the Town Council shall be held in the **Regular**

Gorham Municipal Center, or such other facilities as the Town Council may **Meetings**

designate from time to time, at 6:30 p.m., current time, on the first Tuesday

of each calendar month. When said day falls on a holiday or on Election

Day, the regular meeting shall be held on the following Tuesday, at the

same time and place. The date of any regular meeting may be changed by

an order or resolve passed at the previous meeting upon the vote of five

members of the Council, provided, however, that said change in date will

still provide for one regular meeting each month.

**1.3** Special Meetings may be called by the Chairman, and in case **Special**

of the Chairman's absence, disability or refusal, may be called by three **Meetings**

members of the Town Council. Notice of such meeting shall be served in

person or delivered to the residence of each member of the Town Council

at least twenty-four (24) hours before the time for holding said special

meeting, unless all members sign a waiver of said notice. The call for said

special meeting shall set forth the matters to be acted upon at said meeting,

and nothing else shall be voted upon at such special meeting.

**SECTION 2. CONDUCT OF BUSINESS**

**2.1** A majority of the members of the Town Council shall constitute **Quorum**

a quorum for the transaction of business, but a smaller number may adjourn **Adjourned**

from time to time. At least twenty-four (24) hours’ notice of the time and **Meetings**

place of holding such adjourned meeting shall be given to all members who

are not present at the meeting from which adjournment is taken, unless

such absent members sign a waiver of said notice.

**2.2** The Town Council shall act only by ordinance, order or resolve. **Enactment**

All ordinances, orders, and resolves shall be confined to one subject, which **Form**

shall be clearly expressed in the title.

**2.3** All Orders approved by the Town Council that ask the voters of **Referendum**

Gorham, through a referendum vote, to approve an expenditure of funds, **Requirement**

shall include a statement advising voters of the estimated impact on

property taxes of said expenditure.

**2.4** Initiatives to amend or enact a Town Ordinance, prior to their referral **Initiatives to Amend**

to a committee or an administrative official for development and drafting, and **or Enact Ordinances**

inquiries to committees not related to Town Ordinance shall be placed on a

Council agenda for provisional approval. If the ordinance initiative obtains the

provisional approval of a majority of Councilors, it may then be referred to the

appropriate committee, board or administrative official for further development

 and drafting.

**2.5** In all votes of command, the form of expression shall be **Order and**

"Ordered"; and of opinions, principles, facts, or purposes, the form shall be **Resolve Style**

 “Resolved".

**2.6** Every ordinance, order or resolve shall have a full reading unless the **Full Reading:**

reading is dispensed with by the unanimous vote of those present, in which case **Waiver**

reading shall be by title only.

**2.7** The yeas and nays shall be taken upon the passage of all **Yeas and Nays**

ordinances and entered upon the record of the proceedings of the Town **Taken: When**

Council by the Clerk. The yeas and nays shall be taken on the passage of

any order or resolve when called for by any member of the Town Council.

Every ordinance, order and resolve shall require, on passage, the

affirmative vote of four members of the Town Council.

**2.8** No ordinance, except emergency ordinances as defined in **Ordinances:**

Article II, Section 213.1 of the Charter, shall take effect and be in full force **Effective**

until 30 days from and after it shall have received publication as required by **When**

Section 213 of the Charter.

**2.9** Orders or resolves shall take effect immediately upon passage. **Orders, Resolve**

 **Effective**

**2.10** No ordinance, order, or resolve shall be in order for action at **Item for**

any meeting of the Town Council unless such ordinance order or resolve **Meetings:**

shall be filed in the office of the Town Manager on or before noon of the **Filed When**

Wednesday prior to the regular meeting held on the first Tuesday of each

month, and before noon of the fourth secular day next prior to the day of

any other meeting. Delivery of all items to the members of the Town

Council in accordance with the foregoing, if by postal service, shall be

postmarked no later than Thursday prior to the regular meeting.

**2.11** Any item to be placed on the agenda of the **Items**

Council or recommended for consideration of the Council must be **Sponsored By**

sponsored by a member of the Council, or by the Town Manager or in the

instance when an item is recommended for action by one of the Council’s

standing committees, shall be sponsored by the Committee with the Committee’s

vote reflected. Those items sponsored by the Manager shall normally be restricted to

routine town administration.

**2.12 Any person wishing to address the Town Council will be given Procedure for**

**the opportunity to do so in accordance with the following procedures: Addressing**

**1. Persons wishing to address the Council on an item which Council**

**appears on the agenda shall wait until the public hearing is opened**

**on the particular item or, if there is no public hearing, until the**

**consideration of such item is announced, at which time they may**

**address the Council on that particular item only after being invited to**

**speak by the Chair. Public comment on an**

**agenda item or during a public hearing is encouraged to be limited**

**to no more than five minutes by any one speaker. The Chair is**

**granted the discretion to allow an extension of time if deemed**

**necessary.**

**The public shall be encouraged to limit their comments to items**

**directly relating to the actual agenda item, and not to repeat**

**statements made by prior speakers. The Chair may decide**

**questions of relevance. The Chair shall not allow comments of a**

**personal or derogatory nature, as they relate to the applicant,**

**Councilors or other speakers.**

**Once the public hearing has been closed or public comment has**

**ceased on an agenda item that did not have a public hearing, the**

**Council shall begin its deliberation and no further public comment**

**will be taken. The Chair may, at its discretion, allow additional**

**clarification of the facts adduced at the public hearing and**

**individual Councilors may ask specific questions through the Chair**

**of either the public or staff to further inform themselves prior to**

**completing their deliberations.**

**2. Persons wishing to address the Council on an item not**

**appearing on the agenda shall do so only during the public comment**

**section of the agenda or after disposition of all items appearing on**

**the agenda at the discretion of the Council.**

**3. Any person wishing to address the Council shall so signify by**

**raising a hand and/or standing. After being recognized by the**

**Chairman and giving adequate identification he or she may address**

**the Council. When, in the opinion of the Chairman, their identify**

**has not been adequate for those assembled, the Chairman shall**

**request further information before permitting the person to speak.**

**4. Persons present at Council meetings are requested not to**

**applaud or otherwise express approval or disapproval of any**

**statements made or actions taken at such meeting.**

**2.13** A copy of the record of Council decisions taken at a formal **Posting of**

meeting shall be attested and posted by the Town Clerk within three **Minutes**

working days at one or more places within the Town of Gorham. Such

minutes shall constitute the official record of the actions on all Ordinances,

Resolutions, Orders and Votes taken by the Council; such posting shall

constitute publication within the meaning of Section 902 of the Town

Charter and the date of such posting shall be the date of publication for the

purpose of determining the required time for filing petitions under this

**SECTION 3. COUNCIL CHAIR AND MEETING PROCEEDURES**

**3.1** The Chairman shall take the chair at the time appointed for **Chairman to be**

the meeting, call the members to order, cause the roll to be taken, and, a **Presiding**

quorum being present, shall proceed with the order of business. **Officer**

**3.2** The Chairman shall preserve decorum and order, may speak **Preserve Decorum,**

to points of order in preference to other members, and shall decide all **Decide All**

questions of order subject to an appeal to the Council by motion regularly **Questions of**

seconded, and no other business shall be in order until the question on **Order**

appeal is decided. The Council may also, at its first meeting or thereafter

during the year, elect a Vice Chairman or Chairman Pro Tempore from

among its members to exercise all the powers of Chairman during the

temporary absence or disability of the Chairman.

**3.3** The Chairman shall declare all votes, but if any member **Declare Votes:**

doubts a vote, the Chairman shall cause a return of the members voting in **Cause Return**

the affirmative and in the negative without debate. **Of Votes**

**3.4** When a question is under debate, the Chairman shall receive **Debate:**

no motion but to: **Rules of**

(1) adjourn

(2) lay on the table

(3) for the previous question

(4) postpone to a day certain

(5) refer to a committee or some administrative official

(6) amend

(7) postpone indefinitely

which several motions shall be precedence in the order in which they stand

arranged.

**3.5** The Chairman shall consider a motion to adjourn as always in **Motion to**

order except on immediate repetition; and that motion, and the motion to **Adjourn: Lay**

lay on the table, or to take from the table, and the motion for the previous **on Table**

question, shall be decided without debate.

**3.6** When a vote is passed, it shall be in order for any member **Reconsideration**

who voted in the majority, or in the negative on a tie vote, to move a

reconsideration thereof at the same, or the next regular meeting, but not

afterwards; and when a motion of reconsideration is decided, that vote shall

not be reconsidered. No motion to reconsider a vote passed at a previous

meeting shall be in order for consideration at the next regular meeting

unless an item to that effect is contained on the agenda for such next

regular meeting or unless five of the members present consent to such

reconsideration. A petition once presented to and acted upon by the Town

Council shall not again be received by the Town Manager for presentation

to the Council in the same or substantially the same form during the term of

the present Council. A member of the Town Council, voting with the

majority on the original petition, shall be privileged to reintroduce such a

petition.

**3.7** Upon the motion for the previous question being made and **Motion for**

seconded, the Chairman shall put the question in the following form: **Previous**

"Voting is now on whether there shall be further debate on (state the **Question**

motion)." All debate shall then be suspended. If the motion for the

previous question is adopted by a majority of the Councilors present, the

motion to which it applied shall be voted at once.

**3.8** No debate shall be allowed on a motion for the previous **Not to be**

question. Neither is it susceptible of amendment. All questions of order **Debated or**

arising incidentally thereon must be decided without discussion whether **Amended**

appeal be had from the chair or not.

**3.9** Every member present when a question is put shall give their **Member**

vote, unless the Council, for special reasons, shall excuse that Councilor. **Excused from**

Application to be so excused must be made before the Council is divided, **Voting: When**

or before the calling of the yeas and nays, and decided without debate.

**3.10** Every motion shall be reduced to writing, if the Chairman shall **Motion to be Reduced**

so direct. **to Writing: When**

**3.11** Any member may require the division of a question when the **Division of Question**

sense will admit it.

**3.12** A motion for referral to a committee or administrative official, **Motion for**

until it is decided, shall preclude all amendments of the main question. **Referral**

**3.13** All questions relating to priority of business to be acted upon **Priority of**

shall be decided with discussion limited to Council members, but any **Business**

Councilor may solicit information from any other person.

**3.14** The rules shall not be dispensed with or suspended unless five **Suspension of Rules:**

of the members of the Council consent thereto. No rule or order shall be **Amendment**

amended or repealed without notice, in writing, being given at the **or Repeal**

preceding meeting.

**3.15**  In all cases where the parliamentary proceedings are not **Parliamentary**

determined by the foregoing rules and orders, "Robert's Rules of Order" **Proceedings**

shall be taken as authority to decide the course of proceedings.

**SECTION 4. COUNCIL COMMITTEES**

**4.1** The Finance Committee shall consist of three **Finance Committee**

members of the Council. Said Finance Committee shall act by

majority vote. The Council Chairman shall serve as an ex-officio

member of said committee, having no vote on the committee.

The members of the Finance Committee shall be appointed

annually by vote of the Council. The Chairman shall be elected by

a majority vote of the Committee members.

The Finance Committee shall have the power and duty to review monthly

and annual financial reports, meet with the Town Auditors and review

the annual audit, review the warrants for the expenditure of

Town funds,and advise the Town Manager on matters of current

expenditures within the Municipal Budget.

The Council may refer matters relating to Town finances brought to

its attention by either theTown Manager or the Finance Committee,

to the Finance Committee, which shall study the same and make

appropriate recommendations to the entire Council.

**4.2** The Ordinance Committee shall consist of **Ordinance Committee**

three members of the Council. Said Ordinance Committee shall act

by majority vote. The Council Chairman shall serve as an ex-officio

member of said Committee, having no vote on the committee.

The members of the Ordinance Committee shall be appointed

annually by vote of the Council. The Chairman shall be elected by

a majority vote of the Committee members.

In addition to those other powers which the Council may, from time

to time assign to it, the Ordinance Committee, when requested by the Council,

shall review proposed ordinances or amendments and make recommendations

to the Council prior to final action.

**4.3** The Appointments/Personnel Committee shall consist of these **Appointments/Personnel**

members of the Council and act by majority vote. The Council Chairman **Committee**

shall serve as an ex-officio member of said committee, having no vote on the

committee. Among such other powers as the Council may from time to time

assign to said committee, it shall recommend to the entire Council

persons for appointment to various positions and offices which are

properly to be filled by the Council, except that the Committee shall

not make recommendations as to the composition of committees of

the Council, such as the Finance Committee, Ordinance Committee,

Economic Development/Capital Improvements Committee, or the

Appointments Committee, or to any other standing or ad hoc committees

of the Council which may hereafter be established.

In addition to those other personnel matters which the Council may,

from time to time, assign to it, the Committee shall review and

make recommendations to the Council on methods of evaluating

Council employees and implementing such evaluations.

**4.3.1** Appointments Procedure.

 1. Prior to recommending an applicant for service on the Planning

 Board, Board of Appeals or Economic Development Corporation,

 the Chair of the Appointments/Personnel Committee shall

 contact the Council Chair and the Chair of the volunteer board

 or committee to discuss the appointment or reappointment of the

 applicant.

 2. Prior to recommending an applicant for service,

the Town Council’s Appointments/Personnel Committee may

interview the applicant~~.~~

3. The meeting agenda, the applications to be considered, and any

other supporting documents shall be sent to Appointments/Personnel

Committee members, in a timely manner, prior to the proposed meeting.

4. Applicants are encouraged to attend a meeting of the committee

to which they wish to be appointed.

**4.4** The Economic Development/Capital Improvements Committee shall consist **Economic Development/**

of three members of the Council and act by majority vote. The Council Chairman **Capital Improvements**

shall serve as an ex-officio member of said committee, having no vote on the **Committee**

committee. The Committee shall review matters that are sent to it by the Town

Council and generally include topics regarding economic development, capital

projects and capital equipment. In addition, the Committee shall review and make

recommendations to the Council on the Town’s industrial and commercial development

goals and objectives. The Committee is responsible for maintaining an economic

development program and policies subject to full Council approval. Also, the

Committee shall consult with the Town Manager regarding proposed capital improvements

and equipment.

**4.5**  All Committees of the Town Council, including standing committees **Board and Committee**

 and special committees, shall keep recorded minutes of their meetings **Reporting**

 except that portions of meetings held in executive session may be exempt

 from this provision except where required by law. Meeting agendas should

 be posted to the Town Web site in a timely manner prior to a proposed meeting.

Meeting minutes are encouraged to be taken and posted to the Town website.

**SECTION 5. CONDUCT OF COUNCIL MEMBERS**

**5.1** Councilor inquiries concerning routine Town business should notify the Town **Contacting Staff**

Council Chair and then the Town Manager. In accordance with Section 218 of the

Town Charter, Council Members shall not give any orders to Town Staff. Direct

inquiries by Councilors, on such matters, to Department heads, should be avoided.

**5.2** No member of the Town Council shall represent to anyone or knowingly allow

anyone to infer that he/she speaks on behalf of the Town Council unless, by **Speaking on behalf of**

Order of the Council, a Councilor has been officially designated as its **Town Council**

Representative to another organization.

**5.3** Council members shall be respectful of other Council members and **Respect Others**

members of the public and use appropriate business decorum during meetings.

**5.4** Council members must be mindful of the need to preserve the integrity **Conflicts of Interest**

of the Town Council and the Town when conducting the people’s business. When

a member of the Town Council has a conflict of interest or the appearance of a

conflict of interest on an item under consideration by the Council, the Council

member shall follow this process:

 1. Disclose the conflict or potential conflict to the other Council

 members and the public before a motion is made.

 2. Tell the Council whether or not you believe you can discuss the item

 and treat all of the parties fairly and fulfill your duty as a Council

 member to vote in the best interest of the entire Town.

 3. Ask the Town Council to vote on whether the Council member shall be

 recused from participating and voting on the item, or continue to

 participate and vote.

 4. If any Council member discovers part way into a discussion that they

 may have a conflict of interest, the Council member may raise a point of

 order and the Town Council shall immediately suspend business to resolve

 the issue.

 5. Councilors shall refrain from sponsoring an item for agenda consideration

 where there is a potential conflict of interest.

**Item #9391 was VOTED 7 yeas**

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

Time of adjournment: 7:40pm

A True Record of Meeting

12/05/2018

ATTEST \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Laurie Nordfors, Town Clerk