

REPORT OF THE  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
February 7, 2017

Chairman Phinney opened the meeting with the Pledge of Allegiance to the Flag. There were 23 members of the Public in attendance at the start of the meeting.

Roll Call: Chairman Phinney, Councilors Benner, Shepard, Smith, Hartwell, Hager and Stelk. Also present, Town Manager David Cole and Town Clerk Laurie Nordfors.

Moved by Councilor Shepard, seconded by Councilor Benner and VOTED to accept the minutes of the January 3, 2017 Regular Town Council Meeting and the January 31, 2017 Special Town Council Meeting. 7 yeas

Councilor Communications

Councilor Benner announced that the Appointments Committee will meet on February 16, 2017 to review the applications for various Boards and Committees. She reminded citizens that they have until February 15, 2017 to submit applications. She also reported that she attended her first Eco-Maine Board meeting.

Councilor Hager reported that the Finance Committee will meet on Thursday, February 9, 2017.

Town Manager Report

David Cole reported that he issued a 5 year service pin to Finance Director Sharon LaFlamme and thanked her for her service.

The Police Department had a brief ceremony to swear in Deputy Police Chief Chris Sanborn, Lieutenant Michael Nault, Sargent Ted Hatch and Officers Paul Dubay, Todd Meslin and Alisha Smith.

Gorham Rec Director Cindy Hazelton discussed the benefits and concerns of advertisement on the Town's Athletic Facilities.

Shawn Moody made a presentation regarding his plans for the development of the old "racetrack" located on Rte. 202 (Narragansett Street).

Old Business

Item # 9144	Moved by Councilor Shepard, seconded by Councilor Benner and VOTED to table the item until the May Town Council meeting. 7 yeas
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## New Business

Chairman Phinney opened Public Hearing #1. There were no comments from the Public and the hearing was closed.

Item # 9181                      Moved by Councilor Stelk, seconded by Councilor Benner and ORDERED, that the Town Council approve a renewal liquor license for The Blue Pig, LLC, 29A School Street. 7 yeas

Chairman Phinney opened Public Hearing #2. There were no comments from the Public and the hearing was closed.

Item # 9182                      Moved by Councilor Shepard, seconded by Councilor Benner and ORDERED, that pursuant to Title 23 MRSA Section 3028, the Town Council determined that:

1. Records of the Maine Department of Transportation show that an old Country road was laid out in 1818 and later designated as a State Highway.
2. In 1932, the State relocated a portion of the road in or near 64 Ossipee Trail (Rte. 25).
3. The Maine Department of Transportation has advised the Town that they have not had jurisdiction over this old section of road for many years and does not claim any rights to it.
4. After researching Town records and through discussion with Town Staff, the Town has concluded this old section of Route 25 has not been recognized as a Town Road or Public road and never maintained as such,

Now Therefore the Town Council determined that this old section of Route 25 has been abandoned pursuant to Title 23 MRSA Section 3028 and,  
Be it Further determined that there is no Public easement. 7 yeas

Item # 9183                      Moved by Councilor Hartwell, seconded by Councilor Benner and ORDERED, that the Town Council consider a request from Paul smith, a member of the Town Council, to use his driveway located near the end of Phinney Street, as a turn-around for the Town's snow plow truck.

Councilor Smith asked the Council to recuse him from the vote because of a conflict of interest. 6 yeas

Moved by Councilor Hager, seconded by Councilor Stelk and VOTED to postpone the item until the next meeting. 6 yeas

- Item # 9184                      Moved by Councilor Shepard, seconded by Councilor Benner and ORDERED, that the Town Council approve a Subordination Agreement on behalf of JCS3, LLC, to allow JCS3, LLC to refinance their project at 10 North Gorham Road, known as Perennial Place, to subordinate the first refusal rights to Kennebunk Savings Bank, but retaining first refusal rights in all other respects. 7 years
- Item # 9185                      Moved by Councilor Shepard, seconded by Councilor Stelk and ORDERED, that the Town Council appropriate up to \$800 from the Contingency Account to pay for American Flags and for the Lions Club to annually install them in Gorham. 7 years
- Item # 9186                      Moved by Councilor Shepard, seconded by Councilor Benner and ORDERED, that the Town Council accept a proposal from Normandeau Associates to conduct an Environmental assessment on three properties as part of the federal requirements for transferring property restrictions that resulted when the Town obtained several Land & Water Conservation Fund grants from the National Park Services back in the 1970's and,  
Be it Further Ordered, that the Town Council appropriate \$30,000 from the Land Acquisition Reserve Fund for the Environmental assessment. 7 years
- Item # 9187                      Moved by Councilor Stelk, seconded by Councilor Hager and ORDERED, that the Town Council approve an Administrative Consent Agreement with the State of Maine Department of Environmental Protection to resolve issues because the Town wasn't fully implementing and enforcing the requirements of its Permit for the discharge of storm water under the Maine Pollutant Discharge Elimination System Program and,  
Be it Further Ordered, that the Town Council endorse the Supplemental Environmental Project proposed by the Presumpscot Regional Land Trust to be funded as part of this agreement and further endorse the funding of other supplemental environmental projects to the fullest extent allowed, and  
Be it Further Ordered, that the Town Council appropriate \$15,000 from the Waste Water Holding Tank project and appropriate \$10,500 from Little Falls Wood Clearing Account for the civil monetary penalty. 7 years
- Item # 9188                      Moved by Councilor Benner, seconded by Councilor Shepard and ORDERED, that the Town Council approve a design for the sign for the Public Safety Complex, as approved by the Town Council on November 22, 2016. 6 years, 1 nay (Smith)

Item # 9189                      Moved by Councilor Stelk, seconded by Councilor Shepard and ORDERED, that the Town Council refer a proposal to amend Chapter 1, Section 14, Office Residential District (B) Permitted Uses of the Land Use and Development Code, by adding a new paragraph 5. **Retail Sales having a gross floor area of less than 4,000 sf** and amending paragraph (F) Performance Standards by adding a new paragraph 13 **All Principal building and structures for non-residential purposes shall be of a traditional New England Village design to be compatible with the predominant scale and character of the existing Gorham Village architecture,** to the Planning Board for their Public hearing and recommendation. 7 yeas

Item # 9190                      Moved by Councilor Shepard, seconded by Councilor Benner and ORDERED, that the Town Council endorse an application to PACTS to link traffic signals on Main Street and redesign the intersection at Main Street and New Portland Road. 7 yeas

Moved by Councilor Shepard, seconded by Councilor Benner and VOTED to adjourn. 7 yeas  
Time of adjournment: 8:13pm

A True Record of Meeting

ATTEST \_\_\_\_\_  
Laurie Nordfors, Town Clerk