



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Final

### Town Council

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Tuesday, October 23, 2018

7:00 PM

Council Chambers

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#### I. Roll Call of Members.

**Present:** 7 - Dennis Welch, Tim Nangle, Bob Muir, Jarrod Maxfield, Donna Chapman, Clayton Haskell and Rebecca Cummings

#### II. Pledge of Allegiance.

Council Chair Chapman led the assembly in the Pledge of Allegiance.

#### III. Minutes to be Approved:

[CD 18-354](#) To approve the Minutes of the September 18, 2018 Council meeting.

**Attachments:** [Minutes-Town Council -9-18-2018](#)

[CD 18-353](#) To approve the Minutes of the September 25, 2018 Council meeting.

**Attachments:** [Minutes-Town Council-9-25-2018](#)

[CD 18-352](#) To approve the Special Minutes of the October 3, 2018 Council meeting.

**Attachments:** [Minutes-Spec. Town Council-10-3-2018](#)

[CD 18-356](#) To approve the Minutes of the October 2, 2018 Council meeting.

**Attachments:** [Minutes-Town Council-10-2-2018](#)

**A motion was made by Councilor Welch, second by Councilor Cummings to approve all of the submitted minutes. Councilor Haskell asked to abstain from the Special meeting of October 3, 2018.**

**The motion carried by the following vote:**

**In Favor:** 7 - Councilor Welch, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

#### IV. Public Participation.

*No public participation.*

#### V. Councilors' Comments.

*Councilor Maxfield welcomed Don Gerrish to the team, and to help us through our transition.*

*He reminded people that there is an election in two weeks, and you should get out and vote.*

*Councilor Chapman mentioned the Archangel meeting and that she would try to attend. Also, the Maine State Society for the Protection of Animal's ribbon cutting ceremony is at 4:00 p.m. on Friday for their new facility. They will have events on Friday, Saturday and Sunday.*

## **VI. Council Correspondence.**

*Councilor Cummings said she received an email from Brianna Clark in regard to the Mineral Extraction Committee and will share it during the Discussion portion.*

*Councilor Maxfield recognized the award that was given to the Council from Tom Bartell. It was from Grow Smart Maine for the 21st Century Downtown Plan and also a note from Senator Angus King's office and from Senator Susan Collins's Office.*

*Councilor Chapman said they received another correspondence from a resident with concerns on the Highland Lake Campground development. (See attachment)*

### **[CD 18-340](#)     Resident Concerns - Highland Lake Campground Development**

**Attachments:**   [Letter from Resident re Highland Lake Property Development](#)

### **[CD 18-341](#)     Town of Cumberland - Mineral Extraction Ordinance Review**

**Attachments:**   [Town of Cumberland - Review of Windham's Mineral Extraction Ordinance](#)

### **[CD 18-327](#)     Social Services Monthly Report - August 2018**

**Attachments:**   [Social Services Monthly Report - August 2018](#)

### **[CD 18-338](#)     Social Services Monthly Report - September 2018**

**Attachments:**   [Social Services Monthly Report - September 2018](#)

### **[CD 18-337](#)     Fire-Rescue Department Monthly Report - September 2018**

**Attachments:**   [September 2018 Monthly Report](#)

### **[CD 18-347](#)     Assessing & GIS Department Report for August and September**

**Attachments:**   [Assessing & GIS Department August-September 2018](#)

### **[CD 18-349](#)     Parks and Recreation Monthly Report - September 2018**

**Attachments:**   [Parks and Recreation Monthly Report - Sept2018](#)  
[Programs & Events Sept Oct 18](#)

### **[CD 18-350](#)     Financial Reports as of September 30, 2018**

**Attachments:** [YTD Expense Report](#)  
[YTD Revenue Report](#)

[CD 18-351](#) Police Department Monthly Report - Sept 2018

**Attachments:** [PD Monthly Report - September 2018](#)

[CD 18-355](#) Susan Collins - Congratulatory Note

**Attachments:** [Correspondence Susan Collins](#)

## **VII. Town Manager's Report.**

*Don Gerrish Interim Town Manager - He said he was glad to be here, and he thanked them for the opportunity to be in Windham and to work with the Council and citizens for the next three or four months.*

*Posted on the web is he schedule through December. His agreement is for three days per week.*

*Don said this is his 9th community he has been interim in. He has 38 years in municipal government, Gorham for 10 years and Brunswick for 20 years.*

*The wind storm last week bent some of the infrastructure at the new public works facility but everything has been taken care of, there was hardly any damage.*

*The Fire Chief said there is an opportunity to put in a FEMA Assistance Grant to put an alarm and sprinkling in our fire station in North Windham. It has to be in by this Friday, and it is a 90/10 grant. The estimated cost is about \$91,500. If they get the grant, they will bring it back to the Council and they will have a year to do it.*

*He met with the Superintendent and Vice Superintendent as they were finalizing everything for the bond sale. The RSU 14 is inviting the Windham Council and Raymond Selectmen to their meeting on Wednesday, November 7th at 6:30. They will give a history of the cost sharing formular and be able to discuss how it came about and an update on the withdrawal timeline that is being looked at.*

*We got the health insurance increase for this year and it was 2.9%, which is excellent news.*

## **VIII. Committee Reports.**

### **A. Council Subcommittees.**

#### **1. Appointments Committee.**

*Councilor Maxfield said they met tonight with Jennie Butler and Patrick Moody for reappointment to the Parks & Recreation Advisory Committee. They will put their names forward.*

*The Medical Marijuana Task Force still has openings available.*

*Councilor Chapman said there has been a question about non-residents being on a town committee, she would like it looked into.*

2. Finance Committee.

*Councilor Chapman said they will have to have a meeting after the election. There have been a lot of questions now that we have now changed over to Munis, and there are some things that need to be looked at in the budget. Hopefully get some little projects done, i.e. ditching and mowing, some complaints have come in.*

**B. Other Committees.**

1. Long Range Planning Committee.

*Councilor Haskell said they are moving forward.*

2. Parks & Recreation Advisory Committee.

*Councilor Cummings she said they have Trunk or Treat on October 27 from 6 to 8 pm, and on Sunday, October 28 they will be at the skatepark.*

*Councilor Chapman said they will also have a sign-in sheet for your thoughts and ideas for the Community Center.*

3. Highland Lake Leadership Team.

*Councilor Chapman said they will meet on Thursday, and there will be updates after that meeting.*

4. Shared Maintenance Facility Joint Project Team.

*The Manager gave an update during the Manager's report.*

5. Windham Economic Development Corporation

*Tom Bartell said they held their annual meeting last Wednesday, as well as a quarterly board meeting. The Board Officers were re-elected. Dustin Roma is President, Larry Eliason is Vice President, Jeff Vermette is Treasurer and Steve McFarland is Secretary.*

*They talked about keeping the momentum going while there is transition going on with the Manager and the Director of Planning who they worked very closely with. He talked about them pulling together a downtown association/group and start talking about improvements in the downtown, such as wastewater. He also talked about co-working space and a commercial kitchen.*

*They have a farmer's meeting with the farmers and vendors who participated this year. They will be doing it in the same area next year on Turning Leaf Drive. He said the vendors and farmers put together a petition and signed a note to thank Lisa Fisher for all the work she did on the Farmer's Market and asked her to stay on next year. Lisa was nominated for a special merit reward, which she did receive.*

6. Mineral Extraction Committee.

*This will be talked about later in the meeting.*

## 7. Private Roads ad hoc Committee.

*Councilor Nangle said they discussed maybe phasing out some classes of roads, i.e. minor and private over time. They discussed making this Private Road's committee an on-going committee where they would evaluate the standards either yearly or every two years.*

*He believes that the Private Roads Task Force is more of a committee that evaluates public easements, and they are really two different animals.*

## IX. PUBLIC HEARINGS.

## X. CONSENT AGENDA.

## XI. UNFINISHED BUSINESS & GENERAL ORDERS.

### [18-219](#)

To authorize the purchase of a vehicle for use by the Building and Grounds Maintenance division of Public Works.

**Attachments:** [18-219 Cover Sheet](#)  
[Cargo Van Memo and Bids](#)

*Doug Fortier said they went out to bid on this van. There are three bids and Ford met spec on head room. The other vans are much shorter. Overall the Ford meets what they asked for and the other two do not. The reason for this purchase is they added building maintenance personnel in November of 2016, and they are doing a lot of work around the buildings and right now they have no good way to transport all of their tools. This will allow them to have shelving and a small work station inside. The budget had it for \$34,000 and it went over by \$1,674, but overall if you take the other vehicle that was in the budget for \$45,000 which came in at \$34,900, they are \$8,300 under what was budgeted for those two vehicles together.*

*Councilor Chapman asked about the warranty and about the roof height. The Ford van had the higher height clearance.*

*Brian Morin explained why they needed the van with more head room. He also said there will be some locking bins, and shelving is included in the price.*

**A motion was made by Councilor Maxfield, seconded by Councilor Welch, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Councilor Welch, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

### [18-221](#)

To appoint David Whitten to the Retail Adult-Use and Medical Marijuana Task Force.

**Attachments:** [18-221 Cover Sheet](#)

*Councilor Nangle said their application process is still open, and he wanted to have both sides of the issue represented. During the interviews all the people interviewed were advocates for medical marijuana and retail. He would like to postpone it until they can*

*get more applicants so to have some on both sides of the issue, then look at the full slate and pick from that.*

*Councilor Haskell said they should be town residents on these committees, not from other towns. He doesn't mind them speaking and sharing their thoughts but they shouldn't be on the committee.*

*Councilor Chapman noted that the longer this takes, the more applications we will get and they may be more shops opening without the definitions.*

*Councilor Maxfield said there are some who are not residents and he would like an opportunity to fill those seats. He suggested they could vote on the people who are our residents, table the people who are not until they get more applicants, do more interviews and then fill the remaining seats.*

*Public comment:*

*Joel Peppin a resident of Standish who is in the process of opening up a medical business in town. He has a building permit pulled, and he is interested in being on the committee. In his research he did not see anything prohibiting anyone from outside of town being on the committee. He would encourage them to allow non-residents on the committee who have businesses here in town.*

*Councilor Nangle moved to postpone 18-221 to December 11th, second by Councilor Welch.*

**A motion was made by Councilor Nangle, seconded by Councilor Welch, that the Order be postponed. The motion carried by the following vote:**

**In Favor:** 7 - Councilor Welch, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

[18-222](#) To appoint Charles Boehm to the Retail Adult-Use and Medical Marijuana Task Force.

**Attachments:** [18-222 Cover Sheet](#)

**A motion was made by Councilor Welch, seconded by Councilor Maxfield, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Councilor Welch, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

[18-223](#) To appoint Shaw Dwight to the Retail Adult-Use and Medical Marijuana Task Force.

**Attachments:** [18-223 Cover Sheet](#)

**A motion was made by Councilor Nangle, seconded by Vice Chair Muir, that the Order be postponed until December 11, 2018. The motion carried by the following vote:**

**In Favor:** 7 - Councilor Welch, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

[18-224](#) To appoint Travis Connolly to the Retail Adult-Use and Medical Marijuana

Task Force.

**Attachments:** [18-224 Cover Sheet](#)

**A motion was made by Councilor Maxfield, seconded by Councilor Welch, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Councilor Welch, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

[18-225](#)

To appoint Maggie Terry to the Retail Adult-Use and Medical Marijuana Task Force.

**Attachments:** [18-225 Cover Sheet](#)

**A motion was made by Councilor Maxfield, seconded by Councilor Nangle, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Councilor Welch, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

## **XII. Discussion Items.**

[CD 18-271](#)

Old South Windham fire station re-use update and CDBG grant status.

**Attachments:** [180628 WMED Kitchen Conversion Study Final](#)

[CDBG Planning Application 2017](#)

[2017 FINAL ALLOCATION - County.xlsx](#)

[J A Andrew School Final Phase I ESA 12302017 \(18MB\)](#)

[2018.23dvs](#)

[South Windham Fire Station Final Phase I ESA 10192018 \(18MB\)](#)

*Tom Bartell Windham Economic Development Director gave a presentation to the Council.*

[CD 18-343](#)

Process for Town Manager Search.

**Attachments:** [REVISED Draft Time Line Windham](#)

*Don Gerrish Interim Town Manager gave the Council an update and Eaton Peabody's process.*

[CD 18-344](#)

Discussion of Opus Consulting Group Report.

**Attachments:** [Town of Windham Report](#)

*The Council and Manager discussed this discussion item.*

[CD 18-346](#)

Mineral Extraction Committee Recommendations.

**Attachments:** [TC Packet MEC 10-18-18](#)

*Councilor Chapman noted that there was an e-mail from a Brianna Shoen Clark. (See attached)*

*Speakers for this discussion item were Planner Amanda Lessard, Chair Drew Mayo and Cathy Works a concerned citizen on the committee.*

### **XIII. Agendas & Scheduling.**

[CD 18-357](#)      Agenda Items Reports.

**Attachments:**   [Agenda Items Scheduled 10.18.18](#)  
[Agenda Items to be Scheduled 10.18.18](#)  
[Projects & Issues List 10.18.18](#)

*The first meeting after the election will be to fill the leadership seats on the Council and all the committees.*

*To find a day to hold Council orientation and a time to set the goals for the year, possibly December 1st.*

### **XIV. ADJOURN.**

**A motion was made by Councilor Cummings, seconded by Councilor Nangle, that they be adjourned. The motion carried by the following vote at 9:53 p.m.**

**In Favor:**   6 -   Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

**Absent:**     1 -   Councilor Welch

Respectfully submitted,

Linda S. Morrell  
Town Clerk, CCM