



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Final

### Town Council

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Tuesday, November 28, 2017

7:00 PM

Council Chambers

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#### I. Roll Call of Members.

**Present:** 6 - Tim Nangle, Bob Muir, Jarrod Maxfield, Donna Chapman, Clayton Haskell and Rebecca Cummings

**Absent:** 1 - Dennis Welch

#### II. Pledge of Allegiance.

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

#### III. Minutes to be Approved.

CD 17-359 To approve the minutes of the November 14, 2017 Council meeting.

Attachments: [Minutes-Town Council-11-14-2017](#)

A motion was made by Vice Chair Muir, seconded by Councilor Haskell, that the Minutes be approved. The motion carried by the following vote:

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

**Absent:** 1 - Councilor Welch

#### IV. Public Participation.

*Linda Morrell - Town Clerk: The Clerk reminded people that on Saturday, December 2 there will be a Rabies Clinic at Town Hall in the gym. Other towns are welcome to bring their pets. The clinic will be from 9:00 to 11:00 am, and the shots will be given by Dr. Griffin from the Lake Region Animal Hospital at \$15.00 per shot. The Town Clerk's Office will also be there licensing Windham dogs.*

#### V. Councilors' Comments.

*Councilor Cummings - She announced that the Town of Windham is going to have its first Reserved Combat parking sign, and it will be going up at the American Legion VFW Post here in Windham.*

*Councilor Chapman- She congratulated Bill Diamond's daughter, she was nominated as Teach of the Year; it was a great honor for her to have.*

*At 4 White's Bridge Road Maggie Terry and Joanne Mattice are doing a collection for the Preble Street Teen Shelter, and if anyone would like to donate power bars, gum, beef jerky, or holiday treats, please drop them off at 4 White's Bridge Road. They are trying to*

*finish stuffing 120 backpacks.*

## VI. Council Correspondence.

*No Council Correspondence.*

[CD 17-348](#) Stormwater Law Permit Application Notice

**Attachments:** [Construction of Private Way - Notice of Intent](#)

[CD 17-341](#) Assessing Office & GIS Monthly Reports - September and October 2017

**Attachments:** [Assessing & GIS Department - September & October 2017](#)

[CD 17-342](#) Windham Public Library Monthly Report - October 2017

**Attachments:** [October 2017](#)

[CD 17-343](#) Code Enforcement Monthly Report - October 2017

**Attachments:** [Code Enforcement Monthly Report - 2017 October](#)

[Activity Report - By Violation Type](#)

[Activity Report by Project Type October 2017](#)

[counter 10.17](#)

[Fiscal Year Activity Comparison Oct 2017](#)

[Impact Fees Collected October 2017](#)

[October 2017 Activity Report by Project Type](#)

[CD 17-349](#) Social Services Monthly Report - October 2017

**Attachments:** [Social Services Monthly Report - October 2017](#)

[CD 17-350](#) Parks and Recreation Department Monthly Report - October 2017

**Attachments:** [Parks and Recreation Monthly Report - October 2017](#)

[CD 17-353](#) Police Department Monthly Report - October 2017

**Attachments:** [Police Department Monthly Report - October 2017](#)

[CD 17-354](#) Public Works Department Monthly Report - October 2017

**Attachments:** [Public Works Monthly Report - October 2017](#)

[October 2017 Mission.Success.Measurment Table](#)

[CD 17-356](#) Financial Reports - October 2017

Attachments: [YTD Budget Report](#)  
[Revenue Report](#)

## VII. Town Manager's Report.

[CD 17-357](#) Town Manager's Report.

Attachments: [Town Manager's Report 20171122](#)  
[Projects & Issues List 20171122](#)  
[Projects & Issues Sheets 20171122](#)

*Tony Plante: Tony reported that tomorrow night at 6:00 p.m. in Conference Room 1 there will be a public meeting for the site location of the Development Act permit for the shared maintenance facility. This is part of DEP's permitting process and part of what the town has to go through to get the project underway. The project still has to go through the Planning Board for site plan approval. They are working on putting together proposal packages for bids that they will bring back to the Council as they move along with the project.*

*The GPCOG Elected Officials reception is Thursday, November 30 from 5:30 to 7:30 p.m. at the airport in the Northeast Air Building.*

*He noted that he e-mailed the Council today a copy of the notice that went out to all of the property owners in Highland Lake Watershed.*

*They have awarded the bid for the Library renovations to DiMatteo Construction Management, they are finalizing the contract now. This is all work that has been budgeted and they expect to have that underway sometime next month.*

*He shared an event to the town's Facebook page about the Wreath's Across America Processing. They will be stopping in Windham on Sunday, December 10th at about 6:30 p.m., it would be a great way to show support for this effort.*

*Councilor Chapman: She said she did get a message from Mike's in regard to the trash bags, and they are still listed as a place to buy trash bags and they need to come off the list.*

## VIII. Committee Reports.

### A. Council Subcommittees.

#### 1. Appointments Committee.

*Councilor Maxfield: The Appointments Committee met tonight with four applicants. He said they appreciate anyone coming out to volunteer their time and efforts for the town. Tonight they will be nominating three of the applicants. Nick Kalogerakis to the Long Range Planning Committee, there is no term specified at this time, Deb McAfee to the Human Services Advisory Committee for a three-year term expiring May 15, 2020, and Michael Duffy to the Long Range Planning Committee, no term specified. They did interview a fourth applicant.*

#### 2. Finance Committee.

**B. Other Committees.**

1. Long Range Planning Committee.
2. Parks & Recreation Advisory Committee.

*Councilor Cummings:*

*She said that it was a beautiful tree lighting event on Sunday.*

3. Public Easement Advisory Committee.

*Tony Plante: He said, at this point, nobody has been assigned to the committee. He said they will need to review a list of the committees that have specified Council representation, and they still have seats that need to be filled by Council members.*

4. Windham Economic Development Corporation Board of Directors.

*Tony Plante: The committee has not met since October.*

**IX. PUBLIC HEARINGS.****CD 17-347**

To receive public comment on proposed amendments to the Town's Land Use Ordinance, Chapter 140, Sections 800 and 900, to change the number of required hardcopy application submissions from fifteen (15) to three (3), the number of signature sheets for approved plans, and to specify that an electronic submission is required.

**Attachments:** [Ch 140 application submission](#)

*Ben Smith - Planner Director: This is a few administrative type changes to Section 800 Site Plan Review and Section 900 Subdivision Review. It is primarily a reflection of the fact that the Planning Board is getting electronic packets and they do scan plans that get signed by the Board so they do not need multiple copies of hard copy plans. This will reduce the amount of paper work they get and have to distribute to the Planning Board.*

**X. CONSENT AGENDA.**

*Councilor Chapman moves to suspend Council Rules to add two items to the Consent Agenda, a Liquor License renewal and a Special Amusement renewal for the Seacoast Park Inc. d/b/a Deck House, seconded by Councilor Cummings.*

*In Favor: 6- Councilor Chapman, Councilor Cummings, Councilor Haskell, Councilor Maxfield, Councilor Muir and Councilor Nangle.*

*Absent: 1- Councilor Welch*

**17-226**

To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Seacoast Park Inc. d/b/a Deck House Sports Tavern for a renewal liquor license.

Attachments: [Cover Sheet 17-226](#)

[Seacoast Park Inc - Liquor Renewal](#)

**A motion was made by Vice Chair Muir, seconded by Councilor Cummings, that the Order be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Councilor Welch

[17-227](#)

To approve an application submitted by Seacoast Park Inc. d/b/a Deck House Sports Tavern located at 930 Roosevelt Trail for a renewal Special Amusement permit.

Attachments: [Cover Sheet 17-227](#)

[Seacoast Park Inc - Special Amusement Ren](#)

**A motion was made by Vice Chair Muir, seconded by Councilor Cummings, that the Order be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Councilor Welch

## XI. UNFINISHED BUSINESS & GENERAL ORDERS.

[17-218](#)

To approve proposed amendments to the Town's Land Use Ordinance, Chapter 140, Sections 800 and 900, to change the number of required hardcopy application submissions from fifteen (15) to three (3), the number of signature sheets for approved plans, and to specify that an electronic submission is required.

Attachments: [Cover Sheet 17-218](#)

[Ch 140 application submission](#)

*Councilor Haskell - Are they doing away with the mylar copies?*

*Ben Smith: Ben said that the requirement today is for 15 copies of application packets, and another item in this agenda is to change the number of large sheets that the Planning Board signs. They will still be recording mylars to go to the Registry of Deeds for subdivisions, and they will keep a full sized signature sheet in their office. He said there has been a lot of inconsistencies over the last seven years about the number of copies they require between site plans/subdivisions. This will give the minimum of what they need, and with the knowledge that they can scan and electronically archive sign sheets.*

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

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

**Absent:** 1 - Councilor Welch

17-222 To refer proposed amendments to the Land Use Ordinance, Chapter 140 of the Code of the Town of Windham adding new standards to implement the vision of the 21st Century Downtown Plan for North Windham and the Comprehensive Plan, to the Planning Board for review and recommendation.

**Attachments:** [Cover Sheet 17-222](#)

[TC packet NW zoning 11-16-2017](#)

*Councilor Nangle: He said that in the memo it says "after perhaps twelve to twenty-four months" the CBC (character base code) would become the only set of standards of the 21st Century Downtown Plan Area. When do we make the decision on whether it is twelve or twenty-four or eighteen?*

*Ben Smith said that does not need to happen this evening. It might come back as a recommendation from the Planning Board and whatever the Council adopts, as far as a time frame, that could be adjusted in the future.*

*Councilor Maxfield: So all we are doing tonight is sending this to the Planning Board "as is" for them to review and give us their feedback on what they think about this. Ben said he hopes the Council will refer this to the Planning Board tonight, and then they will get more into the nuts and bolts of the mechanics of setting up the two-track system.*

*Councilor Haskell asked if this makes it more restrictive than what exists now?*

*Ben Smith said the goal is to make it less restrictive from the standpoint of the types of things you can do in North Windham. The Character Base Code does get more specific, as far as the form of the buildings and where the buildings are located on the property.*

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

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

**Absent:** 1 - Councilor Welch

17-224 To appoint a council representative to the Long Range Planning Committee.

**Attachments:** [Cover Sheet 17-224](#)

[Long Range Planning Committee Charge](#)

*Councilor Muir moved to appoint Councilor Haskell, seconded by Councilor Cummings.*

**A motion was made by Vice Chair Muir that the Order be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Councilor Welch

17-233

To appoint Donna Chapman and Tony Plante to the Highland Lake Leadership Team.

*Councilor Muir makes a motion to suspend Council Rules to add an agenda item to appoint members to the Highland Lake Leadership Team, seconded by Councilor Cummings.*

*In Favor: 6- Councilor Chapman, Councilor Cummings, Councilor Haskell, Councilor Maxfield, Councilor Muir and Councilor Nangle.*

*Absent: 1- Councilor Welch*

*Councilor Maxfield: Stated that the Appointments Committee did interview a candidate tonight but they were unaware of what the team makeup would be; would it be a Council member, a staff person and a resident, and would they appoint them tonight?*

*Tony Plante: He said the Highland Lake Leadership Team charge was written so that each of the three members of the team, the Town of Windham, the Town of Falmouth and the Highland Lake Association could follow whatever their process is for filling those, so they did not specify any composition, it was left up to each team member on how they wanted to do that. The Town of Falmouth was in the process of appointing the Chair of their Conservation Commission, the Town Manager and their Community Development Director.*

*Tony said it would make sense to have a member of the Town Council, the Town Manager or designee and a public member, because it is going to be important to have some people at the table who can committ the town to some degree of action.*

*It was decided that they would make the Resident appointment at their next meeting.*

*Councilor Muir: Nominated Councilor Chapman and Town Manager Plante.*

**A motion was made that the Order be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Councilor Welch

17-221

To enter into executive session under 1 M.R.S.A. §405(6)(A) for the purpose of conducting the town manager's performance evaluation.

**Attachments:** [Cover Sheet 17-221](#)

*A motion was made by Councilor Muir, seconded by Councilor Maxfield that they go into executive session. The motion carried by the following vote at 7:45 p.m..*

*In Favor: 6- Councilor Chapman, Councilor Cummings, Councilor Haskell, Councilor Maxfield, Councilor Muir and Councilor Nangle.*

*Absent: 1- Councilor Welch*

*A motion was made by Councilor Muir to come out of executive session at 8:04 p.m. and to return to public session, seconded by Councilor Chapman. No votes were taken in executive session.*

*In Favor: 6- Councilor Chapman, Councilor Cummings, Councilor Haskell, Councilor Maxfield, Councilor Muir and Councilor Nangle.*

*Absent: 1- Councilor Welch*

## **XII. Discussion Items.**

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

[CD 17-358](#) Agenda Items Reports.

**Attachments:** [Agenda Items Report 20171122](#)

[Projects & Issues List 20171122](#)

[Projects & Issues Sheets 20171122](#)

*Council discussed agendas and scheduling.*

### **XIV. ADJOURN.**

**A motion was made by Vice Chair Muir, seconded by Councilor Cummings, that they be adjourned. The motion carried by the following vote at 8:12 p.m.**

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

**Absent:** 1 - Councilor Welch

Respectfully submitted,

Linda S. Morrell  
Town Clerk, CCM