



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Town Council

Tuesday, January 28, 2025

6:00 PM

Council Chambers

I. Roll Call of Members.

Present: 6 - David Nadeau, Brett Jones, Mark Morrison, William Reiner, John Henry and Jarrod Maxfield

Absent: 1 - Nicholas Kalogerakis

II. Pledge of Allegiance.

Council Chair Maxfield led the Pledge of Allegiance.

III. Minutes to be Approved:

[CD 25-033](#) To approve the Minutes from the January 14, 2025, Council meeting.

Attachments: [Minutes-Council-1-14-2025.pdf](#)

A motion was made by Councilor Nadeau, seconded by Councilor Jones, that the Minutes be approved. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Kalogerakis

IV. Adjustments to the Agenda.

V. Staff Announcements.

VI. Public Participation.

No public participation.

VII. Councilors' Comments.

Councilor Nadeau said he hopes everybody has read the presentations they went through Thursday night and read the three different studies. He hopes the public now understands the sky is not falling. Everything is being looked at and taken care of.

VIII. PUBLIC HEARINGS.

IX. CONSENT AGENDA.

X. UNFINISHED BUSINESS & GENERAL ORDERS.

25-020

To consider or deny the use of the Town Hall Gym and additional storage spaces by the Windham Center Stage Theater, and authorize the Town Manager to take the next necessary actions.

Attachments: [25-020 Cover Sheet.pdf](#)
[Project proposal 2025.pdf](#)
[2023 vs 2024 Gym Reservations .pdf](#)
[Facilities Rental POLICY 2024.pdf](#)

Joe Gouzie from Gromble Way was there to advocate for the continued use of the theater in the Town Hall gym. He said he had been working with Linda Brooks since August to get some sort of theater back in the gym. He submitted a proposal in October advising her that any theater that came in would be very open to operating differently than they had before. Any theater that would come in would certainly operate within the guidelines of reducing the footprint and reducing the amount of time that is being used. He said he understood that the town staff has proposed the town gym no longer be available for the theater. He advocated that they are also a community organization, and they are just looking for fair and equitable treatment.

Manager Tibbetts said he received a proposal from Joe, and they had gone to the Council some time ago about how to move forward with this. At the time, the town had an agreement with the old Windham Theater Group for many years, where they had exclusive use of that facility, and we had to work around their schedule. It also prohibited us from using our own stage or putting it out so other groups could use the stage without having their permission. For about a year and a half, the town was unable to contact them. Letters were sent and Linda Brooks had reached out several times. The town has had a lot of requests to use that facility and they opened the gym up to different groups. There has been pickle ball, country line dancing, talent nights, birthday parties, etc. It is being used regularly now. They feel the space should be dedicated for all public use and at this point is how he is viewing this. Hopefully, in a couple of years, the town will have a new community center and that will change the dynamics. He feels the approach should be not to enter into any specific agreements where the gym becomes restricted, and if the theater group gets organized and decides they want to do a play, they can come in and look to reserve a weekend, like any other group, but no longer have a special arrangement or agreement with them.

Concerning the materials belonging to the theater group, out in the old garage by the gym and the small room over the gym containing lighting, costumes, etc., he feels the town should be back in the garage because it is easier for our staff to get at their equipment instead of lugging stuff up and down stairs. He suggested the theater group look to get a storage container or a place to relocate that stuff. We do not offer any storage space to any groups on town property, unless it is town materials. Their upstairs lights and electronics in the gym are not hurting anything, and that area is locked off.

In summary, he said he thinks the town should continue to use that space, for all groups at this time, and if the theater group wants to build their repertoire, that is fine, but they will have to reserve space like everyone else, nothing is guaranteed.

Councilor Henry asked if the theater group wanted to reserve X number of days to practice, are those dates available, and if so, why couldn't they rent it? Barry was not saying they can't, but in the prior agreement they had reserved 6 to 8 week blocks and we could not do anything in there during that time frame.

Linda Brooks said there are a few issues with this. They would be happy to coexist with the theater group. When they received their proposal it wasn't that much different than what was in place before. It appears that they are still looking for the storage spaces they currently have and three to four productions a year. The productions mean that they are more than one weekend, they start with dress rehearsals on Thursday night, and we do not expect them to have to keep setting up all those chairs in the gym when they have multiple performances and put all those chairs back after each one. They put out risers and have it for the entire weekend. She said it was a rough draft but it would be very challenging. It was well over a year that they waited to see whether or not they could come back. They did not cut the ties immediately. She said to John's point, all the reservations are increasing as the space has opened and now the word is out. She said they are back to back to back with things all weekend long, i.e. pickle ball, a birthday party, basketball, etc. It is serving a lot of people. Linda spoke about the policy and fees that might incur.

Councilor Morrison said he wants to support any local theater group, but with the pie charts and comparing 2023 to 2024 we are now serving a larger, diverse group of people and have been able to increase revenues three fold from the prior year. As much as we want to support them at this time, with limited resources we have to serve as many people as we can. By voting for this it will help us serve a broader base in the community.

Councilor Nadeau moved to postpone 25-020 to a future date, seconded Councilor Jones.

Vote to Postpone: 5-1 (Councilor Morrison)

A motion was made by Councilor Nadeau, seconded by Councilor Morrison, that the Order be postponed to a future date.. The motion carried by the following vote:

- In Favor:** 5 - Councilor Nadeau, Councilor Jones, Councilor Reiner, Councilor Henry and Council Chair Maxfield
- Opposed:** 1 - Councilor Morrison
- Absent:** 1 - Councilor Kalogerakis

25-025

To authorize the disbursement of \$2,500 from the Substance Prevention Grant Program Fund (1000-24047) to the R.S.U. 14 Middle School's Smokescreen program, an evidence-based game to educate students about the dangers of vaping, that promotes prevention, education, and positive choices in reducing youth substance use, as recommended by the Substance Prevention Grant Committee.

Attachments: [25-025 Cover Sheet.pdf](#)

[2025-03 Smokescreen](#)

[Educational-Grant-Application-FINAL103124.pdf](#)

[Substance Prevention Grant meeting minutes 1 7 2025.pdf](#)

[SPG Fund Balance 12.31.2024.pdf](#)

Councilor Morrison fully endorsed this.

A motion was made by Councilor Nadeau, seconded by Councilor Morrison, that the Order be approved. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Kalogerakis

25-026

To authorize the disbursement of \$2,600 from the Substance Prevention Grant Program Fund (1000-24047) to the R.S.U. 14 Middle School's Band and Orchestra to help fund their attendance to the Trills and Thrills Music Festival, a recreational event that promotes prevention, education, and positive choices in reducing youth substance use, as recommended by the Substance Prevention Grant Committee.

Attachments: [25-026 Cover Sheet.pdf](#)
[2025-04 Grant Windham Middle School Music Festival 2025.pdf](#)
[Substance Prevention Grant meeting minutes 1 7 2025.pdf](#)
[SPG Fund Balance 12.31.2024.pdf](#)

Councilor Morrison endorsed this request.

A motion was made by Councilor Nadeau, seconded by Councilor Jones, that the Order be approved. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Kalogerakis

25-027

To authorize the disbursement of \$1,500 from the Substance Prevention Grant Program Fund (1000-24047) to the R.S.U. 14 High School Student Council to help fund their attendance to the Raising Student Voice and Participation (RSVP) training summit, to encourage students to be active members in their school community, and to promote prevention, education, and positive choices in reducing youth substance use, as recommended by the Substance Prevention Grant Committee.

Attachments: [25-027 Cover Sheet.pdf](#)
[2025-05 WHS Student Council](#)
[Educational-Grant-Application-FINAL.pdf](#)
[Substance Prevention Grant meeting minutes 1 7 2025.pdf](#)
[SPG Fund Balance 12.31.2024.pdf](#)

Councilor Morrison endorsed this request.

A motion was made by Councilor Nadeau, seconded by Councilor Jones, that the Order be approved. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Kalogerakis

25-028

To approve the July 1, 2025 to June 30, 2026 contract for services

provided by the Animal Refuge League.

Attachments: [25-028 Cover Sheet.pdf](#)

[ARL Contract Renewal 2026.pdf](#)

Assistant Manager Burns said the contract price remains unchanged.

A motion was made by Councilor Nadeau, seconded by Councilor Morrison, that the Order be approved. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Kalogerakis

25-029

WHEREAS, on September 10, 2024, pursuant to Order 24-171, the Town Council of the Town of Windham (the "Town") authorized the Town Treasurer to negotiate the terms of an equipment lease purchase and related documents to provide financing of an estimated \$915,000 for the purchase of the following: 1.) public works trackless sidewalk tractor; 2.) public works dump truck; 3.) public works non-CDL rated dump truck; and 4.) public works one-ton pickup (collectively the "Equipment"); and

WHEREAS, on December 9, 2024, the Town issued a Request for Proposals for financing of the Equipment (the "RFP"); and

WHEREAS, the Town received three proposals in response to the RFP and the Treasurer accepted a proposal from TD Equipment Financing dated December 16, 2024, for the financing of the Equipment in an amount not to exceed \$896,651;

NOW, THEREFORE, IT IS HEREBY ORDERED, that

1. The Treasurer, on behalf of the Town, is authorized to enter into one or more lease purchase, loan or other financing agreements for the Equipment provided that (a) the principal amount of any such agreement or agreements will not exceed \$896,651 in the aggregate; (b) the term of each such agreement will not exceed seventy-two (72) months; and (c) any obligation of the Town to make lease or loan payments pursuant to each such agreement is subject to annual appropriation by the Town Council of the Town.

2. The Treasurer, acting on behalf of the Town, is authorized from time to time to further negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in all or any portion of the Equipment, upon such terms, conditions, limitations and undertakings, which the Treasurer determines necessary and proper for the acquisition and financing of the Equipment.

Without limiting the foregoing, the Treasurer, acting on behalf of the Town, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the Treasurer determines is no longer useful to the Town. The Treasurer and other appropriate officers of the Town are hereby authorized and empowered to do all such acts and things as may be necessary or advisable, with the advice of counsel for the Town, in connection with the purchase of the Equipment and/or the financing of said purchase, to carry out the provisions of this Order and the provisions set forth above in connection with the purchase and financing of the Equipment.

3. If the Treasurer is for any reason unavailable to approve and execute the Equipment purchase and/or related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had him/herself performed such act.

4. If any of the officers or officials of the Town who have signed or sealed the Equipment purchase or financing documents shall cease to be such officers or officials before said documents so signed and sealed shall have been actually authenticated or delivered by the Town, such documents nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed the same had not ceased to be such officer or official; and also any such documents may be signed and sealed on behalf of the Town by those persons who, at the actual date of the execution of such documents, shall be the proper officers and officials of the Town, although at the nominal date of such documents any such person shall not have been such officer or official.

5. The Town covenants that it will perform all acts within its power which are or may be necessary to ensure that the interest portion of lease payments under the lease purchase financing shall at all times be and remain exempt from federal income taxation. The Town further covenants that the lease purchase financing is hereby designated a Qualified Tax-Exempt Obligation pursuant to Section 265(b) of the Internal Revenue Code.

Attachments: [25-029 Cover Sheet.pdf](#)

[Council Order 01-28-25 Lease.pdf](#)

A motion was made by Councilor Nadeau to waive the rest of the reading, seconded by Councilor Morrison.

All in Favor.

Councilor Reiner asked if we have the costs of the 4 individual pieces? Manager Tibbetts said we do have them, and they have all gone out to bid. He said he did not know right off, but he would get that information to them. He asked what the interest rate on the

loan was? He also asked if the four older pieces would be taken off line with the purchase of the new purchases? The Manager said they will keep the old sidewalk tractor for parts. The dump trucks, depending as they rotate them through, they will either trade them in or keep them for parts.

Councilor Henry said, for clarification, the Council did see these before and the town has seen them, but it is useful to stick that agenda packet in. The Manager said they will put it in their packets next week with the information requested.

A motion was made by Councilor Nadeau, seconded by Councilor Reiner, that the Order be approved. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Kalogerakis

XI. Council Correspondence.

CD 25-030 FOAA Status Report.

Attachments: [SmartProcure Purchasing Information 1.13.2025.pdf](#)
[NAPC Request Response 1.22.2025.pdf](#)

CD 25-031 Quarterly Department Reports.

Attachments: [2024 Fourth Quarter Fire-Rescue Report .pdf](#)
[Assessing Quarterly Report-2024-Q4.pdf](#)
[Code Enforcement Department Quarterly Report 10-01-24 to 12-31-24.pdf](#)
[ED Quarterly Update January 2025.pdf](#)
[Human Resources Quarterly Report Oct - Dec 2024.pdf](#)
[Library Quarterly Report.pdf](#)
[Parks and Recreation Quarterly Report Oct-Dec 2024 Final.pdf](#)
[Planning FY25 Q2 Report.pdf](#)
[Police 4th quarter 2024.pdf](#)
[Quarterly Report from the Town Clerk \(002\).pdf](#)

CD 25-034 Community Survey - Points of Highest Dissatisfaction.

Attachments: [Answers with the highest percentage of Dissatisfaction.pdf](#)

CD 25-035 Vape Prevention Education through Windham Cannabis Grant Funds.

Attachments: [Maine CDC School Health Resources Repository_Final_Last Update Sept.10.2024 \(2\).pdf](#)
[Message BTI Director.pdf](#)
[SmokeSCREEN Playbl.pdf](#)

CD 25-037 Summary From Veterans' Organizations.

Attachments: [Letter from American Legion Field Allen Post 148.pdf](#)

XII. Town Manager's Report.

Assistant Manager Burns wanted to express its condolences to the family of Judy Vance. Judy is our long-term Deputy Town Clerk and recently her husband David passed away.

The Town historically has handed out "Welcome to Windham" Packets to new residents, and we are breathing some new life into the program. The Communications Director will be working on that with the Manager's Office.

Recently at a staff meeting the Police Chief said he is going to readvertise the Code Red Program. This program is a text message alert system that Cumberland County possesses. You can enter your phone number into the application, and you will get a text message in the event of an emergency event.

There have been some town trash carts that have been lost due to frost making them slippery and falling into the truck. If a resident observes that please call the public works department and they may have to file a police department.

Announced the town has hired a new Town Planner Amanda Lessard. She had previously been the Director of Planning.

XIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

No report.

2. Finance Committee.

No report.

3. Ordinance Committee.

Councilor Nadeau said they met and they sent two pieces of ordinances to the Planning Board. They felt they were minor changes. The first was just to remove a sentence that no private street could connect to a private street and they added outdoor recreation to the Industrial Zone.

CD 25-036 January 22, 2025 Ordinance Committee Meeting Report.

Attachments: [25-01 COC MEMO LUO Amendments 4 011525.pdf](#)
[25-02 Article 4 Districts.pdf](#)

B. Other Committees.

1. Parks & Recreation Advisory Committee.

No report.

2. Windham Economic Development Corporation.

Tom Bartell said on the 14th he met with members of the VFW, American Legion, Disabled Vets and also an employer here in town. They talked about Veteran employment issues, those who are under employed or unemployed to reach more potential.

They talked about getting employers who are looking to hire veterans into their weekly Wednesday morning coffees, and having a job fair later on this spring.

The day after that two members of the Maine Careers Centers met with the Veterans at their morning coffee, they contacted Tom and they are looking at putting a job fair at the Veteran's Center this spring, which will be for the public as well.

3. Natural Resources Advisory Committee.

No report.

4. Greater Portland Council of Governments (GPCOG).

Councilor Maxfield said they met last week and they are looking at a regional collaboration plan on invasive plants. There are a lot of invasive plants other than milfoil he did not know about, and he hopes we do not have them in Windham. They are looking at increasing the member's dues. Now they are at \$2.00 per capita and are looking at \$2.10 for next year and \$2.25 the following year. Update on Brownfield's - working on Great Falls and the redevelopment of the Andrews School funding and monies that are coming in from different programs through GPCOG towards that.

5. ecomaine.

Assistant Manager Burns said he met both for the finance and audit committee and the board meeting on the 16th of January. They discussed the addition of both Sanford and North Berwick into our system. That comes with a significant buy-in costs and a yearly cost for those communities. The director was very excited about this, and there are other communities in York County that are considering it.

In the board meeting they listened to presentation on the air emissions of the plant.

6. Windham Middle School Repurpose Advisory Committee.

Manager Tibbetts said they had their first meeting last week, and there will be a walk through the middle school on February 1 from 8:00 a.m. to 10:30 for the committee, and noted if any residents want to come, they are welcome. They will be talking about the buildings potential future use.

XIV. Discussion Items.

***Note* Minutes are not taken for Discussion Items.**

[CD 25-005](#) Human Services Advisory Committee Charge Amendments.
Attachments: [Human Services Advisory Committee MARKUP.pdf](#)
[HUMAN SERVICES ADVISORY COMMITTEE CHARGE Clean.pdf](#)

[CD 25-032](#) Chapter 70 § 70-4 Sprinkler Systems.
Attachments: [Residential Sprinkler Discussion 2024 update \(002\).pdf](#)

[CD 24-184](#) Municipal Valuation Report - Assessor Josh Houde.
Attachments: [Town Council-MVR 2024 Presentation \(002\).pdf](#)
[Municipal Valuation Return 2024.pdf](#)

[CD 24-225](#) Tax Increment Financing (TIF) Report.
Attachments: [Windham TIF Program Update November 2024.pdf](#)
[TIFDistricts2025.pdf](#)

XV. Agendas & Scheduling.

XVI. Executive Session.

[25-030](#) To enter into executive session under 1 M.R.S.A. §405(6)(A), which provides for the "Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency," for the purpose of discussing a personnel matter and pursuant to 1 MRS §405(6) (C) to discuss "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.

Attachments: [25-030 Cover Sheet.pdf](#)

A motion was made by Councilor Jones, seconded by Councilor Henry, that they enter into executive session. Councilor Jones moved they return from executive session, seconded by Councilor Henry. No votes were taken.

In Favor: 6 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Kalogerakis

XVII. ADJOURN.

A motion was made by Councilor Jones, seconded by Councilor Nadeau, that they be adjourned. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Kalogerakis

Respectfully submitted,



Linda S. Morrell
Town Clerk, CCM