



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Final

### Town Council

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Tuesday, August 12, 2025

6:00 PM

Council Chambers

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#### I. Roll Call of Members.

Councilor Kalogerakis arrived to the meeting at 6:47 p.m.

**Present:** 6 - David Nadeau, Brett Jones, Nicholas Kalogerakis, Mark Morrison, William Reiner and Jarrod Maxfield

**Absent:** 1 - John Henry

#### II. Pledge of Allegiance.

Council Chair Maxfield led the Pledge of Allegiance.

#### III. Minutes to be Approved:

##### III. Minutes to be Approved:

CD 25-144 To approve the minutes of the July 8, 2025 Council meeting.

Attachments: [Minutes-Council-7-8-2025.pdf](#)

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

**In Favor:** 5 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 2 - Councilor Kalogerakis and Councilor Henry

#### IV. Adjustments to the Agenda.

None.

#### VI. Public Participation.

No Public Participation.

#### VII. Councilors' Comments.

No Councilor Comment.

#### VIII. PUBLIC HEARINGS.

25-016 To receive public comment and act on proposed amendments to the Growth Ordinance, Chapter 101, of the Code of the Town of Windham, to

reflect current practices of permit issuance.

**Attachments:** [25-016 Cover Sheet.pdf](#)  
[2025.07.09 Edits to Chapter 101, Growth Management.pdf](#)  
[2025.07.09 CLEAN Edits to Chapter 101, Growth Management.pdf](#)

*No public Comment.*

*Town Manager Burns said this was discussed at the last Council meeting. Town Attorney Ben McCall has redrafted the language in this ordinance.*

*Councilor Reiner asked if they could have updated numbers? The Manager said he would get that information.*

*Councilor Maxfield asked when is it effective, January 1 or 30 days after? It is 30 days after.*

*Councilor Nadeau said he does not agree with the growth ordinance.*

**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:** 5 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 2 - Councilor Kalogerakis and Councilor Henry

[25-110](#) To receive public comment and act on proposed amendments to Chapter 120 Land Use Ordinance of the Code of the Town of Windham, Article 9, Subdivision Review, to amend street access standards for single family, duplex (two-units), and multifamily occupancy of said structures.

**Attachments:** [25-110 Cover Sheet.pdf](#)  
[25-21 TC MEMO LUO AMD Article9 Subdivision OccupancyDwelling Aug12.pdf](#)  
[25-14 REDLINE LUO AMD Article 9 Subdivision OccupancyDwelling 073125.pdf](#)  
[25-14 ORIGINAL LUO AMD Article 9 Subdivision OccupancyDwelling 073125.pdf](#)  
[25-14 CLEAN LUO AMD Article 9 Subdivision OccupancyDwelling 073125.pdf](#)

*No Public Comment.*

*Councilor Nadeau said he was in favor of this, and he thinks it protects the town. His only concern is there enough left in the fund? He would like to see a percent added to the performance bond to make sure there is enough money in there to put the finished coat on.*

*Manager Burns said we carry 110% of the engineer's estimate.*

*Steve Puleo, Director of Planning said it is important to understand the length of how long these guarantees are in place, because site improvements need to be completed within two years after the Manager accepts the performance guarantees. They are now monitoring how things are going and our inspectors are out there looking at things. He*

*thinks they are covered with that amount. He said they revisit annually and under the ordinance they can assess an increase or an inflation annually, to that number, and go back and get more money from the developer. It has been done in the past.*

**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:** 5 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 2 - Councilor Kalogerakis and Councilor Henry

## IX. CONSENT AGENDA.

## X. UNFINISHED BUSINESS & GENERAL ORDERS.

### 25-081

To award a contract to Shaw Brothers Construction, Inc., not to exceed \$1.6 million and with itemized unit rates, for sewer service line installation and connection services for the Boody's corner area of the North Windham Sewer District to the new public sewer infrastructure with funds previously approved by Council, and to authorize the town manager to execute a contract and to take any other necessary action related thereto.

**Attachments:** [25-081 Cover Sheet.pdf](#)

[North Windham Sewer Services Bid Advertisement.pdf](#)

[North Windham Sewer Services RFQ\\_04-09-25\\_opt.pdf](#)

*Manager Burns said this was a competitive bid, and it was advertised. They are happy to have Shaw Brother's participate, they are also the same contractor that has performed all the rest of the work for the treatment plant, and we are looking forward to starting this work. There will be a few connections made late this fall with the majority of them occurring through the next calendar year. The treatment plant is on schedule to be operational mid-April (17th), and things are moving along.*

**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:** 5 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 2 - Councilor Kalogerakis and Councilor Henry

### 25-084

To set the tax rate for 2025-2026 at \$12.08 per thousand dollars of assessed value.

**Attachments:** [25-084 Cover Sheet.pdf](#)

[2025 Commitment-Town Council Handout PDF.pdf](#)

[Tax Calculation Form-2024 FINAL.pdf](#)

[Tax Calculation Form-2025 TENTATIVE.pdf](#)

*Josh Houde Assessor explained how they got to this figure. (See attached)*

*There were questions and discussion between Assessor Josh Houde, the Manager and the Councilors about setting the tax rate at a different amount than was in the order, and*

*what issues that could arise by doing that.*

*Councilor Reiner makes a motion to set the tax rate at \$12.06, seconded by Councilor Nadeau.*

*Vote on Amendment:*

*In Favor: 5-0*

*Absent: Jones, Kalogerakis*

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

**In Favor:** 5 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 2 - Councilor Kalogerakis and Councilor Henry

[25-085](#) To set the dates on which 2025-2026 taxes will be due as October 1, 2025 and April 1, 2026.

**Attachments:** [25-085 Cover Sheet.pdf](#)

**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:** 5 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 2 - Councilor Kalogerakis and Councilor Henry

[25-086](#) To set the rate of interest that will be charged on overdue taxes for 2025-2026 at seven and a half percent (7.50%).

**Attachments:** [25-086 Cover Sheet.pdf](#)

[Delinquent Tax Rates](#) [Office of the Maine State Treasurer.pdf](#)

**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:** 5 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 2 - Councilor Kalogerakis and Councilor Henry

[25-087](#) To authorize and direct the Tax Collector/Treasurer, pursuant to Title 36 M.R.S.A. §506, to accept prepaid property taxes at any time and to establish an interest rate of 0% on such payments.

**Attachments:** [25-087 Cover Sheet.pdf](#)

**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:** 5 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 2 - Councilor Kalogerakis and Councilor Henry

25-092

To authorize and direct the Tax Collector/Treasurer, pursuant to Title 36 M.R.S.A. §906, to apply any tax payment received as payment against outstanding or delinquent taxes due in chronological order, beginning with the oldest unpaid obligation, including personal property, provided, however, that no such payment may be applied to any tax obligation for which an abatement application or appeal is pending, unless approved in writing by the taxpayer.

**Attachments:** [25-092 Cover Sheet.pdf](#)

**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:** 5 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 2 - Councilor Kalogerakis and Councilor Henry

25-088

To approve qualifying applications for property tax assistance pursuant to Chapter 209, Article I of the Code of the Town of Windham, "Property Tax Assistance," to be processed from account 18300-46930.

**Attachments:** [25-088 Cover Sheet.pdf](#)

[Memo to Council\\_Tax Assistance Program Results.pdf](#)

*Councilor Reiner said when it was discussed last year and the residency requirement was reduced from ten to five years, at the time, we said we would open up discussions again to see if there should be anymore refining to this; what is a good time of year to do this? It should be put on the Council's Goals for next year.*

*Councilor Nadeau noted the town has received 317 applicants at the last count, and last year we had 380+.*

**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:** 5 - Councilor Nadeau, Councilor Jones, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 2 - Councilor Kalogerakis and Councilor Henry

25-111

To accept Revolution Drive as a public way.

Attachments: [25-111 Cover Sheet.pdf](#)[17-11\\_TC MEMO Revolution Drive Street Acceptance 090425.pdf](#)[REC\\_DEED\\_Revolution Drive\\_090425.pdf](#)[SIGNED Maintenance Guarantee\\_090325.pdf](#)[CK\\_Revolution Drive\\_MaintenanceGuarantee\\_090425.pdf](#)[Majestic Woods Phase III Subdivision\\_LocationMap.pdf](#)[Majestic Woods 10-18.PDF](#)[17-11 Majestic Woods Phase 3 Approval Letter 10-31-18.pdf](#)[17002-Plan and Profile-ASBUILT\\_compiled\\_2025\\_6\\_20.pdf](#)[Majestic Woods Declaration.pdf](#)[Engineer Inspection.pdf](#)[SiteLawPermit Shoreland Development LLC L27866AN.pdf](#)[Recorded Deeds of RevoluitionDrive\\_ROW.pdf](#)[Public Access Easement.pdf](#)*Public comment:*

*Chandler Todd, President of the Majestic Woods Home Association has worked directly with Steve, Mark Arienti, and Jarrod over the last 8 months. He wanted to thank Steve and everyone else for their time. It was a lot of effort and hopefully it will be accepted by the Town Council.*

*Councilor Maxfield asked if Public Works and Fire Department are good with it, and has it met all the standards?*

*Steve Puleo said "yes" to all and there was one waiver relative to pedestrian use of the road. They got a waiver for one 2-foot shoulder on one side for pedestrian access instead of two 2-foot shoulders. It has been inspected by the town engineer and he is fine with everything. The homeowner's association has pulled together a maintenance guarantee fund that they are willing to go into an agreement with the town. Staff is requesting the Town Council approve it, and they will finish the maintenance agreement with the Manager and the home owners association and get the deed for the road and the right-of-way extension conveyed to the town and recorded by the town. Steve said the maintenance agreement is in draft form and they will finalize it with this approval, and have the homeowner's association to convey the town the right-of-way, sign the maintenance agreement and provide the town their cash funds.*

*Councilor Jones said according to the site plan it shows a public access trail, Colley Wright Brook. Is it accessible for the public? Steve said the entire trail system is available for public access. The homeowner's association has established the trail within that open space for the public to use.*

*Councilor Reiner asked Steve if we have done road acceptances in the past that were accepted prior to our town's legal review? Steve said our ordinance does not require a legal review. We do that to make sure everything is in proper form. In the past it has been done without the legal review and has been presented to the Council and Council has accepted it as a public way. Steve said the Cession letter is really the promise that the homeowner's association is going to complete the necessary requirements.*

*Councilor Morrison asked if this should be contingent upon that?*

*Councilor Maxfield made a motion to accept Order 25-111 contingent upon the completion of the maintenance agreement to be executed upon completion of the warranty deed, seconded by Councilor Nadeau.*

*Chandler Todd said their legal team is Jensen Baird in Portland, and he has the ability, and starting on Monday, they have the warranty deed that has been conveyed from the developer, the Majestic Woods phase 3 plans, and they have conveyed that to them and he has the hard copies. He is fully prepared to work with Jensen Baird starting Monday to have the warranty deed written up by their legal team, which he will then convey the 50ft. extension and the road itself over to the Town of Windham. It will be signed, dated and notarized by himself and he will work with Steve to have it signed by the town attorney.*

*Steve Puleo wasn't aware they had a retainer with Jensen Baird, and he would suggest we get the draft and have Ben check it out for the town. They can bring Chandler in to sign the deed, we have a notary in house and we should be the entity that does the recording.*

*Councilor Morrison said he is fine with it as it being contingent but he thinks they are putting the cart before the horse. He thinks everything should be tied up nice and tight when this comes before them.*

*Ben McCall, Town Attorney said he wants the Council to be clear that the vote of the Council is the act that accepts the road. There needs to be a formal transfer of ownership, but in terms of liability, there is an argument to be made that upon vote all rights and responsibilities that the town would have over any other town way comes into effect. He has not reviewed any of the legal documents and does not have any reason to believe that they would be deficient, but that hasn't taken place yet. In terms of a contingent acceptance, it wouldn't be his preference to do that from the town's perspective, because there are steps that could potentially influence that decision, at a later point, and it is unclear in the law as to how the town would undo an acceptance if it turns out that the contingencies placed in the motion were there. He feels they can have all the paperwork all lined up within the next 30 days and it would be his preference to do it this way.*

*Vote on motion:*

*In Favor: 1*

*Opposed: 5*

*Absent: Councilor Henry*

*Fails*

*Councilor Jones moved to postpone Order 25-111 to the September 9, 2025 meeting, seconded by Councilor Reiner.*

*In Favor: 6-0*

*Absent: Councilor Henry*

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

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

**Absent:** 1 - Councilor Henry

25-112 To appoint Patrick Roberts, currently serving as an alternate on the Planning Board, to a regular seat for the remainder of his three-year term ending February 15, 2028.

Attachments: [25-112 Cover Sheet.pdf](#)

**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 Kalogerakis, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 1 - Councilor Henry

25-115 To certify that the public purpose of the affordable housing district is being met and that the required housing affordability and other conditions of approval, including limitations on uses of tax increment revenues for approved development project costs, set forth in the Certificate of Approval issued by the Maine State Housing Authority for the District and the related Affordable Housing Development Program are being maintained, and to further authorize the Town Manager to take any other action related thereto to approve the annual reports for 2024 and 2025.

Attachments: [25-115 Cover Sheet.pdf](#)

[Affordable Housing Development Annual Report - 2024-2025.pdf](#)

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

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

**Absent:** 1 - Councilor Henry

25-123 To authorize budgeted funds from Road Improvements, capital account 19200-46990, to be used to pave the roads identified by the Public Works Director.

Attachments: [25-123 Cover Sheet.pdf](#)

[Paving Budget and List of Roads.pdf](#)

*Manager Burns said this is a little unique and typically this would be in the budget, and they would have provided the list of roads that they intended to pave in the budget. They were not able to get that in the budget in the appropriate time frame. Since that point, he has worked with Brian Morin the Public Works Director and his staff, along with Mark Arienti, and this list of roads is based off from a road assessment that Mark puts together. He has gone with Brian to look at each of the roads on the list, and he feels it is important to layout to the Council what their intentions are with the amount of money they allocated in the budget. In addition to, you will note in the attachment, they are bringing forward unspent funds from past years. There is some bond money in there along with some other unspent bond money, and those will roll into this and they will be able to afford the paving of these roads. These roads will be done in half of this season and the beginning of next season.*

*Councilor Nadeau said they have not been putting a million dollars in the budget for roads, but they need to get it back to that amount and not be taking things from other places. The road budget has been cut short for the last three years, and he thinks it is time to get that budget back up to at least a million dollars. It should be \$1.2 or \$1.4 million.*

**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 Kalogerakis, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

**Absent:** 1 - Councilor Henry

## XI. Council Correspondence.

[CD 25-140](#) Support of Transition to Referendum Ballot for Budget Approval.

**Attachments:** [E Colby Email supporting Referendum Ballot.pdf](#)

[CD 25-141](#) Code Enforcement Response to Motocross Complaint.

**Attachments:** [J Rioux CEO Director Response and Timeline.pdf](#)

[CD 25-143](#) Spectrum/Charter Communications - Change Notification.

**Attachments:** [2025.07.09 Charter Programming Notice \(A Wealth of Entertainment OneAmerica News Local Look Today add\)w.pdf](#)

[CD 25-145](#) Growth Concerns.

**Attachments:** [J Briggs email - Windhams Future.pdf](#)

[CD 25-146](#) Windham Welcome Signs.

**Attachments:** [Welcome Signs - School Championships.pdf](#)

[CD 25-147](#) Forest Lake Association Annual Meeting and Newsletter.

**Attachments:** [Forest Lake Association Annual Meeting 7.19.2025 Invitation.pdf](#)  
[Forest Lake 2025newsletter-web.pdf](#)

[CD 25-148](#) Gratitude for Senior Tax Assistance Program.

**Attachments:** [D Perkins Sr. Tax Assistance Thank You.pdf](#)

[CD 25-153](#) MDOT Great Falls Bridges Project Timeline and July 16, 2025 Public Meeting Minutes.

**Attachments:** [MDOT Great Falls Bridge Project.pdf](#)  
[MDOT-Scott Construction Gorham and Windham Notice to Local Officials.pdf](#)

CD 25-154 Department Quarterly Reports.

Attachments: [HR Quarterly Report April - June 2025.pdf](#)  
[Parks & Recreation April - June 2025.pdf](#)  
[Windham Communications 2nd Qreport2025.pdf](#)  
[Quarterly Report from the Town Clerk.pdf](#)  
[Planning FY25 Q4 Report.pdf](#)  
[Police Dept Quarterly Report April - June 25.pdf](#)  
[2025 -Second Quarter Fire-Rescue Report .pdf](#)  
[Assessing Quarterly Report-2025-Q2.pdf](#)  
[ED Quarterly Report July 2025.pdf](#)  
[Public Works - April May June 2025 Quarterly Report.pdf](#)  
[Code Enforcement Department Quartely Report 04-01-25 to 06-30-25.pdf](#)

CD 25-155 Letters of Thanks - Social Agency Funding Recipients.

Attachments: [The Opportunity Alliance.pdf](#)  
[Southern Maine Agency on Aging.pdf](#)  
[Day One.pdf](#)

CD 25-158 Code Enforcement: Permit Counts.

Attachments: [Growth Permit Summary\\_8-7-25.pdf](#)  
[Code Enforcement Department Activity-Report-by-Project-Type 2025-08-07.pdf](#)

CD 25-159 Impact Fee Status.

Attachments: [FY25 Impact Fee Revenue.pdf](#)

**XII. Town Manager's Report.**

*Manager Burns reported on:*

*Noted that The Great Falls Bridge repair that DOT is conducting at the end of Windham Center Road as you head into Gorham will be closed 8/18 - 10/1.*

*The new traffic lights that were installed at Albion and Route 302 generated a lot of questions as to why they are not lit? The controller system is ordered but not in, and as soon as they receive it, they will be working, most likely the beginning of September. Jarrod asked if there would be any advanced warning signs alerting drivers that there are new traffic lights ahead? Councilor Reiner asked if they would change to only flashing at night? The Manager said he was not sure and would try and find out.*

*DOT is conducting another study at Foster's Corner to look at accident history and will be considering a realignment of approaches into there.*

*The bridge on River Road over Pleasant River will be closed for about two months.*

*He wished Chad Cleaves in the Code Enforcement Office good luck. He is being deployed to Saudi Arabia with the guards for about ten months, he will be missed.*

*He congratulated Todd Hamilton in the Police Department, he has been promoted to Overnight Sergeant from Patrol.*

*He said he will be reaching out to the Finance Committee to set up a meeting to talk about the latest and greatest excitement in finance and with our budget. There are no concerns but he wants to get into a process of meeting and discussing where they are with the budget.*

### **XIII. Committee Reports.**

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

##### 1. Appointments Committee.

*No report.*

##### 2. Finance Committee.

*No report.*

##### 3. Ordinance Committee.

*No report.*

CD 25-150 Referral to Planning Board: North Windham Sidewalk Impact Fee.

CD 25-151 Referral to Planning Board: Potential Future FY25-26 Land Use Ordinance and Related Chapters Amendments.

#### **B. Other Committees.**

##### 1. Parks & Recreation Advisory Committee.

*No report.*

##### 2. Windham Economic Development Corporation.

*No report.*

##### 3. Natural Resources Advisory Committee.

*No report.*

##### 4. Greater Portland Council of Governments (GPCOG).

*No report.*

5. ecomaine.

*No report.*

6. Windham Middle School Repurpose Advisory Committee.

*No report.*

#### **XIV. Discussion Items.**

[CD 25-142](#) Town Clerk Selection Process with Pending Retirement in November.

**Attachments:** [2025 0721 HR Dir. Phyllis Moss Memo to R. Burns.pdf](#)

[CD 25-157](#) Limitations to Impact Fees Due to L.D. 1498 [An Act to Address Maine's Housing Crisis].

[CD 25-149](#) Future Growth Ordinance Modifications Due to L.D. 1829 [An Act to Build Housing for Maine Families].

**Attachments:** [LD 1829 Summary\\_DrummondWoodsum.pdf](#)

#### **XV. Agendas & Scheduling.**

#### **XVI. ADJOURN.**

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

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

**Absent:** 1 - Councilor Henry

Respectfully submitted,

Linda S. Morrell  
Town Clerk, CCM