



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Draft

### Town Council

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Tuesday, August 28, 2018

7:00 PM

Council Chambers

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#### I. Roll Call of Members.

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

**Absent:** 1 - Clayton Haskell

#### II. Pledge of Allegiance.

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

#### III. Minutes to be Approved:

CD 18-249 To approve the minutes of the August 7, 2018 Council meeting.

Attachments: Minutes-Town Council-8-7-18

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

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

**Absent:** 1 - Councilor Haskell

#### IV. Public Participation.

*Dan Glover is a Westbrook resident and a member of the Archangel Committee of Greater Portland Region. He said back in November of 1988 Mayor Phillip Spiller of Westbrook, and on behalf of the Greater Portland Region, signed an agreement in Archangel Russia that the City of Archangel would become the sister city to the Greater Portland Region, Maine.*

*Marcia Blanchard, on behalf of Windham and other representatives of the region, countersigned the agreement in April of 1989 in the State of Maine room in Portland. They thanked Windham for its support for its relationship and involvement in various exchanges over the years. He named the many successes over the years.*

*He said tonight they want the people of Windham to participate in the "Bridges of Friendship" photography exchange. (see attached) They are seeking \$150 from each of the fourteen municipalities in the Greater Portland Region to support a photographic cultural exchange.*

#### V. Councilors' Comments.



# "BRIDGES OF FRIENDSHIP"

## SISTER CITIES PHOTOGRAPHY EXHIBITION

THE STONEWALL GALLERY - YARMOUTH HISTORICAL SOCIETY, YARMOUTH, MAINE

### PATRONAGE SUPPORT

This November is the Thirtieth Anniversary of the Sister Cities Relationship between Greater Portland, Maine and Archangel, Russia. There is a wonderful opportunity for the 14 municipalities in the greater Portland area to support a photographic cultural exchange between the Portland Camera Club of Maine and the Spolokhi Photo Club from Archangel, Russia.

We are seeking \$150 from each municipality to help bring 30 pair (60 photographs) of images from both countries to be recognized by the "Bridges of Friendship" Photography Exhibition.

This exhibit will provide a unique opportunity for the residents of the Greater Portland Region to see a juried show of outstanding photographs from each country, side by side. We hope you will find this Exhibit valuable to your community and worthy of your support.

**The Grand Opening is November 9, 2018 and the exhibit will be at  
the Stonewall Gallery thru January 7, 2019.**

The art of photography, or painting with light,  
is a universal language, like music.

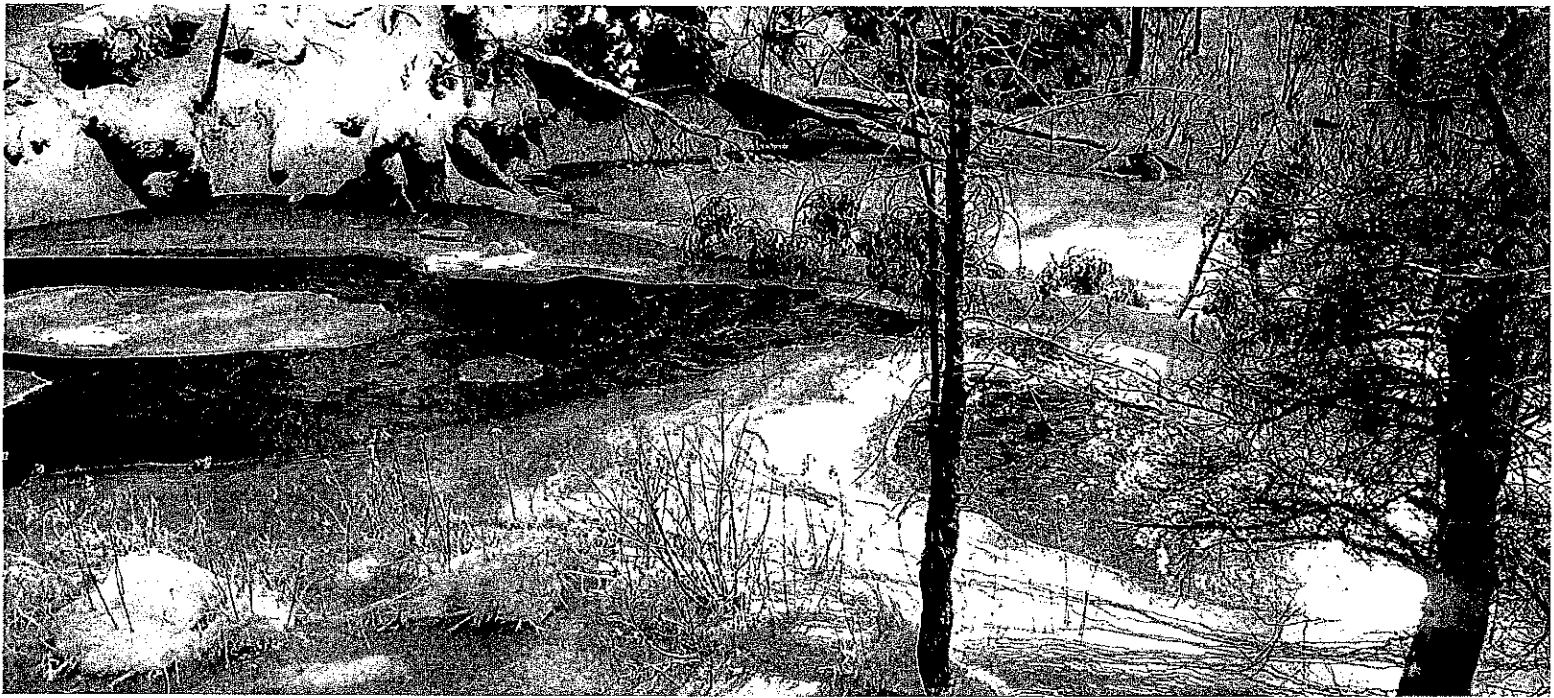
The two clubs participating, Portland Camera Club, Portland, Maine and Photo Club "SPOLOKHI" from Archangel, view this exhibition as an opportunity to see our communities in a positive light, as the title of the exhibition states: "Bridges of Friendship".

### CONTACT

Dennis Marotte  
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Dan Glover  
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Featured Image: "Between Bridges"



# "BRIDGES OF FRIENDSHIP"

## SISTER CITIES PHOTOGRAPHY EXHIBITION

THE STONEWALL GALLERY - YARMOUTH HISTORICAL SOCIETY, YARMOUTH, MAINE

### PATRON OF BRIDGES OF FRIENDSHIP 2018 SUPPORT REQUEST

Your \$150 patronage will support a photographic cultural exchange between the Portland Camera Club of Maine and the Spolokhi Photo Club from Archangel, Russia. Your support will bring a pair of images from both countries to be recognized by the "Bridges of Friendship" Photography Exhibition.

**The Grand Opening is November 9, 2018 and the exhibit will be at the Stonewall Gallery thru January 7, 2019.**

Featured Image: "Royal River Winter Light"

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 **YES!** I would like to become a Patron of Bridges of Friendship 2018. My payment of **\$150** made payable to: **The Archangel Committee** is enclosed.

Name(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: (\_\_\_\_) - \_\_\_\_ - \_\_\_\_\_ Email: \_\_\_\_\_

Please return to: **Archangel Committee, PO Box 105, Portland, ME 04112**

*Councilor Maxfield read a statement. (see attached)*

*Councilor Cummings said she received an email after the last discussion they had on marijuana and the moratorium. There are some business owners in town who want to meet and discuss their wants and needs and their concerns with the way the town is going; and to let them know how she felt and how others felt. They would like the Council to consider starting up a committee of community members to discuss moving forward, whether it be with a moratorium, or they limit recreational, they would like to have input.*

*Councilor Welch said they would want a committee with a charge.*

*Councilor Chapman asked Tony to to get a charge drafted for a community committee to look at the marijuana issues the town has. Tony asked Councilor Cummings to forward the email she received to him.*

## **VI. Council Correspondence.**

*Councilor Cummings said in the past they have talked about looking into some of the town's ordinances, and some of them are older than she is. There has been some issues, and in speaking with law enforcement, there seems to be more complaints regarding nuisance dogs in neighborhoods. Those ordinances are not very tight. He gave her some recommendations on how they could amend those ordinances to be more of a disturbance based ordinance verses noise or nuisance dogs. She said she will get more information on this and will share with everyone.*

CD 18-244 Southern Maine Agency on Aging Correspondence

Attachments: SMAA Letter of Thanks

CD 18-252 The Opportunity Alliance - Letter of Appreciation

Attachments: The Opportunity Alliance Letter of Thanks

CD 18-253 SARSSM Letter of Appreciation

Attachments: SARSSM Letter of Thanks

CD 18-254 MaineHealth Care at Home Letter of Appreciation

Attachments: MaineHealth Care at Home Letter of Thanks

CD 18-255 The Archangel Committee Newsletter

Attachments: The Archangel Committee - Summer 2018 Newsletter

CD 18-256 Maine State Housing Authority Program Communication

Attachments: Maine Housing Arsenic Abatement Program

CD 18-257 VNA Home Health Hospice Letter of Appreciation

Attachments: VNA Home Health Hospice Thank You

I would like to resign.

I am disappointed, disgusted and disgruntled about what I have seen since being a member of this council. It is sad to see power go to people's head. It is sad to see people who have sat in some of these seats for almost a decade complain about how nothing has been done and not take responsibility for it. It is sad to see people treated so poorly and abused.

I joined this Council because I care about Windham and its future and helping change the pattern of failure that has plagued us for decades. I have sacrificed my time, energy and oftentimes sanity because the people of Windham, new and old, want and deserve more.

This last year has been a year of chaos, dysfunction and disservice to the people of Windham from this Council and I can no longer sit by and attempt to show respect to members who show no respect to their fellow members or the people of Windham.

One of the many lies spun by the some members of this Council I came to this Council with pre established relationships. The facts are I was a newbie who knew no one as more than an acquaintance. In my time here, the sides and issues I have chosen have been based on the first hand witnessing of members of this council who deride and bully Town Staff, Council Members and even guests as a matter of standard operating procedure, who are so blinded by using their power for their own selfish gain that they ignore the general will of the people for Windham calling for change.

If you are disgusted by the lack of facts and common sense in national politics then you would be appalled at how this Council operates, especially behind the scenes. This chamber is often where good ideas, facts and logic come to die.

Most recently we publicly approved a 25,000 dollar expenditure to for an organizational review. This is after we had just spent 8,000 for a similar review, which, in my opinion, was sabotaged by some members of town staff and this Council to further thier own vindivtce vendettas and not allowed to complete it's process. I call upon those in Windham, who are not fortunate enough to be in this small good ol boy group, who have seen these truths year after year to raise their voice and say enough is enough. If you have been here for 3 months or 30 years, you have a right to a voice. Get out and vote. Show up and speak. Write emails. Tell your friends. The Windham Council is squandering opportunity on the back of the taxpayers and many people know it.

I call upon the press to pay attention to this Council and hold our feet to the fire on the general question of, what are you doing for the people of Windham? What are you accomplishing? Are you using tax dollars appropriately? Because the truth is ugly and I am sick of members here being able to so easily ignore facts, reason and common decency.

I was inspired by recent words about John McCain, an American hero. Particularly it was said he despised and loved to battle bullies. So do I. I have the energy and drive to stick up for those who can't. We are all here to be the eyes, ears and voice for those in Windham who voted us in to do right by them, their interests and their tax dollars.

So I would like to resign. I would like to not leave my family as much to come here and deal with this snake pit.

But I will not. I don't quit. I will not stop talking and fighting for the people of Windham. I will not back down to bullies. I will not shut up. I will not be intimidated by the same old tactics. I will press on and be here to point out the hypocrisy, lies and lack of leadership until something changes that finally benefits the people of Windham in the manner they deserve.

CD 18-242 Town Clerk's Monthly Report - July 2018.

Attachments: Town Clerk's Report-July 2018

CD 18-245 Fire-Rescue Department Monthly Report - July 2018

Attachments: Fire-Rescue Monthly Report July 2018

CD 18-246 Windham Police Department Monthly Report - July 2018

Attachments: Police Department Report - July 2018

CD 18-247 Public Works Department Monthly Report - July 2018

Attachments: Public Works Monthly Report - July 2018  
July 2018 Mission, Success, Measurement Table

CD 18-248 Parks and Recreation Department Monthly Report - July, 2018

Attachments: Parks and Recreation Monthly Report July 2018

CD 18-251 Windham Public Library Monthly Report - July 2018

Attachments: Library Monthly Report - July 2018

CD 18-258 Assessing & GIS Department Monthly Report - July 2018

Attachments: Assessing & GIS Department July 2018

CD 18-260 Code Enforcement Monthly Report - July 2018

Attachments: Monthly Report for July 2018

## VII. Town Manager's Report.

CD 18-261 Town Manager's Report.

Attachments: Town Manager's Report 20180824  
Projects & Issues List 20180828  
Projects & Issues Sheets 20180828

*Tony Plante said that he and staff have been working on language for the Land Use Ordinance to update a plan review, also called a third party review as an extension of the work around Highland Lake, Highland Lake Watershed, and the Highland Lake Leadership Team. Amanda Lessard sent a draft out today after they had an opportunity to meet with engineers from Gorrill Palmer, which is the town's third party review engineer. He thinks it will be important as they go through the process of reviewing those changes to understand how the review process works, starting with the town engineer and our outside engineers for projects that are in watersheds of lakes most at risk from*

development as identified by DEP. They shared that information with Dennis Brown and John MacKinnon today; they expect to have those to the Council soon.

The Maintenance Facility Project remains on schedule despite some early challenges with steel and DEP permitting. Things are moving along.

The Interlocal Agreement and Lease with RSU #14 is nearly complete and ready for Council and RSU Board review. On the agenda next Tuesday that will be on the agenda for discussion. The RSU will have another meeting on Wednesday night, and then they are scheduled to vote on it September 19, and the Council could vote on it as early as the 25th of September.

The Planning Board considered amendments to the Land Use Ordinance with respect to sprinklers at its meeting last night. In talking with Amanda Lessard the Planning Board voted by a vote of 6-1 to recommend not approving the amendments that the Council sent, and had some other recommendations to make about requiring sprinklers in residential dwellings. He did not have all the details.

In regard to wastewater, they were going to bring back a scope of work for the next step of planning and design. He has a conference call with our wastewater engineers along with the town engineer on Thursday, and they will have something for the Council fairly soon.

He said even though they just wrapped up approving the budget for fiscal 2019, we should start thinking about the budget for 2020. They still have a draft strategic plan that should be either approved and/or modified and approved by the Council, as well as getting into capital plans. He thinks they should go through the process sometime in September or October to set the stage for the next Council.

## VIII. Committee Reports.

### A. Council Subcommittees.

#### 1. Appointments Committee.

Councilor Maxfield said they have had no meetings or interviews since their last meeting.

#### 2. Finance Committee.

Councilor Chapman said per Tony's suggestion, they should have a discussion next month.

### B. Other Committees.

#### 1. Long Range Planning Committee.

Tony said they are working on getting meeting minutes up for review.

#### 2. Parks & Recreation Advisory Committee.

Councilor Cummings said that on either September 20 or 24 will be the first Town Hall meeting when it comes to the Community Center Adhoc. They were

*talking possibly about going Facebook live before the Planning Board meeting. They had their sitewalk recently for the Community Park/Skate Park.*

*The Trick or Trunk will be October 27, Dundee Park closes September 3 and Arts in the Park is October 13th. Their next meeting will be September 10.*

CD 18-250 Parks and Recreation Advisory Committee Minutes - August, 2018

Attachments: Parks & Rec Advisory Minutes August 13, 2018

3. Highland Lake Leadership Team.

*Tony Plante said the meeting for August 23 was postponed, and no date has been announced for a follow up meeting.*

4. Shared Maintenance Facility Joint Project Team.

*Tony reported on this during his Manager's report.*

5. Windham Economic Development Corporation

*Tony Plante said they have a Board meeting September 12.*

6. Mineral Extraction Committee.

*Councilor Chapman said they are meeting this Thursday, and before they have the public hearing they have DEP officials coming in for a question and answer session.*

*There is an overlay question that needs to be discussed a bit more, as some people are not happy with how it is written.*

CD 18-263 Mineral Extraction Committee meeting agenda - August 23, 2018

Attachments: MEC Agenda 2018-08-23

7. Private Roads ad hoc Committee.

*Councilor Nangle said the team met and noted that Jon Earle has been taking excellent minutes, but there is still a lot of work to do.*

CD 18-264 Private Roads ad hoc Committee meeting agenda - August 15, 2018

Attachments: PRC Ad Hoc 8-15-2018 with minutes

**IX. PUBLIC HEARINGS.**

**X. CONSENT AGENDA.**

18-156 To approve an application for a renewal motion picture theater license



submitted by Smitty's Cinema-Windham LLC at 795 Roosevelt Trail.

**Attachments:** Cover Sheet 18-156

Smitty's Motion Picture renewal

18-157 To approve an application submitted by the Lake Region Eagles Aerie #4352 located at 456 Roosevelt Trail for a renewal Special Amusement permit.

**Attachments:** Cover Sheet 18-157

Lake Region Eagles-Renwal Sp. Amuse

18-158 To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Lake Region Eagles #4352 for a renewal Liquor License.

**Attachments:** Cover Sheet 18-158

Lake Region Eagles-Renewal Liquor Lic

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

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

**Absent:** 1 - Councilor Haskell

## **XI. UNFINISHED BUSINESS & GENERAL ORDERS.**

18-151 To approve applications for property tax assistance pursuant to Chapter 112 of the Code of the Town of Windham, "Property Tax Assistance."

**Attachments:** Cover Sheet 18-151

8 2018 Participants

Chapter 112 - Property Tax Assistance ADOPTED 20171010

*Tony Plante said last October Council approved Chapter 112 of the town's ordinances a Property Tax Assistance Program, which applies to property owners and renters, at least 65 years of age who meet certain income eligibility requirements. The town put ads in local papers, information on the website, Facebook page and from that they received 79 applications by the August 1 deadline. Eleven of those did not qualify, they were all over income. The household income limit for 2017 was \$45,050, and there were twelve applicants who qualified for amounts less than the maximum benefit, because the benefit is the amount by which your taxes exceeded a certain percentage of income divided by two and could be more than \$500. There was a total reimbursement of \$31,157.*

*Councilor Nangle said he wanted to remind everyone that this program was submitted by former Councilor Nadeau, and we can actually see some real benefit to this for our residents.*

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

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

**Absent:** 1 - Councilor Haskell

## XII. Discussion Items.

CD 18-259 Sprinkler System Requirements: State Regulations and Local Ordinances.

**Attachments:** Cover Sheet CD 18-259  
Sprinkler System Requirements Memo  
Fire Prevention Code - Chapter 95 (2010)  
Fire Prevention Code - Chapter 95

## XIII. Agendas & Scheduling.

CD 18-262 Agenda Items Reports.

**Attachments:** Agenda Items Scheduled 20180828  
Agenda Items to be Scheduled 20180828  
Projects & Issues List 20180828  
Projects & Issues Sheets 20180828

*There was discussion of agendas and scheduling.*

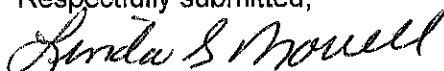
## XIV. ADJOURN.

A motion was made by Council Chair Chapman, seconded by Councilor Cummings, that they be adjourned. The motion carried by the following vote at 7:52 p.m.

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

**Absent:** 1 - Councilor Haskell

Respectfully submitted,

  
Linda S. Morrell  
Town Clerk, CCM