



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Agenda

### Town Council

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Tuesday, September 10, 2024

6:00 PM

Council Chambers

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#### I. Roll Call of Members.

#### II. Pledge of Allegiance.

#### III. Minutes to be Approved:

[CD 24-174](#) To approve the Minutes of the August 20, 2024 Council meeting.

Attachments: [Minutes-Council-8-20-2024.pdf](#)

#### IV. Adjustments to the Agenda.

#### V. Staff Announcements.

Welcome to:

- \* Madelyn Zordan, Parks & Recreation St. Joseph's College Intern
- \* Alden Fitz, Firefighter-EMT
- \* Brian Pond, Firefighter-Paramedic

#### VI. Public Participation.

*The public is invited to address the Council on any item of business not on the agenda for tonight's meeting.*

*NOTE TO CITIZENS: Citizens have the right and are encouraged to speak during public participation regarding items not on the agenda, or regarding an item when it comes up on the agenda.*

*All comments and questions during public participation or on an agenda item must be directed to the Chair and be limited to not more than three (3) minutes per speaker; except that the Chair may grant another three (3) minutes at his/her discretion.*

*Anyone who has already addressed the Council during public participation, on an agenda item, or during a public hearing will be asked to wait until all others have spoken before being recognized a second time.*

#### VII. Councilors' Comments.

#### VIII. PUBLIC HEARINGS.

[24-136](#) To receive public comment and act on proposed amendments to the Sewers Ordinance, Chapter 181 of the Code of the Town of Windham.

**Attachments:** [24-136 Cover Sheet.pdf](#)  
[Ch 181 Sewers proposed amendments PWD Draft Bat \\_2 \(002\).pdf](#)

**Legislative History**

8/20/24      Town Council      postponed

[24-147](#) To receive public comment and act on Adult Use Marijuana Stores and Medical Marijuana Caregiver Retail Stores renewal license applications for a term of one-year in accordance with Chapter 128 of the Code of the Town of Windham.

**Attachments:** [24-147 Cover Sheet.pdf](#)  
[Marijuana Store Renewal Memo & Addendums.pdf](#)

[24-165](#) To receive public comments and act on amendments to the Code of the Town of Windham Chapter 120 Land Use Ordinance, Article 3 Definitions, Article 4 District Standards, Article 8 Site Plan Review, and Article 9 Subdivision Review to the Planning Board for its review and recommendation.

**Attachments:** [24-165 Cover Sheet.pdf](#)  
[24-24\\_TC\\_MEMO\\_MiscLUO\\_091024.pdf](#)  
[24-24\\_LUO\\_Miscellaneous\\_Amendments\\_ARTICLE\\_3\\_DEFINITIONS\\_081324.](#)  
[24-24\\_LUO\\_Misc\\_Amendments\\_ARTICLE\\_4\\_ZONING\\_DISTICTS\\_081324.pdf](#)  
[24-24\\_LUO\\_Misc\\_Amend\\_Article\\_8\\_SiteWork\\_082024](#)  
[24-24\\_Misc\\_Amendements\\_Article\\_9\\_Violations\\_&Penalties\\_082024](#)

## IX. CONSENT AGENDA.

*None.*

## X. UNFINISHED BUSINESS & GENERAL ORDERS.

[24-154](#) To authorize the Town Manager to enter into a communications tower lease agreement with Bell Atlantic Mobile Systems LLC, d/b/a Verizon Wireless and take necessary action to finalize the agreement.

**Attachments:** [24-154 Cover Sheet.pdf](#)  
[Windham W ME - Tower Lease CLEAN.pdf](#)  
[Cell Phones and Cell Towers Articles\\_opt.pdf \(10MB\)](#)

[24-156](#) To award a bid to HP Fairfield for the purchase of a budgeted 2024 Trackless Sidewalk Tractor and related attachments (PW-2024-005) at cost of \$238,151 to be paid with a lease purchase agreement as budgeted in the debt service new leases account 19500-47531.

**Attachments:** [24-156 Cover Sheet.pdf](#)  
[B Morin Memo Purchase of Sidewalk Tractor.pdf](#)

[24-171](#) To authorize the Town Treasurer to negotiate the terms of an equipment purchase and the financing of said purchase through an Equipment Lease Purchase Agreement for an estimated amount not to exceed \$915,000, plus interest and inflation, as well as the maturity date and other terms and conditions of the equipment purchase and financing of said purchase with the vendor and financial institution the Treasurer deems appropriate; and to award the Equipment Lease Purchase Agreement to such financial institution as the Treasurer deems to be in the best interests of the Town for the following budgeted items: 1) Public Works Dump Truck #9 (PW-2025-002) and related plowing equipment, 2) Public Works Non-CDL Rated Dump Truck (PW-2024-006) and related plowing equipment, 3) Public Works Trackless Sidewalk Tractor #24 (PW-2024-005) and related equipment, 4) Public Works One Ton Pickup replacement for Pickup #99 (PW-2028-003).

**Attachments:** [24-171 Cover Sheet.pdf](#)  
[Equipment to be Leased.pdf](#)

[24-158](#) To award a bid to Autotronics for the purchase of 2024 Spencer Fire Apparatus Freightliner Pumper-Tanker (FR-2024-001), at a cost of \$586,719 to be paid by a general obligation bond as budgeted in the debt service new leases account 19500-47531.

**Attachments:** [24-158 Cover Sheet.pdf](#)  
[Memo - FR-2024-001 Engine 25 replacement.pdf](#)  
[Copy of Tanker-Pumper Bid Review .pdf](#)  
[FY 2025 Pumper-Tanker RFP.pdf](#)

[24-160](#) To authorize the addition of various assigned fund balance amounts to the fiscal 2024-2025 budget accounts.

**Attachments:** [24-160 Cover Sheet.pdf](#)  
[Assigned Fund Balance June 30, 2024.pdf](#)

[24-161](#) To appoint Marge Govoni to a three-year term on the Human Services Advisory Committee, to expire May 15, 2027.

**Attachments:** [24-161 Cover Sheet.pdf](#)

- [24-162](#) To appoint Joyce Onafowokan to a three-year term on the Human Services Advisory Committee, to expire May 15, 2027.
- Attachments:** [24-162 Cover Sheet.pdf](#)
- [24-163](#) To appoint Christina Fay to a three-year term on the Human Services Advisory Committee, to expire May 15, 2027.
- Attachments:** [24-163 Cover Sheet.pdf](#)
- [24-164](#) To appoint Kayla Desmond to a three-year term on the Parks & Recreation Advisory Committee, to expire August 15, 2027.
- Attachments:** [24-164 Cover Sheet.pdf](#)
- [24-168](#) To authorize the transfer of \$3,375 from general contingency account 19910-43100 to the property tax assistance program account 18300-46930 and allow the Town Manager to make additional transfers within the next sixty (60) days, if need be, for seniors who may qualify for this assistance.
- Attachments:** [24-168 Cover Sheet.pdf](#)
- [24-169](#) To authorize the Town Manager to approve qualifying applications for additional for senior property tax assistance for the next 60-days and process from property tax assistance program account 18300-46930 as needed.
- Attachments:** [24-169 Cover Sheet.pdf](#)
- [24-172](#) To appoint a voting delegate and an alternate voting delegate to the Maine Municipal Association annual business meeting.
- Attachments:** [24-172 Cover Sheet.pdf](#)  
[MMA Annual Business Meeting and Voting Credentials.pdf](#)

## **XI. Council Correspondence.**

[CD 24-172](#) FOAA Status Report.

**Attachments:**

[D StPeter property with liens 8.19.2024.pdf](#)  
[Reply to H Rumbach by Phone and Mail 8.20.2024.pdf](#)  
[Construction Summary Bid Results 8.22.24.pdf](#)  
[OhmEnergyResearch Contractor Info Response 8.22.2024.pdf](#)  
[Napolitano Town Clerk FOAA Response 8.29.2024.pdf](#)  
[Day Sept 3 Spec Mtg FOAA Response 8.29.2024.pdf](#)  
[Napolitano Emails to Windham Eagle 9.3.2024.pdf](#)  
[Code Response to same FOAA request.pdf](#)  
[LCS Inc Fire-Rescue Records 9.5.2024.pdf](#)  
[LCS Inc Code Records 8.15.2024.pdf](#)

[CD 24-175](#) Junkyard Reports.

**Attachments:**

[Junkyard Renewal Inspection Memo.pdf](#)

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

**XIII. Committee Reports.**

**A. Council Subcommittees.**

1. Appointments Committee.
2. Finance Committee.
3. Ordinance Committee.

**B. Other Committees.**

1. Long Range Planning Committee.
2. Parks & Recreation Advisory Committee
3. Windham Economic Development Corporation.
4. Highland Lake Leadership Team.
5. Natural Resources Advisory Committee.
6. Greater Portland Council of Governments (GPCOG).

7. ecomaine.

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

[CD 24-143](#) Proposed Short-Term Property Rental Ordinance - GPCOG Model Ordinance.

**Attachments:** [Windham STR Memo.pdf](#)  
[Windham STR Presentation.pdf](#)

[CD 24-161](#) Growth Permit Ordinance - Growth Permit Ratios.

**Attachments:** [24.08.08 OUTLINE Proposed Amendments to GMO.pdf](#)  
[Memo Growth Ordinance.pdf](#)  
[Housing Permit History.pdf](#)  
[Windham Growth 1 3 2024 bat.pdf](#)

[CD 24-110](#) Department Videos Produced by Communications Director.

Finance Office - Dir. Susan Rossignol

[CD 24-115](#) Axis GIS Presentation.

[CD 24-167](#) Community Survey.

**Attachments:** [Town of Windham Survey.pdf](#)

[CD 24-144](#) Ordinance Committee Process.

**Attachments:** [Ordinance Committee Process.pdf](#)  
[Land Use Ordinance Amendment Process.pdf](#)

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

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