



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Town Council

Tuesday, May 27, 2025

6:00 PM

Council Chambers

I. Roll Call of Members.

Councilor Jones was called in to work.

Present: 5 - David Nadeau, Nicholas Kalogerakis, Mark Morrison, William Reiner and Jarrod Maxfield

Absent: 2 - Brett Jones and John Henry

II. Pledge of Allegiance.

Council Chair Maxfield led the Pledge of Allegiance.

III. Minutes to be Approved:

[CD 25-112](#) To approve the Minutes of the May 13, 2025, Council meeting.

Attachments: [Minutes-Council-5-13-2025.pdf](#)

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

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

Absent: 2 - Councilor Jones and Councilor Henry

[CD 25-113](#) To approve the Minutes of the Special Meeting - Executive Session of the Council held on May 13, 2025.

Attachments: [Minutes-Sp. Mtg.-Council-5-13-2025.pdf](#)

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

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

Absent: 2 - Councilor Jones and Councilor Henry

IV. Adjustments to the Agenda.

VI. Public Participation.

Peter Mailey on 7 Spirit Meadow Lane said they have an issue with a neighbor. The week the neighbor moved in he built a motor cross park in back of the pond that they share.

That pond is contiguous with a wetland behind it, and he built it right in the wetland. He has been to see the Code Officers who came out to look at it, and they said it was fine. This track is incredibly noisy and they have contacted the Chief of Police a couple of times; he has also contacted the DEP. Peter said they have dammed off the whole wetland that is behind their property and now it is draining onto Peter's property. He has made recordings of the noise they make, which he shared, and handed out pictures of the motor cross track. He said the track is bringing in neighbors and they join in. He said his mom has lived there for five years and it had always been very pleasant until this happened. He said all this noise makes him and his mom anxious.

Bill Hayes on 55 Brand Road said the track is directly behind his house. It took the neighbor all of five days to bring in an excavator and dig out the whole backyard. It takes up the entire property, the pond, the motor cross track and the trailer they live in. He has heard from other immediate neighbors who said he is completely unwilling to speak to anybody about it. Bill bought the land four years ago and built his house on it. Everyone has been very nice and he was welcomed by everyone and now their lives have been turned upside down. His property value has been hurt by this. Who in their right mind would buy a home with a motor cross track in the back? He said take the loudest chainsaw you have ever heard and multiply it by five times that.

Barbara Mailey said one of the first things she did addressing this problem was go to the Code Office and explained what had happened. They dug up the wetland, and she asked the Code Enforcer if someone had to have a permit to dig a hole? This man did not have a permit; he moved in on a Sunday and on Tuesday he brought heavy equipment in and started to dig. The abutters on the other side are now putting their house up for sale because they cannot stand it. This neighbor told her that it was his land and he can do whatever he wants on it. She said that is very disrespectful of the neighbors around him. Thank you.

Closed public comment.

VII. Councilors' Comments.

Councilor Morrison read the following:

Thank you to the Field Allen American Legion Post 148 of Windham for organizing the Memorial Day parade and all of the volunteers who helped organize and participate in the parade and the Memorial Day ceremony. Thank you to the Fire and Rescue department and their many bright clean and shiny fire and rescue vehicles, which were part of the parade. Thank you to the Police and Public Works department and the volunteers for assisting with the traffic safety along the parade route and who also had a few of their shiny vehicles participating in the parade. Thank you to the parade participants - the high school basketball championship team along with the coaches, the high school band, the Veteran dignitaries, speakers, Chaplain and Color Guard. Thank you to the Girl Scout and Boy Scout troops, as well as the State Senate and Congressional representatives who represent Windham in Augusta. And thank you to those responsible for having a new flag present at the Veteran Memorial in front of the High School, everything looked great.

We enjoy our freedom, liberty and prosperity because we have men and women who serve in our military to defend our country from our enemies. Memorial Day is about remembering those who died while serving.

So I want to say thank you to all the veterans who served, and a deep heartfelt thank you to the men and women who lost their lives while serving, and thank you to all the gold star families for their tremendous sacrifice as well.

So, on the next Memorial Day, when you are with your family and friends at a backyard BBQ, enjoying a hamburger and cold beer, please take a moment to pause and remember. Give thanks to the soldiers who made your backyard BBQ possible, and make it a Happy Memorial Day.

Councilor Reiner said he thinks that tonight is the graduation night for the Windham Adult Education people. Congratulations to all who are graduating.

Councilor Nadeau said that is one of the nicest graduations we have.

Councilor Maxfield thanked the people who came in to speak about the motor cross track. He said, unfortunately, there is not much they can do, and what they are doing is what needs to be done. Stay involved, stay active and get as many neighbors as you can to document, contact the police and make sure they are documenting as well. It does talk about excess noise that leaves the property boundary.

VIII. PUBLIC HEARINGS.

25-090

To receive public comment and act on proposed amendments to Chapter 120 Land Use Ordinance of the Code of the Town of Windham, Article 3 Definitions, Article 5 Performance Standards, and Table 2 in Appendix B, designating Veterans Memorial Drive as a Controlled Access Street, which is consistent with the goals and objectives of the Comprehensive Plan.

Attachments: [25-090 Cover Sheet.pdf](#)

[25-10 TC MEMO LUO](#)

[Amendments ControlledAccessStreets 052025.pdf](#)

[25-10 LUO Redline Amendments ControlledAccessStreets 052025.pdf](#)

No public comment.

Councilor Maxfield said this is on the new access road coming in, and this limits access every 300 feet from another access point.

Assistant Manager Burns said that Councilor Henry, at the last meeting, asked if there was a waiver to this? This is not a waivable item, it is a restriction, and would be handled with a service road through an adjacent property, should somebody find themselves in that circumstance.

Steve Pulio Planning Director said it is required under site plan and subdivision that any development needs to provide road connections to the abutting land. If there is a property outside of the controlled access, because one property came in and established it, and the next 300 feet was on another property, that particular subdivision or site plan would have to provide an access road connecting that abutting property that does not have access to the controlled street.

Councilor Maxfield said right now the way we are doing things in North Windham, we are requiring things to be pretty much up against the road. Steve said that is true, but this access road would serve as frontage for that particular property. Councilor Maxfield asked if we are making sure that projects will be set back far enough. Steve said, yes, it would have to part of the approved plan.

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

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

Absent: 2 - Councilor Jones and Councilor Henry

IX. CONSENT AGENDA.

X. UNFINISHED BUSINESS & GENERAL ORDERS.

25-019

To decommission the Human Services Advisory Committee and to express the Council's profound gratitude and appreciation on behalf of the town and its residents for the work of the committee and all of its members.

Attachments: [25-019 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 Kalogerakis, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

Absent: 2 - Councilor Jones and Councilor Henry

25-050

To accept the resignation of Mr. Barry Tibbetts, his contracted term of service as Town Manager to end June 30, 2025, and approve an amended employment agreement for his transition to the duties of Projects Manager until December 31, 2025.

Attachments: [25-050 Cover Sheet.pdf](#)

[Barry Tibbetts Resignation Letter.pdf](#)

[Amended Employment Agreement - Tibbetts Final.pdf](#)

[Projects Manager job description.pdf](#)

Councilor Reiner moved to amend the end date from December 31, 2025 to January 2, 2026, moved and seconded by Councilor Morrison.

Vote on amendment:

In Favor: 5

Absent: (Henry & Jones)

Councilor Maxfield thanked Barry for his service. He appreciates that he was here for five years. Windham was in a transition period, we were on the heavy hunt for a Town Manager and we couldn't get people to take a chance on us, and you did. You have been energetic and full of ideas. He thinks that, for a long time, we were not moving much, but you were a critical thinker and outside of the box thinker and you seem to know every grant process, T.I.F.'s, and bonds to help leverage our tax payers into getting as much as we can get out of a dollar. Thank you.

Councilor Nadeau said he remembers showing him a shelf that had lots of documents on it, and those documents had sat on that shelf for years and years. You started working on those, and the majority of them are all done now, which would never have been done.

You have done most of them and at a minimal cost to the town, because we used grants or T.I.F. monies, and your creative way of layering bonds. He said he owed him a whole lot of gratitude. Thank you for all you have accomplished for this town.

The Manager said he very much enjoyed working with the Council.

Councilor Morrison said it has been a pleasure to work with him, and he has done an amazing amount of work in those five years. He has moved us forward and has been a good steward of our resources and with his out of the box thinking; it has been fantastic and critical in doing these projects in such a way that has minimal impact to our tax payers through the creative use of T.I.F.s. Thank you so much, a job well done!

Councilor Kalogerakis said we had a hard time finding somebody, one person even came from another country for an interview. We had some difficult times in the town, and Barry came in and laid it all out with professionalism. He said he remembered his interview and fifteen minutes into it, he was so excited hoping Barry would take this position. You have brought a lot of experience here. We don't have a town center so we can't name a park after you but maybe a boulevard some day.

You brought in Mr. Burns, and you made sure a great leader always trains his replacement and doesn't leave the place he's leaving in a bad place. This transition will be much smoother than the last time we lost a Manager. Thank you.

Councilor Reiner said he appreciates the fact that Barry has worked with him on the Council and helped him move along. The town is in a good financial place and Bob has been trained well to step up. He appreciates that he will stay on for six more months in a support role to help keep things moving along. It is appreciated.

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

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

Absent: 2 - Councilor Jones and Councilor Henry

25-051

To appoint Mr. Robert Burns to serve as Town Manager beginning July 1, 2025, and approve the contract agreement between he and the Town.

Attachments: [25-051 Cover Sheet.pdf](#)
[RJB Contract Final.pdf](#)

Councilor Maxfield said Windham is very lucky that you came onboard to help Barry as the Assistant Manager. We all agree that you are the right person for the job, and he thinks it is the perfect transition for the town. He said they have done a lot of big ideas in the last couple of years, and he doesn't think we have a lot of room for too many more big ideas, just get into logistics and execution mode. He thinks Bob will be great for the town. Congratulations.

Councilor Morrison said he has a tremendous amount of confidence in him, and it is a great to have a six month transition period, and it will be very helpful as Barry exits. You will do a great job and he looks forward to working with him.

Councilor Reiner said he appreciates him taking the position and he has probably been approached by other towns; there are so many open positions all over the State.

Councilor Kalogerakis said the day is here. Congratulations, you are going to do well, and we are happy you are here.

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 Kalogerakis, Councilor Morrison, Councilor Reiner and Council Chair Maxfield

Absent: 2 - Councilor Jones and Councilor Henry

25-060

To appoint Ben McCall, formerly of Jensen Baird, as interim Town Attorney at Drummond Woodsum and authorize the Town Manager to take necessary action to execute that contract.

Attachments: [25-060 Cover Sheet.pdf](#)
[2025 Town of Windham Engagement Letter.pdf](#)

Manager Tibbetts said in this Order and the next Order the word "Interim" needs to be deleted out of there.

Councilor Nadeau moved to remove the word "Interim" from Order 25-060, seconded by Councilor Morrison. Barry explained when they originally talked about this they were thinking of doing a short-term Interim, but the way Drummond & Woodsum works and what we want to have is a permanent town attorney in a contract basis. This would also be for the appointment for Alyssa Tibbetts as well.

Barry explained that Jensen Baird decided to close their Municipal operation because a number of their folks were retiring and moving into different disciplines, so the Municipal practice by them closed its doors the end of April. Ben, who had previously been with Jensen Baird, and who was our primary contact for all of our land use, zoning and general questions, and Alyssa Tibbetts (no relation to Barry) has done all our financing, T.I.F.'s and bonds. They decided to stay with the two experts and it made a lot of sense to make this jump.

Vote on Amendment

In Favor: 5

Absent: (Henry & Jones)

Ben McCall said the town is trying to maintain the same legal coverage as it had before. He had worked closely with Mark Bower on a number of municipalities, including Windham. Mark is an Assistant Attorney General with the State of Maine and no longer practicing Municipal Law. Ben said he has worked with Bob and Barry over the years and looks forward to continuing that relationship with this Council and town staff.

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

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

Absent: 2 - Councilor Jones and Councilor Henry

25-075

To appoint Alyssa Tibbetts, formerly of Jensen Baird, as interim Town

Attorney for financial, TIF and bonding legal services and authorize the Town Manager to take necessary action to execute that contract.

Attachments: [25-075 Cover Sheet.pdf](#)

[Town of Windham - Tibbetts Law Engagement Letter.pdf](#)

Councilor Nadeau moved to remove the word "Interim", seconded by Councilor Morrison.

Vote on amendment:

In Favor: 5

Absent: (Henry & Jones)

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

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

Absent: 2 - Councilor Jones and Councilor Henry

25-073

To award two \$1,500 scholarships as established and recommended by the Town Council to this year's two recipients, identified only by applicant number, to Applicant # 5 and # 24.

Attachments: [25-073 Cover Sheet.pdf](#)

Councilor Nadeau said this was extremely hard and a difficult decision. There are so many good and talented young adults out there.

Councilor Morrison said the number of applicants were top quality, and it was very difficult, and the difference between them was razor thin. It is a testament to the high school for doing great work over there. Kudos to the staff and administration.

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

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

Absent: 2 - Councilor Jones and Councilor Henry

25-089

To appoint Patrick Roberts to the Planning Board alternate seat for a three-year term to end February 15, 2028.

Attachments: [25-089 Cover Sheet.pdf](#)

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

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

Absent: 2 - Councilor Jones and Councilor Henry

25-093

To authorize the town manager to approve the extension of the street opening permit period for the Portland Water District's Chute Road

Construction Project, which will occur during the winter months of 2025-2026, to build the Chute Road water main as a primary water transmission line connecting the Wards Hill Pump Station on Wards Hill Road in Gorham to the new one-million-gallon water storage tank on Falmouth Road in Windham to enhance the reliability and capacity of the public water system.

Attachments: [25-093 Cover Sheet.pdf](#)
[Map of Work Area.pdf](#)

Assistant Manager Burns explained that this is a request that the Water District had of the town in our streets and sidewalks ordinance; it is restricted to excavate past December 1st. They are looking to install this waterline through the winter on Chute Road. This is somewhat different than what the town has experienced in the past. He said there is a provision in the ordinance that would allow it, and it does indicate that the town officials may make that decision.

Carl Jacobson from the Portland Water District said the Chute Road project will connect over to the new tank at the East Windham Conservation. They bid this project out and the only question from the contractor's was the availability of winter work. The contractors were more interested if they could have their crews start later in the year and work as long as possible.

The project is from River Road and Depot St to Albion Road and Pope Road along Chute Road. It is about 13,500 feet, and they are installing 16" water main along that length. It is a long project and will take a full construction season.

People can connect but they do not have to. There is an option to connect, and the district has a policy if individuals along the route who have frontage on the road, want to connect they can pay a fee to get the water to their house. They can do it after the fact, but it is more practical to connect as they are going along.

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

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

Absent: 2 - Councilor Jones and Councilor Henry

XI. Council Correspondence.

[CD 25-110](#) FOAA Status Report.

Attachments: [Construction Summary Response 5.12.25.pdf](#)
[NAPC Response 5.12.25.pdf](#)
[Dodge Construction Response 5.12.25.pdf](#)

[CD 25-111](#) Windham Social Media Statistics.

Attachments: [Facebook Statistics Late April to Mid-March .pdf](#)

[CD 25-117](#) Substance Prevention Grant Final Report.

Attachments: [Student Council RSVP Student Summit Training.pdf](#)

XII. Town Manager's Report.

Manager Tibbetts reported on the following:

Captain Jason Andrews retired last Thursday, May 22nd. There was a very nice celebration for him at the high school.

The Annual Town meeting is June 14 at 10:00 a.m. here at the Town Hall gym.

The Delegated Review is about to be submitted and going to DEP so they can work through approvals for local business who want to develop here in Windham.

On June 3 the Town Hall Office will be closing at noon for an appreciation luncheon for volunteers and town staff, and he invited all of the Councilors to join them. This will be held at Dundee Park.

XIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

Councilor Morrison said they met tonight and will be moving some people along to the next meeting.

2. Finance Committee.

No report.

3. Ordinance Committee.

Councilor Nadeau said it will be talked about in the Discussion portion.

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).

Councilor Maxfield said they have not met, but they have their annual meeting at St. Joe's on Thursday.

5. ecomaine.

Assistant Manager Burns said they met and had a Finance Committee meeting and a Board meeting. They nominated him to be on the Executive Committee.

6. Windham Middle School Repurpose Advisory Committee.

Manager Tibbetts said they had a meeting last Tuesday, and the Committee shared different things they have been thinking about. Over the summer the Library will look at their current space and see how their operation will fit within the new building, potentially. They will also do a pros and cons list which will report back to the full committee in September. The same thing will occur with Parks & Rec, and then one of the residents at that meeting also thought they should think about where the school is so big, and whether the Library does or does not go there, then maybe the Town Offices move there. They will do that same exercise with staff here.

Great Falls and the architectural team will come back with a couple potential facades of what that building might look like and what the interior might be for their September and October meetings. The hope is by the end of November/December they will have a good idea of what they want to see for final activities in that building.

XIV. Discussion Items.

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

CD 25-104 Highland Lake Leadership Team Update.

Attachments: [Highland Lake Leadership Team 2024 Windham Update \(PDF\).pdf](#)

CD 25-115 Per-Diem Regional Response Paramedic Pilot Program.

Attachments: [Chief Libby Summary](#)

CD 25-047 Sidewalk Impact Fees.

Attachments: [TC MEMO SidewalkImpact Fee Discussion 052225.pdf](#)

CD 25-114 Discussion about Town Charter, Article 8.

Attachments: [Charter, Article 8 - The Town Meeting.pdf](#)

CD 25-016 Growth Ordinance Amendments.

Attachments: [Chapter101 Growth SummaryProposedChanges 052125.pdf](#)

XV. Agendas & Scheduling.

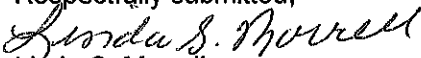
XVI. ADJOURN.

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

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

Absent: 2 - Councilor Jones and Councilor Henry

Respectfully submitted,


Linda S. Morrell
Town Clerk