



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Town Council

Tuesday, November 13, 2018

7:00 PM

Council Chambers

Swearing In of Councilors-Elect

Town Clerk Linda Morrell swore in Timothy Nangle for the West District Seat and David Nadeau for the At-Large seat; both are 3 year terms to expire in November 2021.

I. Roll Call of Members.

Present: 7 - David Nadeau, Tim Nangle, Bob Muir, Jarrod Maxfield, Donna Chapman, Clayton Haskell and Rebecca Cummings

II. Pledge of Allegiance.

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

III. Minutes to be Approved:

CD 18-360 To approve the Minutes of the October 9, 2018 Council meeting.

Attachments: Minutes-Town Council-10-9-2018

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

In Favor: 7 - Councilor Nadeau, Councilor Nangle, Vice Chair Muir, Councilor Maxfield, Council Chair Chapman, Councilor Haskell and Councilor Cummings

IV. Public Participation.

Karen Lougee on Cobb Farm Road - (See attached, and petition submitted is on file with the Clerk)

Dennis Brown on Pond Villa handed a graph to the Council from information that was gleaned on Saturday from the Long Range Planning Committee meeting. He gave statistical information on the growth of the town since 1980 to current. He also talked about the town's zoning and the maps in the downstairs hallway. He feels it very crucial that the town take a look at zoning in town.

Mickey Vansummem spoke about the dangers with our lakes and water quality.

Caroline Casals spoke about the excellent workshops on Wednesday and Saturday about growth in Windham. She says everyone who is involved in this complex problem needs time to come up with better options, and nobody is happy with the current rule set as it is. She, too, asked for a 180 day moratorium to buy some more time.

Michelle Newton on Cobb Farm Road said people are shocked that we are on target for

I am here representing a group of residents who are very concerned over the unprecedented growth that is taking place in Windham. The Long Range Planning Committee stated last week that growth is inevitable and Windham needs to be prepared. We agree that residential growth will come but we believe that it must be managed in a responsible manner so that the Town is not overwhelmed with growth it cannot afford. While we appreciate the work the Long Range Planning Committee has done, we believe allowing an unlimited amount of residential homes to be built is not fiscally responsible and does not maintain the rural character of Windham.

Members of our group were present at the Polls on election day to speak with as many Windham residents as possible regarding their concerns on growth.

The common concerns voiced over and over again are:

- There are too many homes are being built too fast;
- Building is not taking place in the designated growth areas;
- What is the impact of too much growth on our schools, which are already over crowded;

Farm Residential Zone. Blasting near these schools would be as unwelcome as it is near Forest Lake;

- Windham does not have the infrastructure to support the projected amount of growth;
- Growth will change the rural community in Windham to residential and Windham will lose its unique rural character.

We are not against growth in Windham but believe it should be done in a responsible, measured manner. Tonight we would like to present the Town Council with a petition signed by 334⁸ residents requesting a committee be initiated to research and draft a growth ordinance that would complement and reinforce the goals of the Comprehensive Plan to keep Windham a rural community and create a balance between land owners' rights and the obligation of the Town to be prudent in their planning. We are also encouraging the Town Council to adopt a temporary 180-day moratorium on the issuance of building permits. To move ahead with the issuance of the unprecedented number of building permits before it is determined whether Windham can sustain that amount of growth would be irresponsible. We are

hoping you, as our Town Councilors, will take the necessary step of protecting Windham from a potential tsunami of sub-divisions and new homes that will push the Town and all its residents (old & new) into a situation they cannot afford.

Madame Chairman: May I approach and present our petition to you?

300+ new building permits this year. She forwarded an article to the Council from The New York Times from 1986 that ran an article on growth concerns here in Windham Maine, and 30 years later we are still kicking the can down the road. She emailed the Council with some preliminary findings she found regarding other towns and what they have done regarding growth ordinances.

James Schreffler on Gray Road said he came to speak in favor of the temporary moratorium on development. He has lived all over New England and he finds Windham amazing. He is hoping the Council will vote in favor of the 180 day moratorium.

Jeannie Ryan at Chute Road shared some maps of Windham and spoke about the growth that is happening in Windham.

V. Councilors' Comments.

Councilor Nangle said their job is to listen to the people, but said he is struggling with a moratorium, he feels it is a blunt instrument even though they have done a few times recently. He would like to have the Planning Department come in to discuss it a workshop. He thanked the VFW for the invitation to the Veteran's Day celebration. It was a great presentation and a very respectful commemoration of Veteran's Day. Councilor Nangle also congratulated Tony Plante on his new job working for GPCOG.

Councilor Maxfield wanted to send thoughts and prayers to the young man who lost his life this morning in a car accident on Route 115. He urged people to pay attention. He thanked the voters who came out and voted on Election Day. He said it was amazing the job that the Clerk did along with her volunteers and staff, it was quite a job to keep track of everybody who went through the gym that day. He also attended the VFW celebration, and if anyone has a chance next year, it is so important for the people of Windham to fill up that hall. He also congratulated Tony Plante on his new position with GPCOG, and said GPCOG is lucky to have him. Councilor Maxfield congratulated Councilor Nangle and Councilor Nadeau on their election.

Councilor Nadeau thanked the voters and said he was amazed at the young people who came out to be a part of it. He apologized to the VFW, he was invited but he could not be there, as he had other commitments. Councilor Nadeau also responded to several comments that had been made during public participation.

Councilor Muir agreed that growth needs to be looked at. He said they would look at all the things that had been mentioned when they have some workshops.

Councilor Haskell said he has probably been in this town longer than anyone else on the Council. He gave some history on ordinances and zoning. He said he does not believe in moratorium, he does not think it is the right way to do it.

Councilor Cummings said she is agreeing with everyone else. She has asked for them to slow down and take one ordinance at a time and deal with it thoroughly. She said she is not opposed to moratorium when there is an emergency.

Councilor Chapman said she has been concerned about the growth for awhile now with what has been happening all around, and she is not against capping permits for a little bit. She agrees with the sewer issue, they have to start someplace.

VI. Council Correspondence.

CD 18-361 Windham Public Library Newsletter

Attachments: Check It Out - November 2018

CD 18-358 Windham Public Library Monthly Report - September 2018

Attachments: Library Monthly Report - September 2018

CD 18-359 Department of Public Works Monthly Report - September 2018

Attachments: September 2018 Mission Success Measurement Table
Monthly Report - September 2018

VII. Town Manager's Report.

Don Gerrish Interim Town Manager gave an update on the Public Works Building. He said we borrowed the \$9.3 million the first week of November, and they have a signed agreement with the RSU on the use and the sharing of the cost.

Relative to the garage the steel is up, outside siding is on, the roofing is weather tight and they are working on the inside, and the office area is coming along. Time wise it looks like the garage should be done around the first of February and the office space possibly the first week of March.

They previously talked about having an appraisal done of the South Windham Fire Station, and it has been difficult finding an appraiser as they are booked 3 months out. They decided to look at a different way of doing it; they are going to get an appraisal by two or three different real estate agents to get an idea and that will speed things up. They are also able to use money from the grant to pay for these.

VIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

No report.

2. Finance Committee.

Have not met yet, but they need to.

B. Other Committees.

1. Long Range Planning Committee.

Councilor Haskell said they met Wednesday and Saturday to get more input on the long range planning. They are going to try to come up with a semi solution to bring something back to the Council.

2. Parks & Recreation Advisory Committee.

Councilor Cummings said they are meeting this Thursday the 15th.

3. Highland Lake Leadership Team.

Councilor Chapman said they have not met recently but she thanked the Highland Lake Association. They did their work and they came in under budget, and she said she has never had a non-profit want to give money back. She commends the group for turning money back to the town.

4. Shared Maintenance Facility Joint Project Team.

Manager reported on this in his report.

5. Windham Economic Development Corporation

No report.

6. Mineral Extraction Committee.

Councilor Chapman said they are basically done and waiting for the changes to come back to the Council.

7. Private Roads ad hoc Committee.

Councilor Nangle said they met a couple weeks ago, and they have made all the recommendations. The Planning Director and Code Enforcement Director have all the recommendations and they have been sent to the town attorney for review. A public forum will probably be after the first of the year.

IX. PUBLIC HEARINGS.

X. CONSENT AGENDA.

XI. UNFINISHED BUSINESS & GENERAL ORDERS.

18-203 To accept nominations for and elect a Chairman of the Town Council.

Attachments: 18-203 Cover Sheet

Council Rules

Councilor Muir nominated Councilor Haskell.

Councilor Maxfield nominated Councilor Nangle.

Vote for Councilor Haskell: 4-3 (opposed-Maxfield, Nadeau, Nangle)

18-204 To accept nominations for and elect a Vice-Chairman of the Town Council.

Attachments: 18-204 Cover Sheet

Council Rules

Rosie hartzler of Beach Road said she was very concerned about what she just saw, and no disrespect to Mr. Haskell, but she did not see him at the meeting on Saturday. Councilor Haskell said he attended the meeting on Wednesday evening, he could not make Saturday. She said during the past year almost every issue that impacted highland Lake, Councilor Haskell voted against it; she is very worried.

Councilor Maxfield said he would accept and relish the opportunity to be the Vice Chair.

Councilor Nangle nominated Councilor Maxfield.

Councilor Muir nominated Councilor Cummings.

Vote for Councilor Maxfield: 3-4 (opposed-Chapman, Cummings, Haskell, Muir) - fails

Vote for Councilor Cummings: 4-3 (opposed-Maxfield, Nadeau, Nangle)

18-205 To accept nominations for and elect a Parliamentarian of the Town Council.

Attachments: 18-205 Cover Sheet

Council Rules

Councilor Maxfield nominated Councilor Chapman.

Councilor Chapman nominated Councilor Muir.

Councilor Chapman respectfully declined the nomination.

Vote for Councilor Muir: 4-3 (opposed-Maxfield, Nadeau, Nangle)

18-206 To accept nominations for and appoint a Finance Committee.

Attachments: 18-206 Cover Sheet

Council Rules

Councilor Muir nominated the Council as a whole.

Councilor Maxfield said last year with an entire Finance Committee, compared to past years was not productive, it took way too much time, they did not do a great job. He suggests they have three or four people on the committee.

Councilor Nangle said scheduling the entire Council was difficult as well. Councilor Muir said they had three different budgets come through due to the new MUNIS system and it was not anybody's fault and it was new software and getting used to it, that is what made it difficult.

Councilor Nadeau said he would like to see them go back to the way they did it in the past. The budget before this last year sailed through and any questions were answered. He thinks it is a logistical nightmare to have the whole Council. Councilor Chapman said she would agree with Councilor Nadeau because even with the smaller group, it will come back to the full Council anyways.

Councilor Muir withdrew his motion.

Councilor Nangle nominated Councilor Nadeau
Councilor Maxfield nominated Councilor Nangle
Councilor Nadeau nominated Councilor Maxfield

Vote: 6-1 (opposed-Muir)

18-207 To accept nominations for and appoint an Appointments Committee.

Attachments: 18-207 Cover Sheet

Council Rules

Councilor Nangle nominated David Nadeau and Jarrod Maxfield.

Councilor Chapman nominated Rebecca Cummings.

Councilor Muir nominated Councilor Chapman.

Councilor Maxfield nominated Councilor Nangle.

Councilor Nangle declined and Councilor Nadeau declined.

Vote for Councilors Chapman, Cummings and Maxfield: 7-0

18-208 To accept nominations for and appoint two representatives to the Windham Economic Development Corporation board of directors.

Attachments: 18-208 Cover Sheet

Council Rules

Councilor Maxfield nominated Councilor Nangle

Councilor Nangle nominated Councilor Maxfield

Councilor Maxfield nominated Councilor Nadeau

Vote for Councilor Nangle: 6-1 (Muir)

Vote for Councilor Maxfield: 6-1 (Muir)

18-209 To appoint a Council representative to the Public Easement Advisory Committee/Roads Policy Task Force.

Attachments: 18-209 Cover Sheet

Public Easement Advisory Committee

Councilor Chapman nominated David Nadeau.

Vote: 6-1 (Muir)

18-210 To appoint a Council representative to the Private Roads ad hoc Committee.

Attachments: 18-210 Cover Sheet

Private Roads ad hoc Committee DRAFT 20180502

Councilor Maxfield nominated Councilor Nangle.

Vote: 7-0

18-211 To appoint a Council representative to the Parks and Recreation Advisory Committee.

Attachments: 18-211 Cover Sheet
Parks and Recreation Advisory Committee

Councilor Nangle nominated Councilor Muir.

Councilor Muir nominated Councilor Cummings.

Councilor Muir declined.

Vote for Cummings: 7-0

18-212 To appoint a Council representative to the Wastewater Management Planning Advisory Committee.

Attachments: 18-212 Cover Sheet
Wastewater Management Planning Advisory Committee Charge
20131219

Councilor Maxfield nominated Councilor Nadeau:

Vote: 7-0

18-213 To appoint a Council representative to the Highland Lake Leadership Team.

Attachments: 18-213 Cover Sheet
Highland Lake Leadership Team

Councilor Muir nominated Councilor Chapman.

Vote: 7-0

18-214 To appoint a Council representative to the Natural Resources Advisory Committee.

Attachments: 18-214 Cover Sheet
Natural Resources Advisory Committee 20170912

Councilor Nangle nominated Councilor Chapman.

Vote: 7-0

18-215 To appoint a Council representative to the Mineral Extraction Committee.

Attachments: 18-215 Cover Sheet
Natural Resources Advisory Committee 20170912

Councilor Nadeau nominated Councilor Chapman.

Vote: 7-0

18-216 To appoint a Council representative to the Long Range Planning Committee.

Attachments: 18-216 Cover Sheet
Long Range Planning Committee

Councilor Nangle nominated Councilor Haskell.

Vote: 7-0

18-218 To appoint a Council representative to the Shared Maintenance Facility Joint Project Team.

Attachments: 18-218 Cover Sheet
Long Range Planning Committee

Councilor Chapman nominated Councilor Nadeau.

Vote: 7-0

Councilor Nangle moved to amend 18-218 to appoint 2 Council representatives to the Shared Maintenance Facility Joint Project Team, second by Councilor Maxfield.

Vote on amendment: 7-0

Councilor Nadeau nominated Councilor Nangle
Councilor Nangle nominated Councilor Nadeau

Vote: 7-0

18-230 To nominate District 26 representatives to the Maine Municipal Association's Legislative Policy Committee.

Attachments: 18-230 Cover Sheet
MMA LPC Election 2018-2020

Councilor Chapman nominated Councilor Nangle.

Vote 7-0

XII. Discussion Items.

XIII. Agendas & Scheduling.

CD 18-363 Agenda Items Reports.

Attachments: Scheduled Items 11.9.18

Items Not Yet Scheduled 11.9.18

Councilor Maxfield

Review Council Rules

Charter

Ethics update

Schedule Council Orientation

Review goals for the year

Councilor Chapman

Hopes everyone can make a Saturday meeting for Orientation

Don Gerrish

Suggest they prioritize what the most important things they want to focus on for coming year and work on those.

Councilor Muir

Workshop on growth issue

XIV. ADJOURN.

A motion was made by Councilor Maxfield, seconded by Council Chair Chapman, that they be adjourned. The motion carried by the following vote:

In Favor: 7 - Councilor Nadeau, Councilor Nangle, Vice Chair Muir, Councilor Maxfield, Council Chair Chapman, Councilor Haskell and Councilor Cummings

Respectfully submitted,



Linda S. Morrell

Town Clerk, CCM