



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, November 12, 2024

6:00 PM

Council Chambers

Swearing In of Councilors-Elect.

Prior to the start of the meeting the Town Clerk will administer the oath of office to those elected to seats on the Council on November 5, 2024.

I. Roll Call of Members.

II. Pledge of Allegiance.

III. Minutes to be Approved:

[CD 24-216](#)

To approve the Minutes of the October 22, 2024, Council meeting.

Attachments:

[Minutes-Council-10-22-2024.pdf](#)

IV. Adjustments to the Agenda.

We respectfully request that the Town's Attorney be allowed to conduct our annual Freedom of Access Act training following the public hearings.

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.

[24-221](#) To receive public comment and act on proposed amendments to the Taxation Ordinance, Chapter 209 of the Code of the Town of Windham, specifically to Article 1 Property Tax Assistance, to decrease the 10-year residency requirement to 5-years. [There are currently two of a possible five applications received.]

Attachments: [24-221 Cover Sheet.pdf](#)
[Criteria for participation 5 year.pdf](#)

[24-224](#) To receive public comment and act on proposed amendments to the Parks Ordinance, Chapter 150 of the Code of the Town of Windham, to better define smoking prohibitions to include vaping and expand the prohibited substances to include marijuana and other substances, as well the hunting exception including East Windham Conservation Area and other minor typographical corrections.

Attachments: [24-224 Cover Sheet.pdf](#)
[CH 150 PARKS markup.pdf](#)

[24-228](#) To receive public comment and act on a new application submitted by Connor Dufour d/b/a Big Swing Golf Sim, at 765 Roosevelt Trail, and to find that the requirements of 28-A M.R.S.A. § 653 have been met for a new Liquor License.

Attachments: [24-228 Cover Sheet.pdf](#)
[New Liquor - Big Swing Golf Sim.pdf](#)

IX. CONSENT AGENDA.

None.

[CD 24-199](#) Freedom of Access Act (FOAA) Training.

Attorney Mark Bower.

X. UNFINISHED BUSINESS & GENERAL ORDERS.

[24-182](#) To accept nominations for and elect a Chairman of the Town Council.

Attachments: [24-182 Cover Sheet.pdf](#)

[24-183](#) To accept nominations for and elect a Vice-Chairman of the Town Council.

Attachments: [24-183 Cover Sheet.pdf](#)

[24-184](#) To accept nominations for and elect a Parliamentarian of the Town Council.

Attachments: [24-184 Cover Sheet.pdf](#)

[24-185](#) To accept nominations for and appoint a Finance Committee. (The committee meets when warranted, typically bi-monthly, the hour prior to regular council meetings on the second or first Tuesdays of the month. Additional meetings may be scheduled for the budget review process.)

Attachments: [24-185 Cover Sheet.pdf](#)

[24-186](#) To accept nominations for and appoint an Appointments Committee. (The committee meets when applications are received, typically the hour prior to regular council meetings, on the 2nd and/or 4th Tuesdays of the month.)

Attachments: [24-186 Cover Sheet.pdf](#)

[24-187](#) To accept nominations for and appoint an Ordinance Committee. (Currently meets, _____)

[24-188](#) To accept nominations for and appoint two representatives to the Windham Economic Development Corporation board of directors. (Currently meets, _____)

Attachments: [Windham Economic Development Corporation](#)

[24-189](#) To appoint a Council representative to the Parks and Recreation Advisory Committee. (Typically meets at 6:00 PM on the 2nd Monday of each month.)

Attachments: [24-189 Cover Sheet.pdf](#)
[Parks and Recreation Advisory Committee.pdf](#)

[24-190](#) To appoint a Council representative to the Energy Advisory Committee. (Meetings TBD)

Attachments: [24-190 Cover Sheet.pdf](#)
[Energy Advisory Committee.pdf](#)

[24-191](#) To appoint two Councilors to the Substance Prevention Grant Committee. (Typically meets via Zoom the first Tuesday of each month at 1:00 PM if there are applications to consider.)

Attachments: [24-191 Cover Sheet.pdf](#)
[Substance Prevention Grant Committee Charge](#)

[24-193](#) To appoint both a delegate and alternate delegate to the Greater Portland Council of Governments General Assembly. (The General Assembly meeting is tentatively May 29, 2025.)

Attachments: [24-193 Cover Sheet.pdf](#)

[24-194](#) To appoint a representative and alternate representative to the ecomaine board of directors. (Typically meets the third Thursday of each month at 4PM.)

Attachments: [24-194 Cover Sheet.pdf](#)

[24-195](#) To appoint a Council representative to the Natural Resources Advisory Committee. (Typically meets at 5:30 on the third Wednesday of each month.)

Attachments: [24-195 Cover Sheet.pdf](#)
[Natural Resources Advisory Committee Charge.pdf](#)

[24-196](#) To adopt the Council's Rules of Procedure.

Attachments: [24-196 Cover Sheet.pdf](#)
[Council Rules Amendment 2024 1126 markup.pdf](#)
[Rules of the Planning Board 07-24-23.pdf](#)

[24-179](#) WHEREAS, Pat Moody is an inspiring leader who instilled a legacy of kindness and was a mentor to many Windham citizens;

WHEREAS, Pat Moody exudes a transformative and unwavering passion and boundless encouragement to community members;

WHEREAS, Pat Moody has taught and exemplified the power of determination, drive, teamwork and the love of basketball;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Town of Windham, Maine hereby commemorates the Community Park basketball courts as the "Moody Courts" in recognition the outstanding dedication and inspiring service efforts of Pat Moody to the Windham community.

Attachments: [24-179 Cover Sheet.pdf](#)
[Resolution 24-179.docx](#)

[24-204](#) To set the Council's meeting schedule for December where only one (1) regular meeting will be held on December 10, 2024, the second Tuesday of the month, and to schedule a special meeting on Thursday, December 12, 2024, at 5:00 PM to be held in executive session to discuss a personnel matter. The regular meeting typically held on the fourth Tuesday of the month, will be canceled as it is Christmas Eve.

Attachments: [24-204 Cover Sheet.pdf](#)

24-217

WHEREAS, Windham, like many towns, has seen an influx of new residents who want to live here; and
WHEREAS, Windham has recently been named one of the top ten “hottest zip codes in the country”; and
WHEREAS, the prices of houses in Windham have increased substantially since the Covid 19 pandemic; and
WHEREAS, young families are finding it difficult to find affordable housing options; and
WHEREAS, there are residents in our community who have lived here for many years; and
WHEREAS, these long-term residents include senior citizens who live on fixed incomes; and
WHEREAS, Maine’s Constitution and statutes require reassessment of properties which has resulted in some long-term owners incurring substantial and unexpected increases in property taxes, with newer homeowners also experiencing significant hikes due to shifts in the property tax burden; and
WHEREAS, the State Legislature has the sole power to enact changes in the property tax system, to enact other measures to reduce reliance on property taxes as a revenue source and, if appropriate, to submit Constitutional amendments to the voters;
NOW THEREFORE BE IT PROCLAIMED, that the Town Council of the Town of Windham calls upon the legislative delegation, Senator Timothy Nangle, and Representatives Barbara Bagshaw and Mark Cooper to work toward a more fair and equitable system of real property taxation, as well as other measures to reduce property tax burden which may include but is not limited to the following:

1. Substantially increase the Homestead Exemption, and fully fund the lost revenue reimbursement to municipalities;
2. Authorize a real property transfer tax that is paid at the time real property is sold;
3. Authorize local option taxes that allow towns to impose local sales taxes;
4. Increase the property tax fairness credit and consider additional, means-based property tax relief programs;
5. Increase the state revenue sharing and/or revamp the formula so that communities with high values and lower tax rates are not penalized;
6. Authorize a local sales option for a marijuana use tax for those municipalities selling it; and
7. Conduct a Fiscal Impact Assessment on any legislation that affects municipalities prior to legislative voting.

Attachments:[24-217 Cover Sheet.pdf](#)[Message from Rep Bagshaw.pdf](#)

[24-218](#) To authorize the Town Manager to approve qualifying applications for additional for senior property tax assistance for an additional extension of 45-days, ending December 27, 2024, and process from property tax assistance program account 18300-46930 as needed.

Attachments: [24-218 Cover Sheet.pdf](#)

[24-219](#) To authorize the disbursement of \$1,500 from the Substance Prevention Grant Program Fund (1000-24047) to the R.S.U. 14 High School's English III Salem Field Trip program, that promotes prevention, education, and positive choices in reducing youth substance use, as recommended by the Substance Prevention Grant Committee.

Attachments: [24-219 Cover Sheet.pdf](#)
[2025-01 WHS English Salem MA Trip Educational-Grant-Application-FINAL.pdf](#)
[SPG meeting minutes for November 5.pdf](#)
[Substance Prevention Grant Fund.pdf](#)

[24-222](#) To authorize the disbursement of \$1,075 from the Substance Prevention Grant Program Fund (1000-24047) to the R.S.U. 14 Middle School's STEM Club Lego League Robotics Team program, that promotes prevention, education, and positive choices in reducing youth substance use, as recommended by the Substance Prevention Grant Committee.

Attachments: [24-222 Cover Sheet.pdf](#)
[2025-02 Robotics Club Educational Grant Application.pdf](#)
[SPG meeting minutes for November 5.pdf](#)
[Substance Prevention Grant Fund.pdf](#)

[24-225](#) To confirm the appointment of Brian Morin to the position of Public Works Director.

Attachments: [24-225 Cover Sheet.pdf](#)
[Memo from HR Director.pdf](#)

[24-229](#) To approve the amendments to the Master Fee Schedule pertaining to buy-in fees for the North Windham Sewer District.

Attachments: [24-229 Cover Sheet.pdf](#)
[MASTER FEE SCHEDULE Sewer Fees Amended 10.8.2024.pdf](#)

XI. Council Correspondence.

CD 24-214 FOAA Status Report.

Attachments: [J Whynot Ballot Box Surveillance Videos 10.28.2024.pdf](#)
[Wheeler Truck Bid Results 10.28.2024.pdf](#)
[14 Vista Drive ICE Mortgage 10.28.2024.pdf](#)
[Response RE Non-CDL Truck Bid Results 10.28.2024.pdf](#)
[INOVO.AI Purchase Records Request 11.4.2024.pdf](#)
[FOAA Cherry Jangalay Excessive Fund List Response 11.7.2024.pdf](#)

CD 24-217 Crooked River Bridge, Casco_MEDOT On Demand Public Meeting Notice.

Attachments: [On-Demand Formal Public Meeting Notice_Casco 26228.00.pdf](#)

CD 24-218 Charter (Spectrum) Programming Notices.

Attachments: [2024.10.31 Charter Programming Notice \(4 marketing channel launches\) SW M](#)
[2024.11.05 Charter Programming Notice \(MC Reggae rebrand to Christmas\) S](#)

CD 24-219 Social Service Agency Funding - Thank You.

Attachments: [LifeFlight Thank You for Funding.pdf](#)

CD 24-220 Substance Prevention Grant Scholarship.

Attachments: [C LeClerc Scholarship Thank You.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. Parks & Recreation Advisory Committee
2. Windham Economic Development Corporation.

3. Natural Resources Advisory Committee.
4. Greater Portland Council of Governments (GPCOG).
5. ecomaine.

XIV. Discussion Items.

[CD 24-187](#) Tax Increment Finance (TIF) Presentation on Sewer.

Attachments: [Sewer Status Const funding Nov 2024 BAT 5.pdf](#)

[CD 24-196](#) Chapter 185 Shoreland Zoning & Chapter 120 Land Use Ordinance Amendments.
Non-residential Use Standards in Shoreland Zoning Districts (Current Moratorium)

Attachments: [24-27 TOC Ordinance AmendmentsChapter185Shorland LUO 110624.pdf](#)
[24-27 TOC Ordinance AmendmentsChapter185Shorland LUO 110624.pdf](#)
[24-27 SZ and LUO Amendment Minutes 102824.pdf](#)

XV. Agendas & Scheduling.

XVI. ADJOURN.