



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Draft Town Council

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Tuesday, November 25, 2014

7:00 PM

Council Chambers

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### I. Roll Call of Members.

**Present:** 5 - Donna Chapman, Roy Moore, Bob Muir, Dennis Welch and Thomas Gleason

**Absent:** 1 - David Nadeau

### II. Pledge of Allegiance.

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

### III. Public Participation.

Linda Morrell - Town Clerk: Notified the residents of the upcoming Rabies Clinic being held on Saturday, December 6th, from 9:00 to 11:00 at Town Hall in the Gym. The Lake Region Animal Hospital will be giving the shots for \$15.00 each.

### IV. Councilors' Comments.

No comment.

### V. Council Correspondence.

No comment.

**CD 14-391** Collection & Registration Monthly Report - October 2014

**Attachments:** MONTHLY REPORT-October 2014

**CD 14-395** Social Services Monthly Report - October 2014

**Attachments:** Social Services Report - October 2014

**CD 14-403** Windham Public Library Monthly Report - October 2014

**Attachments:** October 2014

**CD 14-404** Parks and Recreation Monthly Report - October 2014

**Attachments:** Parks & Recreation Monthly Report - October 2014

**CD 14-405** Town Clerk's Monthly Report - October 2014

**Attachments:** Town Clerk's October Report.pdf

**CD 14-406** Assessor's Office Monthly Report - October 2014

Attachments: Monthly Report Assessor

**CD 14-408** Police Department Monthly Report - October 2014

Attachments: Police Department Monthly Report - October 2014

**CD 14-409** Fire - Rescue Monthly Report - October 2014

Attachments: 10-October 2014 Report  
October 2014

**CD 14-411** Planning Department Monthly Report - October 2014

Attachments: 10-2014 Monthly Report

**VI. Town Manager's Report.****CD 14-412** Town Manager's Report

Attachments: Town Manager's Report 20141121

Tony Plante: He said they held the second of two community visioning forums here at the town hall gym from 9:00 to 12:00 last Saturday. There were approximately 40-50 participants, there were familiar faces and new faces. There was a good mix of people, and he saw a lot of discussions happening. He noted that at the forum they were able to get the Class A Championship game up on the wall. He congratulated the football team for a fantastic season.

He said on the Council's schedule they will first have discussion, then a public hearing and action a new TIF District. He has been talking with the WEDC Executive Director following developments in Rockport and So. Portland on Broad Band. They have begun looking at what it would take to bring broad band to Windham. They have begun to look at possible routes and think about potential partners to work with.

Jen Alvino our Librarian, was recognized recently as Maine's Outstanding Librarian of the Year. Along with that we are also transitioning to the new Minerva System. The transition is pretty much complete, and they got their first Minerva delivery.

They received proposals from Gorrill Palmer and Milone and MacBroom for engineering services for the Angler's Road MPI project. That work was awarded to Gorrill Palmer, so they will get that going with an eye of putting the project out to bid for the construction next spring and doing the construction over the summer and fall. They will be sensitive to the fact that they will want to limit the amount of work actually within the traveled way during the height of the summer season.

Following up on the SMRT Facilities Master Plan he sent out RFP's to four other architectural firms for proposals on services relating to reconfiguration of space at the Library, and a due diligence review of possible conversion of the former Maine Cedar Log Homes building into a replacement for the South Windham Fire Station.

The Police Chief search is underway and the closing date was November 21, by which time they had received 39 applications. They will be pulling together an interview team and then going through the process as they did for the Fire/Rescue chief.

He spoke about an article in the Lakes Region Weekly - on the front page there were two Windham employees, Matt Millett and John St.Mant with Buildings and Grounds helping to stock the Food Pantry. Along with Matt and John on page 6, he recognized a few, not all, Linda and Walter Desjardins, Collette Gagnon, Rene Daniel, Phyllis Moss, Greg Smith, Rick Walker and Mike Roy. He said the amount of support from the community for Thanksgiving and Christmas baskets is staggering. He acknowledged and thanked them for all they do for the Food Pantry.

He spoke about the long process they went through to fill the Fire Chief's position that became available six months ago. Tony said after meeting with the various groups who did the interview and from conversations with his references and his own conversations with him, it was his pleasure to offer the position of Fire/Rescue Chief to Brent Libby. He is currently the Fire/Rescue Chief in Standish, a position he has held for a little over six years, having risen to that position after being hired by the town in 2004. With the Council's vote to confirm Mr. Libby's appointment as Windham's next Fire/Rescue Chief, they will begin the transition process, and an orderly change in the leadership of the Windham Fire/Rescue Department. Tony thanked all of the 50-75 people who took part in the process.

Tony reminded folks that due to Thursday's holiday, those folks who's trash normally gets picked up Thursday, will have it picked up on Friday, and he wished everybody a safe and Happy Thanksgiving and to drive safely.

## **VII. Committee Reports.**

### **A. Council Subcommittees.**

#### 1. Appointments Committee.

No report.

#### 2. Finance Committee.

No report.

### **B. Other Committees.**

#### 1. Land Use Ordinance Committee.

No report.

#### 2. Public Easement Advisory Committee/Roads Policy Task Force.

Councilor Gleason: Reported that letters were sent out to the rest of the committee in regard to the two roads that will need to have a decision made on. It will be on an upcoming Council agenda to decide whether to keep them on the list or take them off.

He said the roads are in very bad shape and nothing has been done.

### 3. Windham Economic Development Corporation

Councilor Gleason: Reported that they are working close, with the help of Ben Smith, to keep in conjunction with the Comprehensive Plan. They also discussed making the process for planning a little different and make it simplified.

They discussed supplying local food for schools and institutions, and they also talked about TIF extensions for Angler's Road and the 302 Corridor. He said they are doing a good job with sticking to the plan.

## VIII. UNFINISHED BUSINESS & GENERAL ORDERS.

- 14-483** To accept the donation of \$20,000 from Kaile Warren and Donna Leith to benefit the Fire-Rescue Department for the purchase of a fire police equipment van.

Attachments: [14-483 CoverSheet](#)

[Fire Police Van Memo 20141120](#)

[Letter from Kaile Warren and Donna Leith](#)

Chief Charles Hammond: He was approached by Mr. Warren about 3 weeks ago, and he asked Charlie about a Police van that they could utilize for emergency services. During the previous year, as he mentioned in his memo, there was a Police vehicle that had come from surplus property, and that vehicle was turned over to the Fire Department, but then the Police Department found another use for it and asked for it back. Mr. Warren and Charlie met at the Public Safety Building, and he expressed an interest in making a donation of \$20,000, specific to purchasing a Fire/Police Van or an Emergency Services vehicle. Charlie said they need something like this because most of the time that the fire/police people respond and work for Charlie, they are doing so using their own vehicles. If they were at a scene using their own vehicles, and their vehicle was hit, it has to go through that person's insurance, not the town because those vehicles are not municipal vehicles. They are also not allowed to put lights on top of their own vehicles to block a road due to a state law. Mr. Warren had given the names of a couple of vendors for them to look at and check out.

Deputy Chief Emerson: Mr. Warren had contacted a dealership that he had dealt with in the past, and they have located a vehicle, it is a 2011 Ford 3/4 ton van. It is pretty much what they are looking for, and it will be in the \$15,000 range. The balance will be enough for the lights and some other things. The people who will be using this van can be there for 3-4 hours at a time, and they have been using their own gas, so this is the time to go forward with this project.

Councilor Gleason: Stated he had a problem with it, and will say no.

Councilor Muir: He said since this is a conditional gift to the town, there will be other expenses above and beyond this such as maintenance and insurance.

Councilor Muir: Moved to amend that they establish a conditional fund for this money to go in until it is purchased, seconded by Councilor Welch.

Tony Plante: Tony said in the letter from Mr. Warren and Ms. Leith the gift is contingent

on funding a fire/rescue apparatus truck and must be used only for that reason, and the donation needs to be used within 60 days, after which, the check must be returned to Mr. Warren if not used. He said, at this point, they have just been holding the check; it has not been deposited, it can't be used until such time that it is. Tony said they will share who they have contacted and what information they have so far. Councilor Muir wants it to go out for public bid like we normally do. After much more discussion they voted on the amendment.

Vote on amendment 1-4 Failed (opposed - Chapman, Moore, Welch, Gleason)

Councilor Muir: Moved to amend that the purchase be put out to a public bid process, and if a dealer that has been supplied ends up being the lowest bidder, that is fine, seconded by Councilor Welch.

Chief Hammond: Charlie said he understands the public bid process, but they have a limited amount of time to locate a vehicle and they are 12 days into it and they only have 60 days. They have been looking for sometime and have called 2-3 different vendors who has been searching. He is afraid if they go through a public bid process, they may lose the opportunity to have this vehicle. Yes, it does come with additional costs, and a discussion he had with Mr. Warren was he did not want to buy a 10 year or older vehicle that would become a maintenance headache, and that has been expressed to all the vendors. Councilor Muir said it was okay if Charlie calls around for more than one quote, but he'd like to see a list. He does not want it to appear that they've been given this money with the stipulation that it has to come from a certain dealer. After more discussion they voted on the amendment.

Vote 0-5 on 2nd amendment - Failed

Councilor Moore: Brought up the "what if" they only use \$17,000 of the check, do they have to return the check because they did not use the whole \$20,000 for the vehicle? If they go past the 60 days and they are waiting for the vendors to put lights on or something, will that be an issue? Chief Hammond said once the van is paid for he thought it would be reasonable to ask Mr. Warren and Ms. Leith if they could use the remainder of the amount to set up the van with equipment or whatever it needed, and he would let them and the Council know what they used the rest on, to show it was well spent. Vice Chair Chapman said she would rather they spend the entire \$20,000 on the van and then they could come back to the Council and ask for money for the lights, etc. Charlie asked if they would be opposed to him contacting Mr. Warren tomorrow, because they have been searching for vehicles since the 13th, and telling him they have found a vehicle and there is \$5,000 left over, and ask him if he would like that amount returned or would he allow them to expend it on preparing this vehicle for emergency services use.

Tony Plante: He said when the town buys fire apparatus of any kind, the price that we end up paying includes the costs to put it in service; that is markings, lights, radios, etc. He thinks the purpose of the donation is to put a fire/police equipment van in service, and in order to do that you need to have all the other things to go with it. Councilor Muir said if that is the way we understand it, then he would like to make sure that is the way Mr. Warren understands it. Charlie said he will confirm that. After much more discussion the Council voted on the motion as is.

**A motion was made by Councilor Welch, seconded by Councilor Moore that the Order be approved as is. The motion carried by the following vote.**

**In Favor:** 4 - Vice Chair Chapman, Councilor Moore, Councilor Muir and Councilor Welch

**Opposed:** 1 - Councilor Gleason

**Absent:** 1 - Council Chair Nadeau

**14-488** To approve a victualer's permit application submitted by Windham Hotel Holdings, LLC d/b/a Microtel Inn & Suites, located at 965 Roosevelt Trl.

**Attachments:** 14-488 CoverSheet  
Permit Application

A motion was made by Councilor Gleason, seconded by Councilor Muir that the Order be approved. the motion carried by the following vote.

**In Favor:** 5 - Vice Chair Chapman, Councilor Moore, Councilor Muir, Councilor Welch and Councilor Gleason

**Absent:** 1 - Council Chair Nadeau

**14-490** To confirm an appointment made by the Town Manager to the position of Chief of the Windham Fire-Rescue Department.

**Attachments:** 14-490 CoverSheet

Brent Libby: He said it was nice meeting them earlier in the evening, and he is looking forward to serving the Town of Windham and the Windham Fire/Rescue Department.

A motion was made by Councilor Welch to appoint Brent Libby, seconded by Councilor Gleason that the Order be approved. The motion carried by the following vote.

**In Favor:** 5 - Vice Chair Chapman, Councilor Moore, Councilor Muir, Councilor Welch and Councilor Gleason

**Absent:** 1 - Council Chair Nadeau

**14-492** To authorize the expenditure of \$45,709.20 from the Recreation Revenue Fund for the purpose of purchasing playground equipment for Lippman Park.

**Attachments:** 14-492 CoverSheet  
Lippman Park Playground Proposal

Brian Ross: A couple weeks ago Lynn Bucknell received an email for a playground grant. It was almost 100% match, which is unusual for a playground. Lynn applied and they received notification that they got the grant. There are a couple of stipulations, one that they provide the check when they placed the order and they had to take the equipment delivery by the end of this year.

The total price of the playground was \$79,592. The town's share is \$39,796 for the playground. The shipping will be \$5,913.20, so the total cost that will be needed to order the equipment will be \$45,709.20. He said they do have money in the recreation revenue account, an estimated amount of \$55,049, and they would like to use that amount to purchase that equipment. He said this fits in real well with what you want to do next at

Lippman Park.

Councilor Muir: He asked who installs the equipment. Brian said Game Time Playground Co. will install it for us. The costs is \$24,400 and includes the installation and the surfacing material but it is not in the \$45,709.20.

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

**In Favor:** 5 - Vice Chair Chapman, Councilor Moore, Councilor Muir, Councilor Welch and Councilor Gleason

**Absent:** 1 - Council Chair Nadeau

**14-493** To accept the resignation of Matthew Noel from the Town Council and for the Town Council to express its appreciation for Mr. Noel's service.

**Attachments:** 14-493 CoverSheet

Councilor Welch: Thanked him for his service, and said he will be missed at budget meetings.

**A motion was made by Councilor Gleason, seconded by Councilor Muir that the resignation be accepted. The motion carried by the following vote.**

**In Favor:** 5 - Vice Chair Chapman, Councilor Moore, Councilor Muir, Councilor Welch and Councilor Gleason

**Absent:** 1 - Council Chair Nadeau

## **IX. Discussion Items.**

**CD 14-372** Council Goal Setting for 2015: Identifying Potential Goals. The Council will review its goals for 2014; previous priority areas such as the 21st Century Downtown plan, Lippman Park master plan, economic development strategic plan; and suggestions for goals for the new Council term. Defining specific milestones, targets, and setting priorities is planned for the Council meeting of December 9.

**Attachments:** Council Goals 2015 20141121

Vision, Mission, and Values Summary REVISED 20141006

Council Goals 2014 Update 20141028

Goal Suggestions & Ideas

North Windham 21st Century Downtown Plan Adopted January 20

13 Med File Size

Lippman Park Final Report

Economic Development Strategic Plan

North Route 302 Corridor Plan

## **X. Agendas & Scheduling.**

**CD 14-414**    Agenda Items Reports

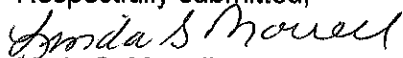
- Attachments:**    Agenda Items Report - Items Scheduled 20141121  
                          Agenda Items Report - Items Yet to be Scheduled 20141121

**XI. ADJOURN.**

A motion was made by Councilor Gleason, seconded by Councilor Muir that they adjourn. The motion carried by the following vote at 8:40 p.m.

- In Favor:**    5 -    Vice Chair Chapman, Councilor Moore, Councilor Muir, Councilor Welch and Councilor Gleason
- Absent:**     1 -    Council Chair Nadeau

Respectfully submitted,

  
Linda S. Morrell  
Town Clerk, CCM