



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, August 12, 2014

7:00 PM

Council Chambers

I. Roll Call of Members.

II. Pledge of Allegiance.

III. Minutes to be Approved:

IV. 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.

Persons present at Council meetings are requested not to applaud or otherwise express, other than verbally, their approval or disapproval of any statements made or actions taken at such meeting.

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.

V. Councilors' Comments.

VI. Council Correspondence.

[CD 14-249](#) Code Enforcement Monthly Report for May 2014

Attachments: [Code Enforcement Report May 2014](#)

[CD 14-251](#) Code Enforcement Monthly Report June 2014

Attachments: [Code Enforcement Report June 2014](#)

[Permitting trends 2005-2013](#)

- [CD 14-252](#) Tax Collection Monthly June Report 2014
Attachments: [tax collection -june monthly report](#)
- [CD 14-254](#) Street Sweeper Statistics 2013/2014
Attachments: [Sweeper comparison 2014](#)
- [CD 14-255](#) MMA email and linked documents regarding General Assistance - July 16, 2014
Attachments: [MMA Review of legal issues regarding General Assistance email 20140716](#)
[MMA et als v. Maine DHHS Rule 80C petition](#)
[MMA Bernstein Shur Memorandum regarding GA Program Guidance 20140714](#)
- [CD 14-256](#) Memo from Doug Fortier, Public Works Director regarding street sweeper - July 21, 2014
Attachments: [Doug Fortier Memo regarding Street Sweeper 20140721](#)
- [CD 14-259](#) Year-end liability account balances and fund purposes
Attachments: [Memo to council re liability accounts](#)
[Liabilities as of June 30, 2014](#)
- [CD 14-262](#) GPCOG Annual Report 2013-2014
Attachments: [GPCOG Annual Report 13-14](#)
- [CD 14-263](#) Planning Board Agenda - July 28, 2014
Attachments: [Planning Board agenda - July 28, 2014](#)
- [CD 14-264](#) Sebago Lake Watershed News - Summer 2014
Attachments: [Sebago Lake Watershed News - Summer 2014](#)
- [CD 14-265](#) Maine Development Foundation newsletter
Attachments: [Maine Development Foundation newsletter](#)
- [CD 14-266](#) Financial reports for 2013-14 updated
Attachments: [Appropriation control](#)
[Revenue control](#)
- [CD 14-267](#) Southern Maine Agency on Aging Letter
Attachments: [Southern Maine Agency on Aging Thank you note](#)

[CD 14-268](#) Planning Board Agenda for August 11, 2014

Attachments: [Planning Board Agenda August 11, 2014](#)

VII. Town Manager's Report.

[CD 14-269](#) Town Manager's Report

Attachments: [Town Manager's Report 20140808](#)
[MyGov Implementation Schedule](#)

VIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.
2. Finance Committee.

B. Other Committees.

1. Land Use Ordinance Committee.
2. Public Easement Advisory Committee/Roads Policy Task Force.
3. Windham Economic Development Corporation
4. Wastewater Management Planning Advisory Committee

IX. PUBLIC HEARINGS.

X. CONSENT AGENDA.

[14-294](#) To find that the requirements of 28-A MRSA §653 have been met and to approve an application submitted by Xiuying Chen d/b/a New Green Leaf Buffet, Inc. for a renewal liquor license.

Attachments: [CoverSheet 14-294](#)
[The New Green Leaf Buffet liquor license application](#)

[14-295](#) To find that the requirements of 28-A MRSA §653 have been met and to approve an application submitted by Apple New England, LLC d/b/a Applebee's Neighborhood Grill & Bar for a renewal liquor license.

Attachments: [CoverSheet 14-295](#)
[Applebee's Neighborhood Grill & Bar liquor license application](#)

XI. UNFINISHED BUSINESS & GENERAL ORDERS.

[14-292](#) To approve a new Victualer's permit application submitted by Danielle DeSimon d/b/a Danielle's Sebago Diner.

Attachments: [CoverSheet 14-292](#)
[Danielle's Sebago Diner permit application](#)

[14-265](#) To refer proposed amendments to the Land Use Ordinance, Chapter 140, regarding standards for an Automobile Auction Facility use to the Planning Board for review and recommendation.

Attachments: [CoverSheet 14-265](#)
[Staff to TC Auto Auction 08-08-14](#)

[14-268](#) To set the tax rate for 2014-2015 at \$14.70 per thousand dollars of assessed value.

Attachments: [CoverSheet 14-268](#)
[Tax Rate Breakdown 2003-2015](#)
[2014 Municipal Tax Rate Calculation Form](#)

[14-269](#) To set the dates on which 2014-2015 taxes will be due as October 1, 2014 and April 1, 2015.

Attachments: [CoverSheet 14-269](#)

[14-270](#) To set the rate of interest that will be charged on overdue taxes for 2014-2015 at seven percent (7.00%).

Attachments: [CoverSheet 14-270](#)

[14-271](#) To authorize and direct the Tax Collector/Treasurer, pursuant to Title 36 M.R.S.A. §906, to apply any tax payment received as payment against outstanding or delinquent taxes due in chronological order, beginning with the oldest unpaid obligation, including personal property, provided, however, that no such payment may be applied to any tax obligation for which an abatement application or appeal is pending, unless approved in writing by the taxpayer.

Attachments: [CoverSheet 14-271](#)

[14-272](#) To authorize and direct the Tax Collector/Treasurer, pursuant to Title 36 M.R.S.A. §506, to accept prepaid property taxes at any time and to establish an interest rate of 0% on such payments.

Attachments: [CoverSheet 14-272](#)

[14-273](#) To enter into executive session under 1 M.R.S.A. §405(6)(A), which provides for the “Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency,” for the purpose of reviewing the assessor’s performance evaluation.

Attachments: [CoverSheet 14-273](#)

To be taken up following discussion item CD 14-257.

XII. Discussion Items.

(Please note the time allotted for each item; if additional time is needed, it may have to be scheduled for another meeting.)

[CD 14-257](#) Amendments to Chapter 140, Land Use, regarding interpretations, and the possibility of adding guidelines or standards for application under the Maine Uniform Building and Energy Code.

Attachments: [AMENDMENT TO LAND USE ORDINANCE-CEO INTERPRETATIONS](#)

8:00 p.m.

Public Comment.

XIII. Agendas & Scheduling.

[CD 14-270](#) Agenda Items Report

Attachments: [Agenda Items Report 20140808](#)

XIV. ADJOURN.