



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Agenda

### Town Council

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Tuesday, November 15, 2016

7:00 PM

Council Chambers

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#### 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 8, 2016.*

#### I. Roll Call of Members.

#### II. Pledge of Allegiance.

*"We, the Windham Town Council recognize our individual and collective responsibilities as leaders and representatives of our community. To this end, we pledge to conduct ourselves in a manner befitting these roles and duties. We pledge and encourage others to 'Be the Influence' and to recognize that decisions matter." (Resolution 14-285, in support of the "Be the Influence" community collaborative in addressing the pervasive adverse effects of substance use and abuse in the community.)*

#### III. Minutes to be Approved:

*Due to the election, minutes for October 25, 2016 are not yet available.*

#### 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 16-388](#) The Opportunity Alliance Fall Newsletter

**Attachments:** [The Opportunity Alliance Fall Newsletter](#)

[CD 16-389](#) Notice from the Dept. of Agriculture, Conservation and Forestry regarding the Town of Gorham draft comprehensive plan.

**Attachments:** [Town of Gorham Submission of 2016 Comprehensive Plan](#)

[CD 16-391](#) Windham Public Library Newsletter - November 2016

**Attachments:** [Check It Out November 2016](#)

## VII. Town Manager's Report.

[CD 16-398](#) Town Manager's Report.

**Attachments:** [Town Manager's Report 20161110](#)

[Projects & Issues List 20161110](#)

[Projects & Issues Sheets 20161110](#)

## 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.
5. Parks & Recreation Advisory Committee.

## IX. PUBLIC HEARINGS.

[CD 16-393](#) To receive comment on a new liquor license application submitted by Michael Harris for Binga's Windham, located at 106 Main St.

**Attachments:** [Binga's Windham-New Liquor Lic](#)

**X. CONSENT AGENDA.**

[16-184](#) To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Capital Pizza Huts d/b/a Pizza Hut for a renewal liquor license.

**Attachments:** [16-184 Cover Sheet](#)  
[Pizza Hut's Liquor License renewal](#)

[16-185](#) To appoint Trista Collins to a three-year term on the Human Services Advisory Committee, to expire May 15, 2019.

**Attachments:** [16-185 Cover Sheet](#)

[16-186](#) To appoint Nicholas Kalogerakis to a two-year term on the Windham Economic Development Corporation, to expire February 15, 2018.

**Attachments:** [16-186 Cover Sheet](#)

[16-204](#) To approve an application for a renewal special amusement permit submitted by Seacoast Park d/b/a Deck House Sport Tavern located at 930 Roosevelt Trail.

**Attachments:** [16-204 Cover Sheet](#)  
[Deck House Sports - Sp. Amuse Renewal](#)

[16-205](#) To find that the requirements of 28-A M.R.S.A. §653 have been met and to approve an application submitted by Seacoast Park, Inc. d/b/a Deck House Sports Tavern for a renewal liquor license.

**Attachments:** [16-205 Cover Sheet](#)  
[Deck House Sports-Liq Renewal](#)

**XI. UNFINISHED BUSINESS & GENERAL ORDERS.**

[16-191](#) To accept nominations for and elect a Chairman of the Town Council.

**Attachments:** [16-191 Cover Sheet](#)  
[Council Rules](#)

[16-192](#) To accept nominations for and elect a Vice Chairman of the Town Council.

**Attachments:** [16-192 Cover Sheet](#)  
[Council Rules](#)

[16-193](#) To accept nominations for and elect a Parliamentarian of the Town Council.

**Attachments:** [16-193 Cover Sheet](#)  
[Council Rules](#)

- [16-194](#) To accept nominations for and appoint a Finance Committee.
- Attachments:** [16-194 Cover Sheet](#)  
[Council Rules](#)
- [16-195](#) To accept nominations for and appoint an Appointments Committee.
- Attachments:** [16-195 Cover Sheet](#)  
[Council Rules](#)
- [16-196](#) To accept nominations for and appoint two representatives to the Windham Economic Development Corporation board of directors.
- Attachments:** [16-196 Cover Sheet](#)  
[Council Rules](#)
- [16-197](#) To accept nominations for and appoint a representative to the Greater Portland Council of Governments executive committee.
- Attachments:** [16-197 Cover Sheet](#)  
[Council Rules](#)
- [16-198](#) To appoint a Council representative to the Land Use Ordinance Committee.
- Attachments:** [16-198 Cover Sheet](#)  
[Land Use Ordinance Committee Charge](#)
- [16-199](#) To appoint a Council representative to the Public Easement Advisory Committee.
- Attachments:** [16-199 Cover Sheet](#)  
[Public Easement Advisory Committee Charge](#)
- [16-200](#) To appoint a Council representative to the Parks and Recreation Advisory Committee.
- Attachments:** [16-200 Cover Sheet](#)  
[Parks and Recreation Advisory Committee Charge](#)
- [16-201](#) To appoint a Council representative to the Wastewater Management Planning Advisory Committee.
- Attachments:** [16-201 Cover Sheet](#)  
[Wastewater Management Planning Advisory Committee Charge](#)
- [16-203](#) To approve a Victualer's permit application submitted by Michael Harris d/b/a Binga's Windham LLC, located at 106 Main Street for a new Victualer's permit.
- Attachments:** [16-203 Cover Sheet](#)  
[Binga's Windham-New Victualer's](#)

[16-208](#) To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Michael Harris d/b/a Binga's Windham LLC for a new liquor license.

**Attachments:** [16-208 Cover Sheet](#)  
[Binga's Windham - New Liquor License](#)

[16-190](#) To refer a zoning map amendment request to include the property located at 60 Chute Road in the Retirement Community and Care Facility Overlay District to the Planning Board for its review and recommendation.

**Attachments:** [16-190 Cover Sheet](#)  
[60 Chute Rd request\\_RCCFO\\_memo 06-13-16\\_combined](#)

[16-179](#) To authorize the town manager to apply, on behalf of the town, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the development of the Community Park located adjacent to and incorporating the skate park; further, to authorize the town manager to enter into the Land and Water Conservation Fund Project Agreement with the State subsequent to federal approval of the project; and further, to state the Council's intent to appropriate the sum of \$80,000 from the sale of the Gambo property as part of the local share of this project in the municipal budget for fiscal 2017-2018.

**Attachments:** [16-179 Cover Sheet](#)  
[LWCF Grant Applicant Summary Presentation 20161110](#)

## 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 16-395](#) Assessor Evaluation Process.

**Attachments:** [CD 16-395 Cover Sheet](#)  
[Management Employee Performance Evaluation Form](#)

[CD 16-396](#) Moratorium on Retail Marijuana Establishments.

**Attachments:** [CD 16-396 Cover Sheet](#)  
[30-A MRSA 4356](#)  
[Marijuana Legalization Act](#)  
[Retail Marijuana Establishment DRAFT Moratorium Ordinance 20161110](#)

## XIII. Agendas & Scheduling.

[CD 16-399](#) Agenda Items Reports.

**Attachments:**

[Agenda Items Report 20161110](#)

[Projects & Issues List 20161110](#)

[Projects & Issues Sheets 20161110](#)

**XIV. ADJOURN.**