



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Town Council

Tuesday, September 25, 2018

7:00 PM

Council Chambers

I. Roll Call of Members.

Present: 7 - Dennis Welch, 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 18-312 To approve the minutes of the September 11, 2018 Council meeting.

Attachments: [Minutes-Town Council-9-11-2018](#)

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

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

CD 18-323 To approve the minutes of the September 18, 2018 Council special meeting.

Attachments: [Minutes-Special Town Council-9-18-2018](#)

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

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

IV. Public Participation.

The following people got up to speak. If I received their written statements, I will put (See attached) beside their name.

Nick Kalogerakis of Aroostook Drive, is a business owner in town, and a three-year Planning Board member, three-year Windham Economic Development Community member and is on the Long Range Planning Committee, he cares about his town. He said he was appalled, this last week, at this point he was stopped by the Chair and she said they were not going to have any public comment in regard to an employee matter in the town at this time. There was a lot of spirited dialog back and forth and Stephen Langsdorf, town attorney, said that the Council all would have to decide that they didn't want to hear public comment, it cannot be a unilateral decision by the Chair, he thinks it

is a decision of the Council. The Council agreed to let the public speak and Mr. Kalogerakis continued.

Nick Kalogerakis said he looked through the article trying to read and find out why we'd be terminating at 22 year town manager? He saw three issues that were stated, 1) Public Works issue, 2) an issue at the High School where a Police Officer made an error; 3) something with Code Enforcement, although he has heard nothing but accolades since Mr. Hanson has taken over the department.

He said these are not terminable offenses; these are issue in the town; that is why we have the Town Manager, he is here to put those in place. It is the Town Council's responsibility to work with the Town Manager to get them resolved. If Tony is not doing his job, he is sure we have a trail of annual reports that say he is unsatisfactory, quarterly reports or 30 day action plans, or action plans telling him he needs to be doing his job and he is not. I know these are personal, I hope Tony will provide those, because he is sure, that after 21 years of not hearing of him needing to be replaced, all of a sudden he needs to go. Where did the wheels fall off? The town is going to have issues, he has a large staff and it will never run perfectly, and Tony is not perfect but he certainly deserves the chance to rectify his behavior or his actions if something is out of line, yet, he has not heard of anything except for these three issues.

Public Works had the O'Brien report come out and he listed three issues in Public Works, trust, accountability and communication. That was not good enough because we wanted more, so we spent maybe \$20,000 on the second report. He said as a consultant, and typically consultant reports do not change, they are asking the team members what is wrong, and the team members are never going to tell you anything different. Most of the results were the same. Did the O'Brien report ever come to fruition, did it go the 120 days of the action plan, that Mr. O'Brien asked? Did he come back in for a second assessment, he does not know. All he knows is we had another consultant come in and we paid money for.

He hopes Tony releases his reviews, if he is able to do so. He would like to see how the Town Council has responded to him and told him he is not doing his job, because he has never heard of anything. To him, this is a deflection from the Council, as they all know, the Council has had issues; the leadership from the Council has had issues this past year, and it is easier to brush it aside to someone else instead of taking responsibility for what we are dealing with. The dysfunction of this team is embarrassing and everybody in town knows it. He would like the Town of Windham to please pay close attention to your vote. If you are going to put forth a vote to remove our Town Manager of 22 years; he wants the citizens to ask your specific Councilors why you vote yea or nea, with 100% transparency he would expect an answer from them if they are asked why. He hopes it is more than a problem in Public Works.

If the vote is five and we remove Tony, I want to let you know that the two top requirements in finding a new town manager will be knowledge and years in position; we need an experienced person. We already have that with Tony, we have the tool in the shed, my suggestion is you take the tool, and if he is not doing what he supposed to, work with him and we get him some consulting if he needs it; we don't just throw him away. I don't think you realize what is going to happen; the grass isn't always greener, the turn-around time to get a manager up to this speed with the knowledge and experience that Tony has will be a very long time. We might be setting ourselves up for even more failure. This town is thriving, and a lot of town managers would love to have the problem that we have, and Tony has played a big role in that. So please, I'll ask you to think about your vote, I ask the town to hold you accountable to your vote. In closing,

as I know my time is running out, as you know I am a volunteer on three boards. I do know, in the past, we have voted vindictively to keep volunteers out of certain positions. I want it public that when I come up for the Planning Board again, Economic Development Committee, Long Range Planning Committee I want to stay involved with my town. Please don't vote me negative because you are upset with my opinions this evening. Thank you.

Rita Bernier (See attached)

Dan Pillsbury - "I am Dan Pillsbury and I've stayed out of trouble until now in this town. I live on White's Bridge Road and have for almost 20 years and owned multiple properties in Windham, and even though I didn't grow up in Maine, I have owned and run my own business for 31 years and know Tony personally, his daughter and my daughter are best friends, and I am here for a vote for Tony because he is one of the best guys I have ever known. Even though when I talk to him I feel like I am talking to his belly button, I think he gets the message. Thank you."

David Nadeau - "I am David Nadeau, I support Tony 100% and that is as far as I will go with my statement." I received this letter from a former employee who is now presently a Town Manager in another town. (See attachment).

Tammy Hodgman (See attachment)

Alan Phinney - "My name is Alan Phinney, and throughout Tony's entire 22 year career here I have known him, I've known him to serve this town with integrity, professionalism and skill. I wish I could say the same of our Council Chair because the conduct in the past week has been very unprofessional, and I will give my full support to Tony, and I hope the voters reflect this next year.

Jen Alvino - (See attachment)

Phyllis Moss - (See attachment)

Chris Hanson and Director of Code Enforcement & Zoning Administration - I would like to get some clarification on the article that was in the Lake Region Weekly, Madam Chair. It was quoted that "serious problems emerged in the Code Enforcement Office last year with numerous complaints, and issues have since been brought forth in the Public Works Department." It makes my department look like we have serious problems. Councilor Chapman said that was not a correct quote. Chris said "I have had nothing but accolades from you and Council and I want that, for the record, to be clarified."

Councilor Chapman said "I will back you up 110%."

The second item I would like to bring up is the Opus report. We got a letter from Opus asking for interviews that would be kept private and 100% voluntary. Comments made to the Opus team, and this is from Andrew Wood, the Director of Opus Consulting Group, in his letter to us said "comments made to the Opus team will have a personal identifying information removed from any reports or written statements." But in the paper you quoted, and I would like this clarified, that additional information included specific interviews Opus conducted with employees, which contain personal information and will not be released outside of executive session. We were told that it wouldn't be in any report to anyone, the Council or the public. I would like you to please clarify.

Councilor Chapman - "You are absolutely correct, I said that you can't have that, it is an

September 24, 2018

My name is Rita Bernier, I am 81 years old next week and have been with the Town of Windham for 45 years. 14 years with the school department and 31 years in the Town Clerks office. I have been with 3 Town Managers and the last one (Tony Plante) was the best thing that has happened to this town in a long long time. I don't believe that you are aware of what was here before him but when Tony Came aboard it was a ray of sunshine, a vision of hope and a welcoming addition to this town.

In all of my years of working with him I have never heard him make a comment or statement about anyone or anything, he is very professional.

I think Madam Chair that you should be ashamed of yourself for such cruel and vicious statements made outside of executive session, which by the way is where all of this should have taken place. When people run for Council it should be for the town not for personal agenda's. This article that you have written is very detrimental to anyone's well being. Shame, Shame and I do believe that an apology should be forth coming.

Thank you for the time that you have given for this letter to be read.

September 24, 2018

To the Windham Town Council

I am writing you this letter in regard to the Town Manager Tony Plante. From June of 1989 to November 2004 I served the people of Windham loyally as its Parks and Recreation Director. The last 8 years of my tenure were under Manager Plante.

Throughout my entire tenure in Windham I served with the help of both supportive Town Councils and Managers. I can tell you with confidence and personal experience that Mr. Plante is the consummate professional municipal manager. He is admired by many of his colleagues throughout the state and by far is in the top tier of quality managers in Maine. That is why I was shocked and disappointed to learn of the publicized difficulty that has now tarnished the reputation of this man whom has loyally served you for the last 22 years.

Therefore, for your benefit I have attached a copy of the International City and County Management Association (ICMA) code of ethics. Professional managers take this code very seriously and attempt to follow it with the due diligence it deserves everyday they hold the office of Manager.

As elected officials you may see the merit of the tenets listed in this document as it may provide insight in the decision making by the Manager and the certain manner a matter is addressed. Matters addressed in a manner that others may not understand. Such decisions are made with the thoughtful consideration and respect to upholding the integrity of each tenet.

Below I have listed some of what I believe to be the most applicable tenets and relevant text.

Tenet 6. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members. (Manager)

Tenet 10. Resist any encroachment on professional responsibilities, believing the member (Manager) should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Tenet 11. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's (Manager's) decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

I have no doubt that Mr. Plante conducted his business in a manner that not only upheld the integrity of the tenets but did so with impeccable professionalism. That said it was greatly disappointing to read that a member of the Windham Town Council sought out and used the local media to express their unhappiness about Mr. Plante and to disclose matters that were discussed under the terms of executive session privilege.

The Town's Attorney will point out the significance and associated consequences of the Councilor's errant act. Such an act would violate the rules of decency and civility that all public officials should ascribe to regardless of the issue. The Council needs to take corrective action for sure but it is not Mr. Plante that needs to be corrected.

Mark Robinson, (Public Servant for the people of Windham from June 26, 1989 to November 1, 2004)

ICMA CODE OF ETHICS

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.
2. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.
3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.
4. Serve the best interests of the people.
5. Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.
6. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.
7. Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.
8. Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.
9. Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.
10. Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.
11. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions pertaining to appointments, pay adjustments, promotions, and discipline.
12. Public office is a public trust. A member shall not leverage his or her position for personal gain or benefit.

Adopted by the ICMA Executive Board in 1924, and most recently revised by the membership in June 2018.

September 25, 2018

Members of the Town Council

My name is Tammy Hodgman. I reside at 94 Albion Road. I have been proud to call the Town of Windham my home for over 20 years and my employer for about 15 years.

I care about my community and for the people I work with, therefore I am here to voice my opposition to any action to remove Tony Piante from his role as our Town Manager. Tony sets a very high bar for service to this community and defines what a dedicated public servant is. He serves on various boards and committees to represent Windham and is an active participant in regional matters. He is often sought out by other town managers for guidance and advice. I am witness to his relentless schedule, his considerable knowledge of the town, his interaction with the public and his service to this council. Tony is expected to have his finger on the pulse of all of the departments, answer any inquiry and ultimately take whatever criticism that comes his way whether warranted or not. I have also seen him be immeasurably tolerant and professional when faced with disrespectful and abusive behavior. He takes it all in stride and keeps "the big picture" – what is best for this town – in the forefront. I have every confidence in his abilities as our town manager and it would be detrimental to our progress should he no longer be here.

I have faith that you can do the right thing for this town. Thank you for this opportunity to speak.

I'm speaking out tonight because I feel that we can all work together to resolve the issues we are experiencing. When issues arise in my department that need to be worked out, I always bring my staff back to the fact that we are all working toward the same goal. As councilors and town staff, we ALL have the same goal of working to provide the best services we can through our various departments and roles working for Windham. Everything we do each day is with that goal in mind. We have to be able to come together with that common goal and understand that our actions individually are coming from that place and use that common ground to move forward and past this negativity.

As a department head I fully support and appreciate Tony's leadership. I have worked for the town for just about 5 years. I have enjoyed working in this community and for Tony. He is well respected, supportive, and knowledgeable. He respects my opinion, trusts my judgement, appreciates my work, and works very hard to stay informed with all issues going on in my department. He backs me up when needed and supports the decisions I make and new ideas I bring to the table. That is the type of manager he is for me and I'm sure the same can be said of other department heads.

This doesn't mean that there isn't any work to be done and improvements to make. There are. But I believe that falls on more than Tony's shoulders. We ALL can do better. I don't believe there has been adequate opportunity and support to make those improvements. Change takes time and requires that all involved have bought in to the process and that some compromises are made. I don't think we've gotten there yet. Tony has a vision for Windham as do we all. I think we need to work closely together to find common ground and work together to make our visions for Windham a reality rather than attacking each other. I went back and looked at the article written about Tony, just two years ago, when he won the Linc Stackpole Manager of the Year award. Many of us were in attendance at that dinner in Newry recognizing Tony. Tony's dedication and passion for public service and the Town of Windham were noted that evening. He has lived in this community and worked hard to give its citizens a place to live they can be proud of. I'm very happy to work for Tony and share his passion for providing the services the community deserves. I cannot support any effort to remove him from doing this work and I think doing so would only divide us when we should be coming together to work on our shared goals.

Jen Alvina

September 25, 2018

Windham Town Council
8 School Road
Windham, ME 04062

Dear Councilors,

This letter serves as many votes of confidence in Town Manager, Tony Plante. Two years ago he was voted Manager of the Year by the Maine Town and City Manager's Association and some of you were present when he was given his award. It was well deserved.

Tony is a gifted leader. He does amazing work not only for the Town but for the greater Portland and Lakes Region communities. His dedicated service is valued by so many organizations that work to make the community stronger and more equipped to deal with the challenges that they are constantly faced with.

Tony is a great manager. He respects our opinions, appreciates our work, and works extremely hard to keep his finger on the pulse of all that is going on within various departments. He is well-respected, supportive and extremely knowledgeable.

Really great Town Managers are hard to come by. Tony has the support of his employees and he deserves your support as well.

Thank you.

Sincerely,

Bill Fraser
Joshua El

Phyllis Moss
Jennifer Dupree
Christopher Doh
Bruce Morris
John Roberts
Kathy Allen

Pamela Cleaves
Judd Vance
Veronica Reserve
Angela Appleton
Barbara Kelley

Karen McHugh

Jeff

Jennifer Allen

Ry Zupke

CD

Jammy Holzman

Susan R. Rossignol

Mabel J. Darby Money

Lucy Clegg

Yara Kepke

Diana Kavin

Sarah French

Brian Wolcott

Bog Kelly
Sally Bannen

Lisa Licker

Chuck Daig

Amanda Lisicki

Teresa Konowal

Brian Stipe

Taylor Breen

Elizaveta

Anna Rozell

Linda Brooker

employee matter, from those interviews done and you cannot have that information because it was an employee matter." Chris Hanson - "So was there personal information in the report that the Council received?" Councilor Chapman - "Which one, the one from Opus?" Chris - "the one you read in executive session, was there personal information?" Councilor Chapman - "not in the one that was released." Chris - "I'm not asking about the one that was released." Councilor Chapman - "no, I don't recall seeing interviews in that Chris." Chris - "then why did you quote that in the paper, it is very misleading." Councilor Chapman - "well they interviewed me, so...", Chris - "they interviewed me and I thought it was going to be personal, I hope my personal information wasn't in a report."

Chris Hanson - Now I will voice my support for Tony Plante. The past year I have had the pleasure of working directly with Tony on many issues requiring a lot of hard work on things like private roads, Highland Lake, mineral extraction, Medical Marijuana and robust local economy to name just a few. He is always professional, supportive, creative, respectful and patient. I can't believe he knows what's going on in all the departments in such great detail. He is extremely organized, and has staff meetings twice a month with all the department heads. He has a one on one with staff every month, a one on one for about an hour. I firmly believe Tony is an asset to the town and the region. I can't believe he is being treated so poorly and unfairly.

I also would like to read a letter from our former Town Planner, Ben Smith. He would have been here tonight but he is at another engagement out of town. (See attached)

Chief Schofield Chief of Police: Madam Chair and members of the Council, I wish to take a moment to express my support for Tony Plante. During my tenureship here, about 3 1/2 years now, I find Tony to be an effective manager, supportive Boss, a critical thinker, strategic planner, and someone who cares deeply about his staff and this community. This is evidenced by not only his tenureship here, his involvement with civic organizations, in fact, he is the President of our local Rotary Club this year. He also attends and participates in many community events, such as many members of this Council, and I would like to thank you for that.

I really think it is important to maybe take a step back and take a breath, and I would like to reflect on my brief tenureship here and the success stories that I have seen. With Tony and this Council you have gotten a new South Windham Fire Station, we've completely renovated and updated our Library, and it is exciting to see the progress being made on our new Public Works Facility. Council, thank you for your support on that but this can't happen without an effective Town Manager and having the ability to work with an effective Council; we've seen a lot of recent success.

For the Police Department, Tony and this Council has supported me, you've supported this department, you've authorized two positions for us in the three and a half years, that is significant, thank you, we appreciate that. Our capital equipment needs are being met, and about a year and a half ago we went through a restructuring of this organization; Tony and the Council has supported this, thank you for that. This takes an effective Town Manager to work and navigate through this. This Council knows, probably, better than I do the complexity and the difficulty to get these big projects done, but we've proven with recent success that we can do it.

I just want to conclude, there is mentor of mine that I try to take a lead from who is very good at bringing people together. He concludes each email with the following statement, and that statement is "when we all work together, we all win together." We have recent success to prove we can do this, I hope for the citizens of Windham we can get back on track with these successes because we've proven we can do it for our people. Thank

MEMO



To: The Town of Windham, ME From: The Opus Team
Staff

Date: September 24, 2018

Subject: Opus Consulting Engagement

The Town Council of Windham, Maine voted on July 7th, to retain the services of Opus Consulting Group to perform an organizational survey to improve various departments.

Our goal is to identify opportunities for improvement allowing for a better working environment for staff and in improved services to the residents of Windham. We will take a holistic approach reviewing the organization's strategy, systems and processes along with day to day internal interactions. Employee interviews are an effective way to identify opportunities for improvement and allow all levels within the organization to participate in the improvement efforts.

Employee interviews are kept private and are 100% voluntary. They may be one-on-one or in group interviews and last roughly 45 minutes. Over the coming weeks staff members who wish to participate will have the opportunity to share their insights in a safe and private environment. Our experience at Opus is that a collective approach to improvement can serve the organization best and our goal is to elevate the collective voice and identify common themes for improvement.

Employee participation is important to identify areas that work well and those that do not. As such, we take great care to protect the opinions and insights from all who participate in the employee interview process. Comments made to the Opus team will have any personal identifying information removed in any reports or written statements.

Our goal is to assist the Town of Windham to achieve its strategic vision and determine a course for improvement.

For further questions, please contact Andrew Wood who is serving as the primary contact for Opus Consulting Group.

We look forward to working with the Town of Windham and its dedicated employees.

Andrew Wood
Director
Opus Consulting Group

September 21, 2018

Windham Town Council
8 School Road
Windham, ME 04062

Subject: Experience with Tony Plante as Town Manager

Hello, Councilors,

As someone who worked at the Town of Windham for over 10 years, with more than four of those years as a direct report to Tony Plante, I would like to provide this letter as a testament to Tony's character and integrity and how well he has worked as a manager and administrator for the Town of Windham.

I have seen Tony at some of the best of times and in some very difficult and frustrating times. Tony keeps his composure and focus even when the difficult job of Town Manager is at its toughest. I have never seen him lose his patience or show disrespect in the face of many difficult public meetings over the years. He has a genuine love for the town of Windham and has more personal investment in his role as Town Manager than any other person I could imagine in that position.

Tony's experience is an asset to the town and also the region. He is a mentor and provides a friendly ear for town managers and others throughout the area. Tony works hard to keep his skills sharp so the town not only benefits from his experience but from new ideas and trends in municipal leadership.

I have not seen either of the two recent organizational studies commissioned by the Town Council. I am writing this letter based on my own experiences and observations. I would expect these reports to include suggestions for how to improve management practices throughout the town organization. Indeed, it is the reason such studies are conducted. My hope is that the town organization, from the Town Council, through the Town Manager, and department heads, can use specific suggestions and recommended actions included in these reports to make a more effective organization. I cannot envision any scenario within the next several years where this organization is more effective without Tony.

Regards,


Ben Smith, AICP

Good evening, I am Brian Wolcott, former finance director for the Town for the last 13 years. I will comment on events of which I have direct and intimate knowledge.

Windham has enjoyed solid financial audits the last 13 years, garnering “clean opinions” each and every year. This is due in no small part to Tony’s financial leadership and oversight. In my mind, financial expertise is one of the most important attributes of a manager.

Windham’s bond rating has improved two notches over this time. Bond rating agencies such as Standard & Poors and Moody’s always cite the “strong management structure” of the Town. The bond rating determines what the Town will pay for interest on bonds issued to fund capital needs. The higher the rating, the lower the interest rate. If rating agencies did not have full confidence in Town leadership, the upgrades would be highly unlikely.

The Town’s unassigned fund balance has increased regularly in recent years. This is akin to a “rainy day fund”, and serves as a reserve in times of fiscal stress. The positive trend stems from conservative budgeting practices and the control of expenses.

My last comment speaks to Tony’s work ethic. Over the years, I recall many sunny, summer Friday afternoons where one might be tempted to leave a little early, to get a head start on their weekend. This wasn’t the case in Windham. Tony would not only work until 4:30 pm, but many times beyond.

Thank you.

you very much, I appreciate your time.

David Douglass I live on White's Bridge Road, I am an architect, and I am the Chairman of the Planning Board. Madam Chair and Council, thank you for letting us speak tonight. I wrote this little blurb that I was going to read but I have to be honest with you guys, I'm not as polished as all you guys, I've given lectures to people in building science, I've done all sorts of stuff, and I'm really upset and my lip is probably shaking, so don't mind me, but I am really upset, and I'm upset with that woman right there, because you are destroying this town single handedly. Your actions tonight, trying to silence these people who care about this town are so petty and disgusting, I barely have words for it.

I wrote this and I thought it was pretty good, but I don't think it is any good. The fact of the matter is that you are a detriment to this town, and that is my opinion, and I mean you no malice in saying that but it is true. You are a detriment, you need to resign, you need to walk a way so that some actual progress can be made in this town. Your petty attacks, your bullying of staff, your bullying of me, at times, is sad and pathetic. We've been in executive session over it. I just have words for how sad all of this is, and I am disgusted by it. I encourage the citizen's of Windham to do something about it. I encourage members on the Council to do something, start leading. We have so many big issues in this town, start leading, stop all the petty stuff and start leading.

I support Tony. He's been a huge advocate for this town. He has been a friend, he has been encouragement, he has been a kind ear, he has been thoughtful; I consider him a friend and this is just terrible what is trying to be done to him. I support this town and I love this town and I love all these people for coming out tonight, but I can't stand by any longer and watch people trying to dismantle this town on their own agenda, it's terrible. Thank you.

Brian Wolcott (See attachment)

V. Councilors' Comments.

Councilor Nangle (See attachment)

Councilor Maxfield (See attachment)

Councilor Cummings thanked the members of the public and the town staff that came to speak; she said she knows it is a passionate subject and she appreciates what they have to say. She does appreciate what her other Councilors have to say as well.

Councilor Muir thanked everyone for coming out and there is a lot of town staff that he has known for a number of years, and he hopes they will listen, and he knows they have very strong feelings about this but there are still things you don't know, you'll never know.

He said the Council Chair has been accused of a lot of things, if you watch these meetings and if you know these people, you know they are not influenced by other people. He said everyone up there has their own mind. One person cannot do this.

Councilor Welch thanked the public and the staff for coming out and supporting Tony, he said he is sure he will appreciate it and he knows he does.

Councilor Chapman thanked everyone for coming, she has heard what they have to say, they will take some of it into consideration and some of it she will leave there.

Stephen Langsdorf Town Attorney - He said he has been a municipal attorney for over 30

years, and this is a very difficult and challenging situation, and he is there to try and help them deal with it the best he can. He wanted to clarify that he does not work for the Chair or any individual Councilor at all; she is the Chair and by virtue of her position, in a leadership position, she does communicate with him directly, more than some of the other Councilor's do. He said anything and everything he does involving this town is either at the direction of the town manager, who he has worked with for the last 2 1/2 years or at the direction of the majority of this Council. He said he was doing anybody's personal bidding, and he is doing his best to follow what the majority of this Council asks.

He does not appreciate and does not feel it was warranted for a Councilor to personally disparaging him and calling him a bully, and he told Councilor Nangle he would like to know what that allegation is about, because he feels he has treated everyone on this Council with respect in every way.

He has enjoyed working with the town in all the challenging issues, and this is a difficult situation for all of us, and he his hoping they can work it through in a way that will be for the best interest in the town.

Councilor Nangle corrected his statement - he did say, but he was referring to the chair as attempting to bully and intimidate people; he was unclear and he apologized.

VI. Council Correspondence.

CD 18-304 Maine Correctional Center Letter of Appreciation

Attachments: [Maine Correctional Center Thank You](#)

CD 18-307 Town Clerk's Monthly Report - August 2018

Attachments: [Town Clerk's Report-August 2018](#)

CD 18-295 Fire-Rescue Department Monthly Report - August 2018

Attachments: [August 2018 Monthly Report](#)

CD 18-306 Department of Public Works Monthly Report - August 2018

Attachments: [Monthly Report - August 2018](#)

[August 2018 Mission.Success.Measurment Table](#)

CD 18-308 Parks and Recreation Department Monthly Report - August 2018

Attachments: [Parks & Recreation Monthly Report August 2018](#)

[Advisory Committee MinutesSeptember102018](#)

[Windham Community Park Concept Plan](#)

[Summary of 2018 Dundee Season](#)

CD 18-310 Windham Police Department Monthly Report - August 2018

As a new Councilor starting 2 years ago, I heard the rumblings. I was pulled aside or called and cohersions were attempted. Rumors and lies were shared. I learned early how some members of this Council do business. After last year's election it was only a matter of time before the long held contempt and vendetta for our Town Manager would come to pass. Such negative and vile tactics, combined with the fact I have seen this manager to be an organized, focused professional who is dedicated to Windham, has resolved me to where I stand today, in full support of Tony Plante, our Town Manager.

I would much rather come in tonight and be working on real issues but instead we are dealing with nonsense, again. It makes me sick having to speak like this and defend myself and others and I know some of you don't like it, I don't like it, but I have had emails, phone calls and handshakes asking us to keep speaking and point out what is going on in this town. My only weapon for them right now is this microphone.

The fact is, There are members of this Council, specifically Council leadership, that have made it their mission, not to help Windham move forward and accomplish our much needed goals in a professional and focused manner, but instead to attack, belittle and berate a public servant who loves Windham. While the Town Manager, like all us, is not perfect and there are real issues in Windham that need addressing, some in his responsibility, the main issues stem from a Council Leadership that regularly interferes and sabotages staff's day to day efforts.

Last week's disrespectful, unnecessary public attack on the Town Manager in the newspaper is another example of how Council Leadership does business. They were not satisfied merely with efforts to run a good man out of his job but also felt the need to publicly shame him with lies and stretched truths. This attack is the the final straw for many who are sick of watching Council members bully, intimidate and interfere routinely. It is time for this Council and it's leadership to stay out of Town Staff business and allow them to do their job and the Council to go back to doing ours. This very point, of Council meddling, was highlighted in the newest management report as an issue for the Town. This report was pushed for by Council Leadership at a cost of \$25,000, but has already been ignored by those same members.

The Council Chair, Councilor Chapman keeps stating she's been bullied because members of this Council and the public dare asks legitimate questions, defend themselves from vicious lies or push back on behaviors that are clearly ineffective and often inappropriate. It has been a month now since she has accused and slandered myself and Councilor Nangle, essentially of a crime, with no facts, commentary, basis or even better an apology.

In my time here I have been accused me being bullying, violating Executive Sessions, videotaping people which was later changed to video chatting, which still makes no sense, and discrimination. These are fabrications and projections of the Chair's own behaviors onto others. There are real people in this world who are bullied and discriminated against and when someone like the Chair repeatedly, year after year, fabricates false claims to attack those who do not agree, it damages those who actually face injustice. It diminishes their claims, it takes away from them, it's undermines them.

The Chair routinely and recently violates Council rules, Town Charter and State Law. The Chair bullies, interferes and intimidates members of the public and town staff. The Chair interferes with staffs day to day work in clear violation of the town charter, uses the town attorney services like a personal law firm and threatens Town Staff with retaliation when they do not bend to improper requests. Specific examples are telling a reporter contents of an Executive Session meeting as reported last week. The Chair recently told a public works employee not to attend a Human Resources meeting as requested by his superiors in

direct violation of Town Charter. The Chair recently requested the Town Attorney review an overlay district on behalf of a committee even though it was not authorized or requested by the committee or the Council, it was done unilaterally. Members of that committee, public volunteers, felt slighted and confused about their roles as they try and help the town with an important issue but are undermined by their Council representative. The list goes on and on and goes back almost 10 years.

This personal vendetta by a few councilors puts the Windham taxpayer on the hook. But some Counselors do not care; it's not their money, it's the taxpayers.

Even when I do not agree with fellow Councilors, I respect them and their sacrifice to be here. I have called them, met with them and tried to bridge the divides. I am willing and eager to work with you on productive matters. I always am. But no meaningful work can get done for Windham while we sit and by and allow these actions to continue. This is a Council, not a clubhouse. We are here to work for the people.

If you have been a resident for 3 weeks or 30 years, you deserve an equal opportunity to live in a Town that has a responsible Council looking out for you, your families, your tax dollars, your safety and your comfort. Windham is at a crossroads and we need an entire community, not a select few, to chart our future. I see success on our horizon after years of saying no to building a foundation of success for all residents.

To be clear, under no current circumstance do I see a need for or will vote to remove the Town Manager. To quote the Chair from a recent interview, " I'm saying it all stops at the top." That is completely right. As outlined by the \$25,000 management study, requested and by her and the co chair, the top of the town is not the Town Manager. It is the Town Council. And the top of the Town Council is Council Leadership. Again, to quote the Chair, " It all stops at the top".

Councilor Jarrod Maxfield

Thank everyone who bought and paid for a ticket to attend the Windham NHN charity. It was a great evening. A lot of Windham business donated over \$10,000 in products in services to benefit this great LOCAL charity.

I want to address some things that were printed in the lakes region weekly. It was pointed out in an opinion piece that council rules require all comments be directed at the chair. Council rules also state no member shall be interrupted, that the Chair is responsible for "decorum and order." Decorum and Order is something that is sorely lacking on this council and has been since last November, when regrettably the council "elected" this leadership team.

The chair does nothing but claim other members of the council, particularly Councilor Maxfield and I, bully her. If pointing out facts and bringing attention to her lies and hypocrisy is bullying ... well then guilty as charged. But, the chairs MO is bullying and intimidation, truly a glass houses resident. I'll point out a few examples in just the past month:

The chair publicly accused Councilor Maxfield and I of recording executive session(s). Nothing can be further from the truth. She provided an email to a reporter from the town attorney to the rest of the council that in the vaguest terms refreshed the council's responsibilities regarding executive session. She used that email as a "method" to support her latest unfounded allegation. She can't produce any evidence, because there is none, yet she continues to slander both of us. Today, just this morning, she advised me that I based on a policy that I can't contact the town attorney. Yet, what she fails to recognize is that she doesn't provide the council with a summary of her question and the response from the town attorney. A rule outlined in the very same policy she chooses to attempt to bully and intimidate me with. The vast majority of my email contacts with the attorney have been in response to an email message she sent and copied the town attorney. She uses the town attorney to hide her emails from the public, has the town attorney fight her battles and attempt to bully and intimidate people.

Last week a resident, town business owner and candidate for council got up to speak, and indicated his support for the marijuana subcommittee. He pointed out some of the hypocrisy of councilors and what was councilor Chapmans response? A eye roll and smirk that said to everyone in the room that she didn't care what this resident had to say. His remarks were applauded by members of the council and constituents in the room. As well as members of the public who contacted me after the meeting.

Last week the chair sought out a reporter to tell him that the town manager was going to be told to retire or be fired. A clear and unambiguous violation of executive session statute. Imagine your Tony Plante at home when a report calls and asks you for your response to "The chair says you're going to be given the option to retire or be fired." This isn't Donald Trump's fantasy boardroom where she gets to say "You're Fired", this is a person's life. She and her followers here on the council defamed an employee that has been with the town for 22 years. Yet in another article she claim's "We don't attack employees". That's accurate, "WE" don't...But she does more often than you know.

I'll tell you a story about the first time I met Donna Chapman was at my house regarding a planning board process, within the first 30 minutes she told me that "I have the votes to fire Tony...I've told him, I'm going to fire him." That's been her agenda all along...fire tony. It's been kicked into high gear in the last two months. Legal expenses for the first 2 months of the fiscal year have eaten up 35% of the total legal fee budget. Not to mention the \$25,000 organizational study she had to have in a hope to get a smoking gun that would help serve her agenda. She didn't ... and boy is she mad. She's so mad and frustrated that she just couldn't wait. She had to tell the press and permanently damage a veteran town employee's reputation. She has to make sure he going to go, come hell or highwater.

She attacks contractors, she attacks presenters, she attacks guests here in council chambers and she does this on TV where everything is recorded and publicly available. She does this in the open, imagine what happens over the phone. She'll attack anyone who disagrees with her or her agenda.

I for one look forward to a day when this council can focus on the big issues facing this town and not these petty personal agendas. Things like residential development that has exceeded anyone's wildest imagination, protecting our lakes and streams, wastewater treatment to enhance commercial and retail development opportunities in North Windham...and the list goes on. Tony Plante is the guy to help us navigate these issues, and I do not support terminating him.

Councilor Tim Nangle

Attachments: [Police Monthly Report August 2018](#)

CD 18-315 Windham Public Library Monthly Report - August 2018

Attachments: [Library Report - August 2018](#)

CD 18-316 Social Services Monthly Report - July 2018

Attachments: [Social Services Monthly Report - July 2018](#)

VII. Town Manager's Report.

CD 18-320 Town Manager's Report.

Attachments: [Town Manager's Report 20180921](#)

[Retail Adult-Use and Medical Marijuana Establishments Task Force](#)

[APPROVED 20180918](#)

[Projects & Issues List 20180921](#)

[Projects & Issues Sheets 20180921](#)

No report.

VIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

No report.

2. Finance Committee.

No report.

B. Other Committees.

1. Long Range Planning Committee.

There is a meeting next Wednesday.

2. Parks & Recreation Advisory Committee.

Councilor Cummings wanted to let the public know about a spooktacular event happening on October 27; it is the Trunk or Treat at the Windham Middle School from 6:00 to 8:00 p.m. You can apply to host a Trunk or Treat event on line or a paper application. It is a lot of fun and they could use your support. There are no pets allowed at this event.

The Parks & Rec did have a public forum for the community center last night.

She was not able to attend, and said that there will be more of those forums coming up.

3. Highland Lake Leadership Team

No report.

4. Shared Maintenance Facility Joint Project Team.

No report.

5. Windham Economic Development Corporation.

Councilor Maxfield said they had a meeting at Pat's Pizza last week. Tom Bartell gave a report, and did some house keeping. There are projects in town that need to move Windham forward, and the WEDC is right in the middle of a lot of them. One of the goals is for the group to work together, the WEDC is a special group of people.

Tom Bartell said the annual meeting will be on October 17th in the evening, and they receive word on the meeting beforehand. He said this will be more of a working annual meeting and focused on the down town.

6. Mineral Extraction Committee.

Councilor Chapman said there was a forum the other night on this.

Amanda Lessard said there will be a regular meeting this Thursday to review the comments received last week at the public forum.

Councilor Nangle thanked Ben Smith for volunteering to type all of the comments on the screens.

7. Private Roads ad hoc Committee.

Councilor Nangle said they met and they are continuing to work through the process and have reviewed most of the private roads, section 500 statute, and Wednesday night is the next meeting.

IX. PUBLIC HEARINGS.

CD 18-297 To receive public comment relative to the issuance of licenses for junkyard/automobile graveyards in the Town of Windham.

Attachments: [Junkyard Inspection memo-2018](#)
[Junkyard-locations](#)
[Junkyard-Thistle's](#)
[Junkyard-Bob's Salvage](#)
[Junkyard-Whitney's](#)
[Junkyard-Atlas Auto Parts](#)
[Junkyard-Route 302 Auto Recycler's](#)
[Junkyard-Serve-U-Garage](#)
[Junkyard-Pete's Auto](#)

No one spoke for the Public Hearing.

Councilor Nangle moved to suspend Council Rules to take 18-184 out of order, second by Councilor Welch.

Vote 7-0 in favor.

X. CONSENT AGENDA.

18-180 To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by JMA Enterprises Inc. d/b/a Pat's Pizza-Windham for a renewal liquor license.

Attachments: [18-180 Cover Sheet](#)
[Pat's Pizza Renewal Lic. Lic](#)

18-181 To approve an application submitted by JMA Enterprises Inc. d/b/a Pat's Pizza-Windham located at 844 Roosevelt Trail for a renewal special amusement permit.

Attachments: [18-181 Cover Sheet](#)
[Pat's Pizza Renewal Sp. Amuse](#)

A motion was made by Vice Chair Muir, seconded by Councilor Cummings, that the Order be approved. The motion carried by the following vote:

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

XI. UNFINISHED BUSINESS & GENERAL ORDERS.

18-168 To approve the application of David Bailey d/b/a Pete's Auto Body for a permit to operate a junkyard/automobile graveyard.

Attachments: [18-168 Cover Sheet](#)
[Junkyard-Pete's Auto](#)

A motion was made by Councilor Welch, seconded by Vice Chair Muir, that the Order be approved. The motion carried by the following vote:

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

18-170 To approve the application of Stephen Rogers d/b/a Serve-U-Garage for a permit to operate a junkyard/automobile graveyard.

Attachments: 18-170 Cover Sheet

Junkyard-Serve-U-Garage

A motion was made by Vice Chair Muir, seconded by Councilor Cummings, that the Order be approved. The motion carried by the following vote:

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

18-171 To approve the application of Joseph Galletta d/b/a Route 302 Auto Recyclers for a permit to operate a junkyard/automobile graveyard.

Attachments: 18-171 Cover Sheet

Junkyard-Route 302 Auto Recycler's

A motion was made by Vice Chair Muir, seconded by Councilor Cummings, that the Order be approved. The motion carried by the following vote:

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

18-174 To approve the application of Lewis Weatherby d/b/a Atlas Auto Parts for a permit to operate a junkyard/automobile graveyard.

Attachments: 18-174 Cover Sheet

Junkyard-Atlas Auto Parts

A motion was made by Vice Chair Muir, seconded by Councilor Cummings, that the Order be approved. The motion carried by the following vote:

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

18-175 To approve the application of Jeffrey Whitney d/b/a Whitney's for a permit to operate a junkyard/automobile graveyard.

Attachments: 18-175 Cover Sheet

Junkyard-Whitney's

A motion was made by Vice Chair Muir, seconded by Councilor Cummings, that the Order be approved. The motion carried by the following vote:

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

18-176 To approve the application of Robert Wolstenhulme d/b/a Bob's Salvage for a permit to operate a junkyard/automobile graveyard.

Attachments: [18-176 Cover Sheet](#)

[Junkyard-Bob's Salvage](#)

A motion was made by Vice Chair Muir, seconded by Councilor Cummings, that the Order be approved. The motion carried by the following vote:

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

18-177 To approve the application of Roy E. thistle d/b/a Thistle's for a permit to operate a junkyard/automobile graveyard.

Attachments: [18-177 Cover Sheet](#)

[Junkyard-Thistle's](#)

Councilor Maxfield stated that Tony usually explained for the public that junkyards are not allowed by Land Use Ordinance in Windham but these are grandfathered and are dealt with once a year.

A motion was made by Vice Chair Muir, seconded by Councilor Cummings, that the Order be approved. The motion carried by the following vote:

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

18-178 To approve an application submitted by Northern New England Telephone Operations LLC and Central Maine Power Company to locate one (1) utility pole, cables and wires there on Swett Road, approximately 2,820 feet Southerly of the intersection with center line of Town Farm Road.

Attachments: [18-178 Cover Sheet](#)

[Pole Location-Swett Road](#)

The land owner got up and said she hopes they approve this because they have been without power, and they need it for their farm and the freezers for their meat. She is going to have a baby in December and they would be without power.

A motion was made by Vice Chair Muir, seconded by Councilor Welch, that the Order be approved. The motion carried by the following vote:

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

18-172 To appoint a voting delegate and an alternate voting delegate to the Maine Municipal Association annual business meeting.

Attachments: [18-172 Cover Sheet](#)

[MMA Annual Business Meeting Voting Credentials](#)

Councilor Chapman moved to postpone to next Tuesday, October 2, 2018, second by Councilor Nangle.

A motion was made by Councilor Welch, seconded by Councilor Maxfield, that the Order be postponed. The motion carried by the following vote:

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

18-182 To authorize the purchase of snow pusher boxes from Milton Cat in the amount of \$7,723.00 as described in a memorandum from public works director Doug Fortier dated September 17, 2018.

Attachments: [18-182 Cover Sheet](#)

[Fortier Memo re. Snow Pusher Boxes 20180917](#)

Doug Fortier explained it was authorized in the equipment account and it came in at \$1,223.00 higher, and as stated in his memo, they can make that up out of the fleet parts account, or the Council could authorize it to come out of the annual account.

Councilor Welch asked what he would use the snow pusher box for?

Doug said they are big boxes that will be used down at the new Public Works Facility. There is so much more pavement that will need to be plowed to get ready for school the next day.

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

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

18-183 To approve Amendment No. 2 to the professional services agreement with Wright-Pierce for wastewater planning and engineering services as approved by order 16-032 on February 23, 2016 for hydrogeological feasibility evaluation of the "Lippman site" in the amount of \$116,400 as discussed at the Council meeting of September 18, 2018.

Attachments: [18-183 Cover Sheet](#)

[WindhamHydroGeo_GWDPAmendment\(PFB-20180920\)](#)

Councilor Chapman said in last week's information they saw that the environmental study was removed, and they also noticed that there was no mention of Colley Wright Brook. Some residents came in and brought that concern up. She would support the Order if they put that environmental study from the DEP or the permit process in ahead of time, as well as mentioning the Colley Wright Brook.

Jon Earle asked if she was referring to the Lippman site? He said yes, they will determine where the nitrates and treated waste water goes once it leaves the treatment plant. Councilor Chapman said she'd like to see this under phase 1. He said PWD is supporting them on this and they are still working out the details.

Councilor Maxfield said he does not disagree with trying to protect the brook but what he heard last week, they want to, essentially, get the small fish done first for the least amount of money to make sure it is a feasible project before going ahead and paying a larger fee for the next portion.

There was more back and forth conversation about this.

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

In Favor: 5 - Councilor Welch, Councilor Nangle, Vice Chair Muir, Councilor Maxfield and Councilor Cummings

Opposed: 2 - Council Chair Chapman and Councilor Haskell

18-184 To refer proposed amendments to the Land Use Ordinance, Chapter 140 of the Code of the Town of Windham with regard to cluster subdivisions as described in the memorandum dated July 31, 2018 from planner Amanda Lessard to the planning board for review and recommendation.

Attachments: [18-184 Cover Sheet](#)

[TC_packet_LRPC cluster subdiv 07-31-2018](#)

This Order was taken out of order.

Amanda Lessard - Planner said this was a very targeted revision to the cluster subdivision standards that the Long Range Planning Committee has been working on. It is intended to advance the big idea from the Comprehensive Plan to keep rural Windham rural by requiring subdivisions in the Farm and Farm/Residential zones to be designed under the cluster subdivision standards. It would allow the open space to be retained by the subdivider for agricultural or forestry uses. It would establish some clear factors for the Planning Board to review the arrangement for the lots on the land to create a relationship between a proposed development and the land.

There are some changes detailed in the memo, so we are just asking you to forward the draft to the Planning Board for their review and recommendation.

Councilor Nangle confirmed that this allows a developer to put the same number of houses in but in a much smaller area? Councilor Nangle asked is the type of open space determined by the developer or is it something that the town can say they want it to be open to the public, etc. Amanda said that is determined by the developer as far as public access or not. The type of land that is in the open space right now, has just a provision in the ordinance that is not proposed to be changed under this revision, that 50% of it needs to be useable land, not wet land, steep slopes or resource protection. She said part of these revisions do ask, during the review process, that the developer kind of outline all of the critical areas so that the Planning Board has a little bit more say on how the lots are laid out and what is preserved for open space. It is in the ordinance today but it is not very clear, so that it is brought to the forefront of the Planning Board's review at the initial stages of a subdivision application.

Councilor Chapman said when they move this forward and Ben looks at this, there is probably going to be a cost, as Ben is a consultant, and one of the things she would like is to have an "action plan" attached to it after, so it doesn't sit there and nothing is done. Could the Planning Board come up with that as well? Amanda said not under these revisions. The next agenda item that has to do with a work plan for the Long Range Planning Committee may address some of those issues.

Councilor Maxfield questioned that in the Farm and Farm Residential, they would only be able to do a cluster subdivision? Amanda said that was correct and further explained.

Councilor Muir stated the lots had to be a certain size, but does that mean the developer can put more houses in than he would have been able to put under the original zone? Amanda, not as a given, there is a density bonus that's in here and is not proposed to be

changed; that got adopted three or four years ago and allows for some increased percentage of lots if the developer makes the open space accessible to the public.

Alan Phinney member of the LRPC gave some history of how this came about. During the Comp Plan process they had multiple public forums and the common theme through all was to preserve open space and the rural character. When the LRPC started working on this they saw it as a priority to preserve open space, and this seemed a good way to do it. He gave an example.

Councilor Muir referenced Lincoln Circle, which has some open space up in back that is a ball field, and you have to go into the development to get to it, and park in the development; will this change that? Amanda said one of the proposed amendments is that it would give the Planning Board greater flexibility in working with the developer in the sketch plan review phase to have some greater say where exactly that open space will be.

Councilor Cummings - When you talk about density bonuses, if the land is open for public use, do you take into consideration whether the project is in a growth area? Will you allow more houses in an area that is not specified growth? Amanda said right now there is no differentiation between where it is located.

Councilor Nangle wondered if they should revise that language tonight and make the density bonus available to the growth areas versus the non-growth? Another concern is you use the 20 acre lot and say 5 acre are an ecological ecosystem, do they still get to take the density bonus of 20 acres? Amanda said no, you subtract out all of that.

Councilor Maxfield asked if you create public access land you get a density bonus, correct? An issue he has with open space, is it's not necessarily useable. Is the density bonus, unlike the open space, is it actually required to be useable space or is it just for the density? Amanda said now there is an amount of land that needs to be useable that is within the open space.

Councilor Cummings wants to make sure that they target the density bonuses are targeted for the growth areas.

Councilor Nangle makes a motion to modify the applicable standards that focuses cluster subdivisions in the growth areas referenced in zoning districts, 2nd by Councilor Welch.

Vote 7-0 on Amendment.

Councilor Maxfield makes a motion to take 18-185 out of order, 2nd by Councilor Nangle.

Vote 7-0

A motion was made by Council Chair Chapman, seconded by Councilor Welch, that the Order be approved as amended. The motion carried by the following vote:

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

18-185 To approve a work plan for the Long Range Planning Committee as outlined in the memorandum dated September 19, 2018 from Ben Smith of NorthStar Planning.

Attachments: [18-185 Cover Sheet](#)

[LRPC work plan authorization memo 09-19-18](#)

Amanda Lessard said at the workshop last week they had a discussion on growth issues and what the LRPC has been working on since the Comp Plan was adopted, and based on the discussion with the Council and concerns from the public, this memo from Ben outlines the prioritized recommendations from the Planning Committee on some items to work on in the near future, along with a time table.

The first one recommended is working on zoning ordinances and zoning map amendments for the farm and farm residential zoning districts.

Second, they would recommend drafting an open space plan for the Town of Windham. This effort would help identify properties in areas in Windham that would be targeted for protection; this might not be focused solely on the farm and farm residential areas, there may be areas of open space and growth areas that are worth preserving for historic environmental or recreational values, and would also require some public outreach. There seems to be some interest on working on some recommendations for impact fees for open space and schools for new development to pay into a fund that would off-set those impacts in preserving open space or offsetting costs of school systems.

Third, developing a district plan for focusing on land use transportation and economic development for South Windham, it would be similar in character to the 21st Century Downtown Plan for North Windham as an update to the South Windham and Little Falls Plan 1998.

Councilor Nangle said he'd like them to look at impact fees first and collecting them sooner rather than later.

A motion was made by Vice Chair Muir, seconded by Councilor Welch, that the Order be approved. The motion carried by the following vote:

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

XII. Discussion Items.

CD 18-319 Sand-Salt Shed Repairs.

Attachments: [Cover Sheet CD 18-319](#)

[180918 Windham sand salt fnd wall condition](#)

Doug Fortier and Bill Faucher were there to explain and answer questions on the sand-salt shed repairs.

XIII. Agendas & Scheduling.

Topics to be discussed:

Air B&B;s

Political signs

Light in North Windham

Erik's Church entrance

River Road signage

Barking dog ordinance

CD 18-321 Agenda Items Reports.

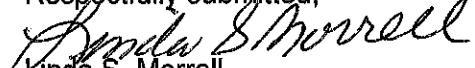
Attachments: [Agenda Items Scheduled 20180921](#)
[Agenda Items to be Scheduled 20180921](#)
[Projects & Issues List 20180921](#)
[Projects & Issues Sheets 20180921](#)

XIV. ADJOURN.

A motion was made by Councilor Welch, seconded by Councilor Maxfield, that they be adjourned. The motion carried by the following vote at approximately 9:24 p.m.

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

Respectfully submitted,


Linda S. Morrell

Town Clerk, CCM