



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Town Council

Tuesday, March 12, 2019

7:00 PM

Council Chambers

WCCG TV-7 Now on Channel 1303

I. Roll Call of Members.

Present: 6 - David Nadeau, Tim Nangle, Bob Muir, Donna Chapman, Clayton Haskell and Rebecca Cummings

Absent: 1 - Jarrod Maxfield

II. Pledge of Allegiance.

Council Chair Haskell led the assembly in the Pledge of Allegiance.

III. Minutes to be Approved:

CD 19-070 To approve the Minutes of the March 5, 2019 Council meeting.

Attachments: Minutes-Town Council 3-5-2019

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

In Favor: 6 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

IV. Public Participation.

Holly Tubbs spoke and gave a hand out of what she read to the Council. (See attached)

V. Councilors' Comments.

Councilor Nangle referred back to two weeks ago when Mr. Eliason came in to speak about Councilors making backroom deals. Councilor Nangle also spoke about an email between a Councilor and a constituent.

Councilor Chapman replied and said there are no backroom deals being done. She had two constituents David Foster and Julie Lunt Farley ask for a meeting with our Interim Town Manager Don Gerrish to discuss her specific issues on her property. Councilor Chapman stated that Don was fully aware and involved in that conversation.

Councilor Chapman replied in regard to Mr. Douglas's email, he cc'd all of the Council. Councilor Chapman spoke with Chris Hanson, and he said the ball did get dropped and he apologized.

**If interested in further comments, please refer to the video on the town's website:
www.windhammaine.us*

Councillor Cummings said they would be looking into that matter.

VI. PUBLIC HEARINGS.

19-020 To receive public comment and act on proposed amendments to Town of Windham Land Use Ordinance, Chapter 140, Section 800 Site Plan Review Committee and Section 900 Subdivision Review, related to Independent Review of development in watersheds of a lake most at risk from new development.

Attachments: 19-020 Cover Sheet

TC memo Independent Review 02-26-19

Independent Review Amendments 2019-02-26

Dennis Brown Independent Review Comments 2019-02-27

TC packet PB recommend Independent Review 02-05-19

Kim White from Highland Lake and part of the HLA & HLLT wanted to thank the Council and the town. They see this is a check and balance system and a second set of eyes, as this can be extremely important when these things are done. She thanked David Nadeau for adding the part of having a site-walk. She doesn't think there are too many vacant large parcels of land left in Southern Maine around lakes, and this is in everybody's best interest that these parcels are developed responsibly.

Sarah Bronson of Johnson Road commented on the proposed amendment - the wording "development in watersheds of a lake most at risk from development."

Her questions is: We have many ponds and streams that do not go to any lakes. Is the language intended to be for lakes only or to be intended for watersheds? She asked the Council to consider that.

Amanda Lessard said it was intended to be lakes most at risk from new development. That is a listing that is created by the Department of Environmental Protection, a chapter that has specific rules. This Ordinance Amendment came as a recommendation from the HLLT, specifically, and started as a Highland Lake issue but broadened it town-wide where there is concern for other lakes on the list. That was the focus of the amendment to the development review; the HLLT wanted additional eyes on the stormwater management plan for the phosphorus standards.

VII. CONSENT AGENDA.

VIII. UNFINISHED BUSINESS & GENERAL ORDERS.

19-003 To approve applications for watershed protection grants, such funding to be paid from fiscal year 2018-2019 watershed protection funds in account 11500-46930.

3/12/19

Good evening

I was reminded today that it's probably time for me to put my mouth where my money is and tell you what I'm proud of in Windham. It's the people. I know a lot of people in Windham. I was raised here.

Maybe I should introduce you to some of them they're not all in C-3 they're all over town. Their in Farm zones, C-1, Farm residential Etc. Their builders, plumbers, masons, electricians, painters, Excavators, dump truck drivers, foundation contractors and so forth that are parents themselves, and would run their trucks off the road trying to avoid your child.

Computer wizards, pipe fitters & engineers that do work all over the Northeast. Daycare centers that are keeping your children safe while your trying to make a living. Teachers, coaches, town employees, developers, it takes a lot to keep this town a community. They don't brag about themselves much it's not what they do.

Many of those professionals learned their trade in the military we have veterans in many professions all over Town.

Auto mechanics who take their mother breakfast most mornings another who's won awards for his charitable works. Farms/ Companies 3 in town I know of (not testing perfume on bunnies) but that are in such a competitive business that I had to sign a confidentiality agreement to shovel manure. Upcoming in a couple of weeks sugar houses two that I know of in Windham seems like a fun activity for a family to do on a weekend morning. A fairly new organic farm.

We have a number of younger people taking over their **FAMILY** businesses. I get a lot of calls for referrals from people. I am always happy to refer them to people I believe are very good at what they do. As you probably know, we have all heard those "BAD" contractors stories.

I want them to be successful. The Town needs them to be successful.

Since most of the FAMILY business's I'm acquainted with are fiercely proud of their accomplishments, even if you don't know about them, I guess I'm up.

I will never go to Haiti - but I've sold pumps and tanks that were taken there by an engineer from Portland (I believe) for the relief effort. I've supplied well components to the military when we were in IRAQ. Requested, by a man from Cape Elizabeth by satellite phone, it was quicker for me to Fedex them than to requisition them through the military. I'm proud some of my customers forget to tell me who they are when they call and I recognize their voices from so many calls over 30-40 yrs.

Please remember that word BEFORE business. It's Family and they are first because they come first, before business.

Some of those same people or their families are dealing with cancer, caring for elderly parents, have children that are seriously ill or having addiction problems and things are not going very well in their lives right now. For many their friends, neighbors, and sometimes strangers in the Town of Windham will step up to the plate without being asked and lend a hand. Those are the people of Windham I am proud to know. Please realize there are people in Windham that I am not very proud of but I believe the good still outweigh the bad by a lot.

Thank you for your time
Holly Tubbs

Attachments: 19-003 Cover SheetAward History of Watershed GrantCollins Pond Improvement Assoc Grant Application fy19Forest Lake Assoc 2019 Windham Grant ApplicationHighland Lake Association Grant Application FY19Little Sebago Lake Assoc Watershed Grant Application FY19Presumpscot River Land Trust Grant Application FY19

Councilor Nadeau moved to amend the Order to read:

Collins Pond \$2,500

Forest Lake Association \$14,000

Highland Lake Association \$13,500

Little Sebago Lake Association \$5,000

Second by Councilor Chapman

Councilor Nadeau said the next time they put this out they need to change the formula and the spreadsheet, because if any of these funds are going to road repair they have to make sure they sign a contract of X amount of years that it will be maintained, other than that they would just be throwing it at the wind.

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

In Favor: 6 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

19-045

To refer to the Natural Resources Advisory Committee the task of reviewing the Watershed Grant program for the purpose of developing new application and distribution criteria to propose to the council for the next fiscal year. (Town Manager's request.)

Attachments: 19-045 Cover Sheetwatershed grant application

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

In Favor: 6 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

19-031

To approve one (1) application of the Windham Veterans Association for licenses to conduct games of chance at Dena's Lobster House & Tavern from April 1, 2019 through March 31, 2020.

Attachments: 19-031 Cover SheetWindham Veterans Assoc- Games of Chance

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

In Favor: 6 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

19-040 To appoint Mark Morrison to the Windham Economic Development Corporation for a two-year term to end February 15, 2021. (Sponsored by Appointments Committee)

Attachments: 19-040 Cover Sheet

Councilor Chapman abstained from voting on this Order because she did not sit in on the interview and has not met him. She is glad they have applicants coming forward.

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

In Favor: 5 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

Abstain: 1 - Councilor Chapman

19-043 To confirm an appointment made by the Town Manager to the position of Director of the Planning Department.

Attachments: 19-043 Cover Sheet

Memo from Interim Town Mgr. Don Gerrish

All the Council members congratulated Amanda and thanked her for all the work she has been doing these past several months.

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

In Favor: 6 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

19-044 To approve the participation of all current and future Police Officers of the Town of Windham in Maine PERS Special Plan 3C for service rendered on or after January 1, 2018, and to authorize the Town Manager to sign the agreement on behalf of the Town.

Attachments: 19-044 Cover Sheet

Memo from HR Director

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

In Favor: 6 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

IX. Discussion Items.**X. Council Correspondence.**

Councillor Chapman read an email from Craig Broadbent in regard to his road. It is all mud and cars are getting pulled all over the road. He asked the town to please repair the road.

CD 19-058 HLLT Update

Attachments: TC Memo - Septic System Review

CD 19-059 GPCOG Regional Voice Policy Issues Paper.

Attachments: GPCOG Letter

GPCOG-Roadmap-to-Prosperity-2018-191-copy

CD 19-063 Windham Public Library Newsletter.

Attachments: Check It Out March 2019

CD 19-057 Department of Public Works Monthly Report - January 2019

Attachments: Monthly Report - January 2019

January 2019 Storm Reports

CD 19-067 Town Clerk's Report for February 2019.

Attachments: Town Clerk's February 2019 Report

XI. Town Manager's Report.

None.

XII. Committee Reports.**A. Council Subcommittees.****1. Appointments Committee.**

Councillor Cummings said there are some appointments coming up on the 26th.

2. Finance Committee.

No report.

B. Other Committees.**1. Long Range Planning Committee.**

Amanda Lessard said they have been working on the Farm and Farm Residential zoning changes with more of a focus on what the greatest concerns that came from the forums. There is a meeting next Wednesday.

2. Parks & Recreation Advisory Committee.

Councillor Cummings said a notice to contractors went out to help construct the skate park as well as site prep for a future community park, and will be open for bids on March 28th.

3. Windham Economic Development Corporation

No report.

4. Highland Lake Leadership Team.

Councillor Chapman said today's meeting was postponed, and they will meet next month and they are working on the strategic plan.

5. Shared Maintenance Facility Joint Project Team.

Councillor Nadeau said flooring should be in by the end of the week, and it will take about one week to put it down.

6. Private Roads ad hoc Committee.

Councillor Nangle said they met two weeks ago, and they hope to have something soon.

7. Natural Resources Advisory Committee.

Councillor Chapman said they have not met since the last update.

8. Retail Adult Use & Medical Marijuana Task Force.

Councillor Nadeau said they met last night and are making slow progress.

XIII. Agendas & Scheduling.

CD 19-071 Future Agenda Items Report.

Attachments: Future Items Report

A town dog park to be discussed on some town owned property.

XIV. ADJOURN.

A motion was made by Councillor Nangle, seconded by Councillor Chapman, that they be approved. The motion carried by the following vote at 7:39 p.m.

In Favor: 6 - Councillor Nadeau, Councillor Nangle, Councillor Muir, Councillor Chapman, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

Respectfully submitted,



Linda S. Morrell
Town Clerk, CCM