



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, November 18, 2014

7:00 PM

Council Chambers

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:

[CD 14-398](#)

To approve the Town Council Minutes from October 28, 2014.

Attachments:

[Minutes 10-28-14.pdf](#)

IV. Public Participation.

The public is invited to address the Council on any item of business not on the agenda for tonight's meeting.

NOTE TO CITIZENS: Citizens have the right and are encouraged to speak during public participation regarding items not on the agenda, or regarding an item when it comes up on the agenda.

All comments and questions during public participation or on an agenda item must be directed to the Chair and be limited to not more than three (3) minutes per speaker; except that the Chair may grant another three (3) minutes at his/her discretion.

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

Anyone who has already addressed the Council during public participation, on an agenda item, or during a public hearing will be asked to wait until all others have spoken before being recognized a second time.

V. Councilors' Comments.

VI. Council Correspondence.

[CD 14-389](#) ecomaine 2014 Member Rebates

Attachments: [ecomaine rebate](#)

[CD 14-394](#) Cumberland County Commissioners' Meeting Minutes

Attachments: [10-20 Commission Minutes](#)

[CD 14-400](#) MMA 2014 Municipal Priorities Paper

Attachments: [2014 Municipal Priorities Paper](#)

[CD 14-362](#) Code Enforcement Department Monthly Report - September 2014

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

[CD 14-393](#) Investment Reports

Attachments: [Investments as of October 31, 2014](#)

[Investment Trends as of October 31, 2014](#)

[CD 14-396](#) Monthly Financial Reports - October 2014

Attachments: [Appropriation & Revenue Control reports](#)

VII. Town Manager's Report.

[CD 14-402](#) Town Manager's Report

Attachments: [Town Manager's Report 20141114](#)

VIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.
2. Finance Committee.

B. Other Committees.

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

4. Wastewater Management Planning Advisory Committee

IX. PUBLIC HEARINGS.

[CD 14-386](#) Public hearing on amendments to Land Use Ordinance, Chapter 140, regarding rockeries and code enforcement interpretations.

Attachments: [Chapter 140 Amendments Relative to Rockeries and Code Interpretation \(14-32\)](#)
[Chapter 140 Amendments Relative to Rockeries and Code Interpretation \(14-32\)](#)

[CD 14-387](#) Public hearing on amendments to Building Construction Ordinance, Chapter 66, replacing the current ordinance to reflect the adoption of the Maine Uniform Building and Energy Code and to exempt rockeries from permitting requirements.

Attachments: [Chapter 66 \(Current\)](#)
[Chapter 66 Proposed Amendment \(Replacement\)](#)
[Chapter 66 Fee Schedule \(Current & Proposed\)](#)

[CD 14-392](#) Public hearing to receive comment on proposed amendments to the Town's Land Use Ordinance, Chapter 140 reducing minimum lot sizes in the Retirement Community and Care Facility Overlay District from 5 acres to 200,000 square feet.

Attachments: [PB toTC_RCCF_11-03-14_combined](#)

[CD 14-399](#) To receive comment on a new liquor license permit application submitted by Jacqueline Steele d/b/a Sebago Billiards.

Attachments: [Liquor License -Sebago Billiards.pdf](#)

X. CONSENT AGENDA.**XI. UNFINISHED BUSINESS & GENERAL ORDERS.**

[14-410](#) To find that the requirements of 28-A MRSA §653 have been met and to approve an application submitted by New England 9 Ball LLC d/b/a Sneaky Pete Billiards for a renewal liquor license.

Attachments: [14-410 Cover Sheet](#)
[28-A MRSA 653](#)
[Sneaky Pete's Liquor renewal.pdf](#)

This item was postponed from a previous meeting. The application has since been withdrawn. Since the application now can neither be approved nor denied, indefinite postponement is recommended.

Legislative History

10/14/14 Town Council postponed

[14-444](#) To accept nominations for and elect a Chairman of the Town Council.

Attachments: [14-444 CoverSheet](#)

[14-445](#) To accept nominations for and elect a Vice Chairman of the Town Council.

Attachments: [14-445 CoverSheet](#)

[14-446](#) To accept nominations for and elect a Parliamentarian of the Town Council.

Attachments: [14-446 CoverSheet](#)

[14-447](#) To accept nominations for and appoint a Finance Committee.

Attachments: [14-447 CoverSheet](#)

[14-448](#) To accept nominations for and appoint an Appointments Committee.

Attachments: [14-448 CoverSheet](#)

[14-449](#) To accept nominations for and appoint two representatives to the Windham Economic Development Corporation board of directors.

Attachments: [14-449 CoverSheet](#)

[14-450](#) To accept nominations for and appoint a representative to the Greater Portland Council of Governments executive committee.

Attachments: [14-450 CoverSheet](#)

[14-451](#) To appoint a Council representative to the Land Use Ordinance Committee.

Attachments: [14-451 CoverSheet](#)

[14-452](#) To appoint a Council representative to the Public Easement Advisory Committee.

Attachments: [14-452 CoverSheet](#)

[14-474](#) To approve an application submitted by Northern New England Telephone Operations LLC and Central Maine Power company to locate one (1) utility pole and cables and wires thereon on Smith Road, approximately (250') northwesterly of Brand Road.

Attachments: [14-474 CoverSheet](#)
[fairpoint pole-Smith Rd.pdf](#)

[14-478](#) To find that the requirements of 28-A MRSA §653 have been met and to approve an application for a new liquor license submitted by Jacqueline Steele d/b/a Sebago Billiards.

Attachments: [Liquor License -Sebago Billiards.pdf](#)

[14-463](#) To approve amendments to the Land Use Ordinance, Chapter 140, regarding rockeries and code enforcement interpretations.

Attachments: [14-463 CoverSheet](#)
[Chapter 140 Amendments Relative to Rockeries and Code Interpretation \(14-32](#)
[Chapter 140 Amendments Relative to Rockeries and Code Interpretation \(14-32](#)
[PB to TC_Rockeries_11-03-14_combined](#)

[14-464](#) To approve amendments to Building Construction Ordinance, Chapter 66, replacing the current ordinance to reflect the adoption of the Maine Uniform Building and Energy Code and to exempt rockeries from permitting requirements.

Attachments: [14-464 CoverSheet](#)
[Proposed Chapter 66 Amendment](#)
[Current Chapter 66](#)
[Chapter 66 Fee Schedule \(Current & Proposed\)](#)

[14-468](#) To approve proposed amendments to the Town's Land Use Ordinance, Chapter 140 reducing minimum lot sizes in the Retirement Community and Care Facility Overlay District from 5 acres to 200,000 square feet.

Attachments: [14-468 CoverSheet](#)
[Planning Board Recommendation](#)

[14-453](#) To enter into executive session to meet with the town attorney for an update on legal matters in accordance with Title 1 M.R.S.A. §405(6)(E).

Attachments: [14-453 CoverSheet](#)

Note: The Council may wish to defer action on this order until after the conclusion of discussion item CD 14-380, and possibly agenda item XIII, "Agendas and Scheduling" to provide an uninterrupted public portion of the meeting for those present and those watching on webcast/telecast.

XII. Discussion Items.

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

[CD 14-380](#) The Council will receive training on Maine’s “Freedom of Access Act” as required by state law.

Attachments: [FOAA Training Overview](#)

9:00 p.m.

Public Comment.

XIII. Agendas & Scheduling.

[CD 14-401](#) Agenda Items Report

Attachments: [Agenda Items Report - Items Scheduled 20141114](#)
[Agenda Items Report - Items Not Yet Scheduled 20141114](#)

XIV. ADJOURN.