



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, December 13, 2016

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 16-428](#)

To approve the minutes of the November 22, 2016 Council meeting.

Attachments:

[Minutes-Town Council-11-22-2016](#)

IV. Public Participation.

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

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

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

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

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

V. Councilors' Comments.

VI. Council Correspondence.

[CD 16-422](#) ecomaine Annual Report 2016

Attachments: [ecomaine Annual Report 2016](#)

[CD 16-423](#) MMA Workers Compensation Fund Annual Membership Report

Attachments: [MMA Workers Compensation Fund Membership Report](#)

[CD 16-424](#) Presumpscot Regional Land Trust Newsletter - Fall/Winter 2016

Attachments: [Presumpscot Regional Land Trust Newsletter Fall-Winter 2016](#)

[CD 16-425](#) Windham Public Library Newsletter - December 2016

Attachments: [Check It Out - Dec 2016](#)

[CD 16-431](#) Town Clerk's Monthly Report - October 2016

Attachments: [Monthly Town Clerk's Report for October 2016](#)

[CD 16-432](#) Town Clerk's Monthly Report - November 2016

Attachments: [Monthly Town Clerk's Report for November 2016](#)

[CD 16-433](#) Planning Department Monthly Report - November 2016

Attachments: [11-2016 Monthly Report](#)

VII. Town Manager's Report.

[CD 16-434](#) Town Manager's Report.

Attachments: [Town Manager's Report 20161208](#)

[Projects & Issues List 20161208](#)

[Projects & Issues Sheets 20161208](#)

VIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.
2. Finance Committee.

B. Other Committees.

1. Windham Economic Development Corporation

2. Wastewater Management Planning Advisory Committee.
3. Parks & Recreation Advisory Committee.

IX. PUBLIC HEARINGS.

[CD 16-400](#) To receive public comment on a proposed Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs.

Attachments: [Retail Marijuana Establishment DRAFT Moratorium Ordinance Atty Rev 111516](#)

X. CONSENT AGENDA.

[16-212](#) To grant a blanket letter of approval to the Windham Veteran's Association for its application for licenses to conduct games of chance (Texas Hold-Em) at Club 302 for the period of January 1, 2017 through December 31, 2017.

Attachments: [16-212 Cover Sheet](#)
[Windham Veteran's - Game of Chance](#)

[16-220](#) To cancel the Council meeting of December 27, 2016.

Attachments: [16-220 Cover Sheet](#)
[Council Rules](#)

XI. UNFINISHED BUSINESS & GENERAL ORDERS.

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

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

Postponed from the meeting of November 15, 2016.

[16-210](#) To adopt an ordinance establishing a moratorium on all proceedings, applications, and petitions for the development, including all relevant permits, of Retail Marijuana Establishments and Retail Marijuana Social Clubs.

Attachments: [16-210 Cover Sheet](#)
[Retail Marijuana Establishment DRAFT Moratorium Ordinance Atty Rev 111516](#)

[16-211](#) To refer amendments to the Land Use Ordinance, Chapter 140, relating to accessory apartments as discussed at the Council meeting of December 6, 2016.

Attachments: [16-211 Cover Sheet](#)
[Accessory Apartment Amendments 20161206](#)

[16-216](#) To accept Susans Way and Georges Lane as public ways as described in a release deed from Chute Road South Homeowners Association.

Attachments: [16-216 Cover Sheet](#)
[TC memo ChuteRoadSouth PubAccept 12-2-16](#)
[Chute Road South Field Report 11-18-2016](#)
[Final As-Built Chute Road South Subdiv 11-29-2016](#)
[Chute Road South roads acceptance 11-1-16](#)
[Chute Road South Homeowners Release Deed](#)

[16-217](#) To adopt a resolution to authorize the Town Treasurer to negotiate the terms of an Equipment Lease Purchase Agreement and related documents providing financing of up to \$366,997.58 including the interest rate, maturity, and other terms and conditions with whatever financial institution the Treasurer deems appropriate and to award the Equipment Lease Purchase Agreement to such financial institution as he deems to be in the best interests of the Town in order to provide the Town with one (1) 2017 plow truck with sanding gear, data center, and back-up servers and software and upfront and first year costs for the MUNIS financial software system at an aggregate cost of up to \$366,997.58 plus interest at a rate to be determined by the Town Treasurer.

Attachments: [16-217 Cover Sheet](#)
[Lease Resolution](#)

[16-219](#) To approve an amendment to the promissory note from the Windham Economic Development Corporation as approved by Council order 09-186 on December 22, 2009 for property located at the intersection of Anglers Road and Route 302, and to authorize the town manager to sign the amendment on behalf of the town and to take any other necessary action related thereto.

Attachments: [16-219 Cover Sheet](#)
[Amendment to Promissory Note \(WEDC Town\) 12 5](#)

[16-215](#)

To enter into executive session under 1 M.R.S.A. §405(6)(A), which provides for the “Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency,” for the purpose of discussing performance evaluations and compensation, and under 1 M.R.S.A. §405(6)(D) for “discussion of labor contracts and proposals and meetings between a public agency and its negotiators” on the collective bargaining agreements with the Windham Police Association and the Gorham-Windham Professional Firefighters Association.

Attachments: [16-215 Cover Sheet](#)

XII. Discussion Items.

None.

XIII. Agendas & Scheduling.

[CD 16-435](#) Agenda Items Reports.

Attachments: [Agenda Items Report 20161208](#)
 [Projects & Issues List 20161208](#)
 [Projects & Issues Sheets 20161208](#)

XIV. ADJOURN.