



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Agenda

### Town Council

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Tuesday, February 25, 2020

6:30 PM

Council Chambers

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#### Council Meeting

#### I. Roll Call of Members.

#### II. Pledge of Allegiance.

#### III. Minutes to be Approved:

[CD 20-072](#) To approve the Minutes of the February 11, 2020 Council meeting.

**Attachments:** [Minutes-Town Council-2-11-2020](#)

#### 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. PUBLIC HEARINGS.

[20-048](#) To receive public comment and act on proposed amendments to Chapter 140, Land Use Ordinance, Sections 300, 400, 500 and to Chapter 199, Sections 199-14, related to the regulation of medical and adult-use marijuana.

**Attachments:** [20-048 Cover Sheet](#)  
[TC packet\\_PB recommend\\_Marijuana\\_02-13-20 A](#)

[20-047](#) To receive public comment and act on a proposed Marijuana Business Licensing Ordinance, Chapter 160 of the Code of the Town of Windham.

**Attachments:** [20-047 Cover Sheet](#)  
[Marijuana Licensing Ordinance 021220](#)

[20-054](#) To receive public comment and act on an emergency ordinance establishing a moratorium on new marijuana cultivation facilities.

**Attachments:** [20-054 Cover Sheet](#)  
[Moratorium Ordinance Regarding Marijuana Cultivation Facilities](#)

## VII. CONSENT AGENDA.

*None.*

## VIII. UNFINISHED BUSINESS & GENERAL ORDERS.

[20-050](#) To set seasonal weight limits on roads.

**Attachments:** [20-050 Cover Sheet](#)  
[Seasonal Road Postings 2020](#)

[20-051](#) To appoint Catherine Miller to a three-year term on the Library Board of Trustees, to expire February 15, 2023.

**Attachments:** [20-051 Cover Sheet](#)

[20-052](#) To appoint Christopher McDonald to a three-year term on the Zoning Board of Appeals, to expire February 15, 2023.

**Attachments:** [20-052 Cover Sheet](#)

[20-053](#) To appoint Brandi Caceres to a three-year term on the Human Services Advisory Committee, to expire February 15, 2023.

**Attachments:** [20-053 Cover Sheet](#)

[20-055](#) To approve a new Victualer's permit application submitted by Charles Hawkins d/b/a Bio Market, located at 771 Roosevelt Trail.

**Attachments:** [20-055 Cover Sheet](#)  
[Bio Market](#)

[20-056](#) To approve an application submitted by Central Maine Power to locate one (1) utility pole and cables and wires there on Hall Road, approximately +/- 1800 feet southerly from Roosevelt Trail starting at the corner of Roosevelt Trail and Hall Road.

**Attachments:** [20-056 Cover Sheet](#)  
[Pole Location-Hall Rd](#)

[20-057](#) To approve fees for services for the Police Department.

**Attachments:** [20-057 Cover Sheet](#)  
[Police Fees](#)

[20-058](#) To approve fees for services for the Windham Public Library.

**Attachments:** [20-058 Cover Sheet](#)  
[Library Fees](#)

[20-059](#) To approve fees for permitting and services for the Code Enforcement Department.

**Attachments:** [20-059 Cover Sheet](#)  
[Building Permit Fee Comparisons Updated](#)

[20-060](#) To approve fees for services for the Fire-Rescue Department.

**Attachments:** [20-060 Cover Sheet](#)  
[FireRescue Fees](#)

[20-062](#) To discuss and act on a contract for solid waste and recyclable materials collection for the period July 1, 2020 through June 30, 2023 as specified in the memo from the Public Works Director dated February 20, 2020 and to authorize the Town Manager to take necessary action to finalize the agreement.

**Attachments:** [20-062 Cover Sheet](#)  
[Municipal Solid Waste RFP Bid Results](#)

[20-063](#) To discuss and act on silver bullet recycling collection services and to authorize the Town Manager to take any necessary action.

**Attachments:** [20-063 Cover Sheet](#)  
[Silver Bullets Memo](#)

[20-065](#)

To order that an Order of Vacation regarding a portion of a proposed, unaccepted way described in such Order be filed with the Town Clerk pursuant to 23 M.R.S.A. § 3027 and 3027-A:

Order of Vacation

TO: Residents of Town of Windham and other interested persons

FROM: Town Council, Town of Windham

The Town of Windham Town Council, pursuant to 23 M.R.S.A. § 3027-A, hereby orders the vacation of the following described portion of a proposed, unaccepted way ("rangeway") shown on a plan entitled Range Map, Town of Windham in Plan Book 24, Page 13:

A certain parcel of land situated on the southerly side of Highland Cliff Road and the northeasterly side of Canada Hill Road in the Town of Windham, County of Cumberland, State of Maine being bounded and described as follows:

Beginning on the southerly sideline of Highland Cliff Road at the intersection of the northeasterly assumed sideline of Canada Hill Road; Thence N 77° 51' 20" E, by and along the southerly sideline of Highland Cliff Road, a distance of 14.49 feet to land now or formerly of Ronald E. Goodwin and Lynda K. Goodwin as described in a deed recorded in Book 25182 Page 74 in the Cumberland County Registry of Deeds;

Thence S 42° 50' 02" E, by and along land of Ronald E. Goodwin and Lynda K. Goodwin and land now or formerly of Chase Custom Homes as described in a deed recorded in Book 28733 Page 118 in the Cumberland County Registry of Deeds, a distance of 473.44 feet to the assumed northeasterly sideline of Canada Hill Road;

Thence N 62° 41' 26" W, by and along the assumed northeasterly sideline of Canada Hill Road, a distance of 59.81 feet;

Thence N 71° 54' 10" W, by and along the assumed northeasterly sideline of Canada Hill Road, a distance of 9.13 feet;

Thence N 42° 50' 02" W a distance of 382.11 feet to the assumed northeasterly sideline of Canada Hill Road;

Thence N 23° 13' 55" W, by and along the assumed northeasterly sideline of Canada Hill Road, a distance of 36.62 feet to the Point of Beginning.

Bearings are Grid North.

Having given notice to the Town Planning Board, and having received a written waiver of notice and damages from the sole abutter, Bellevue Ave. LLC (15 Canada Hill Road, Book 34569, Page 283), the Council orders that no damages be awarded.

**Attachments:**

[20-065 Cover Sheet](#)

[15 Canada Hill Vacate Unaccepted Way](#)

## IX. Council Correspondence.

[CD 20-064](#) Southern Maine Agency on Aging - Windham Meals on Wheels Program.

**Attachments:** [SMAA Thank You](#)

[CD 20-063](#) Fire-Rescue Monthly Report - January 2020

**Attachments:** [January 2020 Monthly Report](#)

[CD 20-067](#) The Town Clerk's Report for January 2020.

**Attachments:** [Town Clerks report for January 2020](#)

[CD 20-068](#) Police Department Monthly Report.

**Attachments:** [January 2020](#)

[CD 20-071](#) Central Maine Power Correspondence.

**Attachments:** [CMP Communication on Improvement Project](#)

[CD 20-073](#) Financial Reports as of January 31, 2020

**Attachments:** [expenses 013120](#)

[revenues 013120](#)

[CD 20-075](#) Parks and Recreation Monthly Report - January 2020

**Attachments:** [Monthly Report - January 2020](#)

## **X. Town Manager's Report.**

## **XI. Committee Reports.**

### **A. Council Subcommittees.**

1. Appointments Committee.
2. Finance Committee.

### **B. Other Committees.**

1. Long Range Planning Committee.
2. Parks & Recreation Advisory Committee.
3. Windham Economic Development Corporation

4. Highland Lake Leadership Team.
5. Private Roads ad hoc Committee.
6. Natural Resources Advisory Committee.
7. Public Easement Advisory Committee.

## **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 20-054](#) Council Rules Follow-Up Discussion.

**Attachments:** [Council Rules recommendations from 1\\_28 meeting KMC edit](#)  
[Council Rules CLEAN with KMC questions](#)  
[Council-Staff Communications excerpt KMC 020620](#)

[CD 20-074](#) To discuss a Council-appointed Building Committee for the proposed Public Safety and Town Hall facility expansion and renovation projects.

**Attachments:** [Building Committee - DRAFT Charge](#)

## **XIII. Agendas & Scheduling.**

## **XIV. Executive Session.**

[20-064](#) 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 a personnel matter.

**Attachments:** [20-064 Cover Sheet](#)

## **XV. ADJOURN.**