



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, September 14, 2021

6:30 PM

Council Chambers

I. Roll Call of Members.

II. Pledge of Allegiance.

III. Minutes to be Approved:

[CD 21-121](#) To approve the Minutes of the August 10, 2021 Council meeting.

Attachments: [Minutes-Council-8-10-2021.pdf](#)

[CD 21-122](#) To approve the Minutes of the August 17, 2021 Special Council meeting.

Attachments: [Minutes-Council-8-17-2021.pdf](#)

IV. Adjustments to the Agenda.

The Chairman will inquire of the manager or clerk of any last-minute business items that may need to be added to the agenda. A motion to approve the addition of the items is required.

V. 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.

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.

VI. Councilors' Comments.

VII. PUBLIC HEARINGS.

[21-168](#) To receive public comment and act on proposed amendments to the town's General Assistance Ordinance, Chapter 111 of the Code of the Town of Windham, which update appendices establishing certain benefit maximums as required by statute.

Attachments: [21-168 Cover Sheet.pdf](#)
[GA Ordinance Legislative Changes.pdf](#)
[GA Ordinance Signature Sheet.pdf](#)

[21-169](#) To receive public comment and act on proposed amendments to the Schedule of Fees, Appendix A of the Marijuana Business Licensing Ordinance, Chapter 160 of the Code of the Town of Windham.

Attachments: [21-169 Cover Sheet.pdf](#)
[Marijuana Licensing Ordinance Proposed Appendix A amendment 2021 0914.p](#)
[Current Appendix A.pdf](#)

VIII. CONSENT AGENDA.

IX. UNFINISHED BUSINESS & GENERAL ORDERS.

[21-167](#) To accept as a town way Abenaki Drive, to accept a shared use easement of the Common Open Space, and to accept a stormwater drainage easement across Lot A, all as depicted on the plan for the River Road Subdivision approved by the Planning Board on December 11, 2017 and amended on May 14, 2018 and described in a proposed deed submitted by STJ, Inc.

Attachments: [21-167 Cover Sheet.pdf](#)
[Abenaki_StreetAccept_MEMO_08-23-21.pdf](#)
[Abenaki Drive Public Acceptance Attachments.pdf](#)
[RiverRdSubdiv_OpenSpace_MEMO_08-23-2021.pdf](#)

[21-170](#) To approve a new Victualer's permit application submitted by Starbucks Corporation d/b/a Starbuck's Coffee (#63397), located at 799 Roosevelt Trail.

Attachments: [21-170 Cover Sheet.pdf](#)
[Starbuck's Victualers.pdf](#)

[21-171](#) To appoint Nathaniel Glaude to the Energy Advisory Committee for a three-year term to expire August 15, 2024.

Attachments: [21-171 Cover Sheet.pdf](#)

[21-174](#) To authorize the addition of various assigned fund balance amounts to the fiscal 2021-2022 budget accounts.

Attachments: [21-174 Cover Sheet.pdf](#)
[Assigned Fund Balance Memo and Tabulation.pdf](#)

[21-175](#) To award a bid for the purchase of: 1) one 2022 International HV507 cab and chassis from Daigle and Houghton in the amount of \$76,400 plus \$89,839 for related plow and sanding gear from HP Fairfield, for a total price of \$166,239; 2) one 2023 International HV513 cab and chassis from Daigle and Houghton in the amount of \$120,530 plus \$94,587 for related plow and sanding gear from HP Fairfield, for a total price of \$215,117; 3) one 2021 Trackless MT7 Sidewalk Tractor and attachments in the amount of \$157,966; 4) one 2021 Elgin Pelican three-wheel sweeper in the amount of \$229,500 from CN Wood Co.; and 5) three Cardiac Monitors from Zoll Medical Corporation in the amount of \$93,899.16; at total equipment purchase of \$862,751.16 to be applied to account 19100-47430 and financed through a municipal lease-purchase agreement.

Attachments: [21-175 Cover Sheet.pdf](#)
[Approved FY22 Budget Leased Projects.pdf](#)
[1 - 2022 International Truck and Equipment.pdf](#)
[2 - 2023 International Wheeler Truck and Equipment.pdf](#)
[3 - 2021 Sidewalk Tractor and Attachments.pdf](#)
[4 - 2021 Elgin Pelican Street Sweeper.pdf](#)
[5 - Cardiac Monitors .pdf](#)

[21-176](#) 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 \$862,751.16 plus interest, 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) 2022 International dump truck, one (1) 2023 International dump truck wheeler cab, one (1) 2021 Trackless Sidewalk Tractor, one (1) 2021 Elgin Pelican Sweeper, and three (3) cardiac monitors to be determined by the Town Treasurer.

Attachments: [21-176 Cover Sheet.pdf](#)
[Windham Resolutions.pdf](#)

[21-177](#) To appoint a voting delegate and an alternate voting delegate to the Maine Municipal Association annual business meeting.

Attachments: [21-177 Cover Sheet.pdf](#)
[MMA Annual Business Meeting and Voting Credentials.pdf](#)

[21-172](#) To approve a three-year collective bargaining agreement for the period July 1, 2021 through June 30, 2024 between the Town of Windham and the Teamsters Local 340, and to authorize the Town Manager to sign the agreement on behalf of the Town.

Attachments: [21-172 Cover Sheet.pdf](#)
[Memo - Negotiations Update.pdf](#)
[Teamsters Local 340 contract.pdf](#)

X. Council Correspondence.

[CD 21-131](#) Congratulations to Library Director, Jen Alvino.

Attachments: [NELA 2021 Emerson Greenaway Award.pdf](#)

[CD 21-132](#) COUNCIL ORIENTATION MATERIALS

Attachments: [2021 New Councilor Orientation .pdf](#)

[CD 21-134](#) Junkyard Inspection reports.

The Council will review the inspection report from the CEO for the Town's currently licensed junkyards. A public hearing on the license renewals is scheduled for the meeting of September 28, 2021.

Junkyards and automobile graveyards are not permitted uses under Windham's Land Use Ordinance. The junkyards licensed by the town are grandfathered (i.e. existed before the town adopted zoning in the 1970's) and operating under permits granted by the Council under the provisions of Maine statute.

See attached report.

Attachments: [Junkyard Inspection Memo.pdf](#)

XI. Town Manager's Report.

[CD 21-125](#) Board and Committee Vacancies.

Attachments: [Recent Committee Vacancy Ad](#)

XII. 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. Natural Resources Advisory Committee.
6. Public Easement Advisory Committee.

XIII. Discussion Items.

[CD 21-127](#) Town-Plowed Private Road Legislation.

Attachments: [Private Road Memo Sept 2021_BAT V3.pdf](#)
[Maine 130 - HP 1278 item 5.pdf](#)
[2021 StreetMap_Classification_Draft4.pdf](#)
[Ordinance re maintenance of designated private ways.pdf](#)
[DRAFT website Private Roads with Winter Maintenance.pdf](#)
[Draft Q and A Sept 2021 version 6.pdf](#)
[Private Ways resources DRAFT.pdf](#)
[Guide to Forming Road Associations.pdf](#)
[Appendices to a Guide to Forming Road Associations.pdf](#)

[CD 21-123](#) Proposed Amendments to Shoreland Zoning - Maine D.E.P. Requirement.

Attachments: [TC packet PB recommend Shoreland Ordinance Amend 08-05-21.pdf](#)

[CD 21-124](#) Zoning Map Changes.

Attachments: [CURRENT Windham Zoning Map 2020.02.11.pdf](#)
[Potential Zoning Map CHANGES 08-04-21.pdf](#)
[Potential Zoning Map CLEAN 08-04-21.pdf](#)
[TC packet PB recommend Windham Center 09-10-21.pdf](#)
[WindhamCenter ProposedZoningChangesMap 04-2021.pdf](#)
[Zoning Standards WC 4-21.pdf](#)
[Zoning District Uses Table WC 1-5-21.pdf](#)

[CD 21-133](#) Remote Meetings & COVID Precautions.

Attachments: [Council, Board or Committee Remote Meetings Policy.pdf](#)
[S.P. 40 - L.D. 32.pdf](#)

XIV. Agendas & Scheduling.

VI. Executive Session.

[21-173](#) To enter into executive session in accordance with Title 1 MRSA §405 (6) (C) for the discussion or consideration of the condition, acquisition or the use or real or personal property permanently attached to real property or interests therein since premature disclosures of the information would prejudice the competitive or bargaining position of the Town.

Attachments: [21-173 Cover Sheet.pdf](#)

XVI. ADJOURN.