



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, November 9, 2021

6:30 PM

Council Chambers

To join the meeting remotely, use this link: <https://us02web.zoom.us/j/88547243045>. You may also call 1-646-558-8656 and enter meeting ID: 885 4724 3045

In accordance with the Town's Remote Meeting Participation Policy approved on October 12, 2021 and pursuant to 1 MRSA § 403-B, remote participation of one or more members of the Council is permitted when specific circumstances warrant it.

Zoom will be the meeting platform used by both the Council and the public. Information about using Zoom is available at <https://support.zoom.us/hc/en-us/articles/115004954946-Joining-and-participating-in-a-webinar-attendee->.

*Please note that members of the public will need to use the raise your hand feature in Zoom or type *9 on the phone to be called on and heard during the public testimony portion of the agenda.*

If you prefer, you may also email the Council at TownCouncil@windhammaine.us prior to the meeting with your thoughts on an issue and if you would like, please note that you would like the email read into the record during public participation or during that agenda item. Please keep in mind we request stated comments to be three minutes or less.

The meeting will be recorded and broadcast live on WindhamTV (Channel 7) and the Town's Facebook page.

Swearing in of Councilors-Elect.

Prior to the start of the meeting the Town Clerk will administer the oath of office to those elected to seats on the Council on November 2, 2021.

I. Roll Call of Members.

II. Pledge of Allegiance.

III. Minutes to be Approved:

[CD 21-157](#) To approve the Minutes of October 26, 2021 Special Council meeting.

Attachments: [Minutes-Special Council-10-26-21.pdf](#)

[CD 21-158](#) To approve the Minutes of the October 26, 2021 Council meeting.

Attachments: [Minutes-Council-10-26-2021.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.

[21-227](#)

To receive public comment and act on the adoption of a replacement General Assistance Ordinance, Chapter 111, of the Code of the Town of Windham.

Attachments:

[21-227 Cover Sheet.pdf](#)

[2021 1019 Council Memo.pdf](#)

[2021-GA-Ordinance-Adoption-Form.pdf](#)

[ATTACHMENT A Legislation re Recovery.pdf](#)

[ATTACHMENT B GA ORD FINAL-9-3-21-REDLINED-updated-App-A-C.pdf](#)

[ATTACHMENT C GA ORDINANCE \(Revised 9.2021\).pdf](#)

VIII. CONSENT AGENDA.

IX. UNFINISHED BUSINESS & GENERAL ORDERS.

[21-214](#)

To accept nominations for and elect a Chairman of the Town Council.

Attachments:

[21-214 Cover Sheet.pdf](#)

[21-215](#) To accept nominations for and elect a Vice-Chairman of the Town Council.

Attachments: [21-215 Cover Sheet.pdf](#)

[21-216](#) To accept nominations for and elect a Parliamentarian of the Town Council.

Attachments: [21-216 Cover Sheet.pdf](#)

[21-217](#) To accept nominations for and appoint a Finance Committee.

Attachments: [21-217 Cover Sheet.pdf](#)

[21-218](#) To accept nominations for and appoint an Appointments Committee.

Attachments: [21-218 Cover Sheet.pdf](#)

[21-219](#) To accept nominations for and appoint two representatives to the Windham Economic Development Corporation board of directors.

Attachments: [21-219 Cover Sheet.pdf](#)
[Windham Economic Development Corporation](#)

[21-220](#) To appoint a Council representative to the Public Easement Advisory Committee.

Attachments: [21-220 Cover Sheet.pdf](#)
[Public Easement Advisory Committee](#)

[21-221](#) To appoint a Council representative to the Parks and Recreation Advisory Committee.

Attachments: [21-221 Cover Sheet.pdf](#)
[Parks and Recreation Advisory Committee CURRENT](#)

[21-222](#) To appoint a Council representative to the Highland Lake Leadership Team.

Attachments: [21-222 Cover Sheet.pdf](#)
[Highland Lake Leadership Team](#)

[21-223](#) To appoint a Council representative to the Long Range Planning Committee.

Attachments: [21-223 Cover Sheet.pdf](#)
[Long Range Planning Committee](#)

[21-224](#) To appoint a Council representative to the Natural Resources Advisory Committee.

Attachments: [21-224 Cover Sheet.pdf](#)
[Natural Resources Advisory Committee AMENDED20210615.pdf](#)

[21-225](#) To appoint two Councilors to the Marijuana License Fee Committee.

Attachments: [21-225 Cover Sheet.pdf](#)
[Marijuana Business License Committee Charge Adopted 09082020](#)

[21-228](#) To appoint a Council representative to the Energy Advisory Committee.

Attachments: [21-228 Cover Sheet.pdf](#)
[Energy Advisory Committee.pdf](#)

[21-226](#) To adopt the Council's Rules of Procedure.

Attachments: [21-226 Cover Sheet.pdf](#)
[Council Rules Amended 2020 0428 with Appendix A](#)

[21-229](#) To authorize the Town Manager to amend the contract with the Portland Water District engineering, design, and cost analysis expenditures, and increase the total project budget by \$257,000, establishing a new budget of \$1,218,000, and take necessary action to finalize the agreement.

Attachments: [21-229 Cover Sheet.pdf](#)
[North Windham - Engineering Services and Budget admendment.pdf](#)
[2020NorthWindhamWWTF_bat](#)
[4.1 OPS COM Selection of Professional Engineering Services](#)
[Memo B Tibbetts PWD Engineering Solution](#)
[MOU Town of Windham 200609 PWD](#)

[21-230](#) To set the Council's meeting schedule for November and December.

Attachments: [21-230 Cover Sheet.pdf](#)
[Memo to Council - Council Meeting Schedule Nov Dec.pdf](#)

[21-231](#) To confirm the extension of awarded Adult-Use Marijuana Store applications in accordance with the Town's Marijuana Business Licensing Ordinance, Chapter 160 of the Code of the Town of Windham.

Attachments: [21-231 Cover Sheet.pdf](#)
[Extension of JAR Adult-Use Implementation.pdf](#)
[Extension of Pauls Boutique Adult-Use Implementation.pdf](#)
[Amended Order 21-231 and Supporting Materials.pdf](#)

X. Council Correspondence.

XI. Town Manager's Report.

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 21-152](#) Codification of Windham Ordinances - Legal Analysis.

Staff has worked through this document that General Code provided as part of the process to codify our ordinances. Currently our legal counsel is reviewing staff responses and providing guidance. Next steps include our changes being incorporated into a Draft of the Code for final review and then Council will need to act to formally to adopt prior to final publication of the new Code.

Attachments: [Editorial and Legal Analysis - pages 1-60 \(14MB\)](#)
[Editorial and Legal Analysis - pages 61-120 \(14MB\)](#)
[Editorial and Legal Analysis - pages 121-180 \(16MB\)](#)
[Editorial and Legal Analysis - pages 181-240 \(14MB\)](#)

XIV. Agendas & Scheduling.**XV. ADJOURN.**