



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Draft

### Town Council

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Tuesday, June 27, 2017

7:00 PM

Council Chambers

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#### I. Roll Call of Members.

**Present:** 5 - Tim Nangle, Bob Muir, Jarrod Maxfield, Donna Chapman and Brett Jones

**Absent:** 2 - David Nadeau and Dennis Welch

#### II. Pledge of Allegiance.

Parliamentarian Muir led the assembly in the Pledge of Allegiance.

#### III. Minutes to be Approved:

CD 17-197 To approve the minutes of the June 13, 2017 Council meeting.

Attachments: Minutes-Town Council 6-13-2017

A motion was made by Councilor Nangle, seconded by Councilor Jones, that the Minutes be approved. The motion carried by the following vote:

**In Favor:** 5 - Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman and Councilor Jones

**Absent:** 2 - Vice Chair Nadeau and Council Chair Welch

#### IV. Public Participation.

*John Momeault - Mt. Hunger Shore Road: He was there to run through his experience with the town. He currently owns property on Mt. Hunger Shore Road at 190, 204, 219, 220 & 227. Properties 190, 204 and 220 are back lots, and he has owned them since around 1989. He said in his view, and according to market data, they are anywhere from 150 to 300% over assessed.*

*He said earlier this year he filed a request for a reconsideration on the assessment, and when that was denied he filed a follow up with the Board of Assessment Review. That hearing was on June 15th. He had the impression that everything in the Town of Windham happened at 7:00 p.m. The Board of Assessment Review meets at 6:00 p.m. so he arrived 25 minutes late.*

*The appeal that night only covered two pieces of property; numbers 204 and 220 properties. When he arrived the discussion on 220 had not been completed. On the advice of Council the Chairman ruled that he could not participate. He said he recognized that it was his fault and took full responsibility for that, but he feels that in a small community we can be a little bit flexible.*

*He said the things he wants to talk about with the Council is the question of retribution.*

Part of the materials he gave to the Assessor's Office was a survey that was done. On the survey was 220 Mt. Hunger Shore Road, which is what the appeal was about. Also on the survey, across the street was 219 and 227. To his surprise from a letter he received, the Assessing Department had discovered that there was an error in lot size. Mr. Momeault said nothing has changed on these lots since 1958 when they were drawn. He thinks the survey looks like retribution because any error is going to increase his overall assessments, and that is exactly what it did; it went up \$16,000.

He also spoke about a foot print done for number 220. He says there are a couple of things that are in error.

He talked about the mass appraisal system that is used in Windham where they group properties with similar factors, which includes zoning neighborhoods, he thinks they have a mismatch there. He also believes that Google Maps is incorrect for some of his property.

He also learned about the liter imagery and digital elevation models. That is used in an in depth analysis of topography of the back lots on Mt. Hunger Shore Road, and those lots were given a 35% discount for topography. When you do the math you put the value of those lots some where in the \$125,000 range and that is for three tenths of an acre. He said he has not seen any property in Windham yet, that would sell for that amount of money. Also, when you use this liter and DEMs, if that analysis is only done in the office and if there is any chance that google maps is used, google maps is off. He said if you look at his house on google maps it is his neighbor's house, not his.

In 2016 the Assessor suggested that if he had an appraisal, it would be helpful to his case. The interesting thing that was not told to him was they really weren't looking for a real estate appraisal for the kind of banking or financing type of appraisal, he did have one of those that he gave to them, which was dated in June of 2016 but it had to be dated before of April 15 of 2016 so it had to be thrown out. Last week he discovered that there is such a thing as an assessment appraisal, which he said he will have done.

Going back to the problems on the survey, the Assessor was very quick to point out an error, which he considered a grievous error on the foot print so the document, to him, comes into suspect. The whole thing seems to be incorrect in his view, but the Assessor was very willing to use the erroneous document to increase the assessments, and he doesn't think it would have gone the other way, but he is hoping he is wrong.

On one of the properties he has been analyzing at 210 Mt. Hunger Shore Road, which just recently sold in May and in 2006 it was assessed at \$81,500, it is an empty lot and shows a 35% reduction and then an additional 10% because it was vacant. In 2012, 13 & 14 it was decreased to \$77,400, in 2015 it was decreased to \$38,200 and mysteriously that decrease is missing from the records, and what is shown is the current assessment of \$58,200; he finds that missing record disturbing. The 210 property just sold in May and it sold for \$37,500.

He also noted that of the twenty-two properties on Mt. Hunger Shore Road, twenty are shown as farm land and the tax map has a big F on it, which stands for farm land, then two are shown as shoreland, his and number 214. The one further down the street goes back to farm land again, and he noted that this has nothing to do with the distance from the lake, so that looks like an error.

Lastly, number 220 Mt. Hunger Shore Road, his property, he told the Assessors a couple of years ago when he bought that in 2006 he paid \$280,000 for 219 Mt. Hunger Shore

Road and 220 Mt. Hunger Shore, which is a rear lot, and they are showing on the card as \$280,000 for 220, and \$280,000 for 219, which he thinks is a gross error and should be corrected.

His intentions are to continue with his efforts to see fair assessments, market value assessments, just value and he will be back again. He will file again, and is hoping to have some other tax payers file also because they need to create an injustice. Thank you.

Tony Plante: He said with all that they heard from Mr. Morneau tonight, and with Elisa Trepanier not here, they are not prepared to address the number of questions raised. He thinks he deserves to have some answers, and he will follow up with Elisa.

## V. Councilors' Comments.

Councilor Chapman: She said for those who came out and participated in Summerfest she thinks it was good time and the rain did hold off. She said compared to last year she thinks they had a more successful turnout. They are looking forward to it next year.

## VI. Council Correspondence.

Councilor Chapman: She noticed that 555 residents were utilizing the food pantry and clothes closet in the month of May, she was surprised in the number.

CD 17-192 Presumpscot Regional Land Trust Newsletter

Attachments: PRLT Spring Summer Newsletter 2017

CD 17-180 Town Clerk's Office monthly report - May 2017

Attachments: Town Clerk's Report for May 2017

CD 17-181 Assessing & GIS Monthly Report - May 2017

Attachments: AssessingGIS201705

CD 17-184 Windham Public Library Monthly Report - May 2017

Attachments: Library Monthly Report - May 2017

CD 17-188 Fire-Rescue Department Monthly Report - May 2017

Attachments: Fire-Rescue Monthly Report - May 2017

CD 17-189 Police Department Monthly Report - May 2017

Attachments: Police Department Monthly Report - May 2017

CD 17-191 Public Works Monthly Report - May 2017

Attachments: Public Works Monthly Report - May 2017

CD 17-194      Parks and Recreation Monthly Report - May 2017

Attachments:   Parks & Recreation Monthly Report May 2017

CD 17-195      Social Services Monthly Report - May 2017

Attachments:   Social Services Monthly Report - May 2017

**VII. Town Manager's Report.**CD 17-199      Town Manager's Report.

Attachments:   Town Manager's Report 20170623  
                      Talking Points Flyer 20170623 DRAFT  
                      Projects & Issues List 20170623  
                      Projects & Issues Sheets 20170623

*Tony Plante: He thanked Councilor Chapman and all of the volunteers who made the event a success on Saturday. He was there for a good part of the event and what he saw was people were having a really good time. Kelly Mank, the Summerfest Chair for the last few years has done an excellent job to keep it fun and safe.*

*Last week they had a meeting at town hall with the Council on the 20th and the Windham Raymond School Board at its meeting on June 21 about the Joint Maintenance Facility. The report of the Joint Project Team was on the scope of the project, the process it went through to review that, the recommendations it made, and much like the Council meeting the RSU Board has some questions, but were firmly behind the project and saw the need for both the school district and the town. The next steps for the Joint Project Team will be to work on developing a communications program to get the message out. He provided to the Council an updated draft of key points to understand about the project.*

*At the end of this week marks a mile stone for the town where we will be cutting over from Northern Data Systems financial to our MUNIS financials/Tyler Technology. This will be an 18-24 month process of rolling out our new financial management and human resources management system. We have had training for the end users and next week the town will be operating under the MUNIS financial. We expect that there will be some tweaks that will be needed and responses from the employees who will be using the system has been positive.*

*Last week on Thursday they had first round interviews for the position of Code Enforcement Director. They started the search process earlier in March and received thirteen applications by the deadline. They had some issues with the composition of the interview panel, so Tony extended the deadline for applications to the end of May. They took a look at the composition of the interview panel and added a couple of people to it. They went through a screening process a week ago last Thursday. Last Thursday they interviewed six of sixteen remaining candidates. When they extended the application period they received four additional applications and noted that one of the original applicants withdraw due to the elongated time frame. Tony met with the candidates in the middle of their process and at the end of the day they recommended three for second round interviews, which Tony will conduct on July 12. He said they will have either one or two finalist and to meet with the Council and go from there.*

*Tower 3 is being worked on to get it back in service. The swivel under the aerial needed*

to be replaced up at East Coast in Casco and should be back in service sooner than planned.

They are continuing to work on rolling out the Request Tracker feature on the town's website. This will be for any number of areas, mainly corresponding with departments, people can report a problem, make a request and provide feedback. At the same time they are working on configuring a mobile app for Apple and Android devices. He and Tom Trautlein did some work on that and expect to have a mock-up for the app shortly. They do plan on doing a refresh of the website as it has been five years and it is time.

They have a LED Street light request for qualifications that will be issued the end of this week. They have had a couple of meetings with the Energy Advisory Committee and based upon a model set by the Town of Falmouth, City of Rockland and City of Biddeford they are looking for an end to end solution for the replacement of the town's street lights with LED fixtures, reducing maintenance costs and vastly reducing energy usage and costs over their lifetime. Participating with Windham are the towns of Gorham, Raymond and Standish, and so to the extent that there is any economy of scale that comes later with buying fixtures, they should be able to take advantage of that.

Councilor Nangle: He asked if there is a state shut down, will there be anything we do as agents for the state that we will not be able to provide? Tony said it could be a problem with birth, marriage and death certificates, and if the Clerk's Office has any problems with the Vital Records system, it is possible people could be affected. Motor vehicle registrations not so much with us doing them but being processed by the state could be an issue.

Councilor Chapman: She spoke to a couple of people associated with state government, and they are upset that the media keeps saying that the state is going to shut down. They feel those involved will come to an agreement; they are all trying to work together.

Councilor Nangle: He said he does know that department heads are being told to prepare for a shut down. They have all been told that chances are there will be no work for them on Monday. It is eminent, and he thinks it is worth being prepared.

## **VIII. Committee Reports.**

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

#### **1. Appointments Committee.**

Councilor Nangle: They have had no applications, so they have not met.

#### **2. Finance Committee.**

No report.

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

#### **1. Parks & Recreation Advisory Committee.**

Councilor Chapman: The first concert in the park series will be on July 12 at 6:30 at Dundee Park; it will be every Wednesday for four weeks. They will have some civic groups at Dundee during the concerts who will be providing hotdogs,

popcorn, etc.

*They are hoping to hear some good news on the skate park, and community park on what they will be doing over there. The group has been working diligently with the Community Center Committee to where that is going to go. She thanked Linda Brooks and Parks & Rec staff and Advisory Committee who also helped out with Summerfest.*

2. Maintenance Facility Joint Project Team.

*Tony Plante: He had already included that as part of the Manager's Report.*

3. Windham Economic Development Corporation

*Tony Plante: The board meeting has been postponed from June 28 to July 12. Councilor Chapman stated she would not be able to be there.*

4. Wastewater Management Planning Advisory Committee.

*There was a presentation that night coming up on the agenda.*

## IX. PUBLIC HEARINGS.

CD 17-196 To receive public comment relative to the issuance of a new license with name change for a junkyard/automobile graveyard licensed to Jessica Glantz d/b/a Dynamic Duo and currently owned by Jim Bazinet d/b/a Auto & Truck Used parts Recycling at 1011 Roosevelt Trail.

Attachments: CD 17-196 Cover Sheet  
Dynamic Duo Junkyard approval

*No public comment.*

## X. CONSENT AGENDA.

## XI. UNFINISHED BUSINESS & GENERAL ORDERS.

17-122 To cancel the Council meetings of July 18, August 1, and August 15, 2017.

Attachments: 17-122 Cover Sheet

*Tony Plante: The reason July 4th was left off the schedule is because it is a holiday and it falls on a Tuesday, so by Council Rule if any holiday falls on a Tuesday that the Council would meet, that meeting is shifted to the following Tuesday.*

**A motion was made by Councilor Chapman, seconded by Councilor Nangle, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 5 - Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman and Councilor Jones

**Absent:** 2 - Vice Chair Nadeau and Council Chair Welch

- 17-123 To approve the application of Jessica Glantz d/b/a Dynamic Duo for a permit to operate a junkyard/automobile graveyard.

Attachments: 17-123 Cover Sheet  
Dynamic Duo Junkyard approval

A motion was made by Councilor Chapman, seconded by Councilor Nangle, that the Order be approved. The motion carried by the following vote:

In Favor: 5 - Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman and Councilor Jones

Absent: 2 - Vice Chair Nadeau and Council Chair Welch

## XII. Discussion Items.

- CD 17-198 Wastewater Public-Private Partnership Concept Proposal.

Attachments: CD 17-198 Cover Sheet  
Staff Brief on Lippman Wastewater Proposal 20170621

*The Council discussed item CD 17-198 following remarks by the town manager, a presentation by Tom Bartell, executive director of WEDC and Dustin Roma of DM Roma Consulting Engineers. The Council expressed support for continuing to develop the concept for a public-private partnership on wastewater with Martin Lippman, involving changes to the conservation easement at Lippman Park, a tax increment financing district, and a credit enhancement agreement to reimburse Mr. Lippman for some share of his participation and contribution to the public-private partnership.*

## XIII. Agendas & Scheduling.

- CD 17-200 Agenda Items Reports.

Attachments: Agenda Items Report 20170623  
Projects & Issues List 20170623  
Projects & Issues Sheets 20170623

*The Council discussed agendas and scheduling.*


## XIV. ADJOURN.

A motion was made by Councilor Nangle, seconded by Councilor Jones, that they be adjourned. The motion carried by the following vote at 8:25 p.m.

In Favor: 5 - Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman and Councilor Jones

Absent: 2 - Vice Chair Nadeau and Council Chair Welch

Respectfully submitted,

  
Linda S. Morrell  
Town Clerk, CCM