



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Town Council

Tuesday, October 23, 2018

7:00 PM

Council Chambers

I. Roll Call of Members.

Present: 7 - Dennis Welch, Tim Nangle, Bob Muir, Jarrod Maxfield, Donna Chapman, Clayton Haskell and Rebecca Cummings

II. Pledge of Allegiance.

Council Chair Chapman led the assembly in the Pledge of Allegiance.

III. Minutes to be Approved:

CD 18-354 To approve the Minutes of the September 18, 2018 Council meeting.

Attachments: Minutes-Town Council -9-18-2018

CD 18-353 To approve the Minutes of the September 25, 2018 Council meeting.

Attachments: Minutes-Town Council-9-25-2018

CD 18-352 To approve the Special Minutes of the October 3, 2018 Council meeting.

Attachments: Minutes-Spec. Town Council-10-3-2018

CD 18-356 To approve the Minutes of the October 2, 2018 Council meeting.

Attachments: Minutes-Town Council-10-2-2018

A motion was made by Councilor Welch, second by Councilor Cummings to approve all of the submitted minutes. Councilor Haskell asked to abstain from the Special meeting of October 3, 2018.

The motion carried by the following vote:

In Favor: 7 - Councilor Welch, Councilor Nangle, Vice Chair Muir, Councilor Maxfield, Council Chair Chapman, Councilor Haskell and Councilor Cummings

IV. Public Participation.

No public participation.

V. Councilors' Comments.

Councilor Maxfield welcomed Don Gerrish to the team, and to help us through our transition.

He reminded people that there is an election in two weeks, and you should get out and vote.

Councilor Chapman mentioned the Archangel meeting and that she would try to attend. Also, the Maine State Society for the Protection of Animal's ribbon cutting ceremony is at 4:00 p.m. on Friday for their new facility. They will have events on Friday, Saturday and Sunday.

VI. Council Correspondence.

Councilor Cummings said she received an email from Brianna Clark in regard to the Mineral Extraction Committee and will share it during the Discussion portion.

Councilor Maxfield recognized the award that was given to the Council from Tom Bartell. It was from Grow Smart Maine for the 21st Century Downtown Plan and also a note from Senator Angus King's office and from Senator Susan Collins's Office.

Councilor Chapman said they received another correspondence from a resident with concerns on the Highland Lake Campground development. (See attachment)

CD 18-340 Resident Concerns - Highland Lake Campground Development

Attachments: Letter from Resident re Highland Lake Property Development

CD 18-341 Town of Cumberland - Mineral Extraction Ordinance Review

Attachments: Town of Cumberland - Review of Windham's Mineral Extraction Ordinance

CD 18-327 Social Services Monthly Report - August 2018

Attachments: Social Services Monthly Report - August 2018

CD 18-338 Social Services Monthly Report - September 2018

Attachments: Social Services Monthly Report - September 2018

CD 18-337 Fire-Rescue Department Monthly Report - September 2018

Attachments: September 2018 Monthly Report

CD 18-347 Assessing & GIS Department Report for August and September

Attachments: Assessing & GIS Department August-September 2018

CD 18-349 Parks and Recreation Monthly Report - September 2018

Attachments: Parks and Recreation Monthly Report - Sept 2018
Programs & Events Sept Oct 18

CD 18-350 Financial Reports as of September 30, 2018



Joanna Linnett
155 Pleasant Avenue
Portland, Maine,

04103

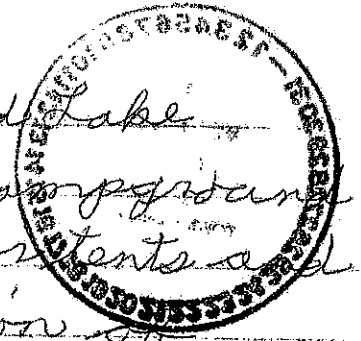
August 30, 2018

City Manager Tony Plante
8 School Road
Windham Town Hall
Windham Center, Maine,
04062

Dear City Manager Tony Plante:

I don't know whether to write this to you
or the Chairman of the City Council or both of
you. So I am asking you to make a copy of
it and send it to the Chairman of the City
Council so that you both have a copy of it.
A few days ago I talked with Amanda in
your Planning Board Office. This is a
follow up letter and also for emphasis. I
want this tended to before it becomes a
done deal!

—————→



I am writing you concerning Highland Lake Campground. I want it kept as a campground. I want it zoned as such. Have it for tents and campers with the possible exception of having a few row cabins up there for people who might not have a tent or a camper. The cabins could not be any larger than a yard shed max. They could be a different configuration such as an A-frame or geodesic dome but could only be that yard shed size and no more ~~than~~ nothing fancy. People would have to bring their own food and bedding as if they were sleeping in a tent, no glamping (acronym for glamorous camping i.e. cabins that look more like hotel rooms than camping) cabins. The only other structure would be a wash house because people need to go to the bathrooms. Otherwise except for the camp sites leave the rest to God's Country. It would be better for climate change because these developments contribute to global warming. Trees take in carbon dioxide and give off oxygen for us to breathe.

First you need to get an Injunction to extend the moratorium to stop the developer. Then work on a way to buy him out. I have some ideas as to ^{how} to go about doing it. Incidentally I was up there one time swimming. There was a nice sandy beach up there.

I thought Kindham owned the campsites and the beach, but Amanda showed me on the map that Kindham owns the campsites and Tralmouth owns the beach. She also said that Kindham doesn't have any money put aside to buy it. So here are my ideas.

Why don't you do some fund raising say over a two or three year time frame. I don't mean by raising taxes but by projects such as fairs etc. Since Kindham has the camp sites and Tralmouth the beach, why not get together with Tralmouth and also The Highland Lake Association ~~and~~ to form a triumvirate. Each of you could put up a third of the money.

Also you need to do some research to find out how Freeport did it with Kinslow →

Park Campground. There is some agreement that that land can never be developed. Find out what it is. Maybe Kindham could do something like that.

It wouldn't do Kindham any harm to have both Dundee Park and Highland Lake Campground. Please keep that a campground. Let this letter be a counter proposal to any proposal he might have.

Very truly yours
Joanna Sinnott

Attachments: YTD Expense Report

YTD Revenue Report

CD 18-351 Police Department Monthly Report - Sept 2018

Attachments: PD Monthly Report - September 2018

CD 18-355 Susan Collins - Congratulatory Note

Attachments: Correspondence Susan Collins

VII. Town Manager's Report.

Don Gerrish Interim Town Manager - He said he was glad to be here, and he thanked them for the opportunity to be in Windham and to work with the Council and citizens for the next three or four months.

Posted on the web is he schedule through December. His agreement is for three days per week.

Don said this is his 9th community he has been interim in. He has 38 years in municipal government, Gorham for 10 years and Brunswick for 20 years.

The wind storm last week bent some of the infrastructure at the new public works facility but everything has been taken care of, there was hardly any damage.

The Fire Chief said there is an opportunity to put in a FEMA Assistance Grant to put an alarm and sprinkling in our fire station in North Windham. It has to be in by this Friday, and it is a 90/10 grant. The estimated cost is about \$91,500. If they get the grant, they will bring it back to the Council and they will have a year to do it.

He met with the Superintendent and Vice Superintendent as they were finalizing everything for the bond sale. The RSU 14 is inviting the Windham Council and Raymond Selectmen to their meeting on Wednesday, November 7th at 6:30. They will give a history of the cost sharing formula and be able to discuss how it came about and an update on the withdrawal timeline that is being looked at.

We got the health insurance increase for this year and it was 2.9%, which is excellent news.

VIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

Councilor Maxfield said they met tonight with Jennie Butler and Patrick Moody for reappointment to the Parks & Recreation Advisory Committee. They will put their names forward.

The Medical Marijuana Task Force still has openings available.

Councilor Chapman said there has been a question about non-residents being on a town committee, she would like it looked into.

2. Finance Committee.

Councilor Chapman said they will have to have a meeting after the election. There have been a lot of questions now that we have now changed over to Munis, and there are some things that need to be looked at in the budget. Hopefully get some little projects done, i.e. ditching and mowing, some complaints have come in.

B. Other Committees.

1. Long Range Planning Committee.

Councilor Haskell said they are moving forward.

2. Parks & Recreation Advisory Committee.

Councilor Cummings she said they have Trunk or Treat on October 27 from 6 to 8 pm, and on Sunday, October 28 they will be at the skatepark.

Councilor Chapman said they will also have a sign-in sheet for your thoughts and ideas for the Community Center.

3. Highland Lake Leadership Team.

Councilor Chapman said they will meet on Thursday, and there will be updates after that meeting.

4. Shared Maintenance Facility Joint Project Team.

The Manager gave an update during the Manager's report.

5. Windham Economic Development Corporation

Tom Bartell said they held their annual meeting last Wednesday, as well as a quarterly board meeting. The Board Officers were re-elected. Dustin Roma is President, Larry Eliason is Vice President, Jeff Vermette is Treasurer and Steve McFarland is Secretary.

They talked about keeping the momentum going while there is transition going on with the Manager and the Director of Planning who they worked very closely with. He talked about them pulling together a downtown association/group and start talking about improvements in the downtown, such as wastewater. He also talked about co-working space and a commercial kitchen.

They have a farmer's meeting with the farmers and vendors who participated this year. They will be doing it in the same area next year on Turning Leaf Drive. He said the vendors and farmers put together a petition and signed a note to thank Lisa Fisher for all the work she did on the Farmer's Market and asked her to stay on next year. Lisa was nominated for a special merit reward, which she did receive.

6. Mineral Extraction Committee.

This will be talked about later in the meeting.

7. Private Roads ad hoc Committee.

Councilor Nangle said they discussed maybe phasing out some classes of roads, i.e. minor and private over time. They discussed making this Private Road's committee an on-going committee where they would evaluate the standards either yearly or every two years.

He believes that the Private Roads Task Force is more of a committee that evaluates public easements, and they are really two different animals.

IX. PUBLIC HEARINGS.**X. CONSENT AGENDA.****XI. UNFINISHED BUSINESS & GENERAL ORDERS.**

18-219 To authorize the purchase of a vehicle for use by the Building and Grounds Maintenance division of Public Works.

Attachments: 18-219 Cover Sheet
Cargo Van Memo and Bids

Doug Fortier said they went out to bid on this van. There are three bids and Ford met spec on head room. The other vans are much shorter. Overall the Ford meets what they asked for and the other two do not. The reason for this purchase is they added building maintenance personnel in November of 2016, and they are doing a lot of work around the buildings and right now they have no good way to transport all of their tools. This will allow them to have shelving and a small work station inside. The budget had it for \$34,000 and it went over by \$1,674, but overall if you take the other vehicle that was in the budget for \$45,000 which came in at \$34,900, they are \$8,300 under what was budgeted for those two vehicles together.

Councilor Chapman asked about the warranty and about the roof height. The Ford van had the higher height clearance.

Brian Morin explained why they needed the van with more head room. He also said there will be some locking bins, and shelving is included in the price.

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

In Favor: 7 - Councilor Welch, Councilor Nangle, Vice Chair Muir, Councilor Maxfield, Council Chair Chapman, Councilor Haskell and Councilor Cummings

18-221 To appoint David Whitten to the Retail Adult-Use and Medical Marijuana Task Force.

Attachments: 18-221 Cover Sheet

Councilor Nangle said their application process is still open, and he wanted to have both sides of the issue represented. During the interviews all the people interviewed were advocates for medical marijuana and retail. He would like to postpone it until they can get more applicants so to have some on both sides of the issue, then look at the full slate and pick from that.

Councilor Haskell said they should be town residents on these committees, not from other towns. He doesn't mind them speaking and sharing their thoughts but they shouldn't be on the committee.

Councilor Chapman noted that the longer this takes, the more applications we will get and they may be more shops opening without the definitions.

Councilor Maxfield said there are some who are not residents and he would like an opportunity to fill those seats. He suggested they could vote on the people who are our residents, table the people who are not until they get more applicants, do more interviews and then fill the remaining seats.

Public comment:

Joel Peppin a resident of Standish who is in the process of opening up a medical business in town. He has a building permit pulled, and he is interested in being on the committee. In his research he did not see anything prohibiting anyone from outside of town being on the committee. He would encourage them to allow non-residents on the committee who have businesses here in town.

Councilor Nangle moved to postpone 18-221 to December 11th, second by Councilor Welch.

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

In Favor: 7 - Councilor Welch, Councilor Nangle, Vice Chair Muir, Councilor Maxfield, Council Chair Chapman, Councilor Haskell and Councilor Cummings

18-222 To appoint Charles Boehm to the Retail Adult-Use and Medical Marijuana Task Force.

Attachments: 18-222 Cover Sheet

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

In Favor: 7 - Councilor Welch, Councilor Nangle, Vice Chair Muir, Councilor Maxfield, Council Chair Chapman, Councilor Haskell and Councilor Cummings

18-223 To appoint Shaw Dwight to the Retail Adult-Use and Medical Marijuana Task Force.

Attachments: 18-223 Cover Sheet

A motion was made by Councilor Nangle, seconded by Vice Chair Muir, that the Order be postponed until December 11, 2018. The motion carried by the following vote:

In Favor: 7 - Councilor Welch, Councilor Nangle, Vice Chair Muir, Councilor Maxfield, Council Chair Chapman, Councilor Haskell and Councilor Cummings

18-224 To appoint Travis Connolly to the Retail Adult-Use and Medical Marijuana Task Force.

Attachments: 18-224 Cover Sheet

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

In Favor: 7 - Councilor Welch, Councilor Nangle, Vice Chair Muir, Councilor Maxfield, Council Chair Chapman, Councilor Haskell and Councilor Cummings

18-225 To appoint Maggie Terry to the Retail Adult-Use and Medical Marijuana Task Force.

Attachments: 18-225 Cover Sheet

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

In Favor: 7 - Councilor Welch, Councilor Nangle, Vice Chair Muir, Councilor Maxfield, Council Chair Chapman, Councilor Haskell and Councilor Cummings

XII. Discussion Items.

CD 18-271 Old South Windham fire station re-use update and CDBG grant status.

Attachments: 180628 WMED Kitchen Conversion Study Final

CDBG Planning Application 2017

2017 FINAL ALLOCATION - County.xlsx

J A Andrew School Final Phase I ESA 12302017 (18MB)

2018.23dvs

South Windham Fire Station Final Phase I ESA 10192018 (18MB)

Tom Bartell Windham Economic Development Director gave a presentation to the Council.

CD 18-343 Process for Town Manager Search.

Attachments: REVISED Draft Time Line Windham

Don Gerrish Interim Town Manager gave the Council an update and Eaton Peabody's process.

CD 18-344 Discussion of Opus Consulting Group Report.

Attachments: Town of Windham Report

The Council and Manager discussed this discussion item.

CD 18-346 Mineral Extraction Committee Recommendations.

Attachments: TC Packet MEC 10-18-18

Linda Morrell

From: Donna Chapman
Sent: Tuesday, October 23, 2018 9:05 PM
To: Linda Morrell
Subject: Fwd: Please read during MEC Recommendations tonight

FYI

Donna Chapman
Council Chair
Windham Town Council South District
207-893-8584
Donnachapman@windhammaine.us

Begin forwarded message:

From: Brianna Schoen <briannaschoen1@gmail.com>
Date: October 23, 2018 at 5:09:58 PM EDT
To: Bob Muir <bobmuir@windhammaine.us>, Clayton Haskell <claytonhaskell@windhammaine.us>, Dennis Welch <denniswelch@windhammaine.us>, Donna Chapman <donnachapman@windhammaine.us>, Jarrod Maxfield <jarrodmaxfield@windhammaine.us>, Rebecca Cummings <rebeccacummings@windhammaine.us>, "Tim E. Nangle" <Timnangle@windhammaine.us>
Subject: Please read during MEC Recommendations tonight

Good Evening,

I'm not going to be able to make it to the Council meeting on time tonight and I was going to read this there:

I believe that the Mineral Extraction Committee made some good changes to make the ordinance stricter, but it did not address where new mineral extractions are and are not appropriate (zoning).

Highly populated areas on inadequate private roads, next to threatened lakes are not appropriate for these kinds of industrial activities. They should not be allowed next to any lakes in Windham.

Mineral extractions are allowed in most zones in Windham currently and that should be addressed according to what residents want and according to the town's Comprehensive Plan.

Windham's Comprehensive Plan discusses how residents want to keep Windham rural and to protect natural resources and open spaces – mineral extractions go directly against this plan.

We chose to move to the areas that we did because they are rural – we didn't move there thinking that a quarry would come into the neighborhood and ruin our quality of life and risk our natural resources and drinking water.

We tried to suggest an aquifer protection overlay zone around the Forest Lake watershed to the Mineral Extraction Committee and Cumberland also brought this up in their recent letter to Windham. The Mineral Extraction Committee had some members in favor of this but not the majority. I urge you to look further into this.

Blasting can disrupt groundwater flow which can impact eco-systems in watersheds and can cause contamination. The zoning map is from 2010 and doesn't even include the West Cumberland Aquifer on it even though it directly abuts Forest Lake and is partially in Windham. We wouldn't be great neighbors to Cumberland if we don't do something to protect their drinking water supply.

If the council feels as though there are too many mineral extractions already in Windham, it can simply just not allow new mineral extractions like Cumberland has done. This won't hurt the current pit owners.

You have had many frustrated residents come in from the Highland Lake, Forest Lake, Land of Nod and Cobb Road areas complaining about farm zones. The zoning hasn't been changed since 2010 – this needs to be reviewed and serious changes need to occur. The Long Range Planning Committee estimated it to take 9-12 months to look at farm zones in regards to cluster subdivisions - this will take too long to act on new mineral extractions.

Runoff from farm zones is the number one cause for impairments to lakes and streams according to the Environmental Protection Agency, why are farm zones around most lakes in Windham?

Windham needs to be proactive instead of reactive especially when it comes to natural resources that we can't get back if they become polluted.

Thank you for your time and all of your efforts.

Sincerely,
Brianna Clark

Councillor Chapman noted that there was an e-mail from a Brianna Shoen Clark. (See attached)

Speakers for this discussion item were Planner Amanda Lessard, Chair Drew Mayo and Cathy Works a concerned citizen on the committee.

XIII. Agendas & Scheduling.

CD 18-357 Agenda Items Reports.

Attachments: Agenda Items Scheduled 10.18.18

Agenda Items to be Scheduled 10.18.18

Projects & Issues List 10.18.18

The first meeting after the election will be to fill the leadership seats on the Council and all the committees.

To find a day to hold Council orientation and a time to set the goals for the year, possibly December 1st.


XIV. ADJOURN.

A motion was made by Councilor Cummings, seconded by Councilor Nangle, that they be adjourned. The motion carried by the following vote at 9:53 p.m.

In Favor: 6 - Councilor Nangle, Vice Chair Muir, Councilor Maxfield, Council Chair Chapman, Councilor Haskell and Councilor Cummings

Absent: 1 - Councilor Welch

Respectfully submitted,


Linda S. Morrell

Town Clerk, CCM