



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Town Council

Tuesday, April 23, 2019

7:00 PM

Council Chambers

WCCG TV-7 Now on Cannel 1303

I. Roll Call of Members.

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

II. Pledge of Allegiance.

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

III. Minutes to be Approved:

CD 19-112 To approve the Minutes of the April 9, 2019 Council meeting.

Attachments: Minutes-Town Council-4-9-2019

A motion was made by Councilor Chapman, seconded by Vice Chair Cummings, that the Minutes be approved. The motion carried by the following vote:

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

IV. Public Participation.

Dennis Marotte from Westbrook invited everyone to the Windham Library on Tuesday, May 7 from 4:00 to 5:30 for the opening of the Bridges of Friendship photo exhibit. November 17, 2018 marked the 30th Anniversary of the Sister City Relationship between the Greater Portland Region, Maine and Archangel, Russia. This is a photographic cultural exchange between the Portland Camera Club of Maine and the Spolokhi Photo Club of archangel, Russia. Mr. Marotte also passed around some photos he had brought with him.

Ken Cianchette, owner of Erik's Church, came to address the issue of emails he saw with the Chair of the Planning Board last month about how he is upset with the amount of traffic going to Mr. Cianchette's site and feels something needs to be done about that.

Mr. Cianchette said he is going to continue to develop the business and put the investments in that he thinks is appropriate for the business. He said he operates 100% legally. He said he was not treated very fairly a couple of years ago by the Planning Board.

V. PUBLIC HEARINGS.

19-068 To receive public comment and act on proposed amendments to Town of Windham Land Use Ordinance, Chapter 140, Section 600 Mineral Extraction and 800 Site Plan Review Committee, related to mineral extraction operations.

Attachments: 19-068 Cover Sheet

10. Section 800 Site Plan Review(Revised 04-09-19)a

8. Section 600 Mineral Extraction (Revised 4-09-19)a

TC packet PB recommend Mineral Extraction 03-27-19

Dennis Brown - Most of the language in the ordinance has been judged by people who have a lot more expertise than him, and they seem to think this was very well done and should set the standard for other communities around the state.

Also noted that there is one part that was raised at the previous meeting in section 606 addressing the housing density on private roads, and whether it should be a 100 houses and whether having a number on the road is an appropriate to use? He does not feel this is a reasonable method of determining whether mineral extraction should go into an area. Mr. Brown encouraged them to look hard at the zoning.

Kevin Clark James Way - Zoning is a large factor but did not want to downplay the importance of what has been put together and they should still vote for the ordinance tonight to take place.

Ann Spurling James Way is grateful that they all have been able to talk about what they think is best for the town and the Council has listened.

Public Hearing Closed.

Councilor Nangle moved to amend Section 606 of the Performance Standards, Section 2d, page 6-5 to add after the words handling of fuels "including but are not limited to", second by Councilor Cummings.

Vote on amendment: 7-0 in Favor

Councilor Nangle moved the motion as amended, second by Councilor Nadeau.

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

VI. CONSENT AGENDA.

19-075 To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Franco's Bistro Inc. for a renewal Liquor License.

Attachments: 19-075 Cover Sheet

Franco's Bistro renewal Liquor Licence

19-076 To find that the requirements of 28-A M.R.S.A. § 653 have been met and to

approve an application submitted by Hana Aslan Cuisine Inc. for a renewal Liquor License.

Attachments: 19-076 Cover Sheet

Hana Cuisine renewal Liquor Lic

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

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

VII. UNFINISHED BUSINESS & GENERAL ORDERS.

19-067 To appoint Frayla Tarpinian to the Board of Assessment Review for a three-year term to end February 15, 2022. (Sponsored by Appointments Committee)

Attachments: 19-067 Cover Sheet

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

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

19-071 To approve one (1) new application submitted by Christopher MacDonald of 876 River Road d/b/a MacDaddy's Mobile Cuisine, LLC for a Mobile Food Service Unit License.

Attachments: 19-071 Cover Sheet

New Mobile Food-MacDaddy's Mobile Cuisine

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

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

19-072 To approve a new Victualer's permit application submitted by Christopher MacDonald 876 River Road d/b/a MacDaddy's Mobile Cuisine, LLC, located at 4 White's Bridge Rd.

Attachments: 19-072 Cover Sheet

New Victualer's-MacDaddy's Mobile Cuisine

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

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

19-073 To countersign the Regional School Unit No. 14 warrant calling a Regional School Unit Budget Referendum to be held on June 11, 2019

Attachments: 19-073 Cover Sheet
Dual Warrant & Notice of Election Notice

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

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

VIII. Discussion Items.

IX. Council Correspondence.

No Council Correspondence.

CD 19-106 Maine Natural Gas Public Notice

Attachments: Maine Natural Gas Public Awareness Program

CD 19-109 Parks and Recreation Department Monthly Report - March 2019

Attachments: P&R Monthly Report - March 2019

CD 19-110 Fire-Rescue Monthly Report - March 2019

Attachments: March 2019 Fire-Rescue Monthly Report.pdf

CD 19-111 Windham Police Department - Monthly Report March 2019

Attachments: Police Monthly Report March 2019

CD 19-119

Assessing & GIS Report for March 2019

Attachments: Assessing & GIS Department March 2019

X. Town Manager's Report.

Don Gerrish:

Hoping to have the Public Work's Open House the first week in June. Council agreed to meet and take a tour of the new facility before a Tuesday night meeting.

Acceptance of applications for Town Manager ended this evening. They have received a fair amount, and the Council will receive them on Friday. Don said they will meet at 6:00 p.m. on Tuesday to discuss them.

In regard to the workshop on trash bags and signing the contract; Don got a response from the company and sent it out to everybody. They answered his questions about the thickness and other issues, and they will take back any bags that rip or we have problems with.

They signed a contract today for Phase 1 of Brand Road - they actually got two bids for

Phase 1 and Phase 2. They will have to wait to sign for the phase 2 budget until they have some money, hopefully in next year's budget. They had anticipated \$1.3 million to do both and the total price to do 1 & 2 is \$1,057,000.

XI. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

They have not met.

2. Finance Committee.

Councilor Nangle said their next two meetings will be next Monday at 5:00 in the Chambers and next Thursday at 5:00 in Chambers, to start off, but due to a conflict with the Chambers, their meeting will move to a Conference room.

B. Other Committees.

1. Long Range Planning Committee.

Councilor Haskell said they are moving along. Don said in talking with Amanda they think they have a lot of items to deal with on a workshop basis, and the Long Range Committee will be ready to come and give an update at that meeting. He thinks they may need to hold two workshops because they have a lot to do. They may want to do them on the 7th and the 9th.

2. Parks & Recreation Advisory Committee.

No report.

3. Windham Economic Development Corporation.

Councilor Maxfield said they met last week for the annual board meeting and talked about the goals of the WEDC, which is to create some economic development in Windham, hopefully with the help of the Council and the town.

4. Highland Lake Leadership Team.

Councilor Chapman missed the meeting but the minutes stated they are working on the Strategic Plan. Moving forward testing perimeters and Kim White spoke about utilizing town attorneys on the private roads.

5. Shared Maintenance Facility Joint Project Team.

Given during the Town Manager's report.

6. Private Roads ad hoc Committee.

No report.

7. Natural Resources Advisory Committee.

Councilor Chapman said they are doing some water quality homework and each of them are tasked with the TMBL and they will let them know at the next meeting.

8. Retail Adult Use & Medical Marijuana Task Force.

Councilor Nadeau said they met last night. The Fire Department was there with concerns and some new laws that have to be looked at. The state released their draft today, which will have to be looked at but they are making progress.

CD 19-120 Task Force Agenda and Minutes

Attachments: Marijuana Task Force Agenda Apr 22nd Meeting
Marijuana Task Force April 8 Draft Meeting Minutes

XII. Councilors' Comments.

Councilor Nangle replied to Mr. Cianchette and said it is not the Planning Board Chairman, it is a citizen that has concerns. They need to discuss and think of the best way to resolve this issue.

Don said he, the Planner and Code Officer met with Mr. Cianchette and discussed issues up there. He was informed with what the town was looking for to go forward.

Councilor Chapman said it is a citizen that is our Planning Board Chair.

XIII. Agendas & Scheduling.**CD 19-113 Future Agenda Items**

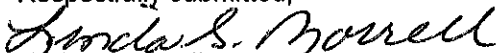
Attachments: Future Items 4.19.2019

XIV. ADJOURN.

A motion was made by Councilor Chapman, second by Councilor Nangle, that they be adjourned. The motion carried by the following vote at 7:45 p.m.

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

Respectfully submitted,


Linda S. Morrell
Town Clerk, CCM