



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Town Council

Tuesday, August 9, 2016

7:00 PM

Council Chambers

I. Roll Call.

Present: 5 - Donna Chapman, Roy Moore, Bob Muir, David Nadeau and Dennis Welch

Absent: 1 - Timothy Nangle

II. Pledge of Allegiance.

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

III. Minutes to be Approved:

[CD 16-285](#) To approve the Town Council Minutes of July 26, 2016.

Attachments: [Mintues - Town Council - 7-26-2016.pdf](#)

A motion was made by Councilor Welch, seconded by Councilor Muir that the minutes be approved. The motion carried by the following vote.

In Favor: 5 - Council Chair Chapman, Councilor Moore, Councilor Muir, Councilor Nadeau and Vice Chair Welch

Absent: 1 - Councilor Nangle

IV. Public Participation.

Elaine Pollock - Gentle Breeze: She started off by saying she forgot that they were not supposed to address individual Council members and she apologized.

She said in reading through the Planning department memo it appears to have an error on Page 2, under Private Road Ordinance where it says "the road serves 5 or more lots, as opposed to existing standard of 10 or more lots." She thought she had heard in a discussion with the Planning Board that it should read - Road serves 6 or more or uses the less than or equal to 5 or more lots.

Also, she said this memo indicates it was written on the 17th, which was a Sunday, and she hoped Ben was not writing the memo on a Sunday, so maybe the date may needs to be changed?

Ben Smith: He said this memo was an update to the Council. The ordinance, he believes, that was presented to the Planning Board last night was for the 6th lot so 5 or fewer or more than five. He said this does not reflect the ordinance language, but it was an update to the Council based on the work they have been doing.

Elaine Pollock: So we are talking about less than or equal to 5 or this would be reading 6 or more lots. Ben replied that was correct.

Larry Eliason: (See attached)

Present: 5 - Donna Chapman, Roy Moore, Bob Muir, David Nadeau and Dennis Welch

Absent: 1 - Tim Nangle

V. Councilors' Comments.

Councilor Nadeau: He said the last two Parks & Rec concerts have had over 300 people in attendance. The whole series was a great success and he applauds the effort they made.

Councilor Chapman: She would like to have a report in regard to Code Enforcement on all the legal matters that have been sent to the lawyers to see what we have going and how much we are spending. Phyllis said she would get that to them, but she was away the next few days.

VI. Council Correspondence.

None.

[CD 16-289](#) Windham Public Library Newsletter - August 2016

Attachments: [Windham Public Library Newsletter Aug 2016](#)

[CD 16-275](#) Planning Department Monthly Report - June 2016

Attachments: [06-2016 Monthly Report](#)

[CD 16-286](#) Investments - June 30, 2016

Attachments: [Investments - June 30 2016](#)

[CD 16-292](#) Carryover Balances - FY 16

Attachments: [Carryover Balances - FY 16](#)

VII. Town Manager's Report.

[CD 16-293](#) Report from the Assistant Town Manager

Attachments: [Report 2016 0805](#)

Phyllis Moss: She said in the on-going effort to improve Windham cemeteries, the Building and Grounds Crew just completed the installation of cedar "post and rail" fencing at the Mayberry and Windham Hill Cemeteries. It really looks nice and is worth taking a look at.

The Parks & Rec summer concert series was a huge success. The best piece of that was how many people were introduced to Dundee Park. Kudos to Linda and P&R

Advisory Committee.

She mentioned the wonderful job the Public Works crew did with the storm on July 22nd. There was a huge amount of trees and limbs to be removed. They did a great job with the cleaning up after the storm.

She has enjoyed the opportunity for filling in for Tony, and she said he will be back on Monday.

VIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

Councilor Welch: They have had no interviews.

2. Finance Committee.

Councilor Nadeau: They are still reviewing finance software.

B. Other Committees.

1. Land Use Ordinance Committee.

No report.

2. Public Easement Advisory Committee/Roads Policy Task Force.

Councilor Nadeau - Doug Fortier has inspected the third of the roads and letters have gone out. Some roads need to have some work done.

3. Windham Economic Development Corporation

Councilor Chapman: There is no August meeting. Councilor Gleason's seat is vacant and she said she may be interested in filling it up until the election.

4. Parks and Recreation Advisory Committee.

Councilor Chapman: Reported that they met last night, and it was a great concert series. The last two had about 450 people attend. They all agreed that Wednesday nights and earlier in the summer rather than later is the best time to have them, and they plan to repeat it for next year. They hope to get some sponsors for some of the concerts.

They also brought up the skate park and they are moving it forward. In September they are going to request a plan for that whole area at the meeting on the 20th. This weekend the carpenter is going over to work on rebuilding a section of the park.

The community center survey was discussed a little bit. She suggested they do the survey during the election to reach more people.

They are going to do a Halloween event, more info to follow.

Councilor Nadeau: He wanted to point out that the property down by the garden is full of ledge. She said right now they are discussing disc golf, basketball courts, a little play ground, a splash pad and a walking path.

IX. PUBLIC HEARINGS.

X. CONSENT AGENDA.

[16-131](#) To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Apple New England, LLC d/b/a Applebee's Neighborhood Grill & Bar for a renewal liquor license.

Attachments: [16-131 Cover Sheet](#)
[Applebee's Liquor License Renewal.pdf](#)

[16-133](#) To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Matt Kait, Inc. d/b/a Danielles Sebago Diner for a renewal liquor license.

Attachments: [16-133 Cover Sheet](#)
[Danielles Sebago Diner-renewal Liquor.pdf](#)

A motion was made by Councilor Welch, seconded by Councilor Nadeau that the Consent Agenda be approved. The motion carried by the following vote.

In Favor: 5 - Council Chair Chapman, Councilor Moore, Councilor Muir, Councilor Nadeau and Vice Chair Welch

Absent: 1 - Councilor Nangle

XI. UNFINISHED BUSINESS & GENERAL ORDERS.

[16-132](#) To approve one (1) application submitted by Kelly's Ice Cream Truck for a Mobile Food Service Unit License.

Attachments: [16-132 Cover Sheet](#)
[Mobile Food - Kelly's Ice Cream Truck.pdf](#)

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

In Favor: 5 - Council Chair Chapman, Councilor Moore, Councilor Muir, Councilor Nadeau and Vice Chair Welch

Absent: 1 - Councilor Nangle

XII. Discussion Items.

[CD 16-168](#) The Council will discuss its process for handling appointments, re-appointments, expired terms, etc. on Council-appointed committees.

This discussion was postponed due to Councilor Nangle being absent.

[CD 16-290](#) To hear information gathered by the council appointed private roads policy task force and continue the discussion of private road ordinance amendment language regarding when private road and private way improvements would be required by new development.

Councilor Nadeau gave a presentation.

XIII. Agendas & Scheduling.

[CD 16-291](#) Agenda Items Reports.

Attachments: [Agenda Items Report 20160805](#)

Discussion of agendas & scheduling.

XIV. ADJOURN.

A motion was made by Councilor Chapman, seconded by Councilor Welch that they adjourn. The motion carried by the following vote at 8:40 p.m.

In Favor: 5 - Council Chair Chapman, Councilor Moore, Councilor Muir, Councilor Nadeau and Vice Chair Welch

Absent: 1 - Councilor Nangle

Respectfully submitted,

Linda S. Morrell
Town Clerk, CCM