



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Town Council

Tuesday, August 28, 2018

7:00 PM

Council Chambers

I. Roll Call of Members.

Present: 6 - Dennis Welch, Tim Nangle, Bob Muir, Jarrod Maxfield, Donna Chapman and Rebecca Cummings

Absent: 1 - Clayton Haskell

II. Pledge of Allegiance.

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

III. Minutes to be Approved:

[CD 18-249](#) To approve the minutes of the August 7, 2018 Council meeting.

Attachments: [Minutes-Town Council-8-7-18](#)

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

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

Absent: 1 - Councilor Haskell

IV. Public Participation.

Dan Glover is a Westbrook resident and a member of the Archangel Committee of Greater Portland Region. He said back in November of 1988 Mayor Philip Spiller of Westbrook, and on behalf of the Greater Portland Region, signed an agreement in Archangel Russia that the City of Archangel would become the sister city to the Greater Portland Region, Maine.

Marcia Blanchard, on behalf of Windham and other representatives of the region, countersigned the agreement in April of 1989 in the State of Maine room in Portland. They thanked Windham for its support for its relationship and involvement in various exchanges over the years. He named the many successes over the years.

He said tonight they want the people of Windham to participate in the "Bridges of Friendship" photography exchange. (see attached) They are seeking \$150 from each of the fourteen municipalities in the Greater Portland Region to support a photographic cultural exchange.

V. Councilors' Comments.

Councilor Maxfield read a statement. (see attached)

Councilor Cummings said she received an email after the last discussion they had on marijuana and the moratorium. There are some business owners in town who want to meet and discuss their wants and needs and their concerns with the way the town is going; and to let them know how she felt and how others felt. They would like the Council to consider starting up a committee of community members to discuss moving forward, whether it be with a moratorium, or they limit recreational, they would like to have input.

Councilor Welch said they would want a committee with a charge.

Councilor Chapman asked Tony to to get a charge drafted for a community committee to look at the marijuana issues the town has. Tony asked Councilor Cummings to forward the email she received to him.

VI. Council Correspondence.

Councilor Cummings said in the past they have talked about looking into some of the town's ordinances, and some of them are older than she is. There has been some issues, and in speaking with law enforcement, there seems to be more complaints regarding nuisance dogs in neighborhoods. Those ordinances are not very tight. He gave her some recommendations on how they could amend those ordinances to be more of a disturbance based ordinance verses noise or nuisance dogs. She said she will get more information on this and will share with everyone.

[CD 18-244](#) Southern Maine Agency on Aging Correspondence

Attachments: [SMAA Letter of Thanks](#)

[CD 18-252](#) The Opportunity Alliance - Letter of Appreciation

Attachments: [The Opportunity Alliance Letter of Thanks](#)

[CD 18-253](#) SARSSM Letter of Appreciation

Attachments: [SARSSM Letter of Thanks](#)

[CD 18-254](#) MaineHealth Care at Home Letter of Appreciation

Attachments: [MaineHealth Care at Home Letter of Thanks](#)

[CD 18-255](#) The Archangel Committee Newsletter

Attachments: [The Archangel Committee - Summer 2018 Newsletter](#)

[CD 18-256](#) Maine State Housing Authority Program Communication

Attachments: [Maine Housing Arsenic Abatement Program](#)

[CD 18-257](#) VNA Home Health Hospice Letter of Appreciation

Attachments: [VNA Home Health Hospice Thank You](#)

[CD 18-242](#) Town Clerk's Monthly Report - July 2018.

Attachments: [Town Clerk's Report-July 2018](#)

[CD 18-245](#) Fire-Rescue Department Monthly Report - July 2018

Attachments: [Fire-Rescue Monthly Report July 2018](#)

[CD 18-246](#) Windham Police Department Monthly Report - July 2018

Attachments: [Police Department Report - July 2018](#)

[CD 18-247](#) Public Works Department Monthly Report - July 2018

Attachments: [Public Works Monthly Report - July 2018](#)
[July 2018 Mission.Success.Measurement Table](#)

[CD 18-248](#) Parks and Recreation Department Monthly Report - July, 2018

Attachments: [Parks and Recreation Monthly Report July2018](#)

[CD 18-251](#) Windham Public Library Monthly Report - July 2018

Attachments: [Library Monthly Report - July 2018](#)

[CD 18-258](#) Assessing & GIS Department Monthly Report - July 2018

Attachments: [Assessing & GIS Department July 2018](#)

[CD 18-260](#) Code Enforcement Monthly Report - July 2018

Attachments: [Monthly Report for July 2018](#)

VII. Town Manager's Report.

[CD 18-261](#) Town Manager's Report.

Attachments: [Town Manager's Report 20180824](#)
[Projects & Issues List 20180828](#)
[Projects & Issues Sheets 20180828](#)

Tony Plante said that he and staff have been working on language for the Land Use Ordinance to update a plan review, also called a third party review as an extension of the work around Highland Lake, Highland Lake Watershed, and the Highland Lake Leadership Team. Amanda Lessard sent a draft out today after they had an opportunity to meet with engineers from Gorrill Palmer, which is the town's third party review engineer. He thinks it will be important as they go through the process of reviewing those changes to understand how the review process works, starting with the town engineer and our outside engineers for projects that are in watersheds of lakes most at risk from

development as identified by DEP. They shared that information with Dennis Brown and John MacKinnon today; they expect to have those to the Council soon.

The Maintenance Facility Project remains on schedule despite some early challenges with steel and DEP permitting. Things are moving along.

The Interlocal Agreement and Lease with RSU #14 is nearly complete and ready for Council and RSU Board review. On the agenda next Tuesday that will be on the agenda for discussion. The RSU will have another meeting on Wednesday night, and then they are scheduled to vote on it September 19, and the Council could vote on it as early as the 25th of September.

The Planning Board considered amendments to the Land Use Ordinance with respect to sprinklers at its meeting last night. In talking with Amanda Lessard the Planning Board voted by a vote of 6-1 to recommend not approving the amendments that the Council sent, and had some other recommendations to make about requiring sprinklers in residential dwellings. He did not have all the details.

In regard to wastewater, they were going to bring back a scope of work for the next step of planning and design. He has a conference call with our wastewater engineers along with the town engineer on Thursday, and they will have something for the Council fairly soon.

He said even though they just wrapped up approving the budget for fiscal 2019, we should start thinking about the budget for 2020. They still have a draft strategic plan that should be either approved and/or modified and approved by the Council, as well as getting into capital plans. He thinks they should go through the process sometime in September or October to set the stage for the next Council.

VIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

Councilor Maxfield said they have had no meetings or interviews since their last meeting.

2. Finance Committee.

Councilor Chapman said per Tony's suggestion, they should have a discussion next month.

B. Other Committees.

1. Long Range Planning Committee.

Tony said they are working on getting meeting minutes up for review.

2. Parks & Recreation Advisory Committee.

Councilor Cummings said that on either September 20 or 24 will be the first Town Hall meeting when it comes to the Community Center Adhoc. They were

talking possibly about going Facebook live before the Planning Board meeting. They had their sitewalk recently for the Community Park/Skate Park.

The Trick or Trunk will be October 27, Dundee Park closes September 3 and Arts in the Park is October 13th. Their next meeting will be September 10.

[CD 18-250](#) Parks and Recreation Advisory Committee Minutes - August, 2018

Attachments: [Parks & Rec Advisory Minutes August 13 2018](#)

3. Highland Lake Leadership Team.

Tony Plante said the meeting for August 23 was postponed, and no date has been announced for a follow up meeting.

4. Shared Maintenance Facility Joint Project Team.

Tony reported on this during his Manager's report.

5. Windham Economic Development Corporation

Tony Plante said they have a Board meeting September 12.

6. Mineral Extraction Committee.

Councilor Chapman said they are meeting this Thursday, and before they have the public hearing they have DEP officials coming in for a question and answer session.

There is an overlay question that needs to be discussed a bit more, as some people are not happy with how it is written.

[CD 18-263](#) Mineral Extraction Committee meeting agenda - August 23, 2018

Attachments: [MEC Agenda 2018-08-23](#)

7. Private Roads ad hoc Committee.

Councilor Nangle said the team met and noted that Jon Earle has been taking excellent minutes, but there is still a lot of work to do.

[CD 18-264](#) Private Roads ad hoc Committee meeting agenda - August 15, 2018

Attachments: [PRC Ad Hoc 8-15-2018 with minutes](#)

IX. PUBLIC HEARINGS.

X. CONSENT AGENDA.

[18-156](#) To approve an application for a renewal motion picture theater license

submitted by Smitty's Cinema-Windham LLC at 795 Roosevelt Trail.

Attachments: [Cover Sheet 18-156](#)
[Smitty's Motion Picture renewal](#)

[18-157](#) To approve an application submitted by the Lake Region Eagles Aerie #4352 located at 456 Roosevelt Trail for a renewal Special Amusement permit.

Attachments: [Cover Sheet 18-157](#)
[Lake Region Eagles-Renwal Sp. Amuse](#)

[18-158](#) To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Lake Region Eagles #4352 for a renewal Liquor License.

Attachments: [Cover Sheet 18-158](#)
[Lake Region Eagles-Renewal Liquor Lic](#)

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

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

Absent: 1 - Councilor Haskell

XI. UNFINISHED BUSINESS & GENERAL ORDERS.

[18-151](#) To approve applications for property tax assistance pursuant to Chapter 112 of the Code of the Town of Windham, "Property Tax Assistance."

Attachments: [Cover Sheet 18-151](#)
[8 2018 Participants](#)
[Chapter 112 - Property Tax Assistance ADOPTED 20171010](#)

Tony Plante said last October Council approved Chapter 112 of the town's ordinances a Property Tax Assistance Program, which applies to property owners and renters, at least 65 years of age who meet certain income eligibility requirements. The town put ads in local papers, information on the website, Facebook page and from that they received 79 applications by the August 1 deadline. Eleven of those did not qualify, they were all over income. The household income limit for 2017 was \$45,050, and there were twelve applicants who qualified for amounts less than the maximum benefit, because the benefit is the amount by which your taxes exceeded a certain percentage of income divided by two and could be more than \$500. There was a total reimbursement of \$31,157.

Councilor Nangle said he wanted to remind everyone that this program was submitted by former Councilor Nadeau, and we can actually see some real benefit to this for our residents.

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

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

Absent: 1 - Councilor Haskell

XII. Discussion Items.

[CD 18-259](#) Sprinkler System Requirements: State Regulations and Local Ordinances.

Attachments: [Cover Sheet CD 18-259](#)
[Sprinkler System Requirements Memo](#)
[Fire Prevention Code - Chapter 95 \(2010\)](#)
[Fire Prevention Code - Chapter 95](#)

XIII. Agendas & Scheduling.

[CD 18-262](#) Agenda Items Reports.

Attachments: [Agenda Items Scheduled 20180828](#)
[Agenda Items to be Scheduled 20180828](#)
[Projects & Issues List 20180828](#)
[Projects & Issues Sheets 20180828](#)

There was discussion of agendas and scheduling.

XIV. ADJOURN.

A motion was made by Council Chair Chapman, seconded by Councilor Cummings, that they be adjourned. The motion carried by the following vote at 7:52 p.m.

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

Absent: 1 - Councilor Haskell

Respectfully submitted,

Linda S. Morrell
Town Clerk, CCM