



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Town Council

Tuesday, September 11, 2018

7:00 PM

Council Chambers

I. Roll Call of Members.

Council Chair Chapman asked for a moment of silence in remembrance of September 2011.

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 18-283](#) To approve the minutes of May 1, 2018 Council meeting.

Attachments: [Minutes-Town Council-5-1-2018](#)

[CD 18-284](#) To approve the minutes of May 15, 2018 Council meeting.

Attachments: [Minutes-Town Council-5-15-2018](#)

[CD 18-285](#) To approve the minutes of the May 29, 2018 Council meeting.

Attachments: [Minutes-Town Council-5-29-2018](#)

[CD 18-286](#) To approve the minutes of the May 30, 2018 Council special meeting.

Attachments: [Minutes-Special Town Council-5-30-2018](#)

[CD 18-287](#) To approve the minutes of the June 5, 2018 Council meeting.

Attachments: [Minutes-Town Council-6-5-2018](#)

[CD 18-279](#) To approve the minutes of the August 28, 2018 Council meeting.

Attachments: [Minutes-Town Council-8-28-2018](#)

CD 18-279 To approve the minutes of the August 28, 2018 Council meeting.

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

IV. Public Participation.

Gary Plummer thanked the Councilors for their service to the Town Council. He said although he does not agree with any of them all the time, and have disagreed with some more often, he truly appreciates that they are willing to come and do the business of the town.

In regard to the signs at the Rotary, he didn't know if anything had moved forward on those? He said he had been very successful at convincing candidates, either, to not put signs in there or to remove them from the island areas. He said there are two business signs that are clearly illegal under the state law, and also under the town sign ordinance. He approached MDOT and was told that the town controls the islands and MDOT controls the middle.

Gary approached the bench and handed out a flyer on the Make Shift Coffee House, and he told them they now have their official announcement and invitation. It will be held on Thursday, September 27th from 6:00 to 8:00 p.m. at the Windham Veteran's Center. Gary said the idea behind the Make Shift Coffee House is to talk about difficult issues but to do it in a civil manner.

He said it is quite appropriate that he is here on September 11 the anniversary of what was, in his opinion, the worst tragedy in our history; but the way we came together after that tragedy he always found phenomenal, and he hopes we can find a way to come together without a tragedy. He said that the event is open to the public, and they encourage those watching to come on September 27.

V. Councilors' Comments.

Councilor Haskell said he had a woman call who was concerned about the pan handlers up in North Windham at the entrance to Wal-Mart, and she wanted to know if there was something the town could do about that? He would like to have someone look into her concern. Councilor Chapman said she had the same call, and she had a conversation with Chris Hanson. Chris was going to talk with the Chief to see if there was something that could be done.

Councilor Maxfield read a statement. (see attached)

Councilor Nangle said he does categorically deny the allegations that the Chair has made in that article, and he will be responding in due time.

Councilor Welch said in regard to the sign ordinance, the Council did talk about putting it on the agenda to have a further discussion and see where they wanted to go with it. He asked to have it on an upcoming agenda.

VI. Council Correspondence.

No Council Correspondence.

[CD 18-268](#) The LifeFlight Foundation - Letter of Appreciation

Attachments: [The LifeFlight Foundation Correspondence](#)

[CD 18-270](#) Windham Public Library Newsletter

Attachments: [Check It Out - September 2018](#)

[CD 18-275](#) Planning Board recommendation on amendments regarding residential sprinklers.

Attachments: [TC packet_PB recommend_residential sprinklers_09-06-18](#)

[CD 18-278](#) Making Maine Work Collaborative Report

Attachments: [2018 Making Maine Work Report \(43MB\)](#)

VII. Town Manager's Report.

[CD 18-289](#) Town Manager's Report.

Attachments: [Town Manager's Report 20180907](#)

[Projects & Issues List 20180907](#)

[Projects & Issues Sheets 20180907](#)

Tony Planted reported that the Council have before them an Order authorizing the financing of the Maintenance Facility. There is a meeting tomorrow and the pre-engineered metal building was supposed to be delivered last Friday. They are also making progress on the cold form steel framing on the lower level. He an email from the project manager from Great Falls Construction inquiring as to whether the Council might be interested in a tour as they do the work.

Tony acknowledge the upcoming retirement of Judith Heggeman who has served the town for more than 20 years. She has run the Tax Collection/Motor Vehicle Registration Office with a dedication to service and an attention to detail that would be hard to match. Judith is always the first one to bring to his attention when something small goes wrong. He thinks we are in a good place with her successor, and noted he got her first name wrong in his written report. Her name is Veronica Meserve, and he thinks, in many ways, Veronica is very much like Judith, and he thinks we will have that office in good hands. Judith will be retiring later this month. He invited the Council and others to stop by to say thank you. He is sure it would be appreciated.

The Stormwater Compliance Coordinator has completed her work with the Town of Gorham. They decided to establish their own position, where we have had a shared position for the last year or two. That means that Gretchen is now focused 100% of the time on the Town of Windham. In addition to Stormwater Compliance, her portfolio includes all the watershed work we are doing, Highland Lake, Forest Lake and other waterbodies, and the LED streetlight conversion, which is still be worked on. They had a survey done by Real Term Energy earlier this year, and she is working on verifying that before they move into the next phase getting a price from Central Maine Power to buy our existing fixtures, and then working on a design and coming up with an entire financial package that the Council can review and approve.

He held interviews with candidates for Planning Director yesterday, and he will be doing some follow up. He will plan to speak to the Council in regard to that soon. They need to have that additional capacity in the Planning Department, somebody to work more directly with the Long Range Planning Committee. There is a lot of development activity in town, and development review is taking up a lot of time and taking time away from

some of the other things that we can and should be doing. Next Tuesday they have a plan to have an update from the Long Range Planning Committee and some recommendations and next steps about implementing the Comprehensive Plan that the Council adopted in 2017.

There is an opening for a full-time paramedic fire fighter that they will be filling. Interviews are going to be held for the second Code Enforcement Office Administrative Assistant that was authorized in the budget. They also have a search processes going on for positions in the Public Works Department that were added in hopes of getting people in those positions in time for winter.

Following up on last week's Council meeting with agendas and scheduling - that they might want to have RSU Board members in to talk about the implications for Windham of the Town of Raymond's effort to withdraw from the RSU. He met with the Superintendent and Assistant Superintendent yesterday to talk about the timing of that.

VIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

Councilor Maxfield said there was nothing to report, but they will be interviewing people starting next week about the new committee being formed tonight.

2. Finance Committee.

Councilor Chapman said they have not met, but thinks they should to go over some budgetary concerns with Public Works, and the Compliance Officer position. She would like a workshop scheduled.

B. Other Committees.

1. Land Range Planning Committee.

Councilor Haskell said Tony had already spoke about this.

2. Parks & Recreation Advisory Committee.

Councilor Cummings stated she was not able to attend the meeting the day before but from an email the visits to Dundee to Park are up by around 2,000. Councilor Chapman said that the Community Design Concept is supposed to be having their hearing for the Community Center coming up. There was a concern with the skate park that maybe they were not going to continue with the follow through on that, and they thought maybe they should appoint an ad hoc committee but she recommend they wait a little bit because of staff shortages. They talked about the Trick Or Treat Trunk event on October 27. She said it was a fun time last year.

3. Highland Lake Leadership Team.

Tony Plante said the Highland Lake Leadership Team had a meeting yesterday, and they had a good update from Karen Wilson professor at USM with some

early results from data collected in Highland Lake over the last season. There are still a lot of samples to be tested but she did share some preliminary results that seem to point to some interesting interactions between the picocyanobacteria bloom that we have been seeing. They will see a lot more of that and expect to have more samples tested and a more complete report later this year. There will be another public forum similar to what they did last year in the spring, and an update on the watershed management plan; the survey was performed in May; they are still working on the report and expect to have by the end of the year. He said he would like to see the results of the survey so they know what areas they should be targeting.

There is some interest on the part of both the people on Highland Lake Association and the Forest Lake Association in potentially tapping into the additional \$30,000 that the Council included in this years budget in support of watershed efforts. That \$30,000 was put in the budget in recognition that there is a need to do more in watershed areas but without a specific program for doing that. They will be meeting again in October.

[CD 18-294](#) HLLT Ordinance Committee DRAFT Minutes - August 21, 2018

Attachments: [Highland Lake Ordinance Committee Minutes August 21 - Rev 2](#)

4. Shared Maintenance Facility Joint Project Team.

Tony already spoke about this in his Manager's report.

5. Windham Economic Development Corporation

Tony Plante said the meeting is tomorrow at 6:00 p.m. at Pat's Pizza.

[CD 18-291](#) WEDC Board Meeting Materials - September 12, 2018

Attachments: [WEDC Board Meeting Agenda- 9 12 18](#)

[2014 01 23 WEDC By-Laws](#)

[Board Members 2018](#)

[Minutes 4-4-18](#)

[WEDC Active Projects FY2019](#)

[WEDC Financials FY18 unaudited](#)

[WEDC Financials Sep 5 2018](#)

6. Mineral Extraction Committee.

Councilor Chapman said they are getting ready for the public hearing. They are still waiting on the overlay language to see if no mineral extraction is allowed over in that area. The language they had for the last meeting was old language.

[CD 18-292](#) MEC Agenda - September 6, 2018

Attachments: [MEC Agenda 2018-09-06](#)

7. Private Roads ad hoc Committee.

Councilor Nangle said he got to the meeting late that night. He said they were working on some standards and there is discussion about holding the private roads public forum in early November, but they will see how things progress.

[CD 18-293](#) Private Roads ad hoc Committee Meeting Agenda - September 5, 2018

Attachments: [PRC Ad Hoc 9-5-2018 1](#)

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

[18-167](#) To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Sonje Swensen d/b/a Windham Billiards for a renewal liquor license.

Attachments: [Cover Sheet 18-167](#)
[Windham Billiards-Renewal Liquor Lic.](#)

A motion was made by Councilor Welch, seconded by Councilor Cummings, 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

[18-169](#) To authorize the borrowing of a sum not to exceed \$9,300,000 by the Town of Windham (the "Town") to pay all or a portion of the costs of the design, construction, and equipping of a new public works and school transportation and maintenance facility located at property on Windham Center Road in the Town and related redevelopment of the site (the "Project") by issuing a \$9,300,000 General Obligation Bond to the Maine Municipal Bond Bank (the "Bank") and to authorize entering into a Loan Agreement with the Bank in connection with the foregoing.

Attachments: [Cover Sheet 18-169](#)
[Town Council Order Package Windham GOB18](#)

Councilor Haskell asked how have we been paying, so far, for what is being done down there without this bond in place? Tony said we have been paying out of the town's cash reserves. The bond issue will replenish those.

Councilor Haskell asked how much is that? Tony replied that at this point they have paid somewhere around \$3,000,000. Councilor Chapman said this will replenish, and Tony said that was the plan from the beginning. They would build the building, finance the building and the voters were told we would finance that over the next 20 years. Instead of going out for a bond anticipation note, which would incur interest, we borrowed the money

from ourselves, and you will see when they get to the audit, what the town's year-end fund balance is. In effect, the town has the reserves to be able to lend itself money in the short-term, but they can't do it indefinitely.

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

Opposed: 1 - Councilor Haskell

XII. Discussion Items.

[CD 18-280](#) Junkyard inspection reports.

Attachments: [Cover Sheet CD 18-280](#)
[Junkyard Inspection memo-2018](#)

Chris Hanson was there to speak on junkyards.

Tony Plante explained the history of junkyards in the Town of Windham.

[CD 18-282](#) Retail Adult-Use and Medical Marijuana Establishments Task Force Draft Charge.

Attachments: [Cover Sheet CD 18-282](#)
[Retail Adult-Use and Medical Marijuana Establishments Task Force DRAFT 20180905](#)

Tony Plante said he put together a draft charge for a Marijuana Committee, as asked by the Council, and gave a brief explanation of where some things stand.

Chris Hanson Director of Code Enforcement gave statistics on how many medical marijuana caregivers there are in Windham, and how many medical marijuana grow facilities that have been permitted so far. There were many questions from the Council made to Chris Hanson.

The Council Chair offered the public to come up and ask any questions they might have about the new task force committee. Several people from the audience got up to speak.

XIII. Agendas & Scheduling.

There was discussion of agendas and scheduling.

[CD 18-290](#) Agenda Items Reports.

Attachments: [Agenda Items Scheduled 20180907](#)
[Agenda Items to be Scheduled 20180907](#)
[Projects & Issues List 20180907](#)
[Projects & Issues Sheets 20180907](#)

XIV. ADJOURN.

A motion was made by Councilor Welch, seconded by Vice Chair Muir, that they be adjourned. The motion carried by the following vote at 1:42 p.m.

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

Respectfully submitted,

Linda S. Morrell
Town Clerk/CCM