



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Final

### Town Council

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Tuesday, December 4, 2018

7:00 PM

Council Chambers

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WCCG TV-7 Now on Channel 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.

Council Chair Haskell asked for a moment of silence for President Bush.

#### III. Minutes to be Approved:

[CD 18-376](#) To approve the Minutes of the October 16, 2018 Council meeting.

**Attachments:** [Minutes-Town Council-10-16-2018](#)

[CD 18-378](#) To approve the Minutes of the October 23, 2018 Council meeting.

**Attachments:** [Minutes-Town Council-10-23-2018](#)

[CD 18-383](#) To approve the Minutes of the November 13, 2018 Council meeting.

**Attachments:** [Minutes-Town Council-11-13-2018](#)

[CD 18-386](#) To approve the Minutes of the November 20, 2018 Council meeting.

**Attachments:** [Minutes-Town Council-11-20-2018](#)

Council voted on the four sets of minutes as a group.

Manager Gerrish announced that we are going to try, for the next month, working with the Clerk, doing the minutes as action minutes, not detailed minutes. Because the minutes are taped, both video and audio, detailed minutes are really not needed and are very time consuming for the Clerk. Action minutes are the motion, the second and the vote, the detail of all the discussion would be found on line. Quite a few communities in the state have changed to action minutes.

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

#### IV. Public Participation.

*David Tanguay of the American Legion Field Allen Post in Windham: He summarized the last six months of happenings in the Legion. They placed 875 flags on veteran's graves and other flags around town. They are Planning Memorial Day 2019, and spoke about the Everlasting Gratitude Wreath Program placing over 900 wreaths.*

*Deb McAfee, a volunteer on the Human Services Advisory Committee, spoke on behalf of Age-Friendly Maine.  
(see attached)*

*Michael Manning from Bruschi Road was there in regard to the quarry and asked that they take their time and not rush the work the committees are doing on the quarry and private roads.*

*Holly Tubbs of Windham came to speak about a problem they are having in the C3 district. (See handout)*

*Karen Lougee said she presented a petition on November 13 in regard to establishing a committee to look into a growth ordinance, and a temporary 180 moratorium on the issuance of further building permits; she was there to reiterate the issue.*

*Sarah Bronson spoke on behalf of the group of citizens who are concerned with the rapid growth in Windham and the town's Comp Plan.*

*Tanya Marston was not able to stay for the meeting but left copies of a letter with the Clerk to be handed out to Council. (See attached)*

*Holly Tubbs spoke on the problems the farmers are having trying to find help. Farmers have the same problems they have in the trade industry.*

*Gerry Campbell from Cobb Farm Road is concerned about his well being next to a cluster subdivision being proposed. He invited all of Windham to a walk-through on Saturday morning to see what cluster development looks like.*

*Dennis Steinert owned a plumbing & heating company for 34 years and owns a property on Route 302 in the C3 zone. He asked why trade businesses not allowed in the C1 zone? He just lost a buyer for his property because they are a construction firm.*

*Closed at 7:35 pm*

#### V. CONSENT AGENDA.

#### VI. PUBLIC HEARINGS.

#### VII. UNFINISHED BUSINESS & GENERAL ORDERS.

[18-228](#)

To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Seacoast Park d/b/a Deckhouse

Sports Tavern for a renewal Liquor License.

**Attachments:** [18-228 Cover Sheet](#)

[Seacoast Park Renewal Liquor](#)

**A motion was made by Councilor Muir, seconded by Councilor Chapman, 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

[18-229](#)

To approve an application submitted by Seacoast park d/b/a Deck House Sports Tavern located at 930 Roosevelt Trail for a renewal Special Amusement permit.

**Attachments:** [18-229 Cover Sheet](#)

[Seacoast Park Special Amusement](#)

**A motion was made by Councilor Muir, 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

[18-231](#)

To refer proposed amendments to the Land Use Ordinance, Chapter 140 of the Code of the Town of Windham, with regard to mineral extraction operations to the planning board for review and recommendation.

**Attachments:** [18-231 Cover Sheet](#)

[Mineral Extraction Committee Recommendations TC packet MEC 10-18-18](#)

*Amanda Lessard gave a brief overview of what was going to the planning board.*

**A motion was made by Councilor Muir, seconded by Councilor Maxfield, 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

[18-237](#)

To refer proposed amendments to the Land Use Ordinance, Chapter 140 of the Code of the Town of Windham, with regard to independent review requirements for development in at-risk watersheds.

**Attachments:** [18-237 Cover Sheet](#)

[Independent Review Amendments 2018-08-24](#)

*Amanda Lessard gave an introduction of the draft ordinance that staff drafted, and the need for a third party review in watersheds from lakes most at risk from new development.*

*Dennis Brown from Pond Villa spoke and would like it to specifically say "environmental review" and have it be for "all ponds and streams" in town.*

*Councilors who spoke on the matter: Councilor Chapman, Nangle, Nadeau, Maxfield*

*Amanda Lessard Planner spoke.*

*Jon Earle Town Engineer spoke.*

**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

## VIII. Discussion Items.

[CD 18-384](#) North Windham Wastewater Progress Report.

**Attachments:** [20181120 Windham Progress Report](#)

*Jon Earle gave a brief report on Wastewater progress in North Windham, and noted that DEP has been looking at phosphorous levels and how much ground water heads to Chaffin Pond, and how much heads in the other direction.*

## IX. Councilors' Comments.

*Councilors' Comments will be moved back after Public Participation for the next agenda.*

*Councilor Maxfield's comments:*

*Had a call from a resident and their concerns about the brightness of digital signs.*

*Is in favor of age friendly communities.*

*Attended community meeting, left with a sense of urgency on tackling the expansion of the Smith Cemetery so that they can figure out if a community center would be viable on that site.*

*C3 zone issue. Manager Gerrish said it is being worked on.*

*Councilor Chapman's comments:*

*They need to come up with a business plan to fund the community center. The idea came out of a meeting in Waterville and Mr. Walsh will be doing Speak Out with Bill Diamond and Pat Moody on the subject. Mr. Walsh said there is a group that can help with that and it is Critical Insites.*

*She spoke about the C3 zone issue and wants to take a look at how it can be adjusted.*

*Councilor Nangle's comments:*

*Every employment segment in the state is looking for people, i.e. public safety, trades, anything that doesn't need a college degree, they are all looking for people.*

*Councilor Nadeau's Comments:*

*Spoke on single family homes that are being used as Airbnb's. Thinks it is an issue we should be looking at ahead of time and not after the fact.*

*Councilor Cumming's Comments:*

*Received emails and phone calls about letters sent out to residents on thirteen private roads that Pine Tree would not be picking up their trash. Should they have Pine Tree come in and explain what residents can do.*

*Manager Gerrish explained why Pine Tree would not go down those roads.*

**X. Council Correspondence.**

None.

[CD 18-374](#) Council, Staff and Public Comments to Desired Qualities in Next Town Manager.

**Attachments:** [Council Staff Public Comments](#)

[CD 18-364](#) Police Department Monthly Report October 2018

**Attachments:** [Police Monthly Report - October 2018](#)

[CD 18-367](#) Fire-Rescue Department Monthly Report - October 2018

**Attachments:** [October 2018 Monthly Report](#)

[CD 18-368](#) Parks and Recreation Department Monthly Report - October 2018

**Attachments:** [Parks & Rec Monthly Report Oct 2018](#)

[CD 18-373](#) Windham Public Library Monthly Report - October 2018

**Attachments:** [Library Monthly Report October 2018](#)

[CD 18-377](#) Social Services Monthly Report - October 2018

**Attachments:** [Social Services Monthly Report - October 2018](#)

[CD 18-382](#) Financial Reports as of October 31, 2018

**Attachments:** [YTD Revenue Report as on October 31](#)  
[YTD Expense report as of October 31](#)

[CD 18-387](#) Town Clerk's Reports for the months of September and October 2018.

**Attachments:** [Town Clerks's Report for Sept. & Oct. 2018](#)

[CD 18-388](#) GPCOG Welcome & Congratulations Reception

**Attachments:** [GPCOG Reception Invitation](#)

**XI. Town Manager's Report.**

*Manager Gerrish will be away from December 7th through December 17th. He reminded Council to send in their goals to him, and he sent a memo to staff asking them on how growth has impacted their specific departments. Noted that Saturday, December 29th will be the joint Council and Department Head meeting.*

**XII. Committee Reports.**

**A. Council Subcommittees.**

## 1. Appointments Committee.

*Councilor Maxfield said they have not met.*

## 2. Finance Committee.

*Councilor Nadeau said they met last week, and they are waiting for Don to put some things together.*

**B. Other Committees.**

## 1. Long Range Planning Committee.

*Amanda Lessard said they had a couple of public forums on November 7th & 10th that were well attended.*

*They have been looking on impact fees and the methodology for that. They have a meeting tomorrow morning, and will create a draft report from the forums on the farm and farm residential areas.*

## 2. Parks &amp; Recreation Advisory Committee.

*Councilor Cummings said they had a Community Center meeting yesterday and Pat Moody gave out tee shirts to the Council tonight. They will be used as a fund raiser for the community center.*

*The Parks & Recreation Advisory Committee will have a meeting soon.*

## 3. Windham Economic Development Corporation

*Councilor Maxfield said they have not met since the annual meeting.*

## 4. Highland Lake Leadership Team.

*Councilor Chapman said they have a meeting next week on the 13th and they had an educational meeting last week.*

## 5. Shared Maintenance Facility Joint Project Team.

*Manager Gerrish said things are moving along.*

## 6. Mineral Extraction Committee.

*Councilor Haskell said it was just moved on to the Planning Board.*

## 7. Private Roads ad hoc Committee.

*Councilor Nangle said they have not met since their last meeting on either committee. They have the recommendations back from the attorney. They will meet on the 12th at Town Hall to review those, and the attorney will be there to answer any questions.*

*Councilor Chapman asked the Chair if they could add the Natural Resource Committee added and eventually the Retail Marijuana Committee to the list.*

### **XIII. Agendas & Scheduling.**

*Councilor Haskell said they will have to rethink things on the agenda as Christmas and New Years are both on Tuesdays.*

### **XIV. Executive Session.**

#### [18-226](#)

To enter into executive session under 1 M.R.S.A. §405(6)(A), which provides for the "Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency," for the purpose of conducting the performance evaluation of the assessor.

**Attachments:** [18-226 Cover Sheet](#)

**A motion was made by Councilor Haskell, second by Councilor Cummings to enter into executive session. The motion carried by the following vote at 9:02 p.m.**

**Vote: 7-0**

**A motion was made by Councilor Nangle, second by Councilor Muir to return from executive session. The motion carried by the following vote at 9:20.**

**Vote: 7-0**

### **XV. ADJOURN.**

**A motion was made by Councilor Haskell, seconded by Councilor Cummings, that they be adjourned. The motion carried by the following vote at 9:21p.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