



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Town Council

Tuesday, January 22, 2019

7:00 PM

Council Chambers

WCCG TV-7 Now on Channel 1303

I. Roll Call of Members.

Councilor Chapman arrived at 7:09 p.m.

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 19-016](#) To approve the Minutes of the January 12, 2019 Council Meeting.

Attachments: [Minutes-Town Council-1-12-2019](#)

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

In Favor: 6 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Maxfield, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Chapman

[CD 19-022](#) To approve the Minutes of the January 15, 2019 Council meeting.

Attachments: [Minutes-Town Council-1-15-2019](#)

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

In Favor: 6 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Maxfield, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Chapman

IV. Public Participation.

Marge Govoni would like to see better telecasting of the meetings held in the Chambers. Sometimes people at home cannot hear the meetings, either at all or there is other noise in the background.

Also, noted that the town's website is not user friendly, it is difficult to find your way

around.

She asked if there is any possibility to create one email address for all the Councilors? She said they have one address just for the School Board.

Gary Plummer thanked the members of the Council for the work that they do. He Congratulated the Chair and congratulated David Nadeau and Tim Nangle for their reelection to the Council.

Mr. Plummer commented on what a great job the Town Clerk and her staff did in the November election.

Babb's Bridge is looking fine, there has been no new graffiti; there has been a couple of instances in the past couple of months, but he took a paint brush and took care of it.

He addressed the signs in the Rotary; he received a call from the Town Manager's Office letting him know that it had not been forgotten and is being worked on. He said he is only talking about the small islands, but after the big island was cleaned up of signs last fall, it does look a lot better. If and when you pass an ordinance in regard to signs at the Rotary, if there is a concern about staff time, he will volunteer to become temporary staff to help remove signs.

He said in regard to the sidewalks in North Windham; he has a handicapped stepson who lives at New Marblehead Manor and works at Hannaford's. He is legally blind and he cannot drive so he walks to work. The only place that is a big concern is in front of Bomb Digity he has to walk in the road if the walkways are not cleared off and for someone who is legally blind, it is not a good thing. He asked the Public Works Department if it could be a sub-priority after the school areas are taken care of?

Gary also told a little story of back in the 1970's when he was elected to the Windham Town Council and a man named Gerrish who was looking for a Town Manager's job had applied, and Gary was eager to hire Mr. Gerrish, but unfortunately, Mr. Gerrish took the job as Town Manager in Gorham, and even though it is four decades later, he said "Welcome Don".

Holly Tubbs passed out a handout in regard to the marijuana issues Windham is having. (See attached) and she also agreed with Marge Govoni that the audio has a lot of issues.

Ron Giroux who lives on Maverick Lane came to speak again about the marijuana store that has opened up at the beginning of his street. (See attachment)

Steve Norton 17 Fox Run came to speak about 19 Fox Run and their issues with three barking dogs at that address. These dogs are left outside and are howling and barking throughout the day and into the evening. It has been going on since before this past summer. Despite many calls to the Animal Control Officer and the Police Department and visits from both of them, there has been no resolution. On behalf of the residents of the neighborhood and himself he asks the Council to take this matter into consideration and help resolve this problem.

V. Councilors' Comments.

Councilor Maxfield - Replied to Marge Govoni, and said the website issue is being worked on. To Mr. Plummer, they will work on the sidewalks. To Ms. Tubbs and Mr. Giroux there are some things that need to be worked out but the Council is working on it; it is frustrating and a lot of points made have a lot of validity. He is the Council representative

to GPCOG Regional Voice Committee, and they had a meeting the other day, and the goal of the committee is to see what things the committee could push using GPCOG resources and what the group could accomplish. What kept coming up was transportation from Portland to Bridgton. They will be pushing this forward.

Councilor Cummings thanked everyone for coming out and to voice their opinions, she knows it can be difficult to do that. She gave a shout out to her neighborhood for coming tonight.

Councilor Chapman asked the Manager what the story was about the sidewalks? He said the priority is to get around the school's cleaned up first. The question is, do we spend overtime to do that, bring people in? It is a timing issue with getting the roads cleared first, second, the school sidewalks (Route 202 and Windham Center Road) and then North Windham. North Windham sidewalks have been a third priority.

Doug Fortier spoke about what the policy has always been, and getting to North Windham after all the other work is done. Councilor Chapman said they could talk about it during budget time.

Councilor Chapman said to Mr. Giroux - these shops are retail medical marijuana shops, and we didn't have a lot of say, but she thinks the key is licensing from the town. With regard to the Fox Run issue, she is a little appalled and some resolution has to come of this. She saw a video of those dogs out in the cold, and freezing rain.

Manager Don Gerrish said there is a hearing in the court system on Thursday in regard to this issue; the town has done what they can do.

Councilor Nadeau said in regard to the sidewalks in North Windham; they were worked on today, but the ice was so bad they couldn't do much.

VI. PUBLIC HEARINGS.

[CD 19-011](#) To receive public comment on a new Special Amusement permit application submitted by Tarah Mathieu d/b/a Bob's Seafood.

Attachments: [Bob's Seafood New Special Amuse.](#)

No public comment.

[CD 19-012](#) To receive public comment on a new Liquor License application submitted by Math-Copper LLC d/b/a Bob's Seafood.

Attachments: [Bob's Seafood new Liquor License application](#)

No public comment.

VII. CONSENT AGENDA.

[19-001](#) To approve applications for coin-operated device licenses submitted by Dena Withey d/b/a Dena's Lobsterhouse and Tavern, (7 devices).

Attachments: [19-001 Cover Sheet](#)
[Dena's Renewal for 7 Coin-ops](#)

[19-002](#) To approve applications for coin-operated device licenses submitted by JMA Enterprises LLC d/b/a Pat's Pizza-Windham, (8 devices).

Attachments: [19-002 Cover Sheet](#)
[Pat's Pizza Renewal for 8 Coin-ops](#)

A motion was made by Councilor Muir 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. UNFINISHED BUSINESS & GENERAL ORDERS.

[19-004](#) To approve an application submitted by Tarah Mathieu d/b/a Bob's Seafood located at 901 Roosevelt Trail for a new Special Amusement permit.

Attachments: [19-004 Cover Sheet](#)
[Bob's Seafood New Special Amuse.](#)

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

[19-005](#) To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Math-Copper LLC d/b/a Bob's Seafood for a new Liquor License.

Attachments: [19-005 Cover Sheet](#)
[Bob's Seafood new Liquor License application](#)

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

[19-006](#) To approve the annual salary adjustments of the BTI Program Director and Program Coordinator as outlined by the federally funded "Be the Influence" community collaborative grant.

Attachments: [19-006 Cover Sheet](#)
[BTI Grant Salary Adjustments](#)

Don Gerrish said the Council approved a 5 year grant in 2012

Marge Govoni said it is mainly directed at students at the high school and middle schools. It educates the kids on the mental and physical that comes along with doing drugs and she asked the Council to keep the program going.

Councilors who spoke on this were Councilor's Chapman, Councilor Nadeau, Councilor Muir, Councilor Maxfield, Councilor Nangle,

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

In Favor: 6 - Councilor Nadeau, Councilor Nangle, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Opposed: 1 - Councilor Muir

19-007

To make an appointment to the RSU#14 School Board.

Attachments: [19-007 Cover Sheet](#)

[School Board Member Resignation](#)

[Title 20-A Section 1474 Vacancies](#)

[School Board - State Legislature Requirements](#)

[Nepotism_givewithNominationForm](#)

Councilor Cummings said they received an email from someone who spoke very highly of Marge.

A motion was made by Councilor Nangle to appoint Marge Govoni to the RSU#14 School Board, second by Councilor Maxfield, that the Order be approved. The motion carried by the following vote:

In Favor: 5 - Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman and Vice Chair Cummings

Opposed: 1 - Council Chair Haskell

Abstain: 1 - Councilor Nadeau

IX. Discussion Items.

CD 18-400

Town-owned Morrell Property Possible Uses. (Initiated by Town Manager)

Attachments: [Morrell Property report jan 2019](#)

[Cemetery Acreage](#)

[Cemetery Lots Available 2019](#)

[3324.04-Smith Cemetery Base Plan](#)

[2018-03-22 Smith Cemetery Conceptual OPCC](#)

Don Gerrish said it was brought to their attention that the town bought this Morrell property a few years ago and one of the uses for it was to look at the expansion of the Smith Cemetery. The site has also had discussion of possibly being a Community Center. He told the Council that they are looking for some direction from them on the use of this property, i.e. is it a multi-use property or all of it used for cemetery expansion?

Brian Morin Building and Grounds Supervisor gave some history on the Smith Cemetery, and what would be needed to expand the cemetery.

Councilors asked lots of questions and Don asked them how big of an addition do they want and do they want to use the remaining land for something else?

[CD 19-002](#) Recycling Program Concerns. (Initiated by Town Manager)

Attachments: [TC Recycling Discussion Packet](#)

Don Gerrish gave a brief history of our recycling program with ecomaine and talked about the monthly reports the town receives and the issues we are facing as a town.

Katrina Bussiere-Venhuizen from ecomaine gave a power point presentation, brought along "good recycling examples, and bad recycling examples", and explained why it is so important that residents get educated about what can and cannot be recycled.

[CD 19-021](#) LED Streetlight Conversion Project. (Initiated by Town Manager)

Attachments: [LED Streetlight Acquisition & Conversion update](#)

Manager Don Gerrish said we are working with four other communities and Revision is working with CMP to make sure the list of what we have is a correct list. They are putting together a program to bring back to the communities on what can be done.

Gretchen Anderson from Public Works spoke about the LED Streetlight Project. She said up until this point, it has been like pulling teeth trying to get all the municipalities together and rowing in the same direction, along with waiting on CMP for the market value and getting their inventory to match with our inventory.

X. Council Correspondence.

[CD 19-005](#) CMP's Tree Care Program Notice

Attachments: [CMP Notice](#)

[CD 19-008](#) Town Clerk's Report for December 2018.

Attachments: [Town Clerk's December 2018 Monthly Report](#)

[CD 19-009](#) Fire-Rescue Department Monthly Report - December 2018

Attachments: [December 2018 Monthly Report](#)

[CD 19-010](#) Windham Public Library Monthly Report - December 2018

Attachments: [December 2018](#)

[CD 19-013](#) Assessing & GIS Department Report for December 2018

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

[CD 19-014](#) Parks and Recreation Department Monthly Report - December 2018

Attachments: [Parks and Rec Monthly Report - December 2018](#)

[CD 19-018](#) Financial Reports as of 12/31/18

Attachments: [YTD Expense Report as of 123118](#)
[YTD Revenue Report as of 123118](#)

[CD 19-019](#) Police Department Monthly Report - December 2018

Attachments: [Police Dept Monthly Report - Dec 2018](#)

[CD 19-023](#) AARP Network of Age-Friendly Communities - Congratulatory Letter

Attachments: [AARP Network of Age-Friendly Communities - Letter of
Congratulations](#)

XI. Town Manager's Report.

Nothing new to add from what was already mentioned earlier in the meeting.

XII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

They have not met.

2. Finance Committee.

Councilor Nangle - They met tonight and should be coming back to the Council with some information in regard to carryovers, also notices went out for personal property tax. Don Gerrish said they sent them out to people who have not paid them since 2011. There are still people on the books since 1992 but they will be coming to the Council to write them off, and they will try to collect what they can. Don said that a letter will be going out to anyone whose property that has been tax acquired and giving them 30 days to come in to talk to us. There are at least 55 properties that have been tax acquired, and we need to take action on them.

B. Other Committees.

1. Long Range Planning Committee.

Councilor Haskell - They are meeting tomorrow and they are moving ahead.

2. Parks & Recreation Advisory Committee.

Nothing to report.

3. Windham Economic Development Corporation.

No report.

4. Highland Lake Leadership Team.

Councilor Chapman said the Education Committee met today and may be doing some Facebook social media, getting their minutes uploaded, a video clip to put on Channel 7, and doing a winter, spring, summer, and fall theme on what you can do around your house and yard to help and how it impacts the lake. They are going to do a winter sample of the lake.

Don is going to facilitate a meeting of the full committee to talk about a two or three year strategic plan next Thursday.

5. Shared Maintenance Facility Joint Project Team.

Manager Gerrish said it is coming along very well, and the garage may be ready by the end of January, first of February to move into the garage area.

6. Mineral Extraction Committee.

Manager Gerrish said the Planning Board is holding a public hearing next Monday night on the proposed ordinance, and will report back to the Council.

7. Private Roads ad hoc Committee.

Councilor Nangle, said they met last week and they all wished Jon Earle well. Amanda Lessard will be scheduling a public forum in February.

8. Natural Resources Advisory Committee.

Councilor Chapman said they met once in November, and they are waiting to make some changes to the committee.

Manager Gerrish said they are advertising for the Planning Director and Engineer's positions.

XIII. Agendas & Scheduling.

[CD 19-025](#) Future Agenda Items.

Attachments: [Scheduled Items](#)

Look into more information on residential sprinkler systems

XIV. ADJOURN.

A motion was made by Councilor Nangle, seconded by Vice Chair Cummings, that they be adjourned. The motion carried by the following vote at 9:58 p.m.

In Favor: 6 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Maxfield, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Chapman

Respectfully submitted,

Linda S. Morrell
Town Clerk, CCM