



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Town Council

Tuesday, March 12, 2019

7:00 PM

Council Chambers

WCCG TV-7 Now on Channel 1303

I. Roll Call of Members.

Present: 6 - David Nadeau, Tim Nangle, Bob Muir, Donna Chapman, Clayton Haskell and Rebecca Cummings

Absent: 1 - Jarrod Maxfield

II. Pledge of Allegiance.

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

III. Minutes to be Approved:

[CD 19-070](#) To approve the Minutes of the March 5, 2019 Council meeting.

Attachments: [Minutes-Town Council 3-5-2019](#)

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

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

Absent: 1 - Councilor Maxfield

IV. Public Participation.

Holly Tubbs spoke and gave a hand out of what she read to the Council. (See attached)

V. Councilors' Comments.

Councilor Nangle referred back to two weeks ago when Mr. Eliason came in to speak about Councilors making backroom deals. Councilor Nangle also spoke about an email between a Councilor and a constituent.

Councilor Chapman replied and said there are no backroom deals being done. She had two constituents David Foster and Julie Lunt Farley ask for a meeting with our Interim Town Manager Don Gerrish to discuss her specific issues on her property. Councilor Chapman stated that Don was fully aware and involved in that conversation.

Councilor Chapman replied in regard to Mr. Douglas's email, he cc'd all of the Council. Councilor Chapman spoke with Chris Hanson, and he said the ball did get dropped and he apologized.

**If interested in further comments, please refer to the video on the town's website:
www.windhammaine.us*

Councilor Cummings said they would be looking into that matter.

VI. PUBLIC HEARINGS.

19-020

To receive public comment and act on proposed amendments to Town of Windham Land Use Ordinance, Chapter 140, Section 800 Site Plan Review Committee and Section 900 Subdivision Review, related to Independent Review of development in watersheds of a lake most at risk from new development.

Attachments: [19-020 Cover Sheet](#)

[TC memo Independent Review 02-26-19](#)

[Independent Review Amendments 2019-02-26](#)

[Dennis Brown Independent Review Comments 2019-02-27](#)

[TC packet PB recommend Independent Review 02-05-19](#)

Kim White from Highland Lake and part of the HLA & HLLT wanted to thank the Council and the town. They see this is a check and balance system and a second set of eyes, as this can be extremely important when these things are done. She thanked David Nadeau for adding the part of having a site-walk. She doesn't think there are too many vacant large parcels of land left in Southern Maine around lakes, and this is in everybody's best interest that these parcels are developed responsibly.

Sarah Bronson of Johnson Road commented on the proposed amendment - the wording "development in watersheds of a lake most at risk from development."

Her questions is: We have many ponds and streams that do not go to any lakes. Is the language intended to be for lakes only or to be intended for watersheds? She asked the Council to consider that.

Amanda Lessard said it was intended to be lakes most at risk from new development. That is a listing that is created by the Department of Environmental Protection, a chapter that has specific rules. This Ordinance Amendment came as a recommendation from the HLLT, specifically, and started as a Highland Lake issue but broadened it town-wide where there is concern for other lakes on the list. That was the focus of the amendment to the development review; the HLLT wanted additional eyes on the stormwater management plan for the phosphorus standards.

VII. CONSENT AGENDA.

VIII. UNFINISHED BUSINESS & GENERAL ORDERS.

19-003

To approve applications for watershed protection grants, such funding to be paid from fiscal year 2018-2019 watershed protection funds in account 11500-46930.

Attachments: [19-003 Cover Sheet](#)
[Award History of Watershed Grant](#)
[Collins Pond Improvement Assoc Grant Application fy19](#)
[Forest Lake Assoc 2019 Windham Grant Application](#)
[Highland Lake Association Grant Application FY19](#)
[Little Sebago Lake Assoc Watershed Grant Application FY19](#)
[Presumpscot River Land Trust Grant Application FY19](#)

Councilor Nadeau moved to amend the Order to read:

Collins Pond \$2,500

Forest Lake Association \$14,000

Highland Lake Association \$13,500

Little Sebago Lake Association \$5,000

Second by Councilor Chapman

Councilor Nadeau said the next time they put this out they need to change the formula and the spreadsheet, because if any of these funds are going to road repair they have to make sure they sign a contract of X amount of years that it will be maintained, other than that they would just be throwing it at the wind.

A motion was made by Councilor Nadeau, seconded by Councilor Chapman, that the Order be approved as amended. The motion carried by the following vote:

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

Absent: 1 - Councilor Maxfield

[19-045](#) To refer to the Natural Resources Advisory Committee the task of reviewing the Watershed Grant program for the purpose of developing new application and distribution criteria to propose to the council for the next fiscal year. (Town Manager's request.)

Attachments: [19-045 Cover Sheet](#)
[watershed grant application](#)

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

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

Absent: 1 - Councilor Maxfield

[19-031](#) To approve one (1) application of the Windham Veterans Association for licenses to conduct games of chance at Dena's Lobster House & Tavern from April 1, 2019 through March 31, 2020.

Attachments: [19-031 Cover Sheet](#)
[Windham Veterans Assoc- Games of Chance](#)

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 Muir, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

[19-040](#) To appoint Mark Morrison to the Windham Economic Development Corporation for a two-year term to end February 15, 2021. (Sponsored by Appointments Committee)

Attachments: [19-040 Cover Sheet](#)

Councilor Chapman abstained from voting on this Order because she did not sit in on the interview and has not met him. She is glad they have applicants coming forward.

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

In Favor: 5 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

Abstain: 1 - Councilor Chapman

[19-043](#) To confirm an appointment made by the Town Manager to the position of Director of the Planning Department.

Attachments: [19-043 Cover Sheet](#)
[Memo from Interim Town Mgr. Don Gerrish](#)

All the Council members congratulated Amanda and thanked her for all the work she has been doing these past several months.

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

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

Absent: 1 - Councilor Maxfield

[19-044](#) To approve the participation of all current and future Police Officers of the Town of Windham in Maine PERS Special Plan 3C for service rendered on or after January 1, 2018, and to authorize the Town Manager to sign the agreement on behalf of the Town.

Attachments: [19-044 Cover Sheet](#)
[Memo from HR Director](#)

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 Muir, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Absent: 1 - Councilor Maxfield

IX. Discussion Items.**X. Council Correspondence.**

Councilor Chapman read an email from Craig Broadbent in regard to his road. It is all mud and cars are getting pulled all over the road. He asked the town to please repair the road.

[CD 19-058](#) HLLT Update

Attachments: [TC Memo - Septic System Review](#)

[CD 19-059](#) GPCOG Regional Voice Policy Issues Paper.

Attachments: [GPCOG Letter](#)
[GPCOG-Roadmap-to-Prosperity-2018-191-copy](#)

[CD 19-063](#) Windham Public Library Newsletter.

Attachments: [Check It Out March 2019](#)

[CD 19-057](#) Department of Public Works Monthly Report - January 2019

Attachments: [Monthly Report - January 2019](#)
[January 2019 Storm Reports](#)

[CD 19-067](#) Town Clerk's Report for February 2019.

Attachments: [Town Clerk's February 2019 Report](#)

XI. Town Manager's Report.

None.

XII. Committee Reports.**A. Council Subcommittees.****1. Appointments Committee.**

Councilor Cummings said there are some appointments coming up on the 26th.

2. Finance Committee.

No report.

B. Other Committees.**1. Long Range Planning Committee.**

Amanda Lessard said they have been working on the Farm and Farm Residential zoning changes with more of a focus on what the greatest concerns that came from the forums. There is a meeting next Wednesday.

2. Parks & Recreation Advisory Committee.

Councilor Cummings said a notice to contractors went out to help construct the skate park as well as site prep for a future community park, and will be open for bids on March 28th.

3. Windham Economic Development Corporation

No report.

4. Highland Lake Leadership Team.

Councilor Chapman said today's meeting was postponed, and they will meet next month and they are working on the strategic plan.

5. Shared Maintenance Facility Joint Project Team.

Councilor Nadeau said flooring should be in by the end of the week, and it will take about one week to put it down.

6. Private Roads ad hoc Committee.

Councilor Nangle said they met two weeks ago, and they hope to have something soon.

7. Natural Resources Advisory Committee.

Councilor Chapman said they have not met since the last update.

8. Retail Adult Use & Medical Marijuana Task Force.

Councilor Nadeau said they met last night and are making slow progress.

XIII. Agendas & Scheduling.

[CD 19-071](#) Future Agenda Items Report.

Attachments: [Future Items Report](#)

A town dog park to be discussed on some town owned property.

XIV. ADJOURN.

A motion was made by Councilor Nangle, seconded by Councilor Chapman, that they be approved. The motion carried by the following vote at 7:39 p.m.

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

Absent: 1 - Councilor Maxfield

Respectfully submitted,

Linda S. Morrell
Town Clerk, CCM