



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Town Council

Tuesday, June 25, 2019

6:30 PM

Council Chambers

I. Roll Call of Members.

Councilor Maxfield arrived at 6:49 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 Pledge of Allegiance.

III. Minutes to be Approved:

[CD 19-161](#) To approve the Minutes of the June 11, 2019 Council meeting.

Attachments: [Minutes-Town Council-6-11-2019](#)

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

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

Absent: 2 - Councilor Muir and Councilor Maxfield

At this time we'd like to invite Parks & Recreation Director Linda Brooks to the podium to make a special presentation.

Linda Brooks Director of Parks & Recreation - Noted that Sam Cole an Eagle Scout completed a project for them last fall in a very timely fashion. He provided his proposal in September and before the snow flew, he already had built a 12 x 20 pavilion at Dundee Park. Sam was presented with a plaque. Sam is also in his second year as a Counselor at Discover Camp, and on day two she was already hearing about the wonderful way he interacts with the kids. Sam came up to the podium and explained his project.

IV. Public Participation.

No public participation.

IV. Public Participation.

V. PUBLIC HEARINGS.

[19-115](#) To receive public comment and act on a new Liquor License permit

application submitted by Eagle Sushi & Steakhouse, LLC.

Attachments: [Eagle Sushi-New Liquor License App.](#)

No public spoke during public hearing.

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

VI. CONSENT AGENDA.

VII. UNFINISHED BUSINESS & GENERAL ORDERS.

[19-113](#) To authorize the Assessor to adjust assessed values according to market value.

Attachments: [19-113 Cover Sheet](#)
[AssessmentUpdate2019](#)

Elisa Trepanier gave a power point presentation on the status of assessed values in the current real estate market. (see attachment)

The following Councilors asked questions: Councilor Nangle, Councilor Nadeau, Councilor Chapman.

A motion was made by Councilor Nadeau, 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

[19-114](#) To approve an application submitted by Consolidated Communications of Northern New England Company LLC and Central Maine Power Company to locate one (1) utility pole and cables and wires there on Varney Mill Road, approximately 660 feet Southwesterly of the intersection with center line of Goldfinch Drive.

Attachments: [19-114 Cover Sheet](#)
[Pole location-Varney Mill Rd](#)

A motion was made by Councilor Chapman, seconded 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

[19-116](#) To approve a new Victualer's permit application submitted by Susan Porter d/b/a Q's Dogs, located at 4 White's Bridge Road.

Attachments: [19-116 Cover Sheet](#)

[Q's Dogs-New Victualer's Permit](#)

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

[19-117](#)

To approve one (1) application submitted by Susan Porter d/b/a Q's Dogs for a Mobile Food Service Unit license.

Attachments: [19-117 Cover Sheet](#)

[Q's Dogs-New Mobile Food permit\(1\)](#)

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

[19-118](#)

To approve amendments to the Natural Resources Advisory Committee charge.

Attachments: [19-118 Cover Sheet](#)

[Natural Resources Advisory Committee AMENDMENT](#)

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

[19-120](#)

To amend the Council's rules of procedure, changing the meeting start time and clarifying work session and regular meeting schedules to Section 1, "Regular Meetings," and clarifying the definition of a regular meeting in Section 16, "Reconsiderations."

Attachments: [19-120 Cover Sheet](#)

[Council Rules AMENDMENT](#)

There was brief discussion about the 9:30 time frame in Section 1, and Don explained they can always waive their rules with a majority vote if needed.

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

[19-122](#)

To approve the Town Clerk to act as Council designee for specified renewal licenses.

Attachments: [19-122 Cover Sheet](#)

[Council Authority to Clerk 6.25.19](#)

19-122 To approve the Town Clerk to act as Council designee for specified renewal licenses.

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

VIII. Discussion Items.

[CD 19-163](#) Town Attorney-led Marijuana Decision Flow Chart Exercise.

Attachments: [Decision flowchart for marijuana](#)

Town Attorney Kristin Collins gave a presentation and went through the Medical Marijuana chart she created to determine what the Council wanted to allow in Windham.

IX. Council Correspondence.

[CD 19-167](#) J Hawkes Correspondence re. Silver Bullets.

Attachments: [J Hawkes Correspondence re. Silver Bullets](#)

[CD 19-153](#) Town Clerk's Report for May 2019.

Attachments: [Town Clerk- Monthly report-May 2019](#)

[CD 19-154](#) Social Services Monthly Report - April 2019

Attachments: [Social Services Monthly Report - April 2019.docx](#)

[CD 19-155](#) Assessing & GIS Department Report for April & May 2019

Attachments: [Assessing & GIS Department April & May 2019](#)

[CD 19-156](#) Fire-Rescue Department Monthly Report - May 2019

Attachments: [May 2019 Fire-Rescue Monthly Report.pdf](#)

[CD 19-157](#) Windham Public Library Monthly Report - May 2019

Attachments: [Library Monthly Report - May 2019](#)

[CD 19-160](#) Parks and Recreation Monthly Report - May 2019

Attachments: [Parks & Rec Monthly Reports May2019](#)

[CD 19-169](#) Senior Property Tax Assistance Program (2018-2019)

Attachments: [Chapter 112 - Property Tax Assistance ADOPTED 20171010](#)
[Program Eligibility FAQ 2019](#)
[Windham Property Tax Assistance Application FY 2019](#)

X. Town Manager's Report.

Interim Manager Don Gerrish reported on:

The Council, Don and Eaton Peabody are still having discussions with the Candidate for Manager and hope to know more in the next couple of weeks.

This is the last week of our fiscal year, new year starts July 1. Our excise tax is going to be close to four million this year, and they budgeted \$3,950,000 next year in trying to keep it at the same level. Excise tax will be close to \$880,000, and they budgeted \$950,000 for next year. He noted that after they went through the budget the legislature did vote to increase the percentage the communities are going to receive. Windham budgeted 2.5% but we will be getting 3%. With revenue sharing they will be getting about \$180,000 more than they had anticipated. Revenues are in great shape.

In regard to expenditures we will be some where between \$300,000 and \$400,000 under expenditures; they did not use all of the contingency account. The town is in a good position for next year.

He received the wetland analysis back today for the Smith Cemetery, and the wetland there is more extensive than they thought, and they will be back with a report.

He will be bringing them an agreement for Depot Street. They met with the Portland Water District, and they have a draft contract between them, and the project is going forward.

They have more information coming on wastewater and potential other sites.

At the next meeting he will give the Council an update on the Council goals; what they've done and where they are six months in.

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

No report.

2. Finance Committee.

Given in the Manager's report.

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

Councilor Nadeau said the Committee has scheduled a public meeting on July 10 at the High School to look at the zoning in the Farm and Farm Residential. Everybody should attend.

2. Parks & Recreation Advisory Committee.

Nothing new to report.

3. Windham Economic Development Corporation

Tom Bartell Economic Development Officer - Tom said they will be involved in the staff discussion about marijuana and bringing things back to the Council.

He noted that the Town of Windham has not licensed any business. We allow them, we utilize state licensing, but Windham has not previously licensed them. We do not license the quality of the products that are being sold, it is more about permitting and the licensee meeting the permitting and land use issues.

The WEDC had a Board meeting which was lightly attended. They discussed issues that are coming up and ways they can help in many of the issues that the town is facing, marijuana is one, but wastewater in particular.

They are also working with Vice Chair Cummings, and they are just starting the conversation about veteran owned businesses and veteran friendly businesses; those businesses that reach out to veterans for employees and being able to bring those together to help them reach other agencies that provide specific assistance to veteran owned businesses.

4. Highland Lake Leadership Team.

Councilor Chapman said they just had an education outreach meeting last week. They talked about private roads, public service announcements in regard as to what is the best way to communicate information about water quality to residents of the lake. Lawn care events are coming up and the full committee will be meeting on June 26.

5. Private Roads ad hoc Committee.

Don Gerrish said next Tuesday is the big meeting on Private Roads. He talked to the company the town hired and they had a problem; they are hoping the notices will go out tomorrow, it will be short notice but hopefully the residents will get them in time.

6. Natural Resources Advisory Committee.

7. Retail Adult Use & Medical Marijuana Task Force.

XII. Councilors' Comments.

No Councilor Comment.

XIII. Agendas & Scheduling.

[CD 19-165](#) Future Items Report.

Attachments: [Future Items](#)

XIV. ADJOURN.

A motion was made by Councilor Nangle, seconded by Councilor Nadeau, that they be adjourned. The motion carried by the following vote at 9:14 p.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