



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Final

### Town Council

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Tuesday, January 26, 2021

6:30 PM

Remote meeting via Zoom.

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**To Join the meeting remotely use this link: <https://us02web.zoom.us/j/89430398438> or you may call 1-646-558-8656 and enter meeting ID: 894 3039 8438.**

In accordance with Public Law Chapter 617 adopted as emergency legislation by the Maine State Legislature on March 17, 2020 and signed into effect by Governor Mills, 1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19.

Zoom will be the meeting platform used by both the Council and the public. Information about using Zoom is available at <https://support.zoom.us/hc/en-us/articles/115004954946-Joining-and-participating-in-a-webinar-attendee->.

Please note that members of the public will need to use the raise your hand feature in Zoom or type \*9 on the phone to be called on and heard during the public testimony portion of the agenda.

If you prefer, you may also email the Council at [TownCouncil@windhammaine.us](mailto:TownCouncil@windhammaine.us) prior to the meeting with your thoughts on an issue and if you would like, please note that you would like the email read into the record during public participation or during that agenda item. Please keep in mind we request stated comments to be three minutes or less.

The meeting will be recorded and broadcast live on WindhamTV (Channel 7) and the Town's Facebook page.

**Present:** 6 - David Nadeau, David Douglass, Nicholas Kalogerakis, Jarrod Maxfield, Mark Morrison and Brett Jones

**Absent:** 1 - Tim Nangle

#### I. Roll Call of Members.

**Present:** 6 - David Nadeau, David Douglass, Nicholas Kalogerakis, Jarrod Maxfield, Mark Morrison and Brett Jones

**Absent:** 1 - Tim Nangle

#### II. Pledge of Allegiance.

Councilor Douglass led the Pledge of Allegiance.

#### III. Minutes to be Approved:

[CD 21-016](#) To approve the Minutes of the January 12, 2021 Council meeting.

**Attachments:** [Minutes-Town Council-1-12-2021](#)

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

**In Favor:** 4 - Council Chair Nadeau, Vice Chair Maxfield, Councilor Morrison and Councilor Jones

**Absent:** 1 - Councilor Nangle

**Abstain:** 2 - Councilor Douglass and Councilor Kalogerakis

#### IV. Public Participation.

*No public participation.*

#### V. Councilors' Comments.

*No Councilor comment.*

#### VI. PUBLIC HEARINGS.

[21-017](#) To receive public comment and act on the amendment of the Roosevelt Trail Promenade Tax Increment Financing District (the "District") and the adoption of a Development Program for the said District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

**Attachments:** [21-017 Cover Sheet](#)  
[Windham - Roosevelt Prom TIF 2nd Amendment - Application \(1-20-2021\) \(1\)](#)

*No public or Council comment.*

**A motion was made by Council Chair Maxfield, seconded by Councilor Morrison, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Council Chair Nadeau, Councilor Douglass, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison and Councilor Jones

**Absent:** 1 - Councilor Nangle

[21-018](#) To receive public comment and act on the proposed South Windham Tax Increment Financing District (the "District") and the adoption of a Development Program for the said District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

**Attachments:** [21-018 Cover Sheet](#)  
[Windham - South Windham TIF District A - Application \(1-20-2021\) \(1\)](#)

*"No public or Councilor comment on the District (the SWFS Depot Street Apartments Tax Increment Financing District) or the Development Program."*

**A motion was made by Councilor Kalogerakis, seconded by Councilor Douglass, that the Order (regarding SWFS Depot Street Apartments Tax Increment Financing District and Development Program) be approved. The motion carried by the following vote:"**

**In Favor:** 6 - Council Chair Nadeau, Councilor Douglass, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison and Councilor Jones

**Absent:** 1 - Councilor Nangle

#### 21-019

To receive public comment and act on the proposed Boody's Corner Tax Increment Financing District (the "District") and the adoption of a Development Program for the said District, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

**Attachments:** [21-019 Cover Sheet](#)

[Windham - Boody's Corner TIF District - Application \(1-20-2021\) \(1\)](#)

*Council Chair Nadeau said he would like to thank Barry and Staff for putting these together.*

**A motion was made by Councilor Jones, seconded by Councilor Douglass, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Council Chair Nadeau, Councilor Douglass, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison and Councilor Jones

**Absent:** 1 - Councilor Nangle

### **VII. CONSENT AGENDA.**

### **VIII. UNFINISHED BUSINESS & GENERAL ORDERS.**

#### 21-027

To grant an excused absence from Council meetings to councilor Nicholas Kalogerakis for due cause.

**Attachments:** [21-027 Cover Sheet](#)

**A motion was made by Councilor Douglass, seconded by Council Chair Maxfield, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Council Chair Nadeau, Councilor Douglass, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison and Councilor Jones

**Absent:** 1 - Councilor Nangle

#### 21-025

To approve the Town's participation in and appoint both a voting delegate and an alternate voting delegate to the Maine Service Centers Coalition.

**Attachments:** [21-025 Cover Sheet](#)

[Maine Service Centers Coalition 2021](#)

*Manager Tibbetts explained that this was an organization put together by the municipalities about 20 years ago. It is really comprised of those municipalities that are service centers, which Windham is, and it is an advocacy group that works out of Augusta and monitors the bills that goes through the legislature that may affect service*

centers. Things that the organization looks at are transportation, whether it is bussing, trains, etc., issues that relates to homelessness, funding issues on the revenue side and how it will affect the municipalities. At one point Windham was part of this group, and then stopped being part of it. This was put in the budget last year to rejoin. There is a lot that happens in Augusta, and it is good to have another set of eyes watching specific things that relates to us.

Councilor Nadeau nominated Barry Tibbetts as the delegate.

Councilor Maxfield nominated David Nadeau as the alternate.

Ann-Marie Grenier asked how much did it cost and where does the money come from and what the service centers are in Windham?

The Manager said it represents municipalities throughout the State of Maine, and has about 20 or so members. The costs are based on a per capita basis. Windham's cost is \$2,182.32 based on a population of 18,186 residents.

This coalition helps us to put into perspective the challenges we have before the legislature when they are looking at bills and how money gets distributed at the state level. This is voted on every year and the details are gone over each year.

Ann-Marie Grenier said she is a detail person and would love to see how the money gets shifted around. The Manager said if she emails him, he will get a hold of the Maine Service Coalition and they will get some information to her.

**A motion was made by Councilor Kalogerakis, seconded by Councilor Douglass, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Council Chair Nadeau, Councilor Douglass, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison and Councilor Jones

**Absent:** 1 - Councilor Nangle

#### [21-026](#)

To approve the July 1, 2021 to June 30, 2022 contract for services provided by the Animal Refuge League.

**Attachments:** [21-026 Cover Sheet](#)

[ARL Contract Renewal 2022](#)

**A motion was made by Councilor Douglass, seconded by Council Chair Maxfield, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Council Chair Nadeau, Councilor Douglass, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison and Councilor Jones

**Absent:** 1 - Councilor Nangle

#### [21-028](#)

To approve the write off of four (4) uncollected personal property tax accounts in the amount of \$2,120.05.

**Attachments:** [21-028 Cover Sheet](#)

[Pers Property Write Off 1.26.2021](#)

**A motion was made by Councilor Douglass, seconded by Councilor Kalogerakis, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Council Chair Nadeau, Councilor Douglass, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison and Councilor Jones

**Absent:** 1 - Councilor Nangle

## IX. Council Correspondence.

[CD 21-017](#) Department Quarterly Reports.

**Attachments:** [Code Enforcement Quarterly Report Oct-Dec 2020](#)  
[Finance Department Quarterly Report OCT 20 - DEC 20](#)  
[Fire-Rescue 4th Quarter Report](#)  
[Library Quarterly Rpt.](#)  
[Parks and Recreation Quarterly Report October - December 20](#)  
[Planning Q2 FY21 Report](#)  
[Police Quarterly Rpt. Oct-Dec 2020](#)  
[Public Works Quarterly Rpt. Oct-Dec 2020](#)

[CD 21-020](#) Town Clerk's Report for the months of October through December 2020.

**Attachments:** [Town Clerks 3 Month Rep.](#)

[CD 21-021](#)

Assessing and GIS Department Report for October - December, 2020

**Attachments:** [Assessing & GIS Departments Oct-Dec 2020](#)

[CD 21-022](#) Human Resources Bi-Annual Report

**Attachments:** [Human Resources Bi-Annual Report](#)

[CD 21-025](#) Financial Reports as of December 30, 2020

**Attachments:** [Revenues as of December 30, 2020.pdf](#)  
[Expenses as of December 30, 2020.pdf](#)

## X. Town Manager's Report.

*Manager Tibbetts said they have finalized the contracts for the start of the Police & Fire Station's renovation, and for the sale of the South Windham Fire Station.*

*They had a representative from the MMA Lost Prevention insurance side of that organization. They came through our new South Station, the East Station and North Station. There were a couple of minor issues but overall it was a great score.*

*Chief Schofield and his team have brought on two new Police Officers. Jordan Alber, who is a graduate from the New England Institute of Technology, a former Maritime Enforcement Specialist with the Coast Guard and a volunteer fire fighter in the community where he lives.*

*Samuel Pattee grew up in Windham, went to the US Army and he has a small landscaping business; both of them will be joining us full-time.*

[CD 21-023](#) Growth Permit Tally.

Attachments: [Growth Permit Tracking 2021](#)  
[Growth Permit Tracking 2020](#)

## **XI. Committee Reports.**

### **A. Council Subcommittees.**

#### **1. Appointments Committee.**

*Councilor Maxfield said the committee met last week and for the next agenda they want to appoint Richard Yost for a 3-year term on the Planning Board ending February 15, 2024, Phil Rossetti for the Marijuana License Fee Committee, no ending term, Ed Ohmott for the Smith Cemetery and Long Range Planning Committee.*

*Councilor Douglass said Mr. Ohmott moved here from California three months ago and he has a tremendous amount of experience, and he would be a great asset to the town.*

#### **2. Finance Committee.**

*No report.*

### **B. Other Committees.**

#### **1. Long Range Planning Committee.**

*Councilor Nadeau said they met last week and they are working on going public with the Town Hall area zoning changes.*

#### **2. Parks & Recreation Advisory Committee.**

*No report.*

#### **3. Windham Economic Development Corporation**

*Tom Bartell spoke about:*

*\*Working with town staff on the CDBG applications.*

*\*Working with town staff on the three TIF applications.*

*\*All the town departments need to submit a budget by this Friday, and they are meeting as an executive committee this Thursday to go over the budget.*

*\*Recruiting for the Small Biz 360 Program.*

*\*A board meeting in February, a date to be determined.*

*\*Will be working on a TIF budget per the new TIF Police the Council voted on last year.*

*\*Will be looking out between five and ten years on proposed projected income into the development programs, as well as projected expenses as best they know them at this point.*

4. Highland Lake Leadership Team.

*Councilor Maxfield said they will have a meeting on February 10.*

5. Natural Resources Advisory Committee.

*Councilor Douglass said they had a meeting but he was not able to attend.*

6. Public Easement Advisory Committee.

*No report.*

7. Public Dirt Road Sub-Committee.

*Councilor Nadeau said they just received a map, and they will now drive all the dirt roads.*

## **XII. Discussion Items.**

*\*There are no minutes taken for discussion items.*

[CD 21-002](#) Presentation of the Windham Open Space Master Plan.  
(Ben Smith, North Star Planning)

**Attachments:** [WOSMP Master Plan\\_January\\_complete doc](#)

[CD 21-014](#) North Windham Moves: Regional Mobility, Local Access. Update on the North Windham Transportation Study.

[CD 21-006](#) Request for Growth Permits from the Reserve Pool.

**Attachments:** [TC memo Chamberlain Estates Growth Permits 01-20-21](#)  
[Windham Growth Permit Application Reserve Pool Chamberlain Estates](#)  
[Dustin Roma Chamberlain Estates request 2021-01-12](#)  
[Chamberlain Estates Amended Subdivision Plan](#)

[CD 21-018](#) Marijuana Ordinance.

**Attachments:** [Memo to Council - Marijuana Licensing Clarification](#)  
[C Hawkins 160-10 letter to Barry](#)  
[Marijuana Licensing Ordinance - Chapter 160](#)

[CD 21-024](#) Council Goals for 2021.

**Attachments:** [Windham Goal project list 2021](#)

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

#### **XIV. ADJOURN.**

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

**In Favor:** 6 - Council Chair Nadeau, Councilor Douglass, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison and Councilor Jones

**Absent:** 1 - Councilor Nangle

Respectfully submitted,

Linda S. Morrell  
Town Clerk, CCM