

**TOWN OF WINDHAM  
TOWN BOARD MEETING  
371 State Route 296, Hensonville, NY**

**MARCH 12, 2020**

**Present:** Supervisor: Thomas F. Hoyt  
Councilmen: Wayne Van Valin, Ian Peters, Stephen Walker & Kurt Goettsche  
Town Clerk: Bonnie Poehmel

**Also Present:** Highway Superintendent Gary Thorington, Town Attorney Larry Gardner, Delaware Engineering John Brust, Ambulance Administrator Davia Montie, Michael Scarey, William MacGregor, Eric Vaughn and Mike Ryan Mountain Eagle

**Absent:** Police Chief Tor Tryland

**PUBLIC HEARING @ 6:50 PM:** The Supervisor called the Public Hearing @ 6:50 pm and opened with the Pledge of Allegiance. Supervisor Hoyt the following notice was published in the Mountain Eagle and was read aloud: "Notice is hereby given that a public hearing shall be held before the Town Board of the Town of Windham at the Windham Town Hall, 371 State Route 296, Hensonville, NY on March 12, 2020 @ 6:50 pm upon proposed Local Law # 1 of 2020, a local law adopting regulations for emergency alarm systems with the Town of Windham. At such time anyone wishing to speak upon this matter shall be heard. Copies of the proposed local law shall be available at the Town Clerk's office located at 371 State Route 296, Hensonville, NY prior to the public hearing. By Order of the Windham Town Board". The Supervisor asked if anyone would like to address the Board with their comments. William "Bill" MacGregor of Hensonville spoke he found the article in the newspaper. He does have a concern with the fee/fine for the false alarm. "Section 4: Registration", Bill would also like to see the "company that is servicing the alarm system" rather than the "installer" as the installer's information can change. Bill has done house sitting before and he has accidentally set off the alarm. He thinks that "the person who accidentally sets off the alarm shall call the police dispatch explain that it is a false alarm so no need to send a responder." Also, "before a responder is called to premises the dispatcher shall call the premises to confirm status." The Supervisor thanked Bill for his comments and he asked if anyone else had any questions on the proposed law. Supervisor Hoyt stated an email was received by a resident within the Town for our consideration. Supervisor Hoyt would like the Board to review the email. Supervisor Hoyt asked for a motion to recess the public hearing at 6:58 pm. A motion was made by Councilman Goettsche and 2<sup>nd</sup> by Councilman Peters, with all in favor.

The Supervisor Hoyt opened the regular town board meeting at 7:02 pm.

**THE MINUTES OF THE FEBRUARY 27, 2020 TOWN BOARD MEETING** were approved as typed on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

**1.DELAWARE ENGINEERING:** John Brust was present. Regarding the water system 160 feet of a 10-inch pipe was installed along the eastside of State Route 23 today. Pipe is in the ground from Mitchell Hollow Road to about 100 feet short of Reynolds Brook. Friday we are due to

have a lot of rain all day. The work at Reynolds Brook will resume again on Monday. Centre Property has no new news. John was to meet with Gary Harvey today to go over his data, this did not happen. Once John has all the data information, he will email the Supervisor. With the Comprehensive Plan we are ready to start so when the Board has the subcommittee meeting, we can attend. Supervisor Hoyt stated that the committee members have been selected and copies of the last Comprehensive Plan have been made for each member of the committee. When ready John will be there. The WWTP has work that needs to be done there to get us in compliance with Mohawk River Watershed Basin requirements which is a DEC requirement. DEP will step aside as they are not responsible. John has spoken to Kevin Young and has the contract between the Town of Windham and the DEP. John will review the contract to see if there are any overlaps so as we come forward to the Board, we have a plan for the upgrades that are the responsibility of the DEP cost share. The proposed ambulance facility he is reviewing again with comments from the Supervisor, John will redo and come back to the Board with a cost estimate range. John and Supervisor Hoyt have both reached out to the County in reference to the Consolidating Fund Application (CFA) Grants. We have inquired how we could piggyback on some of the work that the County does, maybe there is a grant we could team on. He is researching multi municipal grant monies. Councilman Peters would like to know if we will be able to have a water billing for some of the bigger customers on the new water line by June? John thinks it is still an option. John has spoken to the owner of East Wind and they have some events scheduled starting in mid-June, 2020. We are talking to the contractor to have the pipe ready from Mitchell Hollow Road to the bridge, John will get back to the Board on this. Councilman Peters is concerned if there is any uncertainty in our ability to charge that line before June, we will need to put in a change order.

2. LOOKING FOR PERMISSION TO HOOK into an Out of District Sewer Line. Needs connection on Hickory Hill Tax Map #78.00-6-57. Eric Vaughn, builder was present. Eric has a location picture of the property for the Board's review. This particular property had a septic system approval in 2007 for a two-bedroom. It has now expired eleven years later. He has a potential customer who is looking to build a three-bedroom house on this property. There are two lots in this area, the customer is interested in the upper lot but would also buy the lower lot if that lot would be better for the sewer connection. There is a road that the lower lot has a right-of-way to use. Supervisor Hoyt is concerned with the stormwater problem there as well and the lower lot may have the same problem as the upper. Eric stated that if the "Out of District sewer line" is not usable to the land the customer will not pursue. Eric has recommended to the customer that he will first speak with the Windham Town Board to make sure they could hook into the town sewer prior to building a new home. John Brust will look into this for the Board and will meet with Eric Vaughn and then get back to the Town Board with his findings.

Supervisor Hoyt would like to re-open the Public Hearing @ 7:20 pm. A motion to re-open was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor. Attorney Larry Gardner any minor changes could be made without having another public hearing. The Supervisor asked the Board if they would like to move on approving Local Law #1 of 2020 tonight? Councilman Goettsche understands the concerns of the received email from the resident. As far as all the fees and the registration fee of \$100.00 he took this from another place that is similar to ours with the law and issues. Supervisor Hoyt has no issue with the fee schedules of the false alarms. The registration fee he could move on that if the Board so wishes too. Councilman Peters would like to see the registration fee be moved from \$100.00 to \$25.00. Supervisor Hoyt would like a motion to change the registration fee from \$100.00 to \$25.00, 2<sup>nd</sup> by Councilman Van Valin, with all in favor: Supervisor Hoyt-aye, Councilman Peters-aye, Councilman Van Valin-aye, Councilman Walker-aye, Councilman Goettsche-nay, he is happy at \$100.00. Supervisor Hoyt motion carries. Supervisor Hoyt would like a motion to approve **Local Law #1 of 2020 with the change of the registration fee to \$25.00**. The **motion to approve was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor, with no opposed**. Supervisor Hoyt thanked Councilman Goettsche for his work on the law. Motion to close the public hearing at 7:30 pm was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

3. REQUEST PERMISSION FOR USE OF CENTRE PROPERTY: Windham Public Library will be hosting an Alzheimer's & Dementia Program Monday, April 6 @ 2:30-4:00 pm. On motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in

favor.; WAJ Central School District Junior Class is hosting the Junior Prom Coronation Saturday, May 16 @ 4:00 pm. They would also like permission to set up on Friday, May 15 after school. A motion to approve was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor.

4.TEMPORARY LIQUOR LICENSE Windham Ventures, 11 Vets Road, Windham is looking to host every summer Saturday night a Maine Lobster Bake serving beer and wine only between the hours of 5:30 pm to 8:00 pm on the day of the event. There are sixteen (16) Saturday dates starting May 23-September 5, 2020. In a letter of support from the Town of Windham, “the Town Board believes that this weekly event will be a direct benefit for the Community of Windham. The Board also requests that this temporary liquor license be for beer and wine only.” The Supervisor has spoken to the Police Chief and he is fine as it is very limited. A motion to approve and to give the Supervisor permission to sign the letter was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

5.MAPLECREST CEMETERY ASSOCIATION possibly requesting future help from the Town of Windham. Due to “diminishing donations, expense of maintenance and difficulty in recruiting new Board members have all contributed to a growing consensus that it may be advisable to consider conveyance of the property and it’s assets to the Town of Windham.” This is a growing concern more cemeteries are being taken over by their towns. Upon the recommendation from the Town Attorney Larry Gardner, Supervisor Hoyt would like to make a motion to move forward in taking ownership of the Maplecrest Cemetery, 2<sup>nd</sup> by Councilman Van Valin, with all in favor. The Supervisor will have the Town Clerk contact Mr. James Hitchcock, President and ask him to contact the Town Attorney Larry Gardner to start the legal procedure. The Town of Windham highway department maintains four cemeteries that we currently own and one cemetery we pay a stipend to be mowed.

6.CWC BOARD OF DIRECTORS Resolution #3731-the CWC Board of Directors approved a Flood Hazard Mitigation Implementation Program application for the Town of Windham for an additional \$22,947.50 for total funding of \$45,572.00 for design of the Mitchell Hollow Creek Streambank Restoration Project. The Supervisor has given this information to John Brust Delaware Engineering as his company is doing the design/study work for the next phase. The Supervisor has also spoken with John Mathiesen CWC we should be eligible for a hundred percent (100%) grant for the construction as a municipality and not a private owner. The town knows this as the Mad Brook.

7.TOWN CLERK’S MONTHLY REPORT: for February 2020, \$1859.00. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

8.TOWN BOARD RESOLUTION #10 OF 2020: to decrease the Sewer District Billing for 2020 in the amount of \$126.93 due account S784 now being a vacant parcel. A motion to approve was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. TOWN BOARD RESOLUTION #11 OF 2020: an insurance claim was filed regarding the January 12, 2020 wind storm which blew down the fence at the Little League Field. An estimate on the damages was prepared and negotiated with our Insurance Company for repairs to the fence. We received a check in the amount of \$3,601.00 from the insurance company for repairing the fence. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, will all in favor. TOWN BOARD RESOLUTION #12 OF 2020: the following resolution was proposed to transfer funds to balance the Sewer District accounts. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

9.AMBULANCE REPORT: Ambulance Administrator Davia Montie was present. Davia will be submitting a monthly Ambulance Call Data Report/Vehicle Mileage at the beginning of each month with the past month’s information in full. For **February 2020**, Calls in Windham: Advanced Life Support (ALS)-16, Basic Life Support (BLS)-10, Refused Medical Assistance (RMA)-5, Helicopter-3, Call Cancelled (C/C)-3; Calls in Hunter: ALS-1, BLS-2, C/C-1; Calls in Jewett: ALS-2, BLS-1, RMA-1, C/C-2; Greene County EMS: Stand By (S/B)-3; Calls in Cairo: RMA-1; Other: S/B PD-1; Calls Turned Over: Ashland-2. **Total calls for February 52 and Calls turned over to mutual aid 2.** We have a new employee Jim Stone. The FDA has changed

regulations and we can no longer purchase single medical vials of medication. They are now requiring us to purchase a case of medical vials. She wanted the Board to be aware of this when seeing the cost on the invoices have changed. The Ambulance Department has meet with the Department of Health concerning the COVID-19 Coronavirus. They are taking precautionary steps to limit exposure. They are prepared to the best that they can be at this time. WASH your hands, USE common sense, DON'T touch your face and Be very careful.

10.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present. The Highway Crew attend the class on March 6 at the WWTP "Stop the Bleeding". Greene County Public Health demonstrated how to care for a severely injured person who is bleeding. The class was very beneficial to the crew. There were about 35-40 people who attended. There will be another training class mid-May. Delhi Delaware County is hosting a safety training class for excavator, loader, backhoe and bucket truck. Gary went to the Capital in Albany, NY. There were 762 members in orange t-shirts for funding to keep our roads safe. The silent passenger program (GPS) all the vehicles are set to be installed on March 17, 2020; all vehicles will be done at the highway garage.

11.POLICE REPORT: Police Chief Tor Tryland was absent. Highway Superintendent Gary Thorington gave the Chief's report. Car 386 is completed with the window repairs. The two police recruits in the academy have successfully passed everything.

12.COMMITTEE REPORTS: **Councilman Walker** the CWT meeting has been cancelled as they are moving and they have nothing on their agenda. The World War I Memorial (beside the town hall building) has an Alberta Spruce Tree. It is dwarf in size and it is diseased and dying. Perhaps this spring Bob Kerns could look at it. **Councilman Goettsche** has ordered the cell phones, they are in and Bette Rhoades has to record them for fixed asset inventory/department tags. The cell phone accessories will be in next week. The phones will be billed on a Verizon public safety plan-emergency for \$39.00 per line per month. There are 15 office computers that will need to be installed with an anti-virus protection. He has done the research and the best protection is with Bitdefender @ \$250.00 a year. He would like permission to purchase this. A motion to approve the Bitdefender anti-virus protection for the office computers was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Walker, with all in favor. Today he worked in the Police office updating their one computer as he did not want to tie to up the second computer. It takes about 5-hours. He was there for 2-hours and came back later to confirm the installation was successful. He has been working on the website and has added a new page with the news-public notices. There is an added special red bar at the top of the page that you click on, it will give you the latest updated COVID-19 Coronavirus from Greene County Health and any other announcements. Councilman Goettsche would like permission to open a Facebook page for town information only and he would maintain it. Supervisor Hoyt would like to make a motion to approve the Facebook page as a public information only without a comment section from anyone, 2<sup>nd</sup> by Councilman Peters, with all in favor. **Councilman Van Valin** is doing research work on his buildings he is in charge of. He is checking on all sewer pump station buildings as well. John Brust stated last year the Hickory Hill pump station roof was done. Councilman Van Valin is going to follow up with Collar City Painting. The owner Ed had said in the past he would do free follow up painting on the Centre Property. Supervisor Hoyt would like him to look at the roof over the handicap ramp. Supervisor Hoyt also stated the highway guys have moved the benches in front of the fence on the front lawn of the Centre Property. Councilman Van Valin will have Bob Kerns look at the Centre Property lawn after fairing from the winter. Supervisor Hoyt also noted that the Windham Chamber of Commerce has removed their holiday garland from the Centre Property fence. **Councilman Peters** has been working with Davia. He was looking at our water building in Elm Ridge it is going to need a little tlc at some point. He has also been working with the Water Superintendent Kyle Schwarz the last couple of weeks to keep up on the process for the water line to make sure we are moving forward. Supervisor Hoyt spoke to the Assessor if this virus gets to a point and we have to holt operations for a short time; the Assessor said he could work remotely from home if he had too. Councilman Peters we should be thinking about this who can work remotely from home due to the virus and there are some departments that cannot work remotely, he is currently looking into the research of it. John Brust stated his office is going to start doing this next week. Councilman Goettsche asked the Town Clerk if the hand sanitizers came in or are still on back order? Bonnie Poehmel Town Clerk everything is still back ordered. Councilman Goettsche suggested to have pens for the

public outside the windows, do not share the pens. **Supervisor Hoyt** would like the Board's recommendations for the proposed town hall renovation project by the end of this month. Councilman Walker has spoken to both Justice McCarthy and Chief Tryland concerning what extra space they are looking at. **Attorney Larry Gardner** has response to a letter he received from an attorney in late January that is a Confidential matter. He has a statement letter concerning our borrowing not having any exposure on any claims that are of significant that would affect our credit standing. **Councilman Goettsche** would like to have a cell phone policy concerning the new cell phones for the highway and police departments. He has a sample policy he is researching.

COMMENTS FROM THE PUBLIC: no one was present.

GENERAL FUND WARRANT #5-G contained vouchers #180-242, totaling \$25,265.36 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

HIGHWAY FUND WARRANT #5 contained vouchers #44-57, totaling \$10,786.77 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

SEWER DISTRICT FUND WARRANT #5 contained vouchers #59-75, totaling \$50,337.17 was audited and approved on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

STREETLIGHTING FUND WARRANT #3 contained vouchers #15-25, totaling \$4,590.08 was audited and approved for payment on a motion by Councilman Walker, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

GENERAL FUND PAYROLL WARRANT #6-P for **General** contained 7 claims, totaling \$6,005.77 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. **Ambulance** payroll contained 21 claims, totaling \$14,832.15 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. **Police** payroll contained 7 claims, totaling \$6,155.05 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

HIGHWAY PAYROLL WARRANT #6-P contained 6 claims, totaling \$10,718.81 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

SEWER DISTRICT FUND PAYROLL WARRANT #6-P contained 2 claims, totaling \$740.83 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

The meeting adjourned at 7:55 pm on a motion by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor.

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TOWN CLERK

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