

**TOWN OF WINDHAM
TOWN BOARD MEETING
371 State Route 296, Hensonville, NY
Website: www.townofwindhamny.com**

OCTOBER 8, 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, Police Chief Tor Tryland, Gail Nichol森 and Mike Ryan Mountain Eagle

Absent: Ambulance Administrator Davia Montie

The Supervisor called the meeting to order at 7:00 p.m. and asked everyone to stand in a Moment of Silence for Mr. John Goettsche and then he asked Councilmen Goettsche & Peters to open with the Pledge of Allegiance in respect to their grandfather Mr. Goettsche.

THE MINUTES OF THE SEPTEMBER 24, 2020 TOWN BOARD MEETING were approved as typed on a motion by Councilman Peters, 2nd by Councilman Walker, with all in favor.

1. DELAWARE ENGINEERING: John Brust was present. He has a few items for the **Water Project**. He now has a date of May 19, 2021, we go to zero percent interest versus a low interest the importance of that is about \$40,000.00. That \$40,000.00 could go into long term financing. We have had about nine (9) separate contracts since about 2007 even back to 2004. “We have to show EFC every change order form, every bill, every invoice, every check, every-everything”. They have been talking to Municipal Solutions between their records and Delaware Engineering records and may even need records from the Town of Windham. The **Comprehensive Plan** that Helen Budruck. John handed papers out to the Board, “Windham Comprehensive Plan: Survey Results, Our Favorite Places map and Tell Us About Your Big Idea (Do you have a Big Idea to make Windham a better place to live? If so, write it on a sticky note and share it here!)”. Supervisor Hoyt the papers that John has handed to the Board for their review, “we have to have a public element for the grant. We are going to have a wall set up at the Park with what the Comprehensive Plan has done so far, some hot button issues-people will be able to comment if they agree, map of which part of the town you like the best and a comment section with a sticky of what we did right or wrong, what should we add or look at.” John “the place of heart stickers for the places that you love.” Helen did a great job! This will all be on display on Saturday, October 10, 2020 at CD Lane Park Fall Event. **Madd Brook** project is completely done. The contractor was Delaware Bulldozing and Jesse Fraine was the Project Manager from Delaware Engineering. John handed to the Board two pictures showing the area is completely done. The project was extremely close to the Brabazon’s property; they were pleased, the driveway was never touched. The trees have been replanted. The next plan is to try to find some money to do the other side of the stream. This project was grant money from CWC. We have a **Request from** Crystal Pond and the Quads to look at the water and/or sewer; hooking them into the town system. Delaware Engineering is putting some numbers together. **CD Lane Park** they continue

to give technical support to the group there. They have put a design together for a bridge to connect the parking lot to the path. They have that out for pricing right now. They are working on the **WWTP Engineering report** is almost done. At the **Old Road Pump Station** is to get the larger force main in operation installed back in 2004 and switch from the small force main to the large force main. We think this pump station can handle whatever new development is happening in this neighborhood. **Hotel Vienna** there is a seep along his parking lot and State Route 296. There are three (3) seeps that water is draining down on the parking lot. The town has dug this area up and it is not municipal water causing the problem. It is John Brust's recommendation to put in some sort of drain. This could be done in-house with Delaware Engineering's help or by a contractor whatever the Board decides. Supervisor Hoyt asked if Rick Rasmussen "was he open to a work easement?" John Brust, "very much so." Supervisor Hoyt, "we had the same issue across from Cuomo's Cove." Supervisor Hoyt would ask John "for a small little design and draft the easement with the Town". The Leap Inn is Hotel Vienna's legal name. Councilman Walker asked about the report on the WWTP. Per John Brust, the **WWTP Reports** should be done by next week, he will bring it to the next board meeting. "We are going to minimize the amount of work that could be done there. There is a need list and a wish list. In the beginning we had a thought that we have a partner in NYC paying for everything. The rules of the **SPDES Report** comes not from NYC DEP but from NYS DEC." DEC's obligation is to the communities. Councilman Walker next time there is a negotiation with the City, he would like Kevin Young and Jeffrey Baker, Esq.. NYC DEP will not be attentive to our request is because the Town of Windham is first in line. We would be setting president.

2.VFW POST 1545 TAG DAY: The VFW Post would like permission to hold a tag day on October 10, 2020 @ 8:30 am till 1:00 pm, at the intersection of State Route 23/296 and in front of VFW Post Hall on State Route 23. They will be wearing masks, gloves and observing social distancing. During the COVID-19 Pandemic, the VFW Post has suffered financially with not being able to be open to the public and raising funds. A motion to approve was made by Councilman Walker, 2nd by Councilman Peters, with all in favor.

3.WINDHAM ROTARY TO HOST "Cancer Patient Aid Car Show" August, 2021. The Windham Rotary is going to take over the Cancer Patient Aid Car Show at the Chicken Run next year. They have already requested to use the area around the WWTP and the area near the helicopter pad for the car show. Supervisor Hoyt has already advised them that a lot of the area may not be accessible if our proposed ambulance building project moves forward. We should still approve the event as it is a good event and it is good for the community. A motion to approve the above as stated was approved by Supervisor Hoyt, 2nd by Councilman Peters, with all in favor. This year's past event they want to close off part of County Route 21. The Supervisor explained to them this is a county road and it is owned by Greene County Highway; they would need their permission to close the road.

4.TOWN CLERK'S MONTHLY REPORT SEPTEMBER 2020: \$5,415.18. A motion to approve was made by Councilman Goettsche, 2nd by Councilman Walker, with all in favor.

5.JUSTICE MONTHLY REPORT FOR SEPTEMBER: Justice McCarthy \$2,987.00 was noted by the Board.

6.TOWN BOARD RESOLUTION #29 OF 2020: the following resolution was proposed to transfer funds to balance the Sewer District Accounts. A motion to approve was made by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. GENERAL FUND RESOLUTION #18 OF 2020: the following resolution was proposed to transfer funds to balance the General Fund Accounts. A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor. HIGHWAY FUND RESOLUTION #4 OF 2020: the following resolution was proposed to transfer funds to balance the Highway Fund Accounts. A motion to approve was made by Councilman Goettsche, 2nd by Councilman Peters, with all in favor.

7.FILL CLERK TYPIST POSITION PERMANENTLY: Supervisor Hoyt stated that Janine Soule Provisional Clerk Typist has passed her two-part civil service test. Supervisor Hoyt asked for a canvased list and she was on the qualified list. He would like to approve Janine as full-time

Clerk Typist, motion to approve was made by Supervisor Hoyt, 2nd by Councilman Peters, with all in favor.

8.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. Ambulance Liaison Councilman Peters has noted that Davia is currently having a computer problem with the stats for tonight's meeting. No report was sent.

8.ASSESSOR'S REPORT: Town Assessor Richard Tollner sent the following report for the Board's review. "The office is busy, which is unusual for this time of year. While normally we would be getting a large number of School Tax Bill related calls, those appear to be on the decrease. The "*HOW TO FIND YOUR WINDHAM PROPERTY & SCHOOL TAX BILLS ON THE PHONE OR INTERNET*" handout is working. That has been going to new owners, when we receive their new deeds, and when they call in with questions. Kathy Murray Property Tax Collector offers copies of it to taxpayers too. This further reduce needless complaints or confusion; she receives from taxpayers. Our *PHOTO INVENTORY* now has over 3,000 new photos this year exceeding the volume of all the photos, in our existing database. There are still over 500 more photos in the file, awaiting Tax Map numbers. This was performed at no extra expense to TOW. The phone number / email address collection continues. The count is now over 400. This will reduce Bette's time in tracking down folks with unpaid Water, Sewer, sidewalk bills, as well as give them the opportunity to pay *ON TIME*, a factor that makes us Pro-Active in saving taxpayers their time & money. The *TEXT* confirmation of Property Address Changes is a big hit with the "techie" crowd who expect "instant" service and are now seeing some of that, from the Town Assessor's office. See copy. Met or spoke with the half -dozen realtor offices that serve Windham in September. I supply them with data on our growing property values, (where applicable). Realtors value the support in this fast mkt where Sales Data has to be updated virtually weekly. *Completed Year 2 0 2 1 Continuing Education requirements, already.* NYS Assessor's Association has asked me to continue Lobbying in the NY Senate & Assembly representing Assessors and assessing issues that affect municipalities across NY State. Out of 1,448 municipalities w/ Assessors' only 6 people were chosen to lead."

9.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present. He would like to publicly express his condolences to the Goettsche family and for Mr. Goettsche's support in his career as Highway Superintendent. Mr. Goettsche was an outstanding citizen and fought a war for what we have today. He still took time out of his day to delivery meals on wheels to the people of our community. He would like the Board to think about updating the radio system for the highway equipment. We are currently using low-ban system that will soon be obsolete. To replace the radio there is only one manufacturer with the new cost at \$1,800.00. The Town of Durham has switched over to a high-ban that now requires a license. The fee is around \$500.00 and radios would be about \$6,000-\$7,000. The annual training for all the highway employees has been completed. The highway dept guys have been out cleaning up trees and debris from a recent rain/wind storm on October 7, 2020. They have done a great job! The Supervisor asked for the trees at the WWTP to be topped (growing out of shape) and the highway dept did a flat cut on the top, once they start growing again the trees will be reshaped. *Resignation letter from Tyler Hoyt*, was received by the Highway Superintendent Gary Thorington on October 2, 2020. Tyler is a part-time employee and he will not be returning this year to work for the highway department. A motion to accept the letter of resignation from Tyler Hoyt was made by Councilman Peters, 2nd by Councilman Walker, with all in favor. Councilman Walker would like a thank you note sent out for his years of service to the highway department. Supervisor Hoyt stated that in a couple of weeks, the highway dept will be back on the winter payroll. Gary has stated the highway department is now back to an eight-hour daily shift, five days a week.

10.POLICE REPORT: Police Chief Tor Tryland was present. We have a radar unit set up on County Route 65, a telephone speed compliant was received by the Supervisor. This will give a print-out of the speeds and the times of day. The Police also have access to a speed recorder box to borrow, the Town will just need an insurance rider for it. The speed recorder is also a great investment tool to have the cost is \$3500.00. This can be placed anywhere there may be a traffic speeding problem. The police will be receiving a new blue UTV from Matt's Cycle. The UTV is

free of charge to the Town. The accessories that have already been purchased will fit this vehicle. This will be the third year for the Town of Windham with the Board's approval as a contract has to be signed each year. A motion to approve the new blue UTV and for the Supervisor to sign the contract was made by Councilman Peters, 2nd by Supervisor Hoyt, with all in favor. The Chief has received an email from the Windham Town Court Justices' requesting two (2) court officers for court duty starting on October 14, 2020. The court has received an email from Albany for this request. One officer will have to stand at the door to make sure anyone coming in for court has a mask on and will need to ask COVID questions. The other officer will need to be in the court room. The Court will be paying for the two extra court officers needed. The Supervisor asked if the officers will be doing a temperature check on everyone entering the Town Hall building during court hours? The Police Chief is not sure at this time. The Supervisor has received an email from our labor attorney and would like the Town Clerk Bonnie Poehmel to forward this information to the Police Chief as there is an article in there regarding "Temperature Checks". The Police Community Review Board, thumb-drives will be provided to the review board with copies of our policy and procedure. A couple of the policies have already been updated "Use of Force Support and Use of Firearms". Copies will be provided to the Bookkeeper Cindy Nelson. Supervisor Hoyt has read if the police do not have a labor union the report has to be ready by April 1, 2021. If you have a labor union the report has to be ready by February 1, 2021 for the union to review. Supervisor Hoyt would like to thank the Chief for stepping up for the issue on County Route 65.

Supervisor Hoyt for the Board's information we received an official complaint filed against us that came into the New York State website. Regarding the Fall Event at CD Lane Park on October 10, 2020. The complaint noted we were having over 200 people to thousands of people from the community. The Supervisor had to do an interview with Greene County Health Department regarding what the plan for the day was about. "We are wide open, we have over 1500 acres of land, we have our tables over 10 feet apart, we have hand sanitizer units in the building, we have signage, he gave them our protocol". Greene County Health Dept cleared us for the event to continue as planned.

11.COMMITTEE REPORTS: **Councilman Walker** CWT has been cancelled for October. **Councilman Van Valin** he has a follow-up from the last meeting with Christine Cepale. She is concerned about her power lines and the tree on the Centre Property. The power lines and tree limbs are near her house. Councilman Van Valin spoke to Bob Kerns from Kerns Nursery and he recommended **Powell's Tree Care Service**. Councilman Van Valin has received a fee quote of \$594.00 and Mr. Powell will need permission to get onto the Town's property. He is going to extricate the branches around the power lines. Councilman Van Valin would like to make a **motion to accept this quote of \$594.00** as this has been an on-going problem and Mrs. Cepale is concerned each year, 2nd by Councilman Peters, with all in favor. We have a problem at times with people working around the Centre Property building with the potential of cracking of the stones; that we just had them all replaced. Councilman Van Valin is interested in **purchasing Crane Mats**. They are approximately \$300.00 each, we would need four (4) around the building. They can also be used for other things. Tim Doherty (a local guy) works for United Rentals; he **could get us four (4) mats used but in new condition. The price was \$190.00 per mat times four, (4 x 8 is the mat size)**. Highway Superintendent Gary Thorington the mats can be handled by hand a machine is not needed. Councilman Van Valin would like to make a motion to purchase the mats for any operation we have within the Town, 2nd by Supervisor Hoyt, with all in favor. **Councilman Peters** has been in contact with Mid-Hudson Cablevision, at this time they are not able to give us a timeline for the Maplecrest expansion when this is going to be completed. They are blaming others with pole rights/permits. "At this point Councilman Peters is fairly certain they are going to breach the contract with the Town of Windham." The deadline of the contract is January 1, 2021. Councilman Peters would like to ask the Board to give authorize permission for himself and the Supervisor to enter into negotiations with them. At least one a week the Supervisor gets an email from a concerned citizen, he then sends the email to right to Mid-Hudson's CFO. Councilman Peters would like to authorize himself and Supervisor Hoyt to start negotiations with Mid-Hudson Cablevision, 2nd by Councilman Walker, with all in favor. Councilman Peters has drafted up an ambulance contract between the Town of Jewett and the Town of Windham. Town Attorney Larry Gardner has reviewed the outlined contract and asked if there is a capital component line. Councilman Peters yes there is a line. Supervisor Hoyt has had a conversation with the Town of Jewett's Town Supervisor, explained

what our plans are and he understands it. The Town of Jewett's residents are getting a top-notch service at a ball park cost. He thinks Jewett understands. Councilman Peters would like to have this approved in principle tonight by the Board and he would like to visit the Town of Jewett at their next town board meeting. The Supervisor would like to let the Town of Jewett know this is on the table for their upcoming budget process. A motion to approve the outline principle contract and allow the Supervisor to sign was made by Councilman Peters, 2nd by Supervisor Hoyt, with all in favor. **Councilman Goettsche** would like the contact information for the Police Review Committee. Bonnie Poehmel Town Clerk will provide the information. **John Brust** has one more issue to discuss with the WWTP report, we have "I and I's" that occur during rain events we have known this for years. We have tried to encourage our non-municipal waste water systems that we took on; to look into their systems and address I and I. We need to start doing some real monitoring of over this year's ski season. A couple of monitoring devices have been borrowed, we need to get them calibrated and installed. John has spoken to the Supervisor about this and we should put together a letter to those different collection systems and let people know we are to be doing the monitoring program and then we will let them know about the outcome. John will be coming back to the Board with this information. **Supervisor Hoyt** CWC has but a hold on any new homes needing septic systems, they are at their limit. With their pump out program, they have pumped out more homes this year than they have in the past years. Next year they are looking for a new project, tank hold-downs. A lot of propane tanks were lost during Hurricane Irene in August, 2011. Helen Budrock and the Comprehensive Plan members will be at a booth at the Park on Saturday to answer any questions the public may have. The Supervisor has completed the budget and the Board has their copies to review. The budget hearing will be Wednesday, October 14, 2020 @ 7:00 pm. It is within the 2% tax cap. The Supervisor asked the Board if they were able to find anyone in the community that would like to fill the vacancy seat on the planning board? **Town Attorney Larry Gardner** has nothing at this time to report on. **John Brust** has a set of as-builts maps for the last phase of the water system.

GENERAL FUND WARRANT #19-G contained vouchers #728-749, totaling \$4,516.16 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY FUND WARRANT #18 contained vouchers #189-210, totaling \$13,780.70 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

SEWER DISTRICT FUND WARRANT #19 contained vouchers #26-267, totaling \$36,927.70 was audited and approved on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

STREETLIGHTING FUND WARRANT #10 contained vouchers #73-79, totaling \$8,673.56 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. (installation of new lights LED Conversion Light Bulb Change \$7,376.93)

CWC FLOOD HAZARD MITIGATION WARRANT #8 (Madd Brook #17-1470) contained voucher #12, totaling \$1,010.13 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

CD LANE PARK ENHANCEMENT WARRANT #3 contained vouchers #6-13, totaling \$6,783.96 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

GENERAL FUND PAYROLL WARRANT #21-P for **General** contained 10 claims, totaling \$9,736.23 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. **Ambulance** payroll contained 21 claims, totaling \$16,508.28 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Police** payroll contained 5 claims, totaling \$6,388.16

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was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

HIGHWAY PAYROLL WARRANT #21-P contained 4 claims, totaling \$6,816.00 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

SEWER DISTRICT FUND PAYROLL WARRANT #21-P contained 3 claims, totaling \$1,023.75 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

The meeting adjourned at 8:07 p.m. on a motion by Councilman Peters, 2nd by Councilman Walker, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK

