

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

DECEMBER 30, 2020

Present: Supervisor: Thomas F. Hoyt
Councilmen: Wayne Van Valin & Stephen Walker
Town Clerk: Bonnie Poehmel

Present by Zoom: Councilmen Peters & Goettsche

Also Present: Town Attorney Larry Gardner, Police Chief Tor Tryland, Town Assessor Richard Tollner and Gail NicholSEN

Also Present by Zoom: Highway Superintendent Gary Thorington, Water Superintendent Kyle Schwarz, Susan Kowalski, Matt & Nancy Jordan, Michael W., Moto g (6) Play, Matthew Rodrigue and Mike Ryan Mountain Eagle

Absent: Ambulance Administrator Davia Montie & Delaware Engineering John Brust

The Supervisor called the meeting to order at 7:00 p.m. and Gail NicholSEN opened with the Pledge of Allegiance.

Notice of Zoom Meeting. The public may listen to the meeting using the following information:
Time: Dec 30, 2020 07:00 PM Eastern Time (US and Canada)
<https://us02web.zoom.us/j/87943051629?pwd=Zm1kL2lna0JXaW4rNVRLNUs0V1Rsdz09>
Dial by your location +1 929 205 6099 US (New York)
Meeting ID: 879 4305 1629
Passcode: 146357

Supervisor will Open Public Meeting – Via Telephone Conference Call with Board Members & anyone in the Public listening. Board Members please state your name for the record that you are present. The Supervisor would like the Executive Order to be noted in the minutes that is allowing us to hold a public meeting by zoom and in person.

As per Andrew M. Cuomo, Governor of the State of New York, has issued an

No. 202.81

EXECUTIVE ORDER

**Continuing Temporary Suspension and Modification of Laws Relating to the Disaster
Emergency**

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, or to provide any directive necessary to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive, contained in Executive Orders 202.22 up to and including 202.26, and 202.32, 202.33, 202.34, 202.35, 202.44, 202.45, 202.53, 202.57, 202.64, and 202.69 as continued and contained in Executive Order 202.75, and Executive Order 202.74, for another thirty days through January

10, 2021 and hereby temporarily suspend or modify the following from the date of this Executive Order through January 10, 2021:

G I V E N under my hand and the Privy Seal of the State in the City of Albany this eleventh day of December in the year two thousand twenty.

BY THE GOVERNOR
Secretary to the Governor

THE MINUTES OF THE DECEMBER 10, 2020 TOWN BOARD MEETING were approved as typed on a motion by Councilman Walker, 2nd by Councilman Van Valin, with all in favor.

1.DELAWARE ENGINEERING: John Brust was not present. John has sent to the Councilmen the past SPDES Report along with the new standards, with upgrades to stay in compliance and costs for their review. We will write a letter to DEC letting them know we have done the engineer's report according to our SPDES permit to keep moving forward on any requirements that have to be done. Should the Board have any questions please reach out to John.

2.REQUEST FOR OUTDOOR FIREWORKS DISPLAY PERMIT Ski Windham New Year's Eve Celebration December 31, 2020 presented by Young's Explosive Corporation. The firework display will be at the mid-mountain ski trail. A motion to approve was made by Councilman Walker, 2nd by Councilman Van Valin, abstained by Councilmen Peters & Goettsche. Approved with 3 in favor.

3.TOWN BOARD APPROVES NEW PLANNING BOARD MEMBER: John O'Grady is a full-time resident of the Town of Windham as required to be a member of the board. He is also a committee member for the Comprehensive Plan. Mr. O'Grady will fill one of three vacant seats with his term expiring December 31, 2024. A motion to approve Mr. O'Grady as a planning board member was made by Councilman Walker, 2nd by Councilman Peters, with all in favor. Mr. O'Grady's first planning board meeting for the new year will be on January 7, 2021.

4.RESIGNATION FOR LIBRARY TRUSTEE PRESIDENT: Margaret Mulford was appointed in 1983 as a Library Trustees'. Her resignation is effective December 31, 2020 as noted in her letter to the Board. Mrs. Mulford has served as a trustee for the past 37 years. A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Walker, all in favor. The Windham Town Board thanks Mrs. Mulford for her dedicated years of service as she will be missed.

5.THE 1997 WATERSHED MEMORANDUM OF AGREEMENT "provides a mechanism through which every five years, by passing a resolution, watershed towns and villages West of Hudson could set aside specific land as unavailable for purchase under the City's Land Acquisition Program...This letter is a reminder that the next window of opportunity to make such decision(s) is between December 24, 2020 and June 21, 2021... (by vote of a Town Board Resolution)." At this time the Supervisor wishes to leave this agreement alone. The Town does not want to open more land to DEP. Supervisor Hoyt, Councilmen Van Valin, Walker, Peters and Goettsche all approve.

6.WINDHAM ARTS ALLIANCE seeking permission for an on-going event for children on the Windham Path. "We would like to sponsor a Story Telling Read along the Windham Path. We are looking at the Spring as we already have our book picked out "Maple Sapling". We will be supported by the local businesses and Briars and Brambles, who are supplying the books." A motion to approve was made by Councilman Peters, 2nd by Councilman Van Valin, with all in favor.

7.CHARLES GODOL, RACE DIRECTOR is seeking permission to use CD Lane Park for Annual Manitou's Revenge 2021 Race, "a point to point 54 mile fully insured and permitted trail race through the Catskill Mountains beginning at CD Lane Park in Maplecrest and ending at the Parish Hall in Phoenicia. This year's race will be scheduled for 6/26-27/21, although it may be necessary to postpone the race due to the COVID pandemic, or perhaps operate with reduced

numbers of entrants. The race begins on Big Hollow Rd. The runners go east to the end of the road, then turn left onto the Black Dome Trail, climbing to the Escarpment Trail/Long Path and then turning right and heading south. They then follow the Long Path most of the rest of the way to Phoenicia. We would like to use CD Lane Park as our staging/start area again this year! Thanks so much for allowing us to use the park in previous years. Since the race begins at 5:00 a.m. on Saturday 6/26, we would need the gates of the park open by 3:00 a.m. on 6/26 and left open until the following morning on Sunday, 6/27, since some participants may leave their cars at the parking lot at the park overnight. Although this is usually only 5-6 cars, there may be more than that this year because some people will be reluctant to take an hour bus ride from the finish to the start, despite our precautions. We do have some special precautions for COVID: All participants must wear masks on buses and at the start; they can remove their masks after they start running and once, they are dispersed. Social distancing at the start is also mandatory. As usual, the runners will start in waves of no more than 15 at five-minute intervals. We will probably not allow any crew, pacers or spectators this year. I will mail our third-party insurance certificate as soon as that becomes available. Thank you, Charlie Gadol.” A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Walker, with all in favor.

8.TOWN BOARD RESOLUTION #40 of 2020: Supervisor Hoyt asked Town Assessor Richard Tollner to explain this resolution to the Board. **Governor Cuomo issued Executive Order #202.83: Senior Citizen & Disabled Tax Exemption Maximum Income Limit for 2021:** “**WHEREAS**, the provisions of the Real Property Tax Law allows a municipality to establish a Senior Citizen & Disabled Tax Exemption Maximum Income Limit; and **WHEREAS**, Governor Cuomo issued Executive Order # 202.83, which makes it possible for senior citizens and persons with disabilities to have their 2021 property tax exemptions renewed without filing renewal applications. This action was on the slate of requests when we lobbied the Governor, in the New York State Assessors Association's lobbying effort. **WHEREAS**, the Town Board of the Town of Windham hereby establishes the maximum income limit of \$29,000.00 for the year 2021 for Senior Citizens that are residents of the Town of Windham. **WHEREAS**, if the Town of Windham Town Board resolves by vote to this Executive Order to eliminate the renewal requirement for these two exemptions on the 2021 assessment roll, the resolution will eliminate the renewal requirement for purposes of all jurisdictions that levy taxes on the 2021 assessment roll of that assessing unit. **NOW, THEREFORE BE IT RESOLVED**, the Town of Windham has an assessing unit, and county and school district taxes are levied on the town's assessment roll, and they all offer the 459-c and 467 exemption, then if the town opts in, then 459-c and 467 exemptions may be renewed on the town's 2021 assessment roll without a renewal application for county, town, and school district purposes. **This order will enable these individuals to have their exemptions continued for another year without risking in-person visits to their assessors' offices in the midst of the pandemic's resurgence.** A motion to approve was made by Councilman Goettsche, 2nd by Councilman Walker, with all in favor. A copy of this resolution will be mailed to the residents that this applies too from the Town Assessor's office.

9.TOWN BOARD RESOLUTION #41 OF 2020: the following resolution was proposed to transfer funds to balance the Sewer District accounts. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Peters, with all in favor. GENERAL FUND RESOLUTION #23 OF 2020: the following resolution was proposed to transfer funds to balance the General Fund accounts. A motion to approve was made by Councilman Goettsche, 2nd by Councilman Peters, with all in favor

10.JUSTICE REPORT FOR NOVEMBER 2020: Justice McCarthy \$1,058.00 & Justice Stevens \$2,135.00 has been noted by the Board.

11.GREENE COUNTY RESOLUTION #376-20: Authorizing Delinquent Water, Sewer and Sidewalk Charges be added to Assessment Rolls: Windham Water Relevy Total \$44,938.29 & Windham Sewer Relevy Total \$23,231.60. GREENE COUNTY RESOLUTION#378-20: Town Levies: Town of Windham: Hensonville: Light \$8,500.00; Maplecrest: Light \$3,200.00; Windham: Fire or Hydrant \$242,631.00, Light \$20,000.00, Water or Sewage \$199,932.48; Hydrant \$3,000.00; Special Assessment Water: Water or Sewage \$602.00. GREENE COUNTY RESOLUTION #379-20: Authorizing the Relevy of Unpaid School Taxes for the Year 2020.

12.AMBULANCE REPORT: Ambulance Administrator Davia Montie was absent. (Zoom communications were broken up and not clear when Councilman Peters spoke.) Ambulance Liaison Councilman Peters and Supervisor Hoyt meet yesterday with the Town of Jewett Supervisor and Board members. The discussion was positive as to what services the Town of Windham Ambulance gives to the Town of Jewett residents. We discussed with them their portion of the service contract and costs that is provided to them annually. Councilman Peters will draft a formal proposal within the next two weeks that will be submitted to them. Councilman Peters also reported, "we are operating at an elevated service level as we have a lot of people here in town for the holidays. We are doing our best to have two crews working at all times."

13.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present by Zoom. (Zoom communications were broken up and not clear when Highway Superintendent spoke.) We have recently have had two storms. One being a heavy snow pack and a week later a flooding rain melting event. We had some minor to moderate damaging conditions on our town roads. There were no road closures or loss of pavement on our town roads. We have fixed ends of driveways that enter out on a town road, with the exception of one needing a Dig Safe ticket and a 20-foot culvert in Elm Ridge. We are in good shape overall. There is no anticipated state funding from FEMA for damages from this storm. A phone call was received at 11:30 pm on Christmas Eve, due to the rain and melting event that a tree had fell down across the road and was blocking both traveling lanes on Siam Road. That was cleaned up immediately. At that time realizing that the water in the ditches, brooks and creek was rising quickly; Supervisor Hoyt and Police Chief Tor Tryland were notified at 1:00 am and then the Highway Foreman Troy Aplin was notified at 5:00 am on Christmas morning; and the entire highway crew was brought in to work. The highway guys worked 10-12 hours as they were away from their families on Christmas Day. Gary would like to thank the Supervisor, Police Chief and his highway crew for being there on Christmas day to make sure roadways were open and emergency vehicles could travel safely. Snow removal on Main Street prior to the rain melting event was done through our shared service program with the Town of Ashland and Greene County Highway. They gave us two full days with multiple man-power and equipment. Thank you to both agencies. By removing all that snow it helped with the flooding a week later; allowing the water to run in the stormwater drains. Supervisor Hoyt would like to send his thanks to the Windham Highway guys for removing the snow from Main Street Windham and the snow from the hamlet of Hensonville. The Supervisor received many phones calls as the residents were very appreciative with the ability to get into the local business' or their homes.

14.POLICE REPORT: Police Chief Tor Tryland was present. The three lockers are here and installed in the basement and the Chief would like to thank the Board for that. He would also like to Thank the Windham Police Dept., Windham Highway Dept., along with the Windham Hose Co. and the Hensonville Hose Co. Everyone was out and all worked together to keep our roads safe for the town residents and visitors. In the future we will have more problems with snow removal should we have bigger snow storms and overnight parking on Main Street Windham and Hensonville. The public needs to be more notified that their vehicles must be removed and where they can park during the snow storm. On January 5, 2021, our new police officer will start to work the shift on his own. Now we are fully covered every day/night shift of the week. Durham Police Dept has not asked for anything as they help train the Town of Windham Police Dept. The Chief would like to purchase \$200.00 that is available in his budget to purchase targets for them, as a thank you. Supervisor Hoyt would like to recognize Police Officer Rion for his professionalism in helping with a dumpster fire at the Windham Ridge Club. Chief would also like to recognize Police Officer Rion as he helped save a state trooper's house; as there was a brush fire by their house, he helped out while waiting for the fire dept to arrive.

15.COMMITTEE REPORTS: **Councilman Goettsche** continues to keep up with the website page and Facebook posts up-to-date for our town residents and visitors. He received a message from the Windham Tax Collector regarding the land property tax payments that will be due in January, 2021. This has been posted to the website and Facebook page. He also did a post on Facebook regarding "Parking During A Winter Storm" prior to the storm arriving. No parking allowed on Main Street, to use the Municipal Parking Lots; over 1600 people were reached with that message. Supervisor Hoyt has received a lot of positive feedback on our website/Facebook. Residents are informed in real time. Thank you very much. **Councilman Peters** "As I've

mentioned a couple times, Ambulance Administrator Davia Montie and I have been working on a plan to get a couple people working full time on the Ambulance crew, and we also want to get a basic PTO policy setup for the part timers. The proposal is far less generous than our current PTO policy for full time workers. What it boils down to is you get one day off per year for every 25 full 24 hours shifts you work. Here is what I would like to propose: I'd like to discuss at the next meeting and vote and make effective early January. For employees that work: Less than 624 hours/year = no PTO; Between 624 and 935 hours/year = 24 hours PTO / year; Between 936 and 1247 hours/year = 36 hours PTO / year; 1248 hours or more = 48 hours PTO / year. We would give half the PTO in January and the other half in June. They can use it when they see fit and have to schedule it with Davia. From a budget point of view, Davia and I are confident we can stay under next year's budget with this." This will be done on a Town Board Resolution at our next Town Board Meeting on January 14, 2021. The next step after this will be looking at possibly having two full-time ambulance staff and offering them health insurance/vacation time. **Supervisor Hoyt** would like the Town Board to know as well as the public. About two weeks ago the Ambulance service was extremely busy. We had a very stressful call in Maplecrest. It involved 10 people visiting the area in one home. Unfortunately, one person was not here to celebrate Christmas because of an incident. Our Ambulance service is very dedicated to their job and can be put in very stressful situations as they service the public well. **Councilman Van Valin** has nothing to report on at this time. He is currently working on a list for spring projects. **Councilman Walker** has nothing to report on at this time. **Town Attorney Larry Gardner** has two more parking area easements for Main Street that is finishing up on. Supervisor Hoyt, November 25, 2020 we accepted the resignation of Janine Soule as one of our clerks' in the office. On occasion she may be needed to help the highway dept out or the town to work on a special project. The Supervisor would like Janine Soule on the record for Civil Service as a part-time clerk effective December 30, 2020. Janine will also be the Recording Secretary for the Planning Board. **Supervisor Hoyt's** first year in office with his Board, we have had a lot of accomplishments this year. Supervisor Hoyt spoke again today with Mid-Hudson Cablevision on the installation of service in Maplecrest. Mid-Hudson Cablevision is waiting for the release of the poles from NYSEG. They have signed their contract. The sub-contractor has been out and has done some of the repairs upgrades for their cable. They have assured the Supervisor that all the cable, all the modems, and all the junction boxes are ordered and in their warehouse. They are just waiting for the official go from NYSEG and the installation will be started. They have eight (8) miles to complete. They are still a work-in-progress. We are working with Windham Mountain and Verizon. We have allowed a second communication device/tower onto the base lodge to help alleviate the overload for the community on busy weekends. The parking on Main Street as everyone is aware of, we have one contract we are working on for municipal parking. We have a vendor that will be making us signs for the on-street, off-street parking. The accomplishments that this Board and Community has done this past year at CD Lane Park is very impressive. As a lot of work was done in a short amount of time. As of today, there is a lot of people utilizing the outside park. The hotspot for internet will remain at the park, Mid-Hudson Cablevision has agreed to leave this after all the installation of the cable is completed to homes in Maplecrest. We have the top hotspot on a daily basis with Mid-Hudson Cablevision. Also, with this Administration in the first year our Town Website and Facebook has had a lot of users. We have received from the public on the street a lot of positive feedback that we as the Town Board, are doing a great job in getting the needed information out to our residents and visitors. We have also accomplished a lot of working parts of the Comprehensive Plan completed. It is still not completed, but the members of that committee have done an extremely good job for the community at large for what they have done. The Highway depart has done an extraordinary work over the past year. The Police dept has added a second full-time officer, that is most needed in this community. One of our biggest accomplishments this year is the approval by the taxpayers for a new ambulance building. The community saw the need. We presented the project in the open and not behind closed doors. We told them what their property values will be with the change and their tax rate. And by the vote it was a 78-79% positive approval showing us we have a solid community.

GENERAL FUND WARRANT #24-G contained vouchers #924-949, totaling \$16,373.58 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

GENERAL FUND WARRANT #24A-G contained vouchers #950-957, totaling \$10,100.00 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY FUND WARRANT #23 contained vouchers #268-276, totaling \$4,059.43 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

SEWER DISTRICT FUND WARRANT #24 contained vouchers #326-338, totaling \$63,769.03 was audited and approved on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

CWC FLOOD HAZARD MITIGATION WARRANT #11 (Madd Brook #17-1470) contained voucher #15, totaling \$6,171.67 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. (The prior administration started the paperwork on this project. This work done was at no cost to the taxpayers, it was 100% grant funded.)

GENERAL FUND PAYROLL WARRANT #26-P for **General** contained 6 claims, totaling \$5,841.02 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Ambulance** payroll contained 18 claims, totaling \$15,088.56 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Police** payroll contained 6 claims, totaling \$6,673.64 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY PAYROLL WARRANT #26-P contained 6 claims, totaling \$10,655.33 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

SEWER DISTRICT FUND PAYROLL WARRANT #26-P contained 1 claim, totaling \$65.25 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

Supervisor Hoyt would like to thank everyone for doing their part as they were asked to do during this difficult year with the COVID-19 virus.

The meeting adjourned at 7:48 p.m. on a motion by Councilman Peters, 2nd by Councilman Walker, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK
