

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

**JANURAY 14, 2021**

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

**Present by Zoom:** Councilmen: Ian Peters & Kurt Goettsche

**Also Present:** Town Attorney Larry Gardner, Highway Superintendent Gary Thorington, Police Chief Tor Tryland, Ambulance Administrator Davia Montie & Thomas Poelker

**Also Present by Zoom:** Delaware Engineering John Brust, Phyliss Parrish & Mike Ryan Mountain Eagle

The Supervisor called the meeting to order at 7:00 p.m. and Ambulance Administrator Davia Montie opened with the Pledge of Allegiance.

Notice of Zoom Meeting. The public may listen to the meeting using the following information:

Time: Jan 14, 2021 07:00 PM Eastern Time (US and Canada)

<https://us02web.zoom.us/j/82592746087?pwd=RE5aWHdZckJSeU9EYTExUW9yK1hpdz09>

Meeting ID: 825 9274 6087

Passcode: 261356

Dial by your location +1 929 205 6099 US (New York)

Find your local number: <https://us02web.zoom.us/u/kenvnXnBes>

Like those attending the meeting in person, anyone attending virtually will be recorded in the minutes.

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.

**No. 202.87**

**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 the Constitution and the Laws of the State of New York, do hereby find that a disaster continues to exist for which affected state agencies and local governments are unable to respond adequately. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby continue for thirty days the declaration of the State Disaster Emergency effective March 7, 2020, as set forth in Executive Order 202. This Executive order shall remain in effect through January 29, 2021.

IN ADDITION, 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 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.31, 202.38, 202.39, 202.40, 202.41, 202.42, 202.43, 202.48, 202.49, 202.50, 202.51, 202.52, 202.55, 202.55.1, 202.56, 202.60, 202.61, 202.62, 202.63, 202.67, 202.68, 202.72, as continued and contained in Executive Order 202.79 for another thirty days through January 29, 2021 and hereby temporarily suspend or modify the following from the date of this Executive Order through January 29, 2021:

G I V E N under my hand and the Privy Seal of the State in the City of Albany this 30th day of December in the year two thousand twenty.

BY THE GOVERNOR  
Secretary to the Governor

THE MINUTES OF THE DECEMBER 30, 2020 TOWN BOARD MEETING were approved as typed on a motion by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor.

THE MINUTES OF THE JANUARY 4, 2021 ORGANIZATIONAL TOWN BOARD MEETING were approved as typed on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

1.DELAWARE ENGINEERING: John Brust was present by zoom. The Board has two handouts for their review. First sheet is the "Original and Revised SPDES Permit Limits-Town of Windham WWTP Discharge" and the second sheet is "Town of Windham 2019 SPDES Modification Project Construction Cost Estimate-December 18, 2020 Based on Projected 2021 Bid Pricing". Due to Zoom communications, the Town Board had difficulty understanding John's report as it was broken up and not clear when John spoke. John will draft up a letter to DEP to see if they will help pay for some of the new upgrades, even though this is a DEC requirement and we are regulated by them. John hopes to write a draft letter in the next couple of weeks. Supervisor Hoyt asked John to give an update on the Old Road pump station project. Delaware Engineering has put together some preliminary costs for capital improvements to the pump station. It will require a couple of new pumps, valve pit, piping and electrical work. John would like Brock Juusola, P.E. and the Supervisor to meet to discuss the cost and then John will have something for the next board meeting. Supervisor Hoyt would like to put together a set of plans for the two projects at the WWTP and Old Road Pump Station. We are most likely to get a more appropriate contractor for both locations. John Brust, that is a good idea it will save money doing that. Councilman Walker has a CWT Meeting on Monday. He could ask at the meeting if DEP could be committed to pay for the upgrades at the WWTP with the new DEC discharge standards. Supervisor Hoyt, "due to the transmission of the zoom call we are having difficulties understanding John's report and answers to our questions".

2.REQUEST FOR OUTDOOR FIREWORKS DISPLAY PERMIT Ski Windham for the Martin Luther King Jr (January 16, 2021) and President's Week (February 13, 2021) Celebrations presented by Young's Explosive Corporation. The firework display will be at the mid-mountain ski trail. A motion to approve January 16, 2021 was made by Supervisor Hoyt, 2<sup>nd</sup> by Councilman Walker, abstained by Councilmen Peters & Goettsche. Approved with 3 in favor. A motion to approve February 13, 2021 was made by Supervisor Hoyt, 2<sup>nd</sup> by Councilman Walker, abstained by Councilmen Peters & Goettsche. Approved with 3 in favor.

3.TOWN BOARD APPROVES New Planning Board Chairman: Thomas Poelker for one-year term will expire December 31, 2021. A motion to approve was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Walker, with all in favor. Thomas Poelker requests permission to speak to the Board. Thomas Poelker, "State statue does not allow a co-chairperson member for the planning board". He would like permission to recommend Lisa Jaeger as his Executive Vice-Chair with a one-year term to expire December 31, 2021. Tom has been having Lisa sit by him during the planning board meetings to learn. There may be times that Tom may not be able to attend a planning board meeting and this way Lisa will be able to move forward and conduct planning board business. A motion to approve Lisa Jaeger as Executive Vice-Chair when the Chairman is not available with a one-year term expire December 31, 2021 was made by Supervisor Hoyt, 2<sup>nd</sup> by Councilman Peters, with all in favor.

4.TOWN BOARD RESOLUTION #2 OF 2021: Re-appointment of Thomas Poelker to the Greene County Planning Board new term to expire March 15, 2024. WHEREAS, Thomas Poelker currently serves as the Town of Windham representative to the Greene County Planning Board; and WHEREAS, the term of office for this position will expire on March 15, 2021. The new re-appointed term for this position will expire on March 15, 2024. NOW, THEREFORE BE IT RESOLVED, The Windham Town Board recommends the nomination of Thomas Poelker for re-appointment to a three-year term as the Town of Windham representative to the Greene County Planning Board. A motion to approve was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Walker, with all in favor.

5.RENEWAL OF AGREEMENT Between the Town of Windham and Siam Tank #57 Knights of the Road. This agreement dated January 1, 2021 between the Town of Windham, owner of the property at 124 County Route 12, Tax ID # 95.00-1-21 and Siam Tank #57, AKA Knights of the Road. The Knights of the Road provide youth activities, including Little League Baseball and T-ball, which is authorized to conduct organized sports in which boys and girls actively participate. The Knights of the Road organization hereby agrees to abide by Town of Windham regulations for the use of town owned property. The Knights of the Road agree to provide supervised and organized youth activities for the youth in the town. The Knights of the Road agree to provide adequate and appropriate insurance coverage for the conduct of their activities. The Knights of the Road agree to hold harmless and indemnify the Town of Windham from any and all claims, suites, causes of action or liabilities of any kind arising out of or by reason of the execution of this agreement or the activities to take place on the facilities. The term of this contract will be renewed annually upon approval of the Town Board of the Town of Windham. A motion to approve the agreement and to allow the Supervisor to sign was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor.

6.TOWN CLERK's MONTHLY REPORT FOR DECEMBER 2020: \$4,702.94. A motion to approve was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Walker, with all in favor.

7.NEWTON FUND ACCOUNT REPORT FOR 2020: The report was submitted by Bette Rhoades as the bookkeeper to the Newton Fund. The current balance from December 31, 2019 to December 31, 2020 \$19,430.36; no interest was earned for the 2020 year. A motion to approve was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor.

8.TOWN JUSTICE REPORT FOR DECEMBER 2020: Justice McCarthy \$1,464.00 was noted by the Board.

9.TAX COLLECTOR REQUESTING Office Help for Collecting 2021 Taxes. Katherine Murray Town of Windham Tax Collector "respectfully requests that Edith Buel assist me in the tax collection for 2021." A motion to approve was made by Councilman Walker, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

10.TOWN BOARD RESOLUTION #3 OF 2021: the following resolution was proposed to transfer funds to balance the Sewer District accounts for the year 2020. A motion to approve was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Peters, with all in favor. GENERAL FUND RESOLUTION #1 OF 2021: the following resolution was proposed to transfer funds to balance the General Fund accounts for the year 2020. A motion to approve was made by Councilman Van Valin 2<sup>nd</sup> Councilman Goettsche, with all in favor.

11.ASSESSOR'S REPORT: "January 2021- Sales volume continues to grow to the end of the year. Changes made prevented 65 Property Tax bills from going out to stale addresses, thanks to Kathy Murray, Windham Tax Collector, and this office. The Property & School Tax Look Up sheet sent out @ 100 times to new and current home owners, preventing future frustrations and "lost" tax billings. Out of town taxpayers highly pleased with this. Town photo inventory exceeds 5000 photos. Cataloging (labelling) to be done on last 2,100 photos in next two months. New instant texting or emailing of Address Change Confirmations while taxpayers are on call, making their changes, is well received. In 2021, the Assessor's Office has added local pictures of Windham Venues for promotional purposes to many out of area contacts/ purchasers/realtors and out of town taxpayers, in our emails. Our Realtor support has been heavy and successful. The Town of Windham had more Million Dollar sales in 2020, than in any of the most recent

years. Out of town buyer prospects continue to receive “volumes of data” to motivate purchasing in Windham. Letters shipped announcing Town Board resolution to assist Disabled and Aged STAR recipients of automatic renewal on this year’s exemption, avoiding COVID19 exposure to taxpayers and town employees alike. Receiving only Compliments & Thank You’s. Added another 75 phone numbers /emails to our contact database. This will assist Water & Sewer District follow ups by removing needless contact date delays, wasted postage costs, and labor searching contacts.” Report was submitted by Richard Tollner.

**12.AMBULANCE REPORT:** Ambulance Administrator Davia Montie was present. “**Vehicles:** **96-1** – there is a small oil leak, Wes believes it is the rear main seal, ☹ I will be calling Lacy’s so they can look at it and find out if it is under warranty. Wes thinks it can wait until after winter, but would like Lacy’s to confirm. **96-2** – we should probably start thinking about its’ replacement in 2022. After winter, we will be switching back to 96-2 as the primary rig. **Monthly calls:** There were a total of 37 calls for the month of December bringing *the total call volume for the year 2020 to 485*. Last year 2019, the total call volume was 438. **Calls for the Month of December:** *Calls in Windham: Advanced Life Support (ALS)-12, Basic Life Support (BLS)-7, Call Cancelled (C/C)-1; Refused Medical Assistance (RMA)-2; Calls in Hunter: C/C-2; Calls in Jewett: ALS-4, BLS-0, RMA-5, C/C-1; Calls in Prattsville: ALS-2. Total calls for December: 37, Calls turned over to Mutual Aid-1 (Hunter). Vehicle Mileage Log for December 2020: 96-1: 41,264 and 96-2: 125,334. Training:* We are going to have to schedule a Pediatric Advanced Life Support class, an Advanced Cardiac Life Support class and a CPR class for employees. Due to COVID-19 and the lack of being able to hold classes last year, most providers cards are due to expire. We have instructors that work for Windham Ambulance, so I will coordinate it through them. **Staffing:** Amanda Rion was granted her online medical control privileges on December 31st, so she is now able to work as a paramedic. She will remain on the schedule as is for a while, working with a paramedic partner until she gets some more field experience. **Miscellaneous:** Physio-control has contacted us about updating our data plans as they have expired. (Due to Physio-Controls pricing being too high, Davia will contact Verizon and go back with them.) and I will also be speaking with them about updating our Life-pak monitors and the way we currently transmit data. I would like to start using the cloud, it is a more efficient way to transmit data to the hospital and uploads the information faster and easier into our patient care reports. I would like to invite Steve Anderson, from UCM Digital Health to come speak to the board about their virtual ER program. I gave Ambulance Operations Liaison Councilman Ian Peters a copy of the information packet which explains the concept of the program and we both feel it would be a beneficial service to the people in our community. Steve has offered to come explain the program in person, provide additional information and answer questions.” Supervisor Hoyt asked Davia to set date for Steve Anderson to visit us at one of our Town Board Meetings. Hunter Mountain has added a first aid room for Hunter West/North on 25 Demy Road, Jewett. This is in our ambulance district coverage service for the Town of Jewett. Ambulance calls going to 65 Kline Avenue is at Hunter Mountain itself, which we do not cover.

**13.HIGHWAY REPORT:** Highway Superintendent Gary Thorington was present. The Highway Department assisted Delaware Engineering in digging seven (7) test pits by the helo-pad for the new ambulance building. The tests were an exploratory. We dug about five (5) feet each hole and no material were found to hinder. The site looks good. The Highway Dept. is continuing to repair any washed-out road shoulders from the Christmas Day storm. The Windham Path on State Route 296 side had a sizable wash out from that same storm. The path has been fixed. Gary would like to thank the Police Chief for allowing the Highway Dept. to use the police UTV vehicle as it made it easier to transport the item material needed to fix the path. Gary received an email from Adam Hallow Communication Specialist with Cornell Local Roads Program. He is doing a webinar on Tuesday regarding the heavy social media topic if any of the Board members are interested. Supervisor Hoyt asked if Gary could email that information to the Board. This is a tool in the social media world for the highway department. Supervisor Hoyt we have a program set up with the ambulance, police and highway depart vehicles. The schedule has come full term, it is time to replace the Highway Superintendent’s pickup truck. The old Highway Superintendent’s pickup truck will be put into the fleet and the older pickup truck will be sold off at surplus. The Supervisor is looking for authorization to have the Town Clerk place a legal notice in our newspaper “Notice to Bidders” for “One (1) 2020 or Newer Pickup Truck”. The specs for the new pickup truck look good. A motion to approve the legal notice for advertisement was made by Councilman Walker, 2<sup>nd</sup> by Councilman Van Valin, with all in favor. Gary would

like to open sealed bids at the January 28, 2021 meeting. Town Attorney Larry Gardner advised the Board the legal notice will need to be advertised for two weeks. The new date to open sealed bids will be at our town board meeting on February 11, 2021.

TOWN BOARD RESOLUTION #4 OF 2021: WHEREAS, the staff of Windham ambulance are dedicated public servants performing essential duties to support our town, NOW, THEREFORE BE IT RESOLVED, be it resolved that ambulance employees shall be granted paid time off based upon the following schedule: 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. One half of their total PTO shall be granted on the first of the year and the other half shall be granted on the first of July. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

14.POLICE REPORT: Police Chief Tor Tryland was present. The police computer trax that writes the tickets had problems. Our computer trax guy from Albany has fixed the problem, it is now updated and back working. Thank you to Supervisor Hoyt as the Windham Police Dept has all been vaccinated. The Chief is going to continue our traffic survey and keep that program going on roads.

15.COMMITTEE REPORTS: **Councilman Goettsche** continues to work on Facebook and the Website updates. He would like to thank Bonnie Poehmel Town Clerk for sending the agenda documents for the zoom board meetings. The Supervisor asked about the time line for the Police Policies and Procedures. The Supervisor believes there is a time line in February a draft is needed for the Police Union to review and then it will be adopted in October 2021. Supervisor Hoyt asked Councilman Goettsche to please touch base with his committee on this. Councilman Goettsche would like to meet with the committee in a zoom meeting. He has asked Councilman Peters if he could help out with the arrangements for the zoom meeting. **Councilman Peters** would like to thank the Board for approving Town Board Resolution #4 for the part-time ambulance staff. He will be working on something to have two full time ambulance employees on staff. The Ambulance Agreement with the Town of Jewett should be finalized next week. He is waiting for the bookkeeper Cindy Nelson to finish finalizing the ambulance 2020 numbers. **Councilman Van Valin** has nothing to report on at this time. **Councilman Walker** has a zoom CWT meeting on Monday, he will attend that meeting. He would like to see maybe Councilman Peters set a policy for the ambulance employees having their PCR's filled out in a timely manner. **Supervisor Hoyt** spoke to Jonathan Bitter from the NYS Rising South Street Storm Water Project regarding the easements. We have approved the Attorney for the easements with our Town Attorney Larry Gardner's recommendation for the project. There are still some easements that are outstanding. The Supervisor has asked the Assessor to pull some elevations for the properties and homes that are affected. Properties are from Brainard Ridge down to the WWTP. There are over four hundred (400) properties that are affected by the stormwater issues on CD Lane Road and South Street (County Route 12). In tax value there are millions and millions of dollars in home values that are affected by this stormwater project. This is a very worthy project for the community. The Supervisor will keep perusing the NYS Rising Project people to continue moving forward. Greene County is working on South Street (County Route 12) widening the shoulders for the bike – walk traffic, they will start to work full time starting in the spring. There has been some tree removal on South Street past the radio station in that stretch of the road that is part of the project. The Comprehensive Plan with Helen Budrock, the committee will meet again the second week in February. That meeting will summarize the next step to keep moving forward. COVID-19 Vaccinations are here but not a lot are available. As soon as more vaccinations are released, notification will be released for the Group 1B. That information will be released upon our town website for our community residence. Greene County Webpage has a lot of the information where you can register. There are no set appointments yet, as the County is still experiencing dosage problems like everyone else is around our country. Pods for 1A essential works are going very well. Tomorrow in Cocksackie they will have their first round of the vaccination as there are 740 registered to receive. **Town Attorney Larry Gardner** has nothing to report on at this time.

**Supervisor Hoyt** advised the Board they will find in their mailboxes a DRAFT Public Employer Health Emergency Plan for the Town of Windham. This is a Draft copy please review. The purpose of this “plan has been developed in accordance with the amended New York State Labor

Law Section 27-c and New York State Education Law paragraphs k & l of subdivision 2 of section 2801-a (as amended by section 1 of part B of Chapters 56 of the laws of 2016), as applicable...requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease.” “These laws were amended by the passing of legislation S8617B/A10832 signed by the Governor of New York State on September 7, 2020.” A copy of this Draft is to be given to the Police Union members and the Highway Union members. A copy should be given to each of the police officers and the highway crew men for their review. Should anyone have any changes to be made, they will be done; it will then be an adopted policy for the Town of Windham. The Town has to adopt this policy by April 1, 2021. This will be a town policy should we have another pandemic in the future we have guidelines on how to proceed. The draft will be discussed at the next board meeting for any changes that need to be made.

GENERAL FUND WARRANT #1-G contained vouchers #1-62, totaling \$164,852.49 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 #1 contained vouchers #1-18, totaling \$15,744.39 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 #1 contained vouchers #1-33, totaling \$50,662.60 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 #1 contained vouchers #1-8, totaling \$1,395.47 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

GENERAL FUND PAYROLL WARRANT #1-P for **General** contained 8 claims, totaling \$4,765.34 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 20 claims, totaling \$15,596.59 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 8 claims, totaling \$10,033.26 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. (Printed 12/31/2020)

HIGHWAY PAYROLL WARRANT #1-P contained 6 claims, totaling \$13,989.27 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor. (Printed 12/31/2020)

SEWER DISTRICT FUND PAYROLL WARRANT #1-P contained 1 claim, totaling \$76.13 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. (Printed 12/31/2020)

GENERAL FUND PAYROLL WARRANT #2-P for **General** contained 4 claims, totaling \$5,031.01 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor. **Ambulance** payroll contained 20 claims, totaling \$16,852.14 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor. **Police** payroll contained 3 claims, totaling \$4,977.98 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 PAYROLL WARRANT #2-P contained 6 claims, totaling \$12,156.99 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

**TOWN BOARD MEETING (CON'T)**

**JANURAY 14, 2021**

SEWER DISTRICT FUND PAYROLL WARRANT #2-P contained 1 claim, totaling \$76.80 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

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

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SUPERVISOR

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COUNCILMAN

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TOWN CLERK

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OFFICIAL