

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

FEBRUARY 11, 2021

Present: Supervisor: Thomas F. Hoyt
Councilman: Stephen Walker
Town Clerk: Bonnie Poehmel

Present by Zoom: Councilmen: Ian Peters & Kurt Goettsche

Absent: Councilman Van Valin, Police Chief Tor Tryland & Ambulance Administrator Davia Montie

Also Present: Highway Superintendent Gary Thorington, Town Attorney Larry Gardner, & Delaware Engineering John Brust

Also Present by Zoom: Paul Mutter & Mike Ryan Mountain Eagle

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

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

Time: Feb 11, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82681542355?pwd=aSt5MXhzenhOUk9qMEtIekkrQUFJZz09>

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 826 8154 2355

Passcode: 663208

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

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. 202.92

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 February 26, 2021.

IN ADDITION, 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

TOWN BOARD MEETING (CON'T)

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prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, do hereby continue the suspensions and modifications of law and any directives, unless superseded, modified or otherwise expired, made by Executive Order 202 and each successor Executive Order to 202, for thirty days until February 26, 2021, and do hereby temporarily suspend or modify the following from the date of this Executive Order through February 26, 2021:

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

BY THE GOVERNOR
Secretary to the Governor

THE MINUTES OF THE JANUARY 28, 2021 TOWN BOARD MEETING were approved as typed on a motion by Councilman Walker, 2nd by Councilman Peters, with 4 in favor, one absent.

1.DELAWARE ENGINEERING: John Brust was present. John has a few items for the Board. The WWTP design work proceeding with improvement to the WWTP and Old Road Pump Station. They had a good meeting this week with DOT. The Ambulance building John would like to have a meeting to go over the revised layout with Supervisor Hoyt and Councilman Van Valin. The Comprehensive Plan meeting met by zoom today. Supervisor Hoyt listened in the meeting was very production. John stated "the topics were housing, recreation, historic resource, community facilities and transportation". Helen Budrock is looking to finish up next month with transportation. John has a couple of water items even though this is not a water meeting. The refinancing of Phase II & III is going well. The agencies are going through every contract, payment, voucher, etc. We are still looking at a May 2021 closing. Phase I with USDA refinancing this is still pending whether EFC will pick up on this debt. There is a bond resolution for the next water district meeting on February 25, 2021. It is a superseding bond resolution the cost of the overall project is not going up; we are cleaning up administratively. "We set the dollar amount for \$2 million dollars we will not use that but we cannot be \$1.00 above whatever number we finish at." We have had some reports of discolored water, everyone has been working on resolving the problem. Alan Tavenner has put out a memo on this for the Board's review, giving out a number of recommendations: "Increasing the frequency of flushing the entire system to four times a year...Strategic scheduled flushing can also help with problem spots...If such limited flushing resolves the problem an automatic flushing hydrant(s) can be installed... Add a "orthophosphate" corrosion inhibitor to the Hensonville system...And it would certainly be worth arguing with DEP that the WWTP should buy the corrosion inhibitor as a cost for SPDES compliance." Supervisor Hoyt we took four water samples today in Hensonville. The four sites where State Route 296 at a resident's home they were having issues, County Route 40 another resident having issues, the Medical Center they were not having any issues this area is about the middle of the system and one at the filter plant. This will give us some data to work with. Supervisor Hoyt, one idea is we had to put in large mains in here for fire flow protection they are designed for a lot of volume and the water maybe sitting in the pipe longer. We are trying to source out the problem.

2.TOWN BOARD APPROVES NEW PLANNING BOARD MEMBER: Matthew Jordan is a full-time resident of the Town of Windham as required to be a member of the board. Mr. Jordan will fill the last vacant seat with his term expiring December 31, 2022. A motion to approve Mr. Jordan as a planning board member was made by Supervisor Hoyt, 2nd by Councilman Goettsche, with 4 in favor, one absent. Mr. Jordan's first planning board meeting for the new year will be on February 18, 2021.

3.WINDHAM ROTARY FOUNDATION seeking permission to use Windham Path for Christmas in July Walk & Toy Drive Fundraiser. In a letter written to Supervisor Hoyt and the Windham Town Board: "The Windham Rotary Club would like to request permission to use the Windham Path for our **Christmas in July Walk & Toy Drive fundraiser**. The date we are looking at is **Saturday, July 3rd from 8 am to 3 pm**, with a rain date of Saturday, July 17th. We would like to set up a registration table and have a few decorations to display throughout the path. This will be a fundraiser for The Windham Rotary Foundation and Greene County Community Action's "Here Comes Christmas" program. Participants will make a donation,

bring an unwrapped toy for teens/tots and walk the path at will. We plan to have volunteers at both entrances to the path. Please see the proposed flier. We anticipate to make this an annual event. Diana Lawrence, Chairman, Windham Rotary Foundation, Inc.” **Councilman Goettsche** would like the Rotary to submit a “safety plan” with guidelines to keep everyone participating safe for all individuals and group gatherings. Councilman Goettsche would also like to make sure the path is cleaned up after the use. **Councilman Walker** would like the Rotary to submit a “Certificate of Liability Insurance” naming the Town of Windham as the insured certificate holder. A **motion to approve with the mentioned stipulation as stated by the Board** was made by Councilman Peters, 2nd by Councilman Walker, with 4 in favor, one absent. Councilman Goettsche noted this will be a busy weekend in the Town. Supervisor Hoyt will have the Highway Superintendent provide safety cones for the parking lot only not to be placed on State Route 23. There will be no traffic control in the right away. A copy of this letter will be provided to the Windham Police Dept.

4.TOWN CLERK’S MONTHLY REPORT JANUARY 2021: \$3,841.80. A motion to approve was made by Councilman Walker, 2nd by Councilman Peters, with 4 in favor, one absent.

5.JUSTICE MONTHLY REPORTS: December 2020: \$436.00 and January 2021: \$679.00 for Justice Stevens. As noted by the Board.

6.GENERAL FUND RESOLUTION #4 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 Walker, 2nd by Councilman Peters, with 4 in favor, one absent.

7.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. The following report have been provided for the Town Board’s review. “**Vehicles:** 96-1 – Has an appt at Lacy’s on 2/24/21 to check oil leak and needs servicing, 96-2 is fine. **Monthly calls:** There were a total of 45 calls for the month of January, last year there were 34 for the month of January. **Calls for the Month of January 2021:** *Calls in Windham: Advanced Life Support (ALS)-10, Basic Life Support (BLS)-7, Call Cancelled (C/C)-6; Refused Medical Assistance (RMA)-4; Calls in Hunter: C/C-1, BLS-1; Calls in Jewett: ALS-4, BLS-2, RMA-1, C/C-3; Calls in Cairo: C/C-2; Calls in Durham: C/C-1. Total calls for January: 45, Calls turned over to Mutual Aid-3 (Ashland). Vehicle Mileage Log for January 2021: 96-1: 42,856.5 and 96-2: 125,693. Training:* Currently looking for an instructor who will do our ACLS, PALS and CPR classes. **Staffing:** Trying to maintain two crews on the weekends and we will have two crews during President’s week. **Miscellaneous:** If anyone has any questions for Steve Anderson regarding his presentation at the last meeting, send them to me and I will forward them to him. I would like to keep moving forward on this. I just want to mention how grateful I am to the Town of Ashland Ambulance as they repeatedly help cover calls when our crew(s) are out. On January 25th, 3 calls went out in Windham within a half an hour, Ashland sent both their crews to cover 2 of those calls for us. **Councilman Walker** would like to make a note about the PCR’s still need to be completed. **Supervisor Hoyt** sent a memo to the ambulance employee in question. Requesting he get his paperwork in order as this is a financial burden onto the taxpayer. Supervisor Hoyt would like the Board to review and make any comments on the *Ambulance Draft Standard Operating Guidelines*. He would like to have draft ready for print by the middle to next month. **Ambulance Draft Standard Operating Guidelines:** “The purpose of this manual is to provide operational guidelines to the employees of the Town of Windham Ambulance in the performance of their duties. While no one document can address all possible scenarios, it is intended to be a resource for providers to enhance their decision-making processes and make operations safer and more efficient...These guidelines take into account current industry best practices, New York State Department of Health (NYS DOH) Policy and Procedure requirements, guidelines suggested by NYS DOH Bureau of Emergency Medical Services policy statements, and federal regulatory agencies (such as OSHA, ANSI, NIOSH, etc.)”

8.ASSESSOR’S REPORT: The following report have been provided for the Town Board’s review. “The Property & School Tax Look Up sheet sent out @ 20 times to new and current homeowners, preventing future frustrations and “lost” tax billings. Town photo inventory exceeds 5500 photos. Cataloging (labelling) to be done on another 500 photos in January 2021. New instant texting or emailing of Address Change Confirmations while taxpayers are on call, making their changes, is well received. Realtors now know about it. Wish other towns could do

it. Our Realtor interaction continues. Out of town buyer prospects continue to receive “volumes of data” to motivate purchasing in Windham, as do Prospects/Buyers of large-scale projects. Plans underway, to begin work on next year’s 2022 Re-Assessment. Please let property owners know, they are free to discuss their property by appointment, anytime. *Before OR After RE-Assessment*. A letter will go out later this year to all property owners with details. Added more than 50 phone numbers /emails to our contact database. Filling the Year’s Continuing Education requirement early. NY State has New COVID-related agricultural assessment form. Chapter 220 of the Laws of 2020 authorizes assessors to grant agricultural assessments to applicants who qualified in 2020 but who did not meet the average gross sales requirement (\$10,000 or, if less than 7 acres, \$50,000) for 2021 due to the pandemic. Such applicants are required to submit a new form to the assessor: Form RP-305-f, Application for Exception from Minimum Average Sale Value Requirement of Agriculture and Markets Law Article 25-AA due to COVID-19 Disaster Emergency for 2021. Qualifying applicants should follow the instructions on the form and coordinate with their local cooperative extension to receive certification that, but for the COVID-19 disaster emergency, they would have met the average gross sales requirement on this year’s assessment roll. Note: This law is only in effect for 2021 assessment rolls. As written, the law expires at the end of this year December 31, 2021.”

9.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present. The highway dept has been very busy with the weather. A lot of nice compliments from public and business owners. We did go out to bid for a new 2020 or newer pickup truck. After a two-week bid process, no bids were received. We did have two bidders that had the interest. We are finding out that the manufacturers are in between their years start and years end. Municipal vehicles are considered a fleet vehicle. Only certain times of the year can a dealer purchase said vehicles. We just missed the mark for that. The Highway Superintendent would like permission again from the Board to go out to bid at a later date for the next year’s model. A motion to approve allowing a new bid to go out in a couple of weeks was made by Councilman Peters, 2nd by Councilman Walker, with 4 in favor, one absent.

10.POLICE REPORT: Police Chief Tor Tryland was not present. The following report have been provided for the Town Board’s review. “7F385. Car experienced major brake issues. We brought it to Wes’ and he put new rotors on the rear. This solved the problem and the unit is back in service. Have not received the bill yet. Work with the “Community Review Board” is ongoing. I expect Councilman Goettsche will report on this as well, but I would like to mention that I think our meetings have been productive and that we are showing good progress.”

11.COMMITTEE REPORTS: **Councilman Goettsche** he has meet a few times now with the Police Policy Committee and meet just yesterday for a listen and learn meeting at the town hall. Everything is going well and everyone is on the same page as to where they are moving forward. There is a link to a form on the Town of Windham’s website for residents to fill out and make comments on the police dept. These forms will be collected and the Committee will review. Also, would like the newspaper Mike Ryan and Jay @ WRIP radio to talk about the Police Committee and this form found on the town’s website. Here is a link to the form:

https://docs.google.com/forms/d/e/1FAIpQLSdYLTRFVfYiF_mATu-72ir1qF6J0Mv-GpQ4MFGIkHy8udeyhQ/viewform

There were some bugs on the town’s website. KathodeRay Media fixed the problem. **Councilman Peters** is looking into making the WIFI connection better in the meeting room for the zoom meetings. He will have a number for the next board meeting. Councilmen Goettsche and Peters will be able to install all the hardware. **Councilman Walker** there is a CWT Meeting on Monday, February 15, 2021 by zoom. One of their main issues will be additional funding for the CWC Septic Program. **Supervisor Hoyt** the Comprehensive Plan Committee meeting went well. Supervisor Hoyt spoke to the Director of this project, the lower end of County Route 12-South Street Stormwater a New York Rising Project. The easements for the project are about 99% done. We should have them in hand to this office by the end of next week. The Supervisor expressed his concern that he would like to start the bid project as there is a lot involved and it is getting later. NY Rising will not allow this yet as their policies have changed. They like to complete one thing at a time before moving forward and they must stay in sequence order. Councilman Peters, Highway Superintendent Gary Thorington and Supervisor Hoyt are working very hard to get a contract that works for our employees in the highway department and management as well. The CWC Septic Program gets used a lot. CWC likes to do 300 home

septic's a year. This year (2020) they had over 500 backlogged in the system. They finished off the year with 260 plus. The average cost for the system in the project runs \$29,000.00. This is a well-used program. Another CWC program that is in the works and has been out for awhile is fuel tank hold downs. This program is for your fuel tank inside your basement or outside. The hold down helps prevent the tank from tipping over or floating away in a flood. **Attorney Larry Gardner** has nothing at this time to report on.

GENERAL FUND WARRANT #3-G contained vouchers #103-143, totaling \$13,159.66 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Peters, with 4 in favor, one absent.

HIGHWAY FUND WARRANT #3 contained vouchers #40-50, totaling \$5,490.40 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Peters, with 4 in favor, one absent.

SEWER DISTRICT FUND WARRANT #3 contained vouchers #51-64, totaling \$7,971.53 was audited and approved on a motion by Councilman Goettsche, 2nd by Councilman Peters, with 4 in favor, one absent.

STREETLIGHTING FUND WARRANT #2 contained vouchers #9-17, totaling \$1,444.10 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Peters, with 4 in favor, one absent.

GENERAL FUND PAYROLL WARRANT #4-P for **General** contained 6 claims, totaling \$5,911.26 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Peters, with 4 in favor, one absent. **Ambulance** payroll contained 21 claims, totaling \$16,140.43 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Peters, with 4 in favor, one absent. **Police** payroll contained 6 claims, totaling \$6,126.73 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Peters, with 4 in favor, one absent.

HIGHWAY PAYROLL WARRANT #4-P contained 6 claims, totaling \$15,224.18 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Walker, with 4 in favor, one absent.

SEWER DISTRICT FUND PAYROLL WARRANT #4-P contained 1 claim, totaling \$66.60 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Walker, with 4 in favor, one absent.

The meeting adjourned at 7:33 p.m. on a motion by Councilman Walker, 2nd by Councilman Peters, with 4 in favor, one absent.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK
