

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

AUGUST 11, 2022

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

Present for Public Hearing only: Pat Higgins, Cathy Barrett, Antonia Schreiber, Marianna Leman, Susan & Barry Smith, Robin Fleischmann & Robert Lynch

Absent: Ambulance Administrator Davia Montie, Highway Superintendent Gary Thorington, Police Chief Tor Tryland & Delaware Engineering John Brust

The Supervisor called the public meeting to order at 6:50 p.m. and opened with the Pledge of Allegiance.

Supervisor Hoyt read aloud “NOTICE IS HEREBY GIVEN that the Windham Town Board shall conduct a public hearing on Thursday, August 11, 2022, at 6:50 pm at the Town Hall, 371 State Route 296, Hensonville, NY. The purpose of said hearing shall be to Amend the town sign law to be enacted by the Town Board. Anyone wishing to review the change can contact the Town Clerk’s office, the change may be seen until 12 noon the day of the public hearing. All persons wishing to speak upon this matter shall be heard at this time. By Order of Town Board. Bonnie Poehmel, Town Clerk, Dated: July 28, 2022.”

1.LETTERS from Arlene Kucan and Christine Doolan; asking for their letters to be read into the meeting minutes record. Supervisor Hoyt read aloud the following two letters: **Arlene Kucan** “July 31, 2022. To The Windham Town Board, At the request of Supervisor Tom Hoyt, I am writing this letter to convey my thoughts regarding the proposed sign amendment. I question the haste of this amendment and the lack of discussion within our entire Windham business community. The recent Comprehensive Plan adopted by this very Town Board states additional retail development in our town as a top priority. I submit to you this new sign amendment would not provide any encouragement for any new business to open or to relocate to Windham. There are several businesses operating in Windham today, including Windham Mountain, that depend on off premise signs for managing and driving traffic to their business locations. Did any member of this Town Board consider the next time Windham Mountain seeks approval to update or change their numerous off premise signs and discovers only one-off premise sign is now allowed under this sign amendment? My love of Windham began in 1945 at the age of six months and I have spent my entire life enjoying everything Windham has to offer. I am in

agreement with Supervisor Hoyt that excessive signs would take away from what makes Windham, Windham. But there has to be a way to preserve and to encourage retail development in our town and to protect the Windham we all love. This proposed sign amendment does neither. It is reactionary and punitive to the vital businesses we have in our town today and to any business that is considering investment in our town tomorrow. Please table this amendment immediately and give it the time and honest discussion it deserves and needs to get it right. Thank you for considering my thoughts. Sincerely, Arlene Kucan 10 Vets Road Windham, NY.”

Christine Doolan: August 8, 2022. “To Supervisor Tom Hoyt, the Windham Town Board, and the Town Clerk. Please, read my email as part of the record at your next Board Meeting when the proposed sign law is discussed. Concerning the discussion to reduce off-premises business signs from 3 down to 1 - I personally do not see any need to amend this law. I do not feel that there has been any distasteful off-premises signage in the town. I feel that we should let businesses do their best to advertise. Very few businesses currently use any off-premises signage advertising, and as such, I do not think it is a problem to allow more than one for those that wish to. The issues concerning signage that I find problematic to the beauty of the town are the following: 1. Old businesses that do not remove signs. 2. Posted flyers or other signs that do not apply for a sign permit. 3. Existing signs that are not well maintained that have paint chipping or other unsightly features due to lack of maintenance. Other signage issues: The west side of Main Street has an-ongoing issue with cars that park on State Route 23. For as long as I've lived full time at 5428 State Route 23, illegally parked cars in the state road right-of-way create a hazard. Traffic has to cross the double yellow line to pass an illegally parked car. This is an accident waiting to happen. It is not just out of towners who park illegally to dine at the numerous restaurants, but also parents attending school functions and others attending events at the civic center. For some reason, the illegally parked cars are always on the north side of the street. I implore you to put up permanent signage advising of the street's no parking status. In lieu of permanent signage, the traffic cones that I've seen used in the past should suffice (if there are not enough of the No Parking cones for continual use, I ask the town purchase additional cones that can be dedicated for Main Street use only). Perhaps also additional signage advising of municipal lot locations may reduce illegal parking. Thank you for your consideration. Sincerely, Christine Doolan”

Supervisor Hoyt explained what the amendment was about. In the current sign law, the sign holders were allowed to have three signs off premises, tonight's public hearing is amending the three to one sign off premises. The Supervisor allowed anyone in the public to speak 2 minutes or less with their concerns regarding this amendment only. Some of the others wanted to discuss other possible changes in the sign law. Supervisor Hoyt told them that would be for another time. All signs that have been past currently to date including the recent sign for Pat Higgins will not be affected by this law change. Anything after tonight could possibly affect new sign applications. The Comprehensive Plan has established a new Land Issue Committee. They have met a few times Marianna Leman is here tonight as a member on that committee. If you have suggestions to please see her and she can bring them up at the next committee meeting.

2.LOCAL LAW #3 OF 2022 AMENDMENT OF THE TOWN SIGN LAW: “Be It Enacted by The Town Board of The Town of Windham as follows: **SECTION 1. TOWN SIGN AMENDMENTS:** The Town Board of the Town of Windham has determined that it is necessary and appropriate to make certain amendments to the Town Sign Law in order to keep such law updated and relevant to the changing community. The Board hereby adopts this local law pursuant to the requirements of New York State Town Law §264. The amendments set forth below are referenced in accordance with numbering system currently in effect in the Town Sign Law adopted as Local Law #1 of 2018. **SECTION 2. AMENDMENT TO MODIFY SECTION 4. A. 2.:** The Town of Windham Sign Law Section 4.A.2 shall be and hereby is amended to read: 2. A business shall be allowed no more than one (1) off premise sign regardless of the Hamlet or District in which the business is located. Advertising signs at the Little League field are exempt. No signs are to be on the outside of fence. **SECTION 3. SEVERABILITY:** If any clause, sentence, paragraph, word, section or part of this law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof, directly involved in the controversy in which said judgment shall have been rendered. **SECTION 4. EFFECTIVE DATE.** This local law shall take effect immediately upon the filing of this law with the New York State Secretary of State.”

Supervisor Hoyt asked for a motion to close the public hearing at 7:17pm. A motion to close was made by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

The Supervisor called the Town Board Meeting to order at 7:17 pm.

THE MINUTES OF THE JULY 28, 2022, TOWN BOARD MEETING were approved as typed on a motion by Councilman Walker, 2nd by Councilman Peters, with all in favor.

LOCAL LAW #3 OF 2022 AMENDMENT OF THE TOWN SIGN LAW: a motion to move as written was made by Councilman Peters, 2nd by Councilman Walker, with all in favor. Bonnie Poehmel Town Clerk will prepare the paperwork to be sent to the State of New York to be entered in as a Windham town law. Councilman Peters will update the sign law in full to the website.

1.DELAWARE ENGINEERING: John Brust was not present.

2.APPLCIATION FOR OUTSIDE SEWER DISTRICT: 219 County Route 65, single family residential, Tax Map #96.00-2-27 is seeking permission to connect into the town's sewer system. They have submitted their \$50.00 application processing fee. A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

3.APPLCIATION FOR TOWN SEWER SERVICE: three (3) vacant tax map lots #95.00-1-24; #95.08-1-7 & #95.08-1-5; for billing address 89 County Route 12 is seeking permission to connect into the town's sewer system. They have submitted their \$50.00 application processing fee for each lot (\$150.00 total). A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

4.APPLICATION FOR OUTSIDE SEWER DISTRICT: Stonewall Windham LLC, new construction of (10) single family townhome project off County Route 21 (South Street); is seeking permission to connect into the town's sewer system. They **have not** submitted their \$50.00 application processing fee for each tax map number (\$500.00 total). Also, there is a \$5,000 charge per EDU fee, (per tax map number) that is required to be paid upfront before construction of the unit can begin (\$50,000.00 total). A motion to approve was made by Councilman Van Valin, 2nd by Councilman Goettsche, with 4 in favor, Councilman Peters abstains.

5.APPLICATION FOR TOWN SEWER SERVICE: Stonewall Windham LLC, new construction of (8) single family townhome & club house project off County Route 21 (South Street); is seeking permission to connect into the town's sewer system. They **have not** submitted their \$50.00 application processing fee for each tax map number (\$450.00 total). Also, there is a \$3,500.00 charge per EDU fee, (per tax map number (8)) that is required to be paid upfront before construction of the unit can begin (\$28,000.00 total *subject to change). A motion to approve was made by Councilman Goettsche, 2nd by Councilman Walker, with 4 in favor, Councilman Peters abstains.

6.TOWN OF WINDHAM HISTORICAL SOCIETY seeking permission to use the Centre Property for a Display and Slide Show Sept 3 & 4, 2022 each day at 11:00 am to 4:00 pm. A motion to approve was made by Councilman Walker, 2nd by Councilman Peters, with all in favor.

7.GREENE COUNTY EMERGENCY SERVICES seeking permission to use the WWTP on August 29, 2022 @ 6:30 pm for an All-County Hazard Mitigation Plan Awareness for Public Information. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

8.TWO AFFIDAVITS AND APPLICATION FOR CERTIFICATE OF RESIDENCE: both applicants are residence of the Town of Windham. A motion to approve was made by Councilman Peters, 2nd by Councilman Walker, with all in favor.

9.TOWN JUSTICE REPORT FOR JUNE 2022: Justice Stevens \$1,101.00 and JULY 2022: Justice McCarthy \$2,489.00 was noted by the Board.

10.TOWN BOARD RESOLUTION #34 OF 2022: to authorize the Supervisor to establish the following checking account entitled: Town of Windham Capital Ambulance Building. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor. TOWN BOARD RESOLUTION #35 OF 2022: to authorize the Supervisor to establish the following checking account entitled: Town of Windham Ambulance Fund. A motion to adopt this resolution was made by Councilman Goettsche, 2nd by Councilman Peters, with all in favor. TOWN BOARD RESOLUTION #36 OF 2022: the following resolution was proposed to transfer funds to balance the Sewer District accounts. A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor. TOWN BOARD RESOLUTION #37 OF 2022: to authorize the Supervisor to use \$21,324.79 from Unappropriated Fund Balance to balance the accounts in the General Fund as per General Fund Resolution #17 of 2022. A motion to adopt this resolution was made by Councilman Goettsche, 2nd by Councilman Peters, with all in favor. GENERAL FUND RESOLUTION #17 OF 2022: 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.

11.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. The following report was submitted for the Board's review: "**Vehicles:** 96-1 - Received replacement door handle for outside oxygen compartment, they will be sending a technician to install it and go over a few other things on the rig (inside cabinet doors etc.) 96-2 – service/brakes done **Monthly calls:** Total calls for July 2022 – 53; Total calls for July 2021 – 35; YTD (as of 8/9) - 331; (Last year as of 8/9) 245. I am still trying to find EMTs to fill holes in the schedule, but there is a shortage everywhere – especially on weekends. There is a growing concern about the upcoming ski season and the continued wait times at the hospitals. **Calls for the Month of July 2022:** *Calls in Windham: Advanced Life Support (ALS)-10, Basic Life Support (BLS)-1, Call Cancelled (C/C)-4; Refused Medical Assistance (RMA)-2, Stand By Fire (S/B Fire)-1, Public Assist (P/A)-1; Calls in Jewett: ALS-7, BLS-1, RMA-1, C/C-1; Calls in Cairo: ALS (helicopter)-3, C/C-1; Calls in Hunter: ALS-2, BLS-1, RMA-2, C/C-2; Greene County EMS ALS coverage: S/B-2; Calls in Ashland (Lexington): ALS-1, C/C-1; Calls in Durham: ALS-2, C/C-1. County Coverage Request Ambulance S/B-1; Out of County M/A Request-1 (Gilboa); Total Calls: 53; **Calls turned over to Mutual Aid: 4.** Hunter -1 & Ashland-3. **Vehicle Mileage Log for July 2022:** 96-1: 66,573 and 96-2: 140,362."*

12.ASSESSOR'S REPORT: The following report was submitted for the Board's review: "Summertime renders a lesser volume of activity. Warm weather and small volume of sales and transfers. Work is now being prepped for updating our roll data, both information and photographs. Valuations are now being gathered. The market tightens as information requests are decreasing. Realtors and owners, call to update requests for any "new" sales, that helps maintain their opinions of value. Office filing and equipment being addressed. Both are in good shape, just looking at making it flow even better. Looking for some unique courses in Continuing Education for 2023.... Tiny houses, Airbnb valuations, Alternative materials used in construction, and the odd new ventures out there, and even the greener houses and the like."

13.HIGHWAY REPORT: Highway Superintendent Gary Thorington was not present. The highway dept has pressure washed the highway garage building this week and it looks good as if brand new. No issues, everything is running smoothly. Usually, the highway dept. starts brush hogging the end of September, but with it so dry this year, they could start now.

14.POLICE REPORT: Police Chief Tor Tryland was not present. The following report was submitted for the Board's review: "**Vehicles:** 7F385. 2018 Ford. Needed a new throttle body. Part installed and car back in service. New car computers are due to be installed on 8.23.2022. Speed recorder is installed on 296, near Wylder Resort. Trying to obtain one full week of data. Greek Fest and Tour of the Catskills this weekend. I will notify my patrol to keep an eye on parking, on Main St., West of Center Church." The Board was provided with a copy of the

following activity report for the month of July: *Arrests-0; Traffic Tickets-1; Traffic Stops-30; Parking Tickets-0; Calls for Service-65; Property Checks-242; EMS Assist-6; Fire Assist-4; and EID, Alarms-5.* (Per the Chief, please do not place all the weight on these numbers as each month is subject to change.)”

15.COMMITTEE REPORT: **Councilman Van Valin** still waiting for the timbers to be milled for the Windham Path sign. Supervisor Hoyt suggested that our Highway MEO Ed Ohl is very talented at fine detail painting, he could touch up the sign for us. **Councilman Walker** next week is a CWT meeting. **Councilman Goettsche** has been taking updated photos of the ambulance project and posting to Facebook. The website has had issues and he has been working on them with KathodeRay Media. The water level at CD Lane Park is extremely low for swimming. Councilman Goettsche has been posting comments of this too on Facebook. **Councilman Peters** the Greene County EMS meeting for August has been cancelled. They have hired two full time paramedics. **Supervisor Hoyt** the concrete is poured underground at the ambulance project, it looks very good. Tuesday, August 23 is a special primary election. Voting will be at the WWTP. Park grounds are very dry, with minor complaints. August 16 the Supervisor is meeting with our Health Insurance Rep. to discuss pricing prior to our renewal date. Greene County Transfer Station will be having three days off for the Labor Day holiday, we are working with them to get one of those days here in Windham open for our garbage. Prices at the transfer station will be going up across the board.

GENERAL FUND WARRANT #15-G contained vouchers #648-675, totaling \$31,504.80 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY FUND WARRANT #15 contained vouchers #144-147, totaling \$97,664.24 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 #15 contained vouchers #214-221, totaling \$13,476.39 was audited and approved on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

STREETLIGHTING FUND WARRANT #8 contained vouchers #59-66, totaling \$1,317.70 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

CAPITAL AMBULANCE BUILDING WARRANT #1 contained vouchers #1-3, totaling \$270,168.37 was audited and approved for payment on a motion by Supervisor Hoyt, 2nd by Councilman Goettsche, with all in favor.

CD LANE PARK ENHANCEMENT WARRANT #25 contained voucher #66, totaling \$14.40 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 #16-P for **General** contained 14 claims, totaling \$14,520.49 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. **Ambulance** payroll contained 14 claims, totaling \$17,067.99 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. **Police** payroll contained 0 claims, totaling \$0.00 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

HIGHWAY PAYROLL WARRANT #16-P contained 3 claims, totaling \$5,421.60 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

TOWN BOARD MEETING (CON'T)

AUGUST 11, 2022

SEWER DISTRICT FUND PAYROLL WARRANT #16-P contained 3 claims, totaling \$406.95 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 8:03 p.m. on a motion by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK

OFFICIAL