

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

JUNE 8, 2023

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, Edouard Terzis & 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 opened with the Pledge of Allegiance.

THE MINUTES OF THE MAY 25, 2023, TOWN BOARD MEETING were approved as typed on a motion by Councilman Goettsche, 2nd by Councilman Walker, with 3 in favor, Councilmen Peters & Van Valin abstain as they were absent,.

1.DELAWARE ENGINEERING: John Brust was not present.

2.NEW APPLICATIONS FOR OUTSIDE SEWER DISTRICT seeking permission to connect property located at the corner of Hickory Hill Rd & Thunderbird Terrace, 2 lots. Tax Map #78.00-6-57 and #78.00-6-59 (tabled 5/10 & 5/25/2023) Tax Map #78.00-6-57 has been withdrawn. Tax Map #78.00-6-59 is the only parcel they will be keeping and will need permission to connect. A motion to approve for #78.00-6-59 to be connected was made by Councilman Peters, 2nd by Councilman Walker, with all in favor.

3.NEW APPLICATION FOR ADDITIONAL EDU's seeking permission to connect property within the Town Sewer District located Route 296, Tax Map #96.00-1-14, Evan Schieren, commercial property (tabled 5/25/2023) A motion to approve for the connected was made by Councilman Peters, 2nd by Councilman Goettsche, with 4 in favor, Supervisor Hoyt abstains as this is a family member.

4.NEW APPLICATION FOR TOWN SEWER SERVICE seeking permission to connect property within the Town Sewer District located South Street, Tax Map #95.06-1-5, Edouard Terzis; Proposing a 32 unit residential condo development. The project will consist of (22) studio and (10) 2-bedroom units. Edouard Terzis has already done a preliminary visit with the planning board at the June 1, 2023 meeting. The planning board suggested that Edouard should attend a town board meeting to get permission to hook into the sewer/water district. The Town Board will need more information all the way around. A sewer transportation corporation was discussed. Supervisor Hoyt will speak to Attorney Kevin Young regarding the Sewer Use Contract (as Kevin Young wrote the law). Sewer is available to the project; the Sewer Board will need more clarification. **A motion to table** was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

5.GREEK ORTHODOX CHURCH OF ASSUMPTION seeking permission to hang banner over State Route 23 for the Greek Festival to be held on August 13-15, 2023. The banner will need to be hung over State Route 23 from August 1-15, 2023. A motion to approve to submit Perm-33 Highway Work Permit Application for non-utility work to NYS DOT for their approval was made by Councilman Walker, 2nd by Councilman Peters, with all in favor.

6.HUDSON VALLEY RESTAURANT GROUP LLC is seeking permission for "On Premises Liquor License Applications With A Temporary Permits." The following six locations are currently licensed by Ski Windham Operating Corp.: On Premises-Tavern Liquor License, with three bars; Restaurant Liquor License d/b/a Mulligan's Pub; Hotel Restaurant Liquor License d/b/a Winwood Inn; Seasonal Liquor License; Restaurant Wine License d/b/a Mountain Top Adventure Park and Restaurant Wine License d/b/a Wheel House. A motion to approve was

made by Councilman Van Valin, 2nd by Councilman Walker, with 3 in favor, Councilmen Peters & Goettsche abstain as they are employed by Windham Mountain.

7.WYLDER WINDHAM seeking permission for outdoor fireworks display permit Sunday, July 2, 2023@ dark. A motion to approve was made by Councilman Peters, 2nd by Councilman Walker, with all in favor. Councilman Goettsche will put a public announcement on the town's website and Facebook page.

8.TOWN CLERK's Revenue Report for May: \$11,840.42. A motion to accept was made by Councilman Walker, 2nd by Councilman Peters, with all in favor.

Supervisor Hoyt would like to change the Application and License for Peddling, Hawking & Soliciting fee from currently \$5.00 to \$20.00. Fee has never been raised. The Town Clerk's office does the filling for this permit. A motion to change the fee was made by Supervisor Hoyt, 2nd by Councilman Peters, with all in favor. (See Town Board Resolution #61 of 2023)

9.TOWN BOARD RESOLUTION #51 OF 2023: authorize the Supervisor to reinvest the maturing CD principle \$300,000.00 plus interest earned of Ambulance Fund money in a new Certificate of Deposit for 60 days at the National Bank of Coxsackie, Cairo, New York. A motion to adopt this resolution was made by Councilman Walker, 2nd by Councilman Goettsche, with all in favor. TOWN BOARD RESOLUTION #52 OF 2023: authorize the Supervisor to reinvest the maturing CD principle \$1,000,000.00 plus interest earned of General Fund money in a new Certificate of Deposit for 90 days at the National Bank of Coxsackie, Cairo, New York. A motion to adopt this resolution was made by Councilman Walker, 2nd by Councilman Goettsche, with all in favor. TOWN BOARD RESOLUTION #53 OF 2023: the Highway Funding maturing CD \$5,000,000.00 principle plus earned at the National Bank of Coxsackie, Cairo, New York, is to be closed and the funds deposited back into the Highway Fund account. A motion to adopt this resolution was made by Councilman Goettsche, 2nd by Councilman Walker, with all in favor. TOWN BOARD RESOLUTION #54 OF 2023: authorize the Supervisor to reinvest the maturing CD principle \$100,000.00 plus interest earned of Library Fund money in a new Certificate of Deposit for 90 days at the National Bank of Coxsackie, Cairo, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor. TOWN BOARD RESOLUTION #55 OF 2023: authorize the Supervisor to reinvest the maturing CD principle \$25,000.00 plus interest earned of Street Lighting Fund money in a new Certificate of Deposit for 90 days at the National Bank of Coxsackie, Cairo, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Walker, with all in favor. TOWN BOARD RESOLUTION #56 OF 2023: authorize the Supervisor to reinvest the maturing CD principle \$100,000.00 plus interest earned of Water District Fund money in a new Certificate of Deposit for 90 days at the National Bank of Coxsackie, Cairo, New York. A motion to adopt this resolution was made by Councilman Walker, 2nd by Councilman Peters, with all in favor. TOWN BOARD RESOLUTION #57 OF 2023: authorize the Supervisor to reinvest the maturing CD principle \$15,000.00 plus interest earned of Youth Fund money in a new Certificate of Deposit for 90 days at the National Bank of Coxsackie, Cairo, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Walker, with all in favor. TOWN BOARD RESOLUTION #58 OF 2023: as the Town of Windham applied for and received ARPA Funding from Greene County in the amount of \$100,000.00. Said funds were thus used towards our approved expenditure plans for the construction of the Windham Ambulance project. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Walker, with all in favor. TOWN BOARD RESOLUTION #59 OF 2023: the following resolution was proposed to transfer funds to balance the Sewer District accounts. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor. TOWN BOARD RESOLUTION #60 OF 2023: "WHEREAS, the Department of Labor has promulgated a new Regulation regarding the payment of prevailing wage concerning the hauling of construction aggregate; WHEREAS, the Regulation was published and became effective on May 31, 2023; WHEREAS, the Regulation requires, among other things, the payment of prevailing wage for the hauling of aggregates within fifty (50) miles of a project site; WHEREAS, the Regulation will result in the costs of projects undertaken by the Town of Windham to increase substantially at the expense of the taxpayers; and WHEREAS, this substantial increase to the cost of public works projects undertaken by the Town of Windham will result in, including but not limited to, smaller or less

projects being completed by the Town with the funds allocated for that purpose and/or an increase in the rate of taxation of Town residents; WHEREAS, the Town Board of the Town of Windham hereby determines that the Regulation implemented by the Department of Labor is improper and would adversely impact the Town and its residents. NOW THEREFORE, IT IS HEREBY RESOLVED, that the Town Board of the Town of Windham authorizes the Town Attorney to institute legal action on behalf of the Town of Windham, the Town of Windham Town Board, and the Town of Windham Highway Superintendent against the Department of Labor and any other agencies, Department of Labor employees, or the State of New York, and to the extent necessary, to participate as a party to any administrative review, appeals, or other matters related to the promulgation of the Regulation (collectively, the "Legal Action"); A motion to adopt this resolution was made by Supervisor Hoyt, 2nd by Councilman Walker, with all in favor. GENERAL FUND RESOLUTION #9 OF 2023: the following resolution was proposed to transfer funds to balance the General Fund accounts. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

10.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. The following report was submitted for the Board's review: "***Calls for the Month of May 2023: Calls in Windham: Advanced Life Support (ALS)-10, (ALS-Helo)-1, Basic Life Support (BLS)-5, Refused Medical Assistance (RMA)-2, Call Cancelled (C/C)-4; Calls in Jewett: ALS-2, C/C-2; Calls in Hunter: ALS-1; Calls in Cairo: C/C-1; Calls in Ashland: ALS-1. County Coverage Request Amb S/B-1; Stand by for GCEMS: S/B-1; Calls in Cairo: C/C-1; Total calls: 34, Calls turned over to Mutual Aid: 0, Ashland-3. Vehicle Mileage Log for May 2023: 96-1: 83,007 and 96-2: 142,685.***" Supervisor Hoyt commented the ambulance building is moving along with the finishing touches. There is a rig with issues currently at Lacy's to be fixed. The Supervisor has spoken to Ambulance Administrator Davia Montie regarding the overtime status. The Ambulance Administrator should be picking up these hours.

11.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present. Gary would like permission from the Board to attend the annual education for the Fall Conference, September 2023 at the Turning Stone Resort, Verona, NY. A motion to approve was made by Councilman Peters, 2nd by Councilman Walker, with all in favor. The highway dept is doing well with the daily operations; they are half around on the shoulder mowing. Gary thinks he has a handle on the beaver issue on Begley Road. It is a culvert fix the Town of Ghent gave the suggestion as they too have the same problem. The loader has a diesel exhaust repair issue. The machine is still under warrantee.

12.POLICE REPORT: Supervisor Hoyt will speak to Sgt. David Sherman for the upcoming event on June 25, 2023 @ 3:00 pm. The Mountain Lodge No. 529, F. & A.M. (Masonic Temple) is hosting the "A Walk for Our Heros". GY/Sgt. Donald Rion (USMC-Ret) has volunteered by walking from Adonai Masonic Lodge in Highland, NY to the Windham Masonic Lodge; the walk covers a total distance of 67 miles.

13.COMMITTEE REPORT: **Councilman Walker** attended a SWAC Meeting. They had two LFA applications for the Town of Jewett and Town of Conesville. A written complaint was received by Chris Suda regarding the Greifeld subdivision, off County Route 21. The Code Enforcement Officer Dominick Caropreso was there to visit the site and issued a "Stop Work Order". **Councilman Van Valin** has a contractor to work on the Library roof. Councilman Van Valin would like to thank the Highway Dept for their help with the Windham Path sign. Also, would like to have a new public parking signage at the entrance of Vet Road. (There was a sign once upon a time, but now is missing.) Councilman Van Valin feels there may be no grant money this year for the Centre Property. The east side of the building will need to be pressure washed and then painted. The windows may need to be replaced as there is no energy savings in this building. There should be a new electric line outside as there seems to be a problem every year with the outside events. A fee quote was received from Alpine Flooring Inc \$5,404.90 for new flooring to be installed at the town hall entrance and down the two hallways. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Walker, with all in favor. Request has been made for the Library and Centre Property to have the carpet cleaned there too. **Councilman Goettsche** has nothing to report on at this time. **Councilman Peters** has a new fee structure for the building permit application. He would like permission to change the fee effective January 1, 2024. A motion to approve was made by Councilman Peters, 2nd by

Councilman Goettsche, with all in favor. **Supervisor Hoyt** the ambulance building will have the propane hooked up today, the hot water still needs to be installed, there's a minor punch list of items. The helo-pad will be installed by the fall. The lifeguards have started on weekends at CD Lane Park. The park was stocked with fish last fall and not this spring. Another clerical clerk will be hired to start in July at the town hall office. CD Lane Park is hosting another Sandcastle contest on July 4, 2023@ 11:00 am to 12:45 pm. All entries are to be emailed to windhamnysupervisor@gmail.com.

GENERAL FUND WARRANT #11-G contained vouchers #381-414, totaling \$21,898.53 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY FUND WARRANT #11 contained vouchers #109-118, totaling \$22,474.49 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 #11 contained vouchers #139-150, totaling \$43,889.00 was audited and approved on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

STREETLIGHTING FUND WARRANT #6 contained vouchers #42-54, totaling \$1,773.58 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

AMBULANCE FUND WARRANT #10 contained vouchers #101-109, totaling \$3,192.38 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

CAPITAL AMBULANCE BUILDING WARRANT #15 contained vouchers #39-42, totaling \$79,323.29 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 #27 contained vouchers #68-69, totaling \$530.45 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

GENERAL FUND PAYROLL WARRANT #11-P for **General** contained 13 claims, totaling \$12,313.65 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. **Ambulance** payroll contained 17 claims, totaling \$18,877.42 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 #11-P contained 3 claims, totaling \$5,529.60 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 #11-P contained 3 claims, totaling \$392.01 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 8:06 p.m. on a motion by Councilman Peters, 2nd by Councilman Walker, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK

OFFICIAL