

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

**NOVEMBER 8, 2023**

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

**Absent:** Councilman Ian Peters

**Also Present:** Ambulance Administrator Davia Montie, James Stone, Richard Selner, Susan Smith, Anita Buyers, Ellen Schorsch, James McCabe & Mike Ryan Mountain Eagle

**Absent:** Highway Superintendent Gary Thorington

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

1.PUBLIC HEARING to adopt the Preliminary Budget for 2024 @ 6:50 pm: Supervisor Hoyt read the following notice aloud: “Notice is hereby given that the Preliminary Budget for the Town of Windham for the fiscal year beginning January 1, 2024 has been completed and filed in the office of the Town Clerk where it is available for inspection by any interested persons at all scheduled office hours. Further notice is hereby given that the Town Board of the Town of Windham will review said preliminary budget and hold a public hearing thereon at the Town Hall at 6:50 p.m. on November 8, 2023. At said hearing any person may be heard for or against the preliminary budget as compiled or for or against any item or items therein contained. Pursuant to section 113 of Town Law, the proposed salaries of the following Town Officers are hereby specified: Supervisor: \$17,500; 4 Councilmen: (each) \$11,250; 2 Justices: (each) \$11,500; Town Clerk: \$44,000; Highway Superintendent \$62,000; Tax Collector: \$9,000. Notice is also hereby given the Regular Town Board meeting will be held November 8, 2023 immediately following the Public Hearing for the purpose of conducting any other business that shall come before the Town Board. By Order of the Town Board, Bonnie Poehmel Town Clerk Dated: October 26, 2023.” Supervisor Hoyt asked those present if anyone had any comments. Hearing no comments made, Supervisor asked for a motion to recess the public hearing at 6:52 pm, a motion was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent. Supervisor asked for a motion to re-open the public hearing at 6:53 pm, a motion was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent. Supervisor Hoyt asked those present if anyone had any comments. Hearing no comments made, Supervisor asked for a motion to close this public hearing at 6:54 pm, a motion was made by Councilman Walker, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent.

2.PUBLIC HEARING Zoom Meeting for Planning Board Members @ 6:55 pm: Supervisor Hoyt read the following notice aloud: “NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board for the Town of Windham at the Town Hall, 371 State Route 296, Hensonville, NY on November 8, 2023 at 6:55 pm, regarding the adoption of a Local Law for Hybrid Public Meetings. On April 9, 2022 Governor Hochul signed an amendment to the Open Meetings Law to allow (until July 1, 2024) the expanded use of videoconferencing by public bodies in the conduct of open meetings, under extraordinary circumstances, regardless of a declaration of emergency. In order to continue meeting virtually, a town must pass a local law to opt in. Pursuant to the amendment to the Open Meetings Law, beginning on November 8, 2023, the Town of Windham Planning Board may hold Hybrid Public Meetings, permitting members of the Planning Board, to appear virtually. At such time and place all persons interested in the subject matter thereof will be heard concerning the same. Copies of the proposed law shall be available at the time of the hearing and shall be available at times prior to and after the hearing at the Town Clerk’s Office during normal business hours for the purpose of inspection or procurement by interested persons. By Order of the Town Board, Bonnie Poehmel Town Clerk Dated: October 26, 2023.” Supervisor Hoyt asked those present if anyone had any comments. Hearing no comments made, Supervisor asked for a motion to recess the public hearing at 6:58 pm, a motion was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent. Supervisor asked for a motion

to re-open the public hearing at 6:59 pm, a motion was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent. Supervisor Hoyt asked those present if anyone had any comments. Hearing no comments made, Supervisor asked for a motion to close this public hearing at 6:59 pm, a motion was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

Supervisor Hoyt opened the **REGULAR TOWN BOARD MEETING** at 7:00 pm.

THE MINUTES OF THE OCTOBER 26, 2023, TOWN BOARD MEETING were approved as typed on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent.

1.WINDHAM MANOR SEEKING permission to request an exemption for the sound law for an event with music ending past midnight –tabled 10/26/23. Susan Smith of the Windham Manor was present. There is a big wedding that evening on December 9, 2023. Her concern is to the Town and neighbors; as the vendors that will be packing up/loading their trucks and leaving that night somewhere between midnight and 1:00 am. Supervisor Hoyt and the Town Board have the right to hold a public hearing for the safety of all neighbors near the Windham Manor, which at that time anyone may make comment. (See Local Law #4 of 2022, Section 3). A motion was made to hold a **public hearing on this matter on Tuesday, November 21 @ 6:45 pm** was made by Supervisory Hoyt, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent.

2.WINDHAM ROTARY FOUNDATION seeking permission for a Tag Day/Coin Drop on Saturday, October 12, 2024 @ 10:00 am to 2:00 pm, rain date October 13, 2024 at the intersection of State Route 23 and 296. They would also like to request 10-15 traffic cones/safety sticks from the Town Highway Department. A motion to approve was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent.

3.APPLICATION TO NAME PRIVATE ROADS: Stonewall Windham LLC project would like permission to name three roads within the project. **Stonewall Lane** (main road) a motion to approve was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent. **Glen Court** (loop off of Stonewall Lane) a motion to approve was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent. And **Tennis Lane** (near proposed tennis courts/club house) a motion to approve was made by Councilman Walker, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent.

4.TOWN CLERK'S REPORT for October: \$2,551.83 A motion to adopt was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent.

5.TOWN JUSTICE REPORT for September: Justice Stevens \$1,411.00 was noted by the Board.

6.TOWN BOARD RESOLUTION #104 OF 2023: “Whereas, Section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and documents to the auditing board of the town, and that such records then be examined, and that fact be entered into the minutes of the board’s proceedings. Now, Therefore Be It Resolved, at the Windham Town Board Organizational meeting on January 3, 2023, Justice Maureen McCarthy provided her court books for the year 2022, for the Town Board’s review and statement has been entered into the minutes. Now, Therefore Be It Resolved, at the Windham Town Board Organizational meeting on January 3, 2023, Justice Carol D. Stevens provided her court books for the year 2022, for the Town Board’s review and a statement has been entered into the minutes. A motion to adopt this resolution was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent. (This will be a yearly request by the court accountants to be on the agenda at the organizational meeting)

7.TOWN BOARD RESOLUTION #105 OF 2023: to authorize the Supervisor to close the maturing Certificate of Deposit regarding the sum of \$300,000.00 principal and interest earned of Sewer District #2-Crystal Pond Fund Money at the National Bank of Coxsackie, Cairo, New York. Due to the bank not offering a 1-month Certificate of Deposit at this time; thus, vacating

the previous resolution #101 of 2023. A motion to rescind this resolution was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent. TOWN BOARD RESOLUTION #106 OF 2023: to authorize the Supervisor to close the maturing Certificate of Deposit regarding the sum of \$350,000.00 principal and interest earned of Capital Sewer EDU Fund Money at the National Bank of Coxsackie, Cairo, New York. Due to the bank not offering a 1-month Certificate of Deposit at this time; thus, vacating the previous resolution #102 of 2023. A motion to rescind this resolution was made by Councilman Walker, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent. TOWN BOARD RESOLUTION #107 OF 2023: to authorize the Supervisor to use \$466.82 from Unappropriated Fund Balance to balance the accounts in the Streetlighting Fund as per Streetlighting Fund Resolution #108 of 2023. A motion to adopt this resolution was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent. TOWN BOARD RESOLUTION #108 OF 2023: (Streetlighting District Fund) the following resolution was proposed to transfer funds to balance the Streetlighting District fund accounts. A motion to adopt this resolution was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #109 OF 2023: (Sewer District Fund) the following resolution was proposed to transfer funds to balance the Sewer District fund accounts. A motion to adopt this resolution was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent. TOWN BOARD RESOLUTION #110 OF 2023: to authorize the Supervisor to transfer from the Town of Windham General Fund account the sum of \$10,000.00. Said funds will be deposited into the Town of Windham Capital Ambulance Building account for plumbing expenses. A motion to adopt this resolution was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent. AMBULANCE FUND RESOLUTION #10 OF 2023: the following resolution was proposed to transfer funds to balance the Ambulance Fund accounts. A motion to adopt this resolution was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent. GENERAL FUND RESOLUTION #19 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 Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent. HIGHWAY FUND RESOLUTION #5 OF 2023: the following resolution was proposed to transfer funds to balance the Highway Fund accounts. A motion to adopt this resolution was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent.

#### 8.GREENE COUNTY RESOLUTION #331-23: Establishing Equalization Rates

9.AMBULANCE REPORT: Ambulance Administrator Davia Montie was present. There was to be a State Inspection on Tuesday, which was cancelled. Ambulances 96-1 needed a new battery; 96-2 (new) still needs to have stickers and is waiting to go out and 96-3 (old 96-2) is still in the fleet. Reileigh Lahane is a ride along EMT student at U-Albany. One medic is finishing their ride time with REMO. Town of Hunter Supervisor Sean Mahony said there will be no second crew ambulance for the holidays in the Town of Hunter. Ambulance Administrator Davia Montie will check on last year's holiday week to see if we will need a second crew to be on. The Golden Agers have asked permission to make wreaths and would like to use an ambulance bay for the room and easy clean up. The following report has been submitted to the Board for their review: ***"Calls for the Month of October 2023: Calls in Windham: Advanced Life Support (ALS)-6, Basic Life Support (BLS)-6, Refused Medical Assistance (RMA)-3, Call Cancelled (C/C)-3; Public Assist (P/A)-2; Helicopter-2. Calls in Jewett: ALS-4, BLS-52, RMA-1, C/C-2; Calls in Hunter: ALS-1, C/C-3; Calls in Cairo: C/C-1; Calls in Ashland-C/C-2. Greene County Coverage Request Amb: S/B-3. Total calls: 42, Calls turned over to Mutual Aid: Ashland-1. Vehicle Mileage Log for October 2023: 96-1: 92,536 and 96-2 (old): 144,342."***

10.HIGHWAY REPORT: Highway Superintendent Gary Thorington was not present. The highway department has checked on the tree lighting bulbs on the Centre Property's front lawn holiday trees and the lights are good to go. Highway Superintendent Gary Thorington and the highway crew are getting ready for our first inclement weather for tonight and into tomorrow morning as per the local weather stations.

11.POLICE REPORT: The Board has received a resume for a new hire Chief of Police: Richard Selner. A motion to approve Richard Selner as the new Chief of Police for the Town of Windham Police Department was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman

Goettsche, with 4 in favor, one absent. The Chief of Police salary is \$35,000.00 for the year. Salary will be pro-rated from the effective date of hire on November 9, 2023. A motion to approve was made by Supervisor Hoyt, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent. Supervisor Hoyt would like to thank Sergeant David Sherman for his excellent job in the police department with an absence on a Chief of Police.

12.COMMITTEE REPORT: **Councilman Walker** as a reminder all application for SWAC are due by March 15, 2024. **Councilmen Van Valin and Goettsche** have nothing to report on at this time. **Supervisor Hoyt** would like to adopt another Town Board Resolution. He would like the Board's authorization for the Supervisor to transfer \$10,000.00 from the General Fund to the Capital Ambulance Building account for the plumbing expenses. A motion to adopt was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent (See Town Board Resolution #110 of 2023). Supervisor Hoyt has received a letter from NYC Environmental Protection (DEP) for the Town of Windham Ambulance Stormwater; the project is completed and is approved by DEP.

Supervisor Hoyt would like a motion to **adopt the 2024 Preliminary Budget for the Town of Windham for the fiscal year beginning January 1, 2024.** A motion to adopt the 2024 Budget was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

Supervisor Hoyt would like a motion to adopt **the Local Law #5 of 2023 to override the tax Levy Limit Established in General Municipal Law §3-c.** A motion to adopt this local law #5 of 2023 was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent.

Supervisor Hoyt would like a motion to **adopt the Local Law #6 of 2023 authorizing the Town of Windham Planning Board to hold hybrid public meetings.** Pursuant to the amendment to the Open Meetings Law, beginning on November 8, 2023, the Town of Windham Planning Board may hold Hybrid Public Meetings, permitting members of the Planning Board, to appear virtually. A motion to adopt was made by Councilman Walker, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

GENERAL FUND WARRANT #21-G contained vouchers #681-723, totaling \$35,681.78 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

HIGHWAY FUND WARRANT #21 contained vouchers #191-211, totaling \$19,369.08 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

SEWER DISTRICT FUND WARRANT #21 contained vouchers #271-287, totaling \$73,666.24 was audited and approved on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent.

STREETLIGHTING FUND WARRANT #11 contained vouchers #83-96, totaling \$3,187.22 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

AMBULANCE FUND WARRANT #20 contained vouchers #196-209, totaling \$239,346.87 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent.

GENERAL FUND PAYROLL WARRANT #22-P for **General** contained 6 claims, totaling \$8,519.58 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent. **Ambulance** payroll contained 17 claims,

totaling \$17,940.13 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent. **Police** payroll contained 10 claims, totaling \$11,511.42 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent.

HIGHWAY PAYROLL WARRANT #22-P contained 6 claims, totaling \$11,059.20 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with 4 in favor, one absent.

SEWER DISTRICT FUND PAYROLL WARRANT #22-P contained 1 claim, totaling \$81.03 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

Town Clerk Bonnie Poehmel would like **permission from the Board to surplus unused/unopened printer ink cartridges as they were ordered wrong and now cannot be returned.** The Town Clerk would like permission to offer the surplus printer ink cartridges to the town employees for the same cost as at purchase. A motion to approve was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

The meeting adjourned at 7:36 p.m. on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

_____	_____	_____
SUPERVISOR	COUNCILMAN	COUNCILMAN
	Absent Ian Peters	
_____	_____	_____
COUNCILMAN	COUNCILMAN	TOWN CLERK

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