

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

FEBRUARY 22, 2024

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

Absent: Councilman Kurt Goettsche, Ambulance Administrator Davia Montie & Delaware Engineering John Brust

Also Present: Highway Superintendent Gary Thorington, Town Attorney Tal Rappleyea by telephone, Vicky & Joe Saccoccie, Jon Licurse, Nick Bove, Mickey Krueger, Drew Shuster & Mike Ryan Mountain Eagle

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

PUBLIC HEARING: Supervisor read the legal notice aloud: “Notice is hereby given that the Town Board of the Town of Windham shall conduct a public hearing on Thursday, February 22, 2024 at 6:50 p.m. at the Windham Town Hall, 371 State Rt. 296, Hensonville, NY. The purpose of said hearing shall be to consider CWC Flood Buyout NYC Program for Joseph & Victoria Saccoccie, 4702 & 4706 State Route 23, Windham, NY, Tax Map #96.00-3-6, 1.00 acre. All persons wishing to speak upon this matter shall be heard at this time. By order of the Town Board, Bonnie Poehmel Town Clerk Dated: February 8, 2024”

Vicky & Joe Saccoccie were present. Supervisor Hoyt asked for proof to be submitted by Mr. & Mrs. Saccoccie. They were able to provide pictures showing 4 feet of water in the house causing a safety issue due to the current stream behind the house is constantly moving towards State Route 23. Supervisor Hoyt would like to recommend that the land become the ownership of the town and not to DEP. There is also a NYS DOT bridge should the town need access. There will be restriction use of the property (if all goes forward like that of the Morales property at 81 County Route 65, Hensonville, NY). Supervisor Hoyt opened the floor for public comment hearing none the public hearing was closed at 6:55 pm. A motion to close was made by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent Councilman Goettsche. (see Town Board Resolution #26 of 2024)

THE MINUTES OF THE FEBRUARY 8, 2024, TOWN BOARD MEETING were approved as minutes were taken by Councilman Walker and submitted to the Town Clerk's office; minutes were then typed by Bonnie Poehmel Town Clerk. A motion approve was made by Councilman Peters, 2nd by Councilman Van Valin, with 4 in favor, one absent Councilman Goettsche.

1.DELAWARE ENGINEERING: John Brust was not present. On March 10, 2024 there will be a meeting with Delaware Engineering Brock Juusola, P.E.; Delaware Engineering John Brust; Cedarwood Engineering Services Chief Operator/Asst. Manager Josh Vital; a few members from DEC & DEP; and Town Supervisor Thomas Hoyt will all be visiting the WWTP. The town was approved for a study for septic acceptance at WWTP. They will be looking at how the process will run and any additional testing that may needs to be done for the town to take in additional sewage.

2.REQUEST TO USE CD LANE PARK-WAJ PTA: President Elisa Schieren would like use of CD Lane Park on May 25, 2024 for their 2nd Annual 5k Color Run. Setup will begin at 9:00 am and the race will start at 11:00 am. Rain date would be on May 26, 2024. A motion to approve was made by Councilman Peters, 2nd by Councilman Walker, with 4 in favor, one absent. Certificate of Insurance will need to be provided prior to the race date.

3.CWC BALLOT for the Board of Directors Election: Greene County Town Supervisor Nominees: Thomas Hoyt, Supervisor, Town of Windham. A motion to approve was made by Councilman Walker, 2nd by Councilman Peters, with 4 in favor, one absent.

4.PARKING LOT AGREEMENT with Milty Partners LLC: Renewal of **said premises for the purpose of municipal parking and maintain a sign for the Windham Path** for a period of one year January 1, 2024 through December 31, 2024, tax map #96.00-1-1.211, State Route 296. A motion to approve was made by Councilman Walker, 2nd by Councilman Van Valin, with 4 in favor, one absent. Renewal of **said premises for the purpose of a walking trail and maintain a sign for the Windham Path** for a period of one year January 1, 2024 through December 31, 2024, tax map #96.00-1-1.211, State Route 296. A motion to approve was made by Councilman Walker, 2nd by Councilman Peters, with 4 in favor, one absent.

5.TOWN BOARD RESOLUTION #26 OF 2024: WHEREAS, the Town of Windham enrolled in the Flood Buy Out Program as specified in the Memorandum of Agreement (the "MOA") between the City of New York (the "City") and Greene County dated October 15, 2013, WHEREAS, which the Town is interested in acquiring title to, namely the property owned by Joseph & Victoria Saccoccie, 4702 & 4706 State Route 23, Windham, NY (SBL 96.00-3-6). NOW, THEREFORE BE IT as stated in the MOA under Section 2e, the Town must enter into an agreement to be responsible for the long-term management of the property as a condition to the City entering into a contract to take title to such property. The Town does hereby agree to assume management responsibilities and proceed with the acquisition. A motion to adopt this resolution was made by Councilman Walker, 2nd by Councilman Peters, with 4 in favor, one absent.

6.REQUEST TO HAVE A BUFFALO PLAID PARADE @ Windham Path on March 24, 2024 at 2:00 pm. Milly Morabito would like “everyone who wants to march should just wear Buffalo Plaid and a winner will be announced.” A motion to approve was made by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent.

7.TOWN COURT JUSTICE REPORT for January 2024: Justice Stevens \$2,406.00 was noted by the Board.

8.TOWN BOARD RESOLUTION #27 OF 2024: to accept the Sewer District Billing for 2024 in the amount of \$264,480.85. A motion to adopt this resolution was made by Councilman Walker, 2nd by Councilman Peters, with 4 in favor, one absent TOWN BOARD RESOLUTION #28 OF 2024: 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 Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #29 OF 2024: to authorize the Supervisor to invest the sum of \$800,000.00 of General Fund Money in a Certificate of Deposit for 90 days at the Key Bank, Windham, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #30 OF 2024: to authorize the Supervisor to invest the sum of \$200,000.00 of General Fund Money in a 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 Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #31 OF 2024: to authorize the Supervisor to invest the sum of \$20,000.00 of Street Lighting Fund Money in a Certificate of Deposit for 90 days at the Bank of Greene County, Catskill, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #32 OF 2024: to authorize the Supervisor to invest the sum of \$250,000.00 of Highway Fund Money in a Certificate of Deposit for 90 days at the Key Bank, Windham, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #33 OF 2024: to authorize the Supervisor to invest the sum of \$200,000.00 of Highway Fund Money in a 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 Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #34 OF 2024: to authorize the Supervisor to invest the sum of \$75,000.00 of Library Fund Money in a Certificate of Deposit for 90 days at the Bank of Greene County, Catskill, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #35 OF 2024: to authorize the Supervisor to invest the sum of \$150,000.00 of Water District Fund Money in a Certificate of Deposit for 90 days at the Key Bank, Windham, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #36 OF 2024: to authorize the Supervisor to invest the sum of \$60,000.00 of Water District Fund Money in a Certificate of Deposit for 90 days at the Bank of Greene County, Catskill, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Walker, with 4 in favor, one absent. TOWN BOARD RESOLUTION #37 OF 2024: to authorize the Supervisor to invest the sum of \$7,000.00 of Sidewalk Maintenance Fund Money in a Certificate of Deposit for 90 days at the Bank of Greene County, Catskill, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #38 OF 2024: to authorize the Supervisor to invest the sum of \$35,000.00 of Capital Sewer EDU Fund Money in a 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 Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #39 OF 2024: to authorize the Supervisor to invest the sum of \$15,000.00 of Youth Fund Money in a Certificate of Deposit for 90 days at the Bank of Greene County, Catskill, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #40 OF 2024: to authorize the Supervisor to invest the sum of \$20,000.00 of Capital Water Equipment Fund Money in a 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 4 in favor, one absent. TOWN BOARD RESOLUTION #41 OF 2024: to authorize the Supervisor to invest the sum of \$300,000.00 of Ambulance Fund Money

in a Certificate of Deposit for 90 days at the Key Bank, Windham, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTION #42 OF 2024: to authorize the Supervisor to invest the sum of \$6,000.00 of Maplecrest Cemetery Fund Money in a Certificate of Deposit for 90 days at the Key Bank, Windham, New York. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Van Valin, with 4 in favor, one absent. (Derrick Barlow has been asked to look at the stonewall that is falling down in the cemetery.) AMBULANCE FUND WARRANT #4 OF 2024: the following resolution was proposed to transfer funds to balance the ambulance fund accounts. A motion to adopt this resolution was made by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent.

9.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. However, Ambulance Administrator Davia Montie would like to make a recommendation to the Board for a new ambulance EMT hire Riley Lehane. A motion to approve was made by Councilman Peters, 2nd by Councilman Walker, with 4 in favor, one absent. Supervisor Hoyt commented the old ambulance is ready for surplus. We had kept it for the winter in case we needed to put it back in service temporarily. By mid-March the old ambulance will be ready to be put on the auction surplus bid.

10.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present. Section 284 of the Highway Law has been prepared for the Board's review and signatures. This year the highway dept will be working on town roads: Nauvoo Road and Old Road for 3.5 miles. Pricing is based on the NY State Budget. This form no longer needs to be signed by Greene County Dept of Highways or to be filed with the County. Supervisor Hoyt made a motion to approve the 284 Form for the Board's signature, 2nd by Councilman Walker, with 4 in favor, one absent. The old police vehicle is ready for surplus. The tires on this vehicle have been exchanged with tires on another car by Grand Gorge Tire and no charge to the Town. The highway building had a boiler inspection and needs a minor part. The GPS needs to be added to the new police car. March 5 & 6, 2024 is CHIPS Day in Albany, NY. A boom mower on the large tractor has been rented to cut brush on the side of the town roads. We will be doing this for a couple of months. Then hopefully, this process can be done every 2 years. Highway Superintendent Gary Thorington and Supervisor Hoyt have checked on specs on trucks to keep in rotation. The truck manufactures are 8-14 months out for delivery. They are only requiring a Letter of Intent. We have only one vendor to look at HL Gage; they are an International truck vendor. This will be a first in a long time for the fleet to be all International trucks and parts will be easier to match. The highway dept is near the end of the winter season with the de-icing system. The dept has saved about \$40,000 -\$65,000. This is an average year 2023-2024 for labor, fuel and maintenance. The dept has been able to use less with better material on the roads.

11.POLICE REPORT: no report was provided to the Board.

12.COMMITTEE REPORT: **Councilman Walker** has attended a CWT meeting on February 19, 2024. Tom Snow's previous agreement was not approved. Wet Lands are being redefined and no maps this is a statewide change. CWC is down for 300 septic replacements for this year. Last year CWC had 312 septic replacements. **Councilman Van Valin** the Public Library needs to replace all interior lights. Throught the Procurement Policy; Councilman Van Valin was looking for (3) three electrician quotes and has received only (2) two. The following quotes: CDE Electric for \$3,750.00 and Hammel Electric for \$2,000.00. New LED bypass lights will be installed with no more issues. Councilman Van Valin would like to award the contract to Hammel Electric for \$2,000.00. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent. **Councilman Peters** the network in the town hall has issues. Routers have been down and the postage machine is still not working. Councilman Peters will be in on Friday to finish fixing the issues. **Attorney Tal Rappleyea** is working with the Escrow Account Projects for the Planning Board. There are currently 6-7 projects currently going on. **Supervisor Hoyt** would like the Town Board to review the Noise Law #4 of 2022 again for any new discussions, with any new changes that might need to be made.

GENERAL FUND WARRANT #4-G contained vouchers #120-146, totaling \$10,479.80 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent.

HIGHWAY FUND WARRANT #4 contained vouchers #49-57, totaling \$12,650.02 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent.

SEWER DISTRICT FUND WARRANT #4 contained vouchers #46-54, totaling \$14,760.47 was audited and approved on a motion by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent.

AMBULANCE FUND WARRANT #4 contained vouchers #33-49, totaling \$7,226.34 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent.

GENERAL FUND PAYROLL WARRANT #4-P for **General** contained 7 claims, totaling \$8,095.72 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent. **Ambulance** payroll contained 20 claims, totaling \$19,190.37 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent. **Police** payroll contained 7 claims, totaling \$9,561.27 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent.

HIGHWAY PAYROLL WARRANT #4-P contained 6 claims, totaling \$14,238.02 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent.

SEWER DISTRICT FUND PAYROLL WARRANT #4-P contained 2 claims, totaling \$800.20 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Peters, with 4 in favor, one absent.

COMMENTS FROM THE PUBLIC: **Vicky & Joe Saccoccie** are very pleased with the public hearing outcome. **Mickey Krueger** commented on the noise law to have possible changes and a public hearing should the town make any new changes. **Drew Shuster** would like to know when the next public hearing will be for the Zoning Committee. Supervisor Hoyt stated every 4th Thursday of each month the Zoning Committee meets at 4:00 pm in the town hall meeting room #10. The meeting is open to the public. The Zoning Committee is currently working on additional comments that were made a public hearing in November 2023. No new public hearings have been announced at this time. Once it is announced it is on the town's website and will be on the WRIP radio station. **Nick Bove** would like to know what #4.PARKING LOT AGREEMENT with Milty Partners LLC is on the agenda? (see #4 above) Renewal of **said premises for the purpose of municipal parking and maintain a sign for the Windham Path AND said premises for the purpose of a walking trail and maintain a sign for the Windham Path** for a period of one year January 1, 2024 through December 31, 2024, tax map #96.00-1-1.211, State Route 296. Nick Bove would like to have the deed checked from the prior owner Adam Okonski; he would like to see the original easement language. Supervisor Hoyt will look into this.

The meeting adjourned at 7:39 pm on a motion by Councilman Peters, 2nd by Councilman Walker, with 4 in favor, one absent.

Absent Councilman
Kurt Goettsche

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK

OFFICIAL