

**TOWN OF WINDHAM
TOWN BOARD MEETING
371 State Route 296, Hensonville, NY**

APRIL 28, 2016

Present: Supervisor: Robert J. Pelham
Councilmen: Wayne Van Valin, Donald Murray & One Vacancy
Town Clerk: Bonnie Poehmel

Absent: Councilman Karl Gonzalez

Also Present: Highway Superintendent Thomas Hoyt, Town Attorney Larry Gardner, Delaware Engineering John Brust, Chief Tor Tryland, Ambulance Director Jeanie Scotti, Deputy Highway Superintendent Gary Thorington, Paul Hennessy, Dave Schlowsky, Amy Barnum, Margy Davis, Carol Staub, Glenda Montana, Gail NicholSEN, Attorney Wayne Graff & Mike Ryan Windham Journal.

The Supervisor called the meeting to order at 7:03 p.m. and Highway Superintendent Thomas Hoyt opened with the Pledge of Allegiance.

THE MINUTES OF THE APRIL 14, 2016 TOWN BOARD MEETING were approved as typed on a motion by Councilman Murray, 2nd by Councilman Van Valin, with 3 in favor, one absent, one vacancy.

PAUL HENNESSY AND DAVE SCHLOWSKY: spoke to the Town Board concerning their project status with the Planning Board. Dave and Paul have attended two meetings with the Planning Board and they still have not given their approval on the project. They believe that the Planning Board seems to think that the Architectural Review Board can extend their rules to apply to include Crown Fuel which is 2 miles east of Main Street out of the historical district. They also seem to think that the rules apply this far out of town as where they can ask for building colors, landscaping and shrubbery. Dave & Paul would like to bring a second complaint against the Planning Board members as they have been holding up the approval of Crown Fuels (formerly known as the Police Anchor Camp). Dave has changed his engineer for this project, but all the information has stayed the same, the site plan is still the same, nothing has changed. At last week's planning board meeting Dave & Paul met with the planning board members concerning the site plan for Crown Oil and they were told by Dave Weiman that he was not going to do anything till he saw a landscape plan. Which he has no right to ask for! Maureen Anshanslin, Chairperson said on record she was positive that there was one in existence a landscaping plan. Dave Schlowsky can assure it does not exist! Two meetings later, Dave has gotten nowhere! Supervisor Pelham asked if a public hearing was set and Dave responded yes. Dave expressed "the Planning Board again has shown gross negligence, acting outside of their ability and their rights to do anything, time and time again". On record again, the public tape recording of the last meeting April 21, 2016, the Chairperson flat out says she is going to hold

the public meeting open. Supervisor Pelham says that there is a seven person board. Dave again has expressed that Maureen is the focus of the complaint and has been bias towards them. Dave feels that they have been abused by the planning board. Dave has also noted that on the planning board meeting of April 7, 2016; some of the tape has been erased or eligibly erased by the planning board. He would like to see something changed. Supervisor Pelham noted he is looking into this issue. Paul also brought up the mandatory training education that each planning board member must attend each year 4 credit hours to stay on the board. And not all members have complied as of 11/24/15. **Town Board Resolution #38 of 2007, copy attached.**

1.DELAWARE ENGINEERING: John Brust was present. The storm water grant for South Street is progressing through the CWC. The intent of the study is along South Street, the residences on the westside of the mountain and then to prioritize the project leads. They hope to have the construction done by September. It is a 100% grant program for the initial work and a 100% grant program for the construction. We really need to take advantage of this grant. Councilman Murray spoke the other day to John about some painting needs at the WWTP. John has exchanged messages with John Moffett concerning the painting. Supervisor Pelham noted that they do have a painting budget. The front of the building definitely needs to be painted, not sure of the rest of the building as they still have to walk around it. Supervisor Pelham asked John to tell the board about his conversation with Steve Herzberg from NY Rising. Recently the Board received a copy of the NY Rising Proposed Drainage Contract from Milone & MacBroom, Inc. submitting their engineering cost of \$201,000.00. The price is actually for the engineers not the actual work being done. John had a nice conversation with Steve and at the end of the day there is a \$3 million dollar grant opportunity for the town and we need to protect that money as if it is our own. Tommy Hoyt spoke he did look into some numbers of the other three big projects that the town did with other engineers and the above noted cost is too high. John noted the real serious dollars will come with the actual cost of the construction.

2.DELAWARE OPERATIONS: no one was present.

3.SEWER/WATER FOR FAIRWAYS: for Town Board's review/approval & needs the Supervisor & the Highway Superintendent's signatures. Wayne Graff was present. Various emails have been past throughout today with Wayne, Larry Gardner and Kevin Young concerning Town Board Resolutions #22 and #23 of 2016. Kevin has changed some of the language before the meeting and Wayne had brought the most recent revised changes written by hand. Larry is okay with the changes. Wayne's office will have the revised changes typed and emailed to the Town Clerk. **Town Board Resolution #22 of 2016** is "that the Town Board hereby authorizes the extension of the service area (the "Service Area") of the Company known as Stonewall Glen Water Company Ins pursuant to Article 10 of the Transportation Corporations Law to include 10 subdivision lots which are with the Town Sewer District generally as shown on the attached preliminary subdivision map." A motion to accept the revised changes as typed was made by Councilman Murray, 2nd by Councilman Van Valin, with 3 in favor, one absent, one vacancy, **copy attached.** **Town Board Resolution #23 of 2016** is "that the Town Board hereby authorizes the extension of the service area (the "Service Area") of the Company known as Stonewall Glen Water Company Ins pursuant to Article 10 of the Transportation Corporations Law to include 10 subdivision lots which are with the Town Water District generally as shown on the attached preliminary subdivision map." A motion to accept the revised changes as typed was made by Councilman Murray, 2nd by Councilman Van Valin, with 3 in favor, one absent, one vacancy, **copy attached.**

4.REQUEST TO USE CENTRE PROPERTY: 4H Program **Camp #1** Summer Reading Program "The Wonderful World of Insects" **June 27-July 1, 2016 @ 1:30-2:30pm.** A motion to accept was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy. 4H Program **Camp #2** Summer Reading Program "International Cooking" **July 18-July 22, 2016 @ 10-11:15am.** A motion to accept was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy. 4H Program **Camp #3** Summer Reading Program "Farm Animal Adventures" (no actual animals) **August 15-August 18, 2016 @ 10-11:30am.** A motion to accept was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy. **Painting Workshop with Patti Ferrara, August 11, 2016 @ 6-8pm;** a motion to accept was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy.

5.RENEWAL LIQUOR LICENSE APPLICATION: Vesuvio Restaurant, Joseph Baglio, 49 County Route 65, Hensonville, wishes to renew his liquor license. A motion to accept was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy.

6.PERMISSION FOR FOURTH OF JULY FIREWORKS CELEBRATION: will be tabled till our next Board Meeting as we do not have enough votes for a quorum.

7.WAIVE SIDEWALK MAINTENANCE FEES FOR 2015-2016 WINTER SEASON: Supervisor Pelham stated for the record that the sidewalk maintenance fees for the 2015-2016 winter season will be waived this year. A motion to accept was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy.

8.HIGHWAY REPORT: Highway Superintendent Tommy Hoyt was present. We will need to bid out our blacktop paving for Old Road, 1.7 miles. The notice will be advertised in the Windham Journal for two weeks. All bids will be sealed and accepted by 3pm on May 12, 2016 at the Town Clerk's Office. That evening at the Town Board Meeting the bids will be opened. We have worked with the WWTP the last few days, we have flushed the manholes with the thousand gallon tank we had on for sweeping. The winter plows are cleaned up for summer storage. Soil & Water has lost one of their personnel with a driver's license for moving equipment, so we have been helping them out. With this we get the benefit of using their hydro-seeder mulcher. The lower end of South Street where Scott Tuttle uses the field across from the Chicken Run, Soil & Water is going to plant trees along the creek. The highway will do some brush hogging down there to help with the planting, as their tractor is down. Supervisor Pelham met with the Windham Rotary today at the Windham Path as where the flag pole will be going. A stick has been placed where the flag pole will go. The flag pole will be delivered to the highway garage. Tommy will get the hole dug. Some of the summer mowing has been started already; they have been to the WWTP and the Little League field. The gate at CD Lane Park has been opened as it is spring break for the area schools and people have been down using the park, the rest rooms are not open. The sewer pumps have been installed at the park and as soon as the water goes on, the switch can be turned on. Right now there is no fish at the Park, Tommy has talked to the DEC and the Park is on their schedule for the fall to be stocked and then after that the Park will be on their annual schedule to be stocked with fish. Old Road will be closed next Tuesday, May 2nd, road will be closed after the morning school bus goes through. There is one large culvert that needs to be taken care of before the paving is done.

9.POLICE REPORT: Chief Tor Tryland was present. Saturday, April 30, 2016 the Windham Police Dept. will be having National Take Back Day with the drugs at The Windham Pharmacy from 10am-2pm, they will take any kind of medication. Tor would like permission to take care of the following: Car 385 needs front brakes and summer tires put on and Car 386 needs summer tires put on as well. Supervisor Pelham gave permission to do so.

10.AMBULANCE REPORT: Ambulance Director Jeanie Scotti was present. An upcoming Greene County EMS dinner May 13, 2016, one of our paramedics Jim Brabazon has been nominated for paramedic of the year. Jeanie is going to try to attend. Jeanie would like to request as she is looking into another collection agency. The one we have is good, but it is also good to have another. The recovery rate that they are charging us now is at a lower rate; than we would pay out. We are currently paying 33% and this other agency QAR Collect is charging 25%. Jeanie has been working the last two months on our CON and Narcotic renewal licenses that are due June 1, 2016. Vehicle report both rigs have had their summer tires changed over. 96-1 has had the air conditioner recharged has this needs to be done yearly. 96-2 the backup alarm was not working properly and that is in the shop. Service for 96-2 has been completed and 96-1 is not ready yet. Jeanie has the dates from the Administrator at Hunter for the Hunter Festivals. Jeanie & Glenn sat with the contract to make sure all is still good with it. First week of June is the Mountain Jam Fest and the second week of June is the Taste of Country Fest. We are doing the same hours as we did last year. Jeanie will bring back the contract for the Board's review when it is ready. The portable suction is not working properly Jeanie has to do a little more trouble shooting on it. The **Greene County EMS Contract 2016** has been provided for the Town Board's review/approval & needs the Supervisor's signature. A motion to authorize the

supervisor to sign the contract was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy.

11.COMMITTEE REPORTS: **Councilman Murray** has the stuff for the TV. The TV will get hung on the wall sometime next week. He was able to retrieve all of the Bookkeeper's quick books and account balance sheets. **Councilman Van Valin** a legal notice will go in the Windham Journal for the interior painting of the Centre Property. Ed McAvoy says the outside painting of the Centre Property looks like he will start the second week of June. **Larry Gardner** is corresponding again with the Attorney at the Quads and he spoke to Dominick about that today. Larry is looking to wrap that up in the next couple of days.

12.TOWN BOARD RESOLUTION #24 OF 2016: The following record of activities resulted from the New York State and Local Employees' Retirement System for its employees as listed hereon. And will report these officials New York State and Local Employees' Retirement System based on these results for said members. A motion to accept the contract was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy, **copy attached.**

GENERAL FUND RESOLUTION #10 OF 2016: to transfer funds to balance the General Fund Acct. A motion to accept the contract was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy, **copy attached.**

GENERAL FUND RESOLUTION #11 OF 2016: to authorize the Supervisor to reinvest the sum of \$500,000.00 of General Fund Money in a Certificate of Deposit for 30+ days at the National Bank of Coxsackie, Cairo, NY. A check for the interest is to be returned to the Town of Windham General Fund. A motion to accept the contract was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy, **copy attached**

HIGHWAY FUND RESOLUTION #5 OF 2016: to authorize the Supervisor to reinvest the sum of \$200,000.00 of Highway Fund Money in a Certificate of Deposit for 30+ days at the National Bank of Coxsackie, Cairo, NY. A check for the interest is to be returned to the Town of Windham Highway Fund. A motion to accept the contract was made by Councilman Murray, 2nd by Councilman Van Valin, 3 in favor, one absent, one vacancy, **copy attached**

ACCOUNT BALANCES AND BUDGET COMPARISONS APRIL 28, 2016 files were made available for the Board to review.

GENERAL FUND WARRANT #8-G contained vouchers #313-346, totaling \$17,328.12 was audited and approved for payment on a motion by Councilman Murray, 2nd by Councilman Van Valin, with 3 in favor, one absent, one vacancy.

HIGHWAY FUND WARRANT #8 contained vouchers #67-74, totaling \$10,071.53 was audited and approved for payment on a motion by Councilman Murray, 2nd by Councilman Van Valin, with 3 in favor, one absent, one vacancy.

SEWER DISTRICT FUND WARRANT #8 contained vouchers #93-112, totaling \$15,154.43 was audited and approved on a motion by Councilman Van Valin, 2nd by Councilman Murray, with 3 in favor, one absent, one vacancy.

GENERAL FUND PAYROLL WARRANT #9-P for **General** contained 6 claims, totaling \$5,157.00 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Murray, with 3 in favor, one absent, one vacancy. **Ambulance** payroll contained 19 claims; totaling \$12,666.00 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Murray, with 3 in favor, one absent, one vacancy. **Police** payroll contained 3 claims; totaling \$3,156.74 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Murray, with 3 in favor, one absent, one vacancy.

HIGHWAY PAYROLL WARRANT #9-P contained 5 claims, totaling \$8,040.00 was audited and approved for payment on a motion by Councilman Murray, 2nd by Councilman Van Valin, with 3 in favor, one absent, one vacancy.

SEWER DISTRICT FUND PAYROLL WARRANT #9-P contained 1 claim, totaling \$60.75 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Murray, with 3 in favor, one absent, one vacancy.

COMMENTS FROM THE PUBLIC: Carol Staub is stilling looking for a response back from the DEP concerning the hunting of the property across from her home on County Route 21. Supervisor Pelham will make a call to see if they can move this along. Margy Davis asked Larry Gardner if he had heard anything about the memorial sign on South Street being named in T. Patrick Meehan’s name. Larry noted that nothing has been mentioned yet.

EXECUTIVE SESSION: Supervisor Pelham made a motion at 7:58 p.m. to recess from the Town Board Meeting to go into Executive Session to discuss a personnel issue, 2nd by Councilman Murray, with 3 in favor, one absent, one vacancy. Town Attorney Larry Gardner, Highway Superintendent Thomas Hoyt and Deputy Highway Superintendent Gary Thorington were allowed to stay. All others in the audience were asked to leave.

RECONVENE MEETING: Supervisor Pelham made a motion at 8:17 p.m. to adjourn from Executive Session to reconvene to the Town Board Meeting, 2nd by Councilman Murray, with 3 in favor, one absent, one vacancy.

The meeting adjourned at 8:18 p.m. on a motion by Supervisor Pelham, 2nd by Councilman Murray, with 3 in favor, one absent, one vacancy.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK
