

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

**MAY 12, 2016**

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

**Also Present:** Highway Superintendent Thomas Hoyt, Town Attorney Larry Gardner, Delaware Engineering John Brust, Chief Tor Tryland, Deputy Highway Superintendent Gary Thorington, Gail Nichol森, Maureen Anshanslin & Mike Ryan Windham Journal.

**Absent:** Ambulance Director Jeanie Scotti

The Supervisor called the meeting to order at 7:02 p.m. and opened with the Pledge of Allegiance.

THE MINUTES OF THE APRIL 28, 2016 TOWN BOARD MEETING were approved as typed on a motion by Councilman Murray, 2<sup>nd</sup> by Councilman Gonzalez, with 4 in favor, one vacancy.

1.DELAWARE ENGINEERING: John Brust was present. Things are moving forward we had a little excitement as we did the start-up down at the water plant. We had some ejectors blowout. The guys put a lot of work in. We had some water damage at the West Wind Well House, it is limited, everything is moving forward and everything is being fixed. Alan Tavenner is looking to put the filters on Monday. The gutter on Main Street State Route 296 has been put in. The paving in Elm Ridge has been done. There are monies left in the grant, we have a little bit of a challenge getting USDA to allow us to replace pipe that was not in the original scope of work. We have put together some alternates for spending that money, so that it doesn't have to go back. We could also do some paving work like on the road going to the well house. As we get closer and know how much more money we can spend, we will then get back to the Board with all the information and where we can spend that money. There is an email from EFC for the next phase of the water project and there are a number of things that need to occur. We work with EFC all the time. We do need to have a coordination phone call with both of the agencies, someone from the Board and Alan. Hopefully this will happen one day next week. The last board meeting we spoke about some of the maintenance issues at the WWTP. John did follow up with John Moffett and Josh Vital concerning the issues.

2.DELAWARE OPERATIONS: An email draft from John Moffett had been tabled at the last meeting. The Town Board and Larry Gardner have reviewed the proposed draft contract between the Town of Windham and Cedarwood Environmental Services for Services as a Contact Water Treatment Plant Operator. "Whereas, the Town of Windham is desirous to contract for operation of their Hensonville Water Filtration Treatment Plant, and to maintain, professional administration of the same facility for a period of one (1) year,"....."(5) The Town shall pay to the Operator, the above described services, a yearly sum of Twenty Five Thousand Dollars (\$25,000.00)." John stated to the Town Board that Alan Tavenner had reviewed the contract and was comfortable with it. A motion was made to have the Supervisor sign the contract by Councilman Murray, 2<sup>nd</sup> by Councilman Gonzalez, with 4 in favor, one vacancy.

3.PERMISSION FOR FOURTH OF JULY FIREWORKS CELEBRATION: Young Explosives Corporation has sent in their display permit application and proof of insurance for the Fourth of July Celebration (paid for by the Town of Windham) being held at Ski Windham's overflow parking lot off Route 12 (South Street). A motion to accept was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Gonzalez, with 3 in favor, Supervisor Pelham abstained, one vacancy.

4.WAJ 1<sup>ST</sup> GRADERS REQUEST USE OF CD LANE PARK: Mrs. Cathy Lashua and her 1<sup>st</sup> Grade class has expressed their interested in the use of CD Lane Park on June 9, 2016 from 9am to 2:15pm. There will be about 24 students and 20 adults. A motion to accept was made by Councilman Gonzalez, 2<sup>nd</sup> by Councilman Murray, with 4 in favor, one vacancy.

5.CWC STORMWATER RETROFIT FUNDING PROGRAM CONTRACT: needs permission for the Supervisor to apply/sign contract & approve Town Resolution #25 of 2016. "Whereas, the Municipality has applied for grant funding as described in the Municipality's stormwater retrofits application and said project has been reviewed by the CWC Wastewater Committee and Board and been determined to be an eligible project for funding; and"...The CWC Board approved funding to the Municipality and authorized a not to exceed amount of \$46,625.00". A **Town Board Resolution # 25 OF 2016** to authorize the Supervisor to apply for funding from the Catskill Watershed Corporation for the Stormwater Retrofit Program for stormwater projects in the Town of Windham. A motion to accept to have the Supervisor sign the contract was approved by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy, **copy attached.**

6.HIGHWAY REPORT: Highway Superintendent Tommy Hoyt was present. The flag pole post hole at the Windham Path has been poured and Monday the flag pole will be set. The Windham Rotary is responsible for hanging the flag. Arrangements have been made with the Village of Hunter to use their bucket truck to hang our Flags by Memorial Day on the light poles. Terry McDonald has all the flags washed and cleaned up and they will be ready. Old Road has been prepped and is ready to be paved. Salt for this upcoming winter has been ordered. DOT has a

really big concern with pollution from the salt at all their buildings. They are going to remove the ramp that is on our property due to spillage. They are going to install a curtain on the building to keep the rain out. They may even at some point install cameras at the salt sheds to monitor the employees that they are not spilling salt and theft. Tommy opened the following black top bids and then will review to make sure all required paperwork is correct and choose the best bid: Peckham Road Corporation \$54.10 a ton installed; Callanan Industries, Inc. \$55.63 a ton installed; Cobleskill Stone Products \$55.00 a ton installed. The Town's obligation is to supply water, traffic control and any necessary sweeping. Supervisor Pelham noted to the Board that Mr. Kerns of Kerns Nursery is donating several trees - some crab apples and locus trees around the area at the Windham Path. Tommy noted that he has talked to Larry and Supervisor Pelham about financing for the new highway pick-up truck. We will need to borrow \$13,500.00 for 5 years. Our budget payment will be \$2,700.00 per year. The Town will have to use about \$13,400.00 of the Unappropriated Funds. Councilman Gonzalez asked Larry about the interest rate. Larry said to be around 3%. Larry will take care of the financing for us. The Town Clerk will fax the specs of the truck to Larry for the loan. Larry would like to have **Town Board Resolution #28 of 2016** dated as of tonight for the borrowing on the pick-up truck. A motion to accept was made by Councilman Murray, 2<sup>nd</sup> by Councilman Gonzalez, with 4 in favor, one vacancy, **copy attached**. **Town Board Resolution #29 of 2016** also dated as of tonight to authorize the Supervisor to use the Unappropriated Highway Fund to pay the balance. A motion to accept was made by Councilman Murray, 2<sup>nd</sup> by Councilman Gonzalez, with 4 in favor, one vacancy, **copy attached**. Tommy also noted that the backhoe is to be delivered next Tuesday and they will take the old backhoe with them. Tommy at this time recommends that the Town go with the Peckham Road Corporation bid of \$54.10. A motion was made to accept by Councilman Murray, 2<sup>nd</sup> by Councilman Gonzalez, with 4 in favor, one vacancy.

7.POLICE REPORT: Chief Tor Tryland was present. About a week ago, the computer tech was in to update all the office computers. All vehicles have had summer tire changed. Vehicle 386 is going to need front brakes. Also he has checked with DOT on the flashing light for in front of the school. If we are lucky we will have the light installed by school start in the fall. All the work is subbed out.

8.AMBULANCE REPORT: Ambulance Director Jeanie Scotti was absent.

9.COMMITTEE REPORTS: **Councilman Van Valin** had one response bid for the Centre Property interior painting. The bid was from Ronald Gutierrez -Ron's Painting, Inc. Labor & material \$27,200.00; bid at prevailing rate. The total is based on the legal notice the way it was written having prevailing wages factored in. The bid will be tabled till there can be a walk thru and review the actually work to be completed. A motion to table the bid at this time was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Murray, with 4 in favor, one vacancy. Also the pavilion at the park and the bathroom section of the roof needs to be repaired. The roofs are all original. We might want to include gutters as well and we should have an engineer look at the roof structure for us. Councilman Van Valin will be together an RFP to replace the roof. **Councilman Gonzalez** and Supervisor Pelham were up to the park and the water has been turned on for the season. The alarm keeps coming on from the pumps. We will have Josh Vital look at the system and the alarm is in the holding tank area. Next week the highway guys will set the picnic tables up. We have received three letters for possible Park employment for the summer part time help as advertised in the Windham Journal. The letters of interest were from Josh Holdridge of Durham, Samantha Hoyt of Maplecrest and Kristopher Gonzalez of Maplecrest. Supervisor Pelham would like to make a motion to hire both Samantha & Kristopher, as Samantha has worked there before and she can help train Kristopher and we will have better coverage, 2<sup>nd</sup> by Councilman Murray, with 3 in favor, Councilman Gonzalez abstained, one vacancy. They will be paid at minimum wage, a motion to accept was made by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 3 in favor, Councilman Gonzalez abstained, one vacancy. Mountain Jam at Hunter Mtn. is coming June 2, 3, 4 & 5, 2016 and Taste of Country at Hunter Mtn. June 9, 10, 11 & 12, 2016. We are waiting to hear from Jeanie Scotti if there is a contract for the Windham Ambulance for those weekends. Tommy spoke the Dept. of Health is going to fax over a form for the Supervisor to fill out concerning the water systems, one for Windham and one for Hensonville. DOH will want to know who is going to be the new water response team. Supervisor Pelham is going to have Cedarwood, John Moffett fill it out.

10.TOWN CLERK'S REVENUE REPORT FOR APRIL: \$5,381.16. A motion to accept was made by Councilman Murray, 2<sup>nd</sup> by Councilman Gonzalez, with 4 in favor, one vacancy.

11.TOWN JUSTICE REPORT FOR APRIL: Judge Maureen McCarthy \$1.959.00

12.TOWN BOARD RESOLUTION # 26 OF 2016: Windham & Hensonville Water Improvements & Consolidation Project Budge Modifications. Whereas, the Town of Windham has approved Amendment #1 for additional easement work for Hite & Beaumont, PC for an additional \$16,000.00 and has approved a contract with Young, Sommer...LLC for legal services for work related to the capital project in the amount of \$27,000.00 and now wishes to be reimbursed from the capital project for these expenses. A motion to accept was made by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy, **copy attached.**

GENERAL FUND RESOLUTION #12 OF 2016: transfer funds to balance the general fund account. A motion to accept was made by Councilman Murray, 2<sup>nd</sup> by Councilman Gonzalez, with 4 in favor, one vacancy, **copy attached.**

TOWN BOARD RESOLUTION #27 OF 2016: to authorize the Supervisor to borrow from the Town of Windham General Fund Account the sum of \$129,561.40 to be deposited into the Town of Windham Capital Water Consolidation Project account. Until said funds are received from UDSA Rural Development regarding this project, then funds will be returned. A motion to accept was made by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy, **copy attached.**

ACCOUNT BALANCES AND BUDGET COMPARISONS MAY 12, 2016 files were made available for the Board to review.

GENERAL FUND WARRANT #9-G contained vouchers #347-387, totaling \$14,576.90 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Murray, with 4 in favor, one vacancy.

HIGHWAY FUND WARRANT #9 contained vouchers #75-84, totaling \$1,091.06 was audited and approved for payment on a motion by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy.

SEWER DISTRICT FUND WARRANT #9 contained vouchers #113-127, totaling \$39,463.92 was audited and approved on a motion by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy.

STREETLIGHTING FUND WARRANT #5 contained vouchers #35-42, totaling \$2,775.39 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Murray, with 4 in favor, one vacancy.

WATER PROJECT FUND WARRANT #5 (Consolidation & Improvement) contained vouchers #24-29, totaling \$311,514.38 was audited and approved for payment on a motion by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy.

GENERAL FUND PAYROLL WARRANT #10-P for **General** contained 5 claims, totaling \$5,049.38 was audited and approved for payment on a motion by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy. **Ambulance** payroll contained 19 claims, totaling \$12,965.60 was audited and approved for payment on a motion by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy. **Police** payroll contained 9 claims, totaling \$7,871.32 was audited and approved for payment on a motion by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy.

**TOWN BOARD MEETING (CON'T)**

**MAY 12, 2016**

HIGHWAY PAYROLL WARRANT #10-P contained 5 claims, totaling \$8,040.00 was audited and approved for payment on a motion by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy.

SEWER DISTRICT FUND PAYROLL WARRANT #10-P contained 1 claim, totaling \$50.63 was audited and approved for payment on a motion by Councilman Murray, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy.

COMMENTS FROM THE PUBLIC: no comment.

EXECUTIVE SESSION Supervisor Pelham made a motion at 7:45 p.m. to recess from the Town Board Meeting to go into Executive Session to discuss a police personnel issue, 2<sup>nd</sup> by Councilman Murray, with 4 in favor, one vacancy. Town Attorney Larry Gardner and Chief Tor Tryland were allowed to stay. All others in the audience were asked to leave.

RECONVENE MEETING Supervisor Pelham made a motion at 7:50 p.m. to adjourn from Executive Session to reconvene to the Town Board Meeting, 2<sup>nd</sup> by Councilman Gonzalez, with 4 in favor, one vacancy. Police Chief Tor Tryland will send out a canvass letter to the two interested parties. A motion to send the letters out was made by Councilman Gonzalez, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one vacancy.

The meeting adjourned at 7:51 p.m. with a motion by Supervisor Pelham, 2<sup>nd</sup> by Councilman Murray, with 4 in favor, one vacancy.

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TOWN CLERK

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