

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

FEBRUARY 7, 2020

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

The Supervisor called the meeting to order at 6:00 p.m. and opened with the Pledge of Allegiance.

No agenda was presented. The Supervisor and the Windham Town Board meet as an open meeting discussion. Below are some of the highlights that were discussed. Supervisor Hoyt has a few things on his list he would like to discuss with the Board and to hear their views as they move forward in the next year; keeping in mind everything we do has a reflection on our budget.

- Centre Property steeple
- Proposed ambulance building
- The shared road walkway on State Route 296
- Town Hall Improvements and how much we want to spend
- Highway Dept has new snowplow coming
- Future ambulance vehicle

Supervisor Hoyt and Councilman Goettsche are new to the Board and need to be brought up to date with the discussion.

Supervisor Hoyt received a message from John Brust Delaware Engineering concerning the Centre Property steeple, it has not moved in seven weeks. There is no evidence of movement from the original bench date to now with the second measurement. We will still need to do another reading. Councilman Walker asked “if MaryBeth Bianconi Delaware Engineer could look for funding?” Supervisor Hoyt stated “the way the grant operations work for a big grant, your best chance to get something, you have to pick just one project.”

The shared road walkway on State Route 296, Joe Baglio would like to see if possible; as a safe place to walk or to pass someone on a bicycle for the community or visitors from Hensonville to Windham. We would have a better chance working with NYS DOT as a road project than to take our grant opportunity.

If the Board is interested in the ambulance, we could use the grant for that. Or we could pursue the steeple.

Councilman Peters the steeple is very important as is the ambulance. The steeple may be the easiest for a non-fund grant and we could do as a fund-raiser. The Centre Property is registered as a historical building. We could do a successful fund-raising for the steeple. This would be the only project we could do a fund-raising for. Councilman Walker in the past we have had a very generous donation from a private person in the community. Councilman Peters as a fund-raising project anyone can put in any amount of money as they wish to donate with no ties.

Councilman Van Valin feels we don't have an emergency hospital but we have a helicopter pad and life support. It's the next best thing to having an ambulance service. Supervisor Hoyt, we all are in agreement that this should be our main focus. We the Board will need know what we are going to do with a cut-off date that we have to put this on the voting ballot. We should do a mandatory vote presented to the tax payers of the town and let them tell us if we should go ahead with their consent and spend their money. We do a mandatory referendum by vote that will allow us what we can spend comfortably and with the borrowing interest at that time. If we get grant money, we will not have to borrow as much. Looking at our current ambulance building, it is old, in violation, falling apart and not impressive. Councilman Van Valin some say on a job site "it is a health concern, entertainment, highway maintenance and the services rendered by the town...It is responsible to take care of the priorities." Councilman Peters agrees that Councilman Van Valin's point is excellent. If you think about the order of how important things are done i.e. main street, sewer, water, highway, and ambulance. This is what they expect local government to be working on. Supervisor Hoyt "if you don't have the water, you don't have anything, you can't maintain what you have." Councilman Van Valin if we don't do what we are doing then we are falling our taxpayers. Councilman Walker has a business with a public water supply and he has to do his own water testing; where the Town does it on behalf of all the businesses. Supervisor Hoyt stated we are all on the same page in pursuing a grant.

Supervisor Hoyt "we had 800 people vote last year. This year we are going to have another record like we had in 2016." Councilman Goettsche would like to see the numbers in statistics on our website showing the taxpayers why it is such a good idea, like the life-saving work and how important it is. Supervisor Hoyt has asked the Davia Montie Ambulance Administrator to provide the number of ambulance calls going out monthly for ALS and BLS. Supervisor Hoyt will have John Brust prepare us a report showing a listing of every taxpayer's property and what will be their contribution in taxes.

Councilman Van Valin we are audited every year by the State Comptrollers' Office in Albany, New York.

Councilman Peters would like to talk about the Unappropriated Fund Balance that we have. "We have been very fortunate...It just sits there with very minimal interested. We should be looking at this and how much we would need for an emergency situation such as a flood. That money was hugely useful... And interest rates have only gotten worse."

Councilman Peters, we are accumulating a large sum of money from our sewer district and the money has to be used in the sewer district. Our sewer building (WWTP) pays out a very high electric bill monthly. He would like to see solar panels help with that bill. Councilman Van Valin would like to ask John Brust for a case history. Supervisor Hoyt we are the first one in the watershed going forward with the new standards, for the SPDES into the Mohawk system. The City has to meet these requirements themselves. We have to make sure we are right and get covered, as we are setting a presidency for all our neighbors in Hunter, Prattsville and Ashland. Maybe the City can help pay for the solar. Councilman Peters, "we need to be smart with our capital." Councilman Peters would like to reach out to John Brust about ideas in the sewer district.

Councilman Goettsche asked about the new highway plow truck, what is the cost? Supervisor Hoyt not sure roughly between \$191,000-193,000. We plow with 4 trucks. You don't want to borrow the money more than 7 years. "The highway was set up with three capital payments: one

for a snowplow, one for a piece of equipment (heavy equipment-a loader, backhoe & a mowing tractor) and one for a pickup.” The equipment was always rotated and kept the budget flat.

Supervisor Hoyt, “the budget in 2019 we used \$315,000+/- to make the Unappropriated Fund Balance to make the budget and the budget in 2020 we are working on right now \$460,000 to make the budget...Last year the General Fund budget at the end of the 2019 year with all bills paid, we are going to put into our savings account \$47,688.73, that is not a lot to put into the savings account...We have to watch and address next year, in 2019 you asked the taxpayers for \$1,584,000.00 to make the budget and in 2020 you asked the taxpayers for \$1,465,000.00. We have to stay within the two percent cap...The highway dept cost us money last year. We still have to pave our roads and fix our trucks.”

Supervisor Hoyt “we are way over on our ambulance budget. Double shifts may not have been budgeted. It was not budgeted right for the paramedics pay raise. Money has already been moved over to make budget plus everyone got a \$1.00 an hour raise. If the ambulance has more calls this will bring in more revenue.”

The Supervisor wants to make sure the Board is speaking with each other on all topics.

Supervisor Hoyt, the Comprehensive Plan we have a \$35,000.00 grant to update it. John Brust helped us with the grant. Once the Comprehensive Plan is complete, then Councilmen Peters and Goettsche can work on the zoning.

Supervisor Hoyt, CD Lane Park is going to need a little money to spruce it up. The highway guys will have to go into the wooded area to clean up and set a few picnic tables up. There has not been a picnic table in the woods in two years. The edges of the beach (there will be no swimming there) have not been mowed. Supervisor Hoyt “has reached out to Greene County Soil & Water about going from the entrance of the beach area to 339 County Route 56, tax map 97.00-4-29.2 for a stream project. There will be no cost to the Town of Windham.” The Supervisor has spoken to a lot of people that have expressed their interest for CD Lane Park. Councilman Goettsche would like to put something about the park on the website to let the public know it is available for use.

Supervisor Hoyt there will be a new highway plow truck arriving. Using Councilman Peters idea of helping out the highway rather than borrowing all that money, so that we can get back into our debt schedule. The percentage rate on the loan is whatever the market is currently at and the banks will bid on it.

Supervisor Hoyt asked where are we with Mid-Hudson Cablevision? Councilman Peters we signed a 10-year franchise contract. 2019 they did work on County Route 10. 2020 they are to be completing the work on County Route 56. Councilman Peters worked with Mid-Hudson Cablevision on the renewal contract. They have committed to do the expansion within three years of the contract signing, they have till the end of this summer 2020. They are to do the infrastructure work this summer, ending with about 95% of the area will be covered with broadband.

Supervisor Hoyt, Air B & B & Short-Term Rentals. The Town of Jewett has a law on their books and they have given us a copy for our review. The State is going to help out with a lot of it due to they are in a \$6 billion dollar hole. They are losing revenue as they are not charging a tax. Once they charge the taxes, they will become more competitive. We should look into this and review Jewett’s law. Most Air B & B’s are being run as a business by people who do not live here.

KathodeRay Website is the host for our town website. Councilman Peters will pay them for any big changes or a redesign. We have on-going small costs like hosting and town emails. Councilmen Peters & Goettsche are in charge of changes and adding pages. There is a counter telling us how many people visit our site monthly.

Supervisor Hoyt, town hall improvements the plans show all the carpets, the hall way, the police dept, court room and meeting room; torn out and replaced. It has dropped ceilings to be changed and replaced. Supervisor Hoyt feels there is nothing wrong with the dropped ceilings in the

building. The meeting room drapes can come down as there are nice vertical blinds on the windows. The wall paneling if the Board wishes, we could move forward on the sheetrock and everything and making two rooms out of the current court room. When Supervisor Hoyt spoke with John Brust and his guy, there would be a wall here in front of the meeting table, allowing any electrical wires to be hid and it also keeps at the same level not to deal with any handicapped ramps and ADA stuff. Supervisor Hoyt has a problem with it as he feels we should meet our taxpayers on the level. With that plan the Judge would be over in the corner and would put in a door should her safety be in question she could get back to her office. The Judge didn't like the idea but thought maybe of a portable bench on wheels would be better for the court. Councilman Peters "this is money spent with no return on it." The carpet in the meeting room is in very good shape even though it is old. The carpet out in the front by the police dept door looks horrible. What should be done with that? Supervisor Hoyt asked the Board if they would like to proceed forward? The Supervisor would like the Board to tell what to do room by room; as this is how it will be sent out for bid. We will to be in the Wicks Law with a couple of different contracts like the electrical and general contract. Councilman Goettsche has noticed in the offices that most of the computers are wireless and he would like to see them hardwired. Within the next few weeks the Supervisor would like to know how the Board would like to proceed. Councilman Peters would be happy with cosmetic stuff. The Police Dept & the Court Room are both shy on space. The Town is looking at a low six-digit number to make any sufficient changes. Councilman Van Valin the meeting room is the public's interest, the main focal point. The court room will need a new drop ceiling or new ceiling tiles. In the next few weeks the Board will decide what rooms should be sheet rocked. The building front entrance carpet will need to be replaced.

Supervisor Hoyt and Councilman Peters went to the Planning Board meeting on February 6, 2020 to meet with the members. The Planning Board Recording Secretary Sandra Allen is looking for a \$100 per meeting, instead of the \$40.00 per meeting. She would also like a new laptop as she is using her own personal laptop; and she would like the Fire Commissioners to pay half and the Town to pay half the cost of a new laptop so that this could be used at both meetings that she is the Secretary for. Supervisor Hoyt spoke to the Sandra Allen with the plans he would like to see and she could stay on as a Planning Board member. If the Board approves the current Recording Secretary could be done at the end of February and Janine Soule, the clerk typist will be the new Recording Secretary for the Planning Board. She will have to be there two hours every week to organize their stuff. If the public have any questions, she can address them; the notes from the planning board meeting will be readily available for the public's questions. Councilman Peters there is a disconnect between the Planning Board and the office. The public comes in with questions and concerns and where it is going next; the Recording Secretary can help immediately. Councilman Peters, "Bonnie Poehmel the Town Clerk represents the Town Board and our business very well and the Planning Board is not very well represented." The Planning Board is not really communicating with the Town Board. The Recording Secretary will be required to take good, detailed notes and use town equipment to type the notes. Part of Janine's job is going to be the Recording Secretary to the Planning Board. The Planning Board has five active members with one vacant seat. The Chairman maybe leaving in May, leaving another vacant seat and chairperson position open. There will just be four members and four will need a quorum. As per the Planning Board Membership Law (Local Law #1 of 2019) was written reducing the board from a 7-member to 5-member, allowing 2 alternate members to be appointed as needed for a quorum. Supervisor Hoyt, two new planning board members will need to be found to fill two seats.

Councilman Peters would like to talk about the water rates. "We are in a strong place financially right now with the water district, raising more money than we thought...Councilman Peters is going to work on a change to lower the rate for metered users." For unmetered users he would like to change the percentage rate but not as large as 15% as stated. Councilman Van Valin "could we entertain for those who are in the water district that are not hooked-up, if they could prove a hardship, they would have to show their financials, is there a rate of reduction for just those individuals?" Councilman Peters "Is not opposed to it, but he doesn't know if it is legal." Councilman Van Valin would like to ask John Brust to check into it if there is case history or what law. Supervisor Hoyt asked "you have the pipe in front of your house, is there a connection fee?" Councilman Peters if you are in the water district there is no fee to connect. The Town is encouraging everyone to get a free water meter from the town hall. They will need to pay for the water meter to be hooked up by the plumber. We have put water pipes in places where we want

people to connect, we want to see development and investment. Supervisor Hoyt would like to see if John Brust can help with the hardship.

Councilman Goettsche is working on the draft for the False Alarm Calls Law. Supervisor Hoyt would like to know how we will be enforcing this? A draft copy was submitted to the Board for their review. A copy will have to go to Town Attorney Larry Gardner for his review. A public hearing will have to be announced. In the draft, Councilman Goettsche had put in a fee to be payable to the Town Clerk. He would like to look at donating some of the money back to the fire departments.

Supervisor Hoyt the building use insurance (Hold Harmless Agreement) for anyone looking to use town property. If you show up at the park unannounced versus you ask permission for a family reunion. The family reunion should have liability insurance; this is the way he reads it. Councilman Peters the certificate of insurance protects us from someone getting hurt on our property for their own negligence. A resolution was written (Town Board Resolution #43 of 2018) if you are getting some sort of financial support, you are charging a ticket fee at the door, we should be getting a fee to cover the expense paid by the town for upkeep on the property. Supervisor Hoyt "Believes that no one should be using town property for a profit...If anyone is using town property to line their pockets, you should not be using our property." Councilman Peters the resolution needs to be amended as we are finding out that events are using a donation bucket that are strongly suggesting a \$5.00 donation be put in, and they are not including the Town of Windham in for the fee that is owed to us.

Supervisor Hoyt "he has gotten this from his neighbors and from people on County Route 10, the Noise Law. He will put something together and give to the Board for their review if they want to move forward on. We will have to take into consideration that our biggest industry is snowmaking we can not eliminate that, it will allow someone to mow their lawn, or shoot a gun, or cutting logs. We need to set some sort of perimeter on time." We want to encourage these businesses, but we want perimeters on sensible time.

There are properties in town that have received written notices from the Code Enforcement Officer on properties that are being neglected.

Supervisor Hoyt "would like to know how the Board would like to proceed with the land across the street from the town hall. In the minutes there was a handshake that the town is going to mow the lawn. We do not have a written contract with Dick Jordan. Do we want a contract allowing us to legally maintain it? Or should we reach out to Dick Jordan and ask him to donate the land to the Town of Windham?" Councilman Peters had thought a contract was written. Councilman Peters would like to have the land. Jerilyn Miltenberger donates her land to the town for a park use. Councilman Van Valin we are using taxpayer's money to mow that land, we should own it?

The Supervisor has had various conversations with business owners around the Town of Windham. He has spoken with the Superintendent of WAJ School and Chip Seamans General Manager of Windham Mountain regarding the Winwood Inn. He has also reviewed other properties in the water district that did not get charged the debt service this time, that will be billed the next time. There will be no exempt properties. The Supervisor would like to set up a meeting with the Non-for-Profits so they are not competing against each other for event dates and donation money.

The Board has taken a lot of time to write the Sign Law. The Sign Law has to be enforced.

Councilman Goettsche the transfer station was brought up to his attention. The transfer station needs some cleaning up. It is the Counties building on our property. Supervisor Hoyt explained to the Board how the County runs the transfer station and how last year some work was done on site. When Councilman Goettsche was out campaigning, this is one of the topics that came up in discussion.

Supervisor Hoyt "our ambulance is at Wes' Mobile today with a bad fuel pump and we had to borrow an ambulance from the Town of Durham. When the ambulance is paid off in a year or so

we will need to start thinking of buying a new ambulance. Both ambulances can do ALS. The ambulances are to be rotating.

With the new Discovery Law, it will be to the town’s benefit a wise investment to have the GPS’s in each vehicle. Councilman Van Valin “can we do a maintenance check on each vehicle?” Councilman Goettsche the fire trucks had a check list each month to complete. He will be happy to share the list. Supervisor Hoyt “The ambulance vehicles should be done every day per shift.” Councilman Peters is aware that they have to do a medical check per shift. This could be easily added to the list.

The Supervisor and the Board had a very productive discussion.

The meeting adjourned at 8:12 pm on a motion by Councilman Peters, 2nd by Councilman Walker, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK

