

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

FEBRUARY 13, 2020

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

Also Present: Highway Superintendent Gary Thorington, Town Attorney Larry Gardner, Delaware Engineering Kevin Schwenzfeier, Police Sergeant David Sherman, Ambulance Administrator Davia Montie and Mike Ryan Mountain Eagle

The Supervisor called the meeting to order at 7:00 p.m. and Sergeant David Sherman opened with the Pledge of Allegiance.

THE MINUTES OF THE JANUARY 23, 2020 TOWN BOARD MEETING were approved as typed on a motion by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

1.DELAWARE ENGINEERING: Kevin Schwenzfeier was present. A Comprehensive Plan needs to be updated every 5 to 10 years. The last time the Town of Windham's was updated was 2002. "The Town of Windham has received a 2019 Catskill Park Community Smart Growth Grant to update the Town's Comprehensive Plan in the amount of \$35,000." Kevin handed out to the Board the next steps that need to be in place to update the Comprehensive Plan. Bonnie Poehmel Town Clerk will get two insurance documents that are needed: C-105.2 Certificate of NYS Workers' Comp Insurance with DEC listed as the certificate holder in February and DB-120.1 Certificate of NYS Disability Benefits Insurance with DEC listed as the certificate holder in February. Delaware Engineering will complete the following MWBE Utilization Plan and waiver in January; shall complete the Master Contract for Grants in February; shall submit a contract for Professional Services in February/March; set workshop date to meet with Delaware

Engineering planning staff; and Delaware Engineering would like the Town Board to set up a Comprehensive Plan Steering Committee. The committee will be Town Board controlled inviting members from the Town Board, Planning Board and Community. The committee will need to be about 10 people max. This is not a full comprehensive plan just an update. Last year, 2019 the resolutions were adopted for the funding and the SEQR process. Kevin will work on the draft contract and the draft resolution for the contractor and the steering committee, he will have this to the Board by the next meeting, as everything has to be approved and submitted sometime in March. Supervisor Hoyt would like to the Board to think about who should be on the steering committee before the next meeting. Kevin has a water update for the Board, "as long as the weather holds up, they will continue to work on it until it is done through the spring." Councilman Peters this is to be a four-month project, ten months ago. The June water billing is important as there is to be water in that line.

2.REQUEST PERMISSION TO USE CENTRE PROPERTY: OMNY Taiko Drum Concert request permission for Sunday, July 5, 2020 @ 9:00 am to 4:00 pm with the Concert @ 2pm. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Walker, with all in favor. **Mountain Top Cares Coalition** Jonathan Gross, President request permission for Thursday, March 19, 2020 @ 6:00 pm to 9:00 pm. The purpose of conducting a Volunteer Orientation for those wishing to assist to provide services to those in Opioid Recovery. A motion to approve was made by Councilman Peters, 2nd by Councilman Walker, with all in favor.

3.REQUEST USE OF WWTP FOR PARKING OVERFLOW: Greene County Women's League Cancer Patient Aid (GCWL) is requesting permission for parking at the Waste Water Treatment Plant for the Cancer Patient Aid Car Show that takes place at the Chicken Run Restaurant. The date this year will be Sunday, August 16, 2020 @ 10:00 am to 2:00 pm (rain or shine). Councilman Walker has just a reminder to keep all cars away from the helicopter-pad and not to block the entrance in case of an emergency. A motion to approve was made by Councilman Goettsche, 2nd by Councilman Peters, with all in favor.

4.REQUEST USE OF MUNICIPAL PARKING LOT behind Masonic Temple: Windham Rotary Club would like to have a paper shredding day on Saturday, May 9, 2020 @ 10:00 am to 12:00 noon. This is a community event. A motion to approve was made by Councilman Peters, 2nd by Councilman Walker, with all in favor.

5.REQUEST PERMISSION TO HOLD TAG DAY/COIN DROP: Windham Rotary Club would like to have a Tag Day/Coin Drop on Saturday, October 10, 2020 with a rain date on October 11, 2020. Tag Day/Coin Drop will be at the intersections of State Route 23/State Route 296, and State Route 23/South Street. The Rotary would also like to have permission to use the town's safety cones in those locations. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

6.AFFIDAVIT & APPLICATION FOR CERTIFICATE OF RESIDENCE: "this affidavit is made for the purposes of securing from the Chief Fiscal officer of the County of Greene a certificate of residence pursuant to the requirements of Article 126 of the Education Law." **Elisabeth J. LaPierre** plans on attending Hudson Valley Community College Spring of 2020. A motion to approve was made by Councilman Peters, 2nd by Councilman Walker, with all in favor. **Aaron Daily** plans on attending Hudson Valley Community College in the Spring of 2020. A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor. and

7.NEWTON FUND ACCOUNT REPORT FOR 2019: Bette Rhoades bookkeeper of the account presented to the Board for their review the balance of \$19,430.36 as of December 31, 2018 through December 31, 2019. The money is held in a Key Public Money Market Savings. No interest was given this year for the account. A motion to approve was made by Councilman Walker, 2nd by Councilman Peters, with all in favor.

8.COALITION OF WATERSHED TOWNS increases its membership dues for 2020: Last year's dues of a \$1,000.00 were paid. The CWT Executive Committee thought they would have to increase the dues this year by a 100%, however, the Executive Committee has determined that a

50% increase will be sufficient. The dues this year will be \$1,500.00. The last time dues were increased was in 2005. The Executive Committee “has carefully managed the resources made available by the member towns, while maintaining an effective advocacy voice for the watershed communities in dealings with New York City and the State on watershed issues...the Coalition continued discussions with the city, state and land conservation organizations on the development of the Streamside Acquisition Program...In addition, the Coalition serves as a means for resolving disputes facing constituents of member towns with DEP and DEC over watershed issues.” A motion to approve and pay the increased dues at \$1,500.00 was made by Councilman Walker, 2nd by Councilman Peters, with all in favor. Councilman Walker is an alternate member of the CWT.

9.GREENE COUNTY REAL PROPERTY TAX SERVICE is pleased to report a savings well over \$17,000.00 for the Greene County towns for the processing, printing and mailing of Assessment Rolls, Tax Rolls and Tax Bills for 2019. This was a great benefit for the town.

10.TOWN CLERK’S MONTHLY REPORT FOR JANUARY 2020: \$8,795.20. A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

11.TOWN BOARD RESOLUTION #5 OF 2020: the Windham Town Board is giving permission for the following elected official employees Supervisor, Councilmen & Highway Superintendent and; the appointed departments Police Chief, Police Sergeant, Officer on Duty and; Highway Working Forman. The Town of Windham will purchase cell phones for town use only. The cell phones will cost no more than \$650.00 per cell phone, the cost of the plan will be no more than \$60.00 per line per month, and must be on a Verizon Wireless plan. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Walker, with all in favor.

12.GREENE COUNTY RESOLUTION #17-20: Authorizing Municipalities to Participate in County Highway Purchases. GREENE COUNTY RESOLUTION #29-20: Authorizing Obtaining and Furnishing of Election Related Services and Materials. GREENE COUNTY RESOLUTION #31-20: Authorizing Obtaining and Furnishing of Assessment Roll Related Services and Materials.

13.AMBULANCE REPORT: Ambulance Administrator Davia Montie was present. Ambulance 96-1 is fine, 96-2 broke down with a fuel pump module. 96-2 has over a 100,000-miles it is a 2013 and the Board will need to start looking into replacing it in the future. This past Monday night a crew from the Windham Ambulance did a fire safety training with the Windham & Hensonville Fire Depts. Councilman Goettsche was there with the Windham Fire Dept. Two ambulance crews will be on for the upcoming Presidents Week. Davia has a new EMT hire application she has given to the bookkeeper as there be a vacancy. To date there has been around 65 ambulance calls. She is not sure of the breakdown on the ALS/BLS. She will have a detailed report for the Board at the next board meeting. There are still issues with the ambulance building roof as it leaks every time it rains.

14.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present. Supervisor Hoyt would like to go with the recommendations from the Highway Superintendent and the Police Chief for the Silent Passenger (GPS). The cost is \$282.00 a month and the three-year lock in contract, that will save us money. This will cover the highway, police and ambulance vehicles. A motion to approve the contract and allow the Supervisor to sign was made by Councilman Peters, 2nd by Councilman Van Valin, with all in favor. Gary stated the Red Cross Inspection of the highway and WWTP buildings went fine. Last week he was at a Leadership Meeting hosted by the State Association in Syracuse, NY. He received a lot of valuable information. They spoke about the recent fires at two highway buildings. Six fires in the last four months. The two Highway Superintendents were there to speak about their highway building fires. Good advice that was given not just for the highway building but for all our town buildings was given to video tape all your equipment, etc. in case of a fire loss and then store it in another location. The cause of the fires are the electrical components on vehicles. Gary is putting an electrical component on about 10 vehicles. The tool costs \$300.00 and the cost is about \$150.00 per vehicle. The Agreement for the Expenditure of Highway Moneys Section 284 form of the Highway Law is complete and if approved will need the Supervisor and Board members signatures. We have a lot

of town roads that need a seal coat on to maintain than rebuilding. We have been doing a major paving project for the past many years, but this year we should protect the roads we do have. One small improvement project is Blodgett Road off of County Route 10. In the past Blodgett Road had a lot of new construction home building, the paving was held off. Gary did speak with the contractor this past week and the building is done. General Repairs: "the sum of \$168,703.01 shall be set aside for primary work and general repairs upon 35.86 miles of town highways, including sluices, culverts and bridges." Road commencing at **County Route 10/Blodgett** and leading to SPTA D/E a distance of **.30 miles**, not to exceed over the sum of \$27,000.00; road commencing at **Slater/Hilltop Drive** and leading to SPTA D/E a distance of **.40 miles**, not to exceed over the sum of \$24,000.00; road commencing at **Thunderbird Terrace/Hickory Hill** and leading to **Thunderbird/Indian Heights** a distance of **.52 miles**, not to exceed over the sum of \$13,750.00; road commencing at **Thunderbird & Indian Heights** and leading to SPTA D/E a distance of **.38 miles**, not to exceed over the sum of \$10,800.00; road commencing at County Route 10/Mt. Pisgah Road and leading to SPTA Dead End a distance of **.53 miles**, not to exceed over the sum of \$14,510.25; road commencing at Hickory Hill/Thunderbird Terrace and leading to SPTA Dead End a distance of **.15 miles**, not to exceed over the sum of \$5,500.00; road commencing at **Hilltop Drive/Hilltop Ext** and leading to SPTA D/E a distance of **.41 miles**, not to exceed over the sum of \$24,000.00; road commencing at **Hilltop Drive/Andrea Way** and leading to SPTA D/E a distance of **.26 miles**, not to exceed over the sum of \$16,000.00. Motion to approve the above stated town highway roads to be repaired and the 284 form to be signed was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor. We will not know until April 1st what state funding we will be receiving. This is the CHIP money and money that the town has provided for contractual. Gary is thinking about having a contractor haul the materials rather than the highway dept themselves due to the locations of the quarries.

Supervisor Hoyt spoke to the Highway Superintendent about our sidewalk law for snow. "The law is 3 inches of snow or more; or unless we deem it a serious situation". We have about 1.5 inches of slop on the sidewalks right now and with the zero temperatures coming up the sidewalks would not be melted. The highway dept. has cleaned the sidewalks off today for the holiday weekend foot traffic. The Supervisor and the Board say thank you to the Highway Superintendent and the Highway Dept.

15.POLICE REPORT: Police Sergeant David Sherman was present. For the Board's review the "Use of Force Report (revised January 1, 2020)" has been mandated by the State and a copy has been provided for them. He is also working on writing a new arrest policy that is required by the State effective January 1, 2020. IT still unable to locate the Microsoft activation code on two workstations. They are currently operating with Windows 7 PRO. They need to update their computers to Windows 10 PRO. Councilman Peters will look for that number. There is a request to purchase uniforms for the two new recruits. Their FTO program will start middle to March. They will need uniforms and equipment as specified by the union contract. Approximately \$800-\$900 per person. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. The recruits will need 160 hours of FTO training from Windham Police Dept. for part of their graduation requirements. Car 7F386 parts are in and will be repaired soon and Car 7F384 needed a new motor for the driver side window, this will be repaired at Wes' Mobile Repair.

16.COMMITTEE REPORTS: **Supervisor Hoyt** would like to make **Councilman Goettsche** the **Liaison to the Windham Fire Commissioners**. A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Walker, with all in favor. Supervisor Hoyt has the **2019 Fixed Assets Report** for the Board's review. A motion to approve was made by Councilman Walker, 2nd by Councilman Van Valin, with all in favor. Supervisor Hoyt has received a **resignation letter from the Planning Board Recording Secretary Sandra Allen**. Her last day will be the meeting of February 20, 2020. She will finish out with that meeting and will write the minutes. A motion to approve was made by Councilman Peters, 2nd by Councilman Van Valin, with all in favor. Supervisor Hoyt would like to make a motion to **appoint Janine Soule to be the new Planning Board Recording Secretary**. A motion to approve was made by Supervisor Hoyt, 2nd Councilman Peters, with all in favor. This will be in Janine's job title description clerk typist/planning board recording secretary. Her hours will need to be flexible to always stay within the 40 hours to accommodate both positions, there will be no overtime paid to be the planning board recording secretary. Councilman Goettsche is going to work with the Fire

Commissioners concerning the room downstairs, if possible, to set the room up as the planning board's file room; a proper room to file their maps. Janine will have the responsibility that when the public calls in for the planning board meeting events, she will be able to answer their questions. Janine will report to the Town Board on a timely fashion should the Town Board be on the street and a residence has a question the Town Board is aware of what is going on with the planning board. The room downstairs will be shared by both the Fire Commissioners and Planning Board. Supervisor Hoyt if Janine has to serve as the alternate member for a voting quorum, she will be paid the \$25.00 to be the alternate member. This will be extra and not part of her job description. Councilman Peters asked Attorney Larry Gardner, "did we appoint a person or did we appoint an office to be the alternate? Did we say Sandra Allen is the alternate or did we say the Recording Secretary is the alternate? He wants to make sure when Janine sits in that seat, she has the authority from the Town Board to be the alternate." Larry doesn't remember. Supervisor Hoyt thought he read it to be Secretary. **Councilman Goettsche** did not get a chance to meet with the Police Chief regarding the phones. He has done some research on the needed cell phones. He has found two possible "rugged" cell phones one at Verizon and one on Amazon. The "rugged" phone on Amazon is \$400.00. He knows the Town doesn't have an Amazon account and that might be something to think about for making purchases. It doesn't have to be a "rugged" phone, the Chief had one of the requests is that it takes photos. As the cell phones will be town owned equipment. One of the phones on Amazon found it has a push to talk, walkie talkie built into it. He will reach out to the Chief again for what will work for them. Supervisor Hoyt suggested to check with state bid for pricing and the town also has a credit card if needed to purchase right away. Councilman Goettsche would like permission to set up an Amazon account for the Town. A motion to approve the Amazon account set up was made by Supervisor Hoyt, 2nd by Councilman Peters, with all in favor. He will work with Bonnie Poehmel Town Clerk in getting that set up. He also called Verizon to get the phones set up on the account with the hotspots. It is \$39.99 per line unlimited, not including fees or phones. Councilman Goettsche helped the Town Clerk out with hooking up her external hard drive. The all the office computers use a free version of an anti-virus that does not include ransom ware support. He would like to know if the Board would be interested in looking into paid version of the anti-virus for better protection for all computers. He thinks there are 10 town owned computers but will check with the Town Clerk on the exact number of computers. Councilman Goettsche read out a list of the highest rated anti-virus and the purchase price (the price is based on 10 computers). Bette Rhoades Account Clerk has an older computer that might be updated to Windows 10. She has a printer no longer in use that will need to go to surplus. The draft fire alarm law, Councilman Goettsche has a written up a draft registration form and also wrote up a draft document for whoever the agency is responding to determine if it is a false alarm for the Board's review. **Councilman Walker** will need to speak with the Court Clerk and Justices concerning miscommunications with the Main Office. When the Court Clerk is out sick, she has to let the Main Office know as well. **Councilman Van Valin** has nothing to report on at this time. **Councilman Peters** is the Liaison for the Planning Board. Supervisor Hoyt and Councilman Peters attended the planning board meeting on February 6, 2020. He spoke on the importance of the planning board attendance and the voting quorum issue. The planning board is aware of these issues. They need another member as they currently have a vacancy term open. Councilman Peters spoke to them about the comprehensive plan, land use and zoning. He is working on the equipment upgrade for the ambulance tablets. After our meeting last week discussing capital and budget planning, he has looked into the sewer capital balance, what we could do for energy projects; and John Brust has said in the past he has staff that have worked on solar energy projects, he will reach out to John. **Supervisor Hoyt** met with the insurance company regarding all the town policies on liability, etc.; and at this time, we do not have cyber security on our town computers. He has asked our insurance company for a quote to protect the town. This past week an email had been received from a neighboring town their supervisor's account had been hacked. Even though the Town of Windham is not networked together we are still generating emails to other agencies, using the internet, clouds, etc. This will be another rider on our insurance policy. Our AED children pads are out of date this month and the adult pads will be out of date in the fall. Highway Superintendent Gary Thorington will get with the Ambulance Administrator Davia Montie as the AED pads need to be updated for us to stay in compliance. **Attorney Larry Gardner** is working on a second letter to the attorney's response. He is working on right-of-way between the two parcels on Main Street. He has the surveyor working on that with a description and map. Supervisor Hoyt has asked Larry Gardner to update

all our municipal parking lot agreements, they will automatically renew every year with the option of any one party may opt-out giving the other party a 30, 60 or 90 notice.

COMMENTS FROM THE PUBLIC: no one was present.

GENERAL FUND WARRANT #3-G contained vouchers #77-127, totaling \$104,410.62 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY FUND WARRANT #3 contained vouchers #16-24, totaling \$9,574.16 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

SEWER DISTRICT FUND WARRANT #3 contained vouchers #21-42, totaling \$14,895.01 was audited and approved on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

STREETLIGHTING FUND WARRANT #2 contained vouchers #6-14, totaling \$2,943.14 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

GENERAL FUND PAYROLL WARRANT #3-P (printed 02/14/2020) for **General** contained 6 claims, totaling \$6,490.69 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. **Ambulance** payroll contained 19 claims, totaling \$15,368.63 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Police** payroll contained 4 claims, totaling \$5,329.88 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

HIGHWAY PAYROLL WARRANT #3-P (printed 02/14/2020) contained 6 claims, totaling \$12,861.04 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

SEWER DISTRICT FUND PAYROLL WARRANT #3-P (printed 02/14/2020) contained 1 claim, totaling \$65.25 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

GENERAL FUND PAYROLL WARRANT #4-P (printed 01/31/2020) for **General** contained 8 claims, totaling \$6,830.24 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. **Ambulance** payroll contained 19 claims, totaling \$15,876.92 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Police** payroll contained 5 claims, totaling \$4,635.62 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

HIGHWAY PAYROLL WARRANT #4-P (printed 01/31/2020) contained 7 claims, totaling \$12,473.08 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

SEWER DISTRICT FUND PAYROLL WARRANT #4-P (printed 01/31/2020) contained 1 claim, totaling \$76.13 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

TOWN BOARD MEETING (CON'T)

FEBRUARY 13, 2020

The meeting adjourned at 8:10 pm on a motion by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK

OFFICIAL