

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

APRIL 23, 2020

Present: Pres/Treas: Thomas F. Hoyt
Commissioners: Wayne Van Valin, Ian Peters, Stephen Walker & Kurt Goettsche
Secretary: Bonnie Poehmel

Also Present: Town Attorney Larry Gardner & Highway Superintendent Gary Thorington

Also Present and listening in without comment: Delaware Engineering John Brust, Michael McCarthy and Mike Ryan Mountain Eagle

Notice of the Zoom meeting with ID 942 6958 2165 and phone number +1 929 205 6099 US (New York) was listed on the town's website and Facebook page prior to the meeting for purposes of the General Public to attend.

Pres/Treas. Hoyt called the Water District Board Meeting to order via-<https://zoom.us> Meeting ID: 942 6958 2165 telephone conference call with the Water District Board Members, Town Attorney, Highway Superintendent and the Town Clerk at 7:50 pm.

Pres/Treas. Hoyt asked the Water District Board members, Town Attorney, Highway Superintendent and the Town Clerk to state their names for record that they were present.

Pres/Treas. Thomas Hoyt
Commissioners: Wayne Van Valin, Ian Peters, Stephen Walker & Kurt Goettsche
Town Attorney Larry Gardner
Highway Superintendent Gary Thorington
Town Clerk Bonnie Poehmel

The Pres/Treas. Hoyt gave a brief statement for the matter of the zoom telephone conference call meeting which allows the Windham Water District Board members by law to conduct this meeting:

The President called the meeting to order at 7:50 pm.

As per Andrew M. Cuomo, Governor of the State of New York, has issued an

EXECUTIVE ORDER
CONTINUING TEMPORARY SUSPENSION AND MODIFICATION OF
LAWS RELATING TO THE DISASTER EMERGENCY

“**WHEREAS**, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to be continue; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the laws of the State of New York, do hereby continue Executive Order 202, dated March 7, 2020, and I hereby continue any suspension or modification of law made by Executive Order 202 for thirty days until April 11, 2020, except that such Executive Order is amended to read as follows:

FURTHER, pursuant to the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 11, 2020 the following:

Suspension of law allowing the attendance of meetings telephonically or other similar service:

Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed;

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of Executive Order through April 11, 2020:

Any guidance issued by the New York State Department of Health related to prevention and infection control of COVID-19. Any place of business or public accommodation, and any gathering or event for which attendance is anticipated to be fewer than five hundred people, shall operate at no greater than fifty percent occupancy, and no greater than fifty percent of seating capacity, for thirty days effective on Friday, March 13, 2020.

Written and signed by the Governor of the State in the City of Albany the twelfth day of March in the year two thousand twenty.”

Extension of Prior Executive Orders

By virtue of Executive Orders 202.3, 202.4, 202.5, 202.6, 202.7, 202.8, 202.10, 202.11, and 202.13 which closed or otherwise restricted public or private businesses or places of public accommodation, and which required postponement or cancellation of all non-essential gatherings of individuals of any size for any reason (e.g. parties, celebrations, games, meetings or other social events), all such Executive Orders shall be continued, provided that the expiration dates of such Executive Orders shall be aligned, such that all in-person business restrictions and workplace restrictions will be in effect until 11:59 p.m. on April 29, 2020 unless extended by a

future executive order. All other prior executive orders not otherwise superseded, are extended until May 7, 2020. **This means that EO 202.1 which suspended the in-person requirement of Open Meetings Law remains in effect until May 7, 2020.**

THE MINUTES OF THE APRIL 23, 2020 WATER DISTRICT MEETING were approved as typed on a motion by Commissioner Walker, 2nd by Commissioner Peters, with all in favor.

1.DELAWARE ENGINEERING: John Brust was present on the phone for listening purposes only. In a letter John updated the Water District Board on the current water project. “**Water Project** During the past two weeks the following work activities were undertaken: Water main has been successfully installed under Reynolds Brook; Water main has been installed under Rt. 23 at the Old Road pump station; A large boring drill was set up at Thompson house, on the south side of the Batavia Kill, and the contractor attempted to drill across and under the stream. This first attempt hit rock and the crew backed off. As of today, we received a temporary easement from the owner of the Thompson house. The drill is being moved closer to the stream where a second attempt will be made. **Note: the property owner, Eric Goettsche, has been very helpful.** A smaller boring machine is advancing water service crossings along Rt. 23; The project contractor, Hubbell, is installing valves where bores connect and beginning to get water main connected where possible; and, Various materials such as hydrants, valves and fittings arrived at the beginning of this week.”

2.WATER SUPERINTENDENT REPORT: Water Superintendent Kyle Schwarz was not present. His report was given to the Board for their review. “The Water systems are running well. I have found a couple shut offs for plumbers in the past few weeks for people who want to hook up to the system. All the poles/guide wires were marked for NYSEG so they could relocate the ones on South Street as needed for the bike path project. I worked with Damian Porter from NYSEG as there were some that were very close. I spoke to Toby Hubbell about the water project. I am attaching their schedule of work for the upcoming months. Most of the boring is done I spoke to him today (4/20) around 2:30 they were having issues with the River crossing as we had expected. They are waiting to get a price on a different machine to get in and try it again. I have been checking in with them a few times a week to check on progress and to see if they needed anything. They were lacking a bit of 10" HDPE pipe I was able to get ahold of Bob Goff to get the pipe off of his property where the old restaurant had burned down. It was a bit of a process, but he finally allowed us to. That is now in the ground. That is about all I have if anyone has any questions feel free to give me a call anytime or email thank you very much.” Supervisor Hoyt has spoken to Kyle today and everything is going well. Kyle is going to mark out the service line for the new construction project on County Route 12 across the street from Ski Windham’s entrance. The Supervisor has also asked Kyle to reach out to the Developer for what his plans are on how he is going to get water to his housing-project. The Developer has already put in a request for permission to hook into the Windham Water District and the Water District Board has already approved it last year. To date the Developer has not given the Water District Board any engineering specs, pipe size, what materials the pipe is made of. And he has not obtained a permit from Greene County that is needed to cross their county-road.

3.WATER DISTRICT RESOLUTION #6 OF 2020: the Town of Windham has undertaken a program of large investments to improve and expand the municipal water system and those who use the resources of the water system should pay based on their usage and the benefits they receive; Now, Therefore Be It Resolved the Town of Windham hereby: **Temporarily reduces metered water rates by 3% for the upcoming biannual billing. The metered water rates shall revert to previous rates after this billing. Suspends all late payment fees for the upcoming July 2020 biannual billing.** A motion to approve was made by Commissioner Peters, 2nd by Commissioner Goettsche, with all in favor.

4.WATER DISTRICT RESOLUTION #7 OF 2020: the following resolution was proposed to transfer funds to balance the Water District Accts. A motion to approve was made by Commissioner Van Valin, 2nd by Commissioner Goettsche, with all in favor.

5. WATER DISTRICT RESOLUTION #8 OF 2020: an amount for Short Lived Assets within the Water District was determined and budgeted for within the 2020 budget of the Windham Water District; be it resolved to authorize the transfer of \$2,588.00 to the Capital Water Equipment Account to be used for the replacement of Short-Lived Assets within the Water District. A motion to approve was made by Commissioner Peters, 2nd by Commissioner Goettsche, with all in favor.

WATER DISTRICT WARRANT #4 contained vouchers #49-66, totaling \$13,536.02 was audited and approved for payment on a motion by Commissioner Van Valin, 2nd by Commissioner Goettsche, with all in favor.

EFC-PHASE 2 WATER PROJECT WARRANT #35 contained vouchers #87-88, totaling \$279,380.18 was audited and approved for payment on a motion by Commissioner Goettsche, 2nd by Commissioner Van Valin, with all in favor.

WATER DISTRICT PAYROLL WARRANT #8-P (printed 4/10/20) contained 1 claim, totaling \$65.25 was audited and approved for payment on a motion by Commissioner Van Valin, 2nd by Commissioner Goettsche, with all in favor.

WATER DISTRICT PAYROLL WARRANT #9-P (printed 4/24/20) contained 1 claim, totaling \$65.25 was audited and approved for payment on a motion by Commissioner Goettsche, 2nd by Commissioner Van Valin, with all in favor.

The meeting adjourned at 7:58 pm on a motion by Commissioner Walker, 2nd by Commissioner Peters, with all in favor.

PRES /TREAS

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

SECRETARY
