

**TOWN OF WINDHAM  
WATER DISTRICT MEETING  
371 State Route 296, Hensonville, NY  
Website: [www.townofwindhamny.com](http://www.townofwindhamny.com)**

**MAY 28, 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:** Mike Ryan Mountain Eagle

Notice of the Zoom meeting with ID 862 3829 0966 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: 862 3829 0966 telephone conference call with the Water District Board Members and the Town Clerk at 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 7:46 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 Governor just issued a new executive order (202.28) which appears to extend virtual meetings until June 6, 2020. The authority to hold virtual meetings was set forth in EO 202.1 and is therefore extended to June 6th.

**NOW, THEREFORE**, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law, do hereby continue the suspensions and modifications of law, and any directives, not superseded by a subsequent directive, made by Executive Order 202 and each successor Executive Order up to and including Executive **Order 202.14**, for thirty days until **June 6, 2020**.

THE MINUTES OF THE APRIL 23, 2020 WATER DISTRICT MEETING were approved as typed on a motion by Commissioner Van Valin, 2<sup>nd</sup> by Commissioner Walker, with all in favor.

1.DELAWARE ENGINEERING: John Brust was not present. 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 have been performed: Hubbell Construction has been working diligently on installing ductile iron water main by open cut excavation; To date, main distribution lines have been installed from Thompson house, where it is tied into the existing water system, to Scarey lane; Pressure testing is underway for those completed section of the main line. The installed main lines have been successfully tested from Thompson house to Hamilton motel; There is on-going testing from Hamilton Motel to the Hickory Hill Market; Upon successful pressure test today chlorination of the main lines will begin; The remaining portion of this week will be consumed by making connections along Rt. 23 by the cemetery and towards Mitchell Hollow Rd; and, Next week Hubbell is scheduled to install water main from Old Road to East Winds. We have received NYSDOH approval to install this section of water main within proximity of existing sewer main. We are awaiting concurrence from NYSDOT.”

2.WATER SUPERINTENDENT REPORT: Water Superintendent Kyle Schwarz was not present. His report was given to the Board for their review. “I am reading meters this week plan to be done with that by Friday the Windham book is done I'm about halfway done through

Hensonville. I've been checking with Hubble's a couple times a week for updates on the project they seem to be doing quite well. The restoration work looks good to me. They are having issues with DOT on getting the water main to East winds right now. They are holding them up as far as that part of the water main goes. Hopefully that will be resolved ASAP. We have got a few new residential hook UPS the past month hotel Vienna is now hooked up and active. If there are any questions at all during the phone meeting please do not hesitate to call me." The Supervisor has spoken to Kyle, he will have the meter readings done today. Kyle also had some complaints about water discoloration in the Hensonville system. Next week Josh Vital Cedarwood Engineering will flush the Hensonville system, hopefully this will help with the discoloration. It is in our contract with them to flush the system twice a year. We also have an issue with a individual on a project on County Route 12. We have requested from him how he intends to get the water line under the road to the project, as a 3-inch water service line is required. This site plan was approved last year. Kyle has been in touch with him.

3.WATER DISTRICT RESOLUTION #9 OF 2020: to decrease the Metered Billing for January-June in the amount of \$824.64 due to the following adjustments: Reason: Became metered in September but did not notify us. Account #W073. A motion to approve was made by Commissioner Peters, 2<sup>nd</sup> by Commissioner Goettsche, with all in favor.

4.WATER DISTRICT RESOLUTION #10 OF 2020: to increase the Metered Billing for January-June in the amount of \$249.93 due to the following adjustments: Reason: Had a final read done on May 4, 2020 as the building was being sold. Account #W188. A motion to approve was made by Commissioner Van Valin, 2<sup>nd</sup> by Commissioner Walker, with all in favor.

WATER DISTRICT WARRANT #5 contained vouchers #67-83, totaling \$7,515.23 was audited and approved for payment on a motion by Commissioner Van Valin, 2<sup>nd</sup> by Commissioner Goettsche, with all in favor.

EFC-PHASE 2 WATER PROJECT WARRANT #36 contained vouchers #89-91, totaling \$422,073.68 was audited and approved for payment on a motion by Commissioner Goettsche, 2<sup>nd</sup> by Commissioner Van Valin, with all in favor.

WATER DISTRICT PAYROLL WARRANT #10-P (printed 5/08/20) contained 1 claim, totaling \$65.25 was audited and approved for payment on a motion by Commissioner Van Valin, 2<sup>nd</sup> by Commissioner Goettsche, with all in favor.

WATER DISTRICT PAYROLL WARRANT #11-P (printed 5/22/20) contained 1 claim, totaling \$65.25 was audited and approved for payment on a motion by Commissioner Goettsche, 2<sup>nd</sup> by Commissioner Van Valin, with all in favor.

Commissioner Peters has submitted a draft letter copy to the Board for their review. The letter will be going out to all the new water users letting them know they will be paying a water debt once a year on their annual property taxes. They will also be paying a water billing that is read twice a year this will show how much water they have used. Commissioner Goettsche has noted some small changes. Commissioner Peters will revise the letter and send a new copy out to the Board for their final review. He would like to recommend this letter to go out in the next water reading bills. Supervisor Hoyt would like to make a motion that the final approved letter go on the Water District letterhead, 2<sup>nd</sup> by Commissioner Walker, with all in favor.

The meeting adjourned at 7:56 pm on a motion by Commissioner Peters, 2<sup>nd</sup> by Commissioner Goettsche, with all in favor.

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PRES /TREAS

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COMMISSIONER

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SECRETARY

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OFFICIAL