

OFFICIAL

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

**JUNE 25, 2020**

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

**Also Present on Zoom:** Town Attorney Larry Gardner, Highway Superintendent Gary Thorington, Water Superintendent Kyle Schwarz & Delaware Engineering John Brust **and listening in without comment:** Jakub Mleczo & Mike Ryan Mountain Eagle

Supervisor will open the meeting with the Windham Town Board Members & the Town Clerk at 371 State Route 296, Hensonville, known as the Windham Town Hall, Meeting Room 10. All others who would like to attend will be present - Via Zoom Telephone Conference Call. Supervisor Hoyt asked Councilman Peters to state the names of those attending on Zoom for the record.

Notice of the Zoom meeting with ID 858 6313 4954 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.

Supervisor Hoyt called the Town Board Meeting to order at the Windham Town Hall, Meeting Room 10 with the Windham Town Board Members & the Town Clerk. All present. Via-<https://zoom.us> Meeting ID: 858 6313 4954 telephone conference call with the Town Attorney, Highway Superintendent, Water Superintendent & Delaware Engineering John Brust at 7:00 pm and Councilman Walker opened with the Pledge of Allegiance.

The Supervisor gave a brief statement for the matter of the zoom telephone conference call meeting which allows the Windham Town Board by law to conduct this meeting:

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**.

**EO 202.33** allows public gatherings up to 10 people providing the town board follows social distancing and exposure mitigation protocols.

**No. 202.34:** Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency:

**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 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 this Executive Order through **June 27, 2020**.

THE MINUTES OF THE JUNE 11, 2020 TOWN BOARD MEETING were approved as typed on a motion by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor.

**1.DELAWARE ENGINEERING:** John Brust was not present. In a letter John has updated the Board with the current projects for their review: Water services to each served property will be installed by the end of this week. **Wastewater Treatment Plant** Preparation of an Engineering Report that will provide an overall assessment of the WWTP is in progress. **Town Hall Improvements** This project is temporarily on hold. **Centre Church** This project is temporarily on hold. **Ambulance Building** the Board has been provided with revised site plan, building layout, and profile for the proposed building. **Comprehensive Plan** Our staff is communicating with the Comp Plan Committee on a weekly basis. Michael Patrick Ryan, roving reporter-at-large, interviewed our project manager Helen Budrock, on his weekly highly acclaimed radio show. The interview focused on the development of the Comprehensive Plan, results to date, and encouraged the public to participate. Helen and the Comprehensive Plan committee have an

open-air meeting scheduled for Thursday, June 25<sup>th</sup> at C.D. Lane Park to further advance the Plan. A survey regarding resident aspirations for the Town is being assembled. To date, we have received approximately 110 responses from the public. **Madd Brook – CWC Project** Design plans are complete and construction bids are being solicited. We have had a good response to the solicitation and should receive a number of contractor bids. Bids will be opened on July 2<sup>nd</sup>. Please let me know if you have any questions or comments about the items detailed in this report.” Delaware Engineering Jesse Fraine sent an update to the Board for their review “on the **Mitchell Hollow Bank Stabilization Project**. We have had 13 contractors download plans so far and we are still scheduled to receive bids on July 2<sup>nd</sup>.” The Supervisor has spoken to John regarding a rough estimate number for the cost of a new proposed ambulance building. He will need the number by the end of July as the proposed ambulance building will have to go out to the tax payers in the November General Election for a vote. Supervisor Hoyt has also spoken to Lula Anderson President of the Golden Agers Club, there would be a room in the new proposed ambulance building where the Golden Agers could meet each month. Councilman Peters agrees in the room for the Golden Agers. Councilman Goettsche was concerned about the restrooms to the room for the Golden Agers. Supervisor Hoyt this is an area that still needs to be changed in the plans. The building needs to be secure to all who use. Councilman Van Valin asked if there was a washer and dryer for the ambulance staff. Supervisor Hoyt the plans still need to be revised. **John Brust** joined in the conversation by Zoom. The water project is going well hoping to be finished by July 2<sup>nd</sup>, Hubbell is finishing up they are doing a great job and everything looks good. July 2<sup>nd</sup> we will also be opening bids at the Town Hall for the Madd Brook-CWC Project. There was a Comp Plan meeting today and we have received over 110 survey responses with positive feedback and concerns for the Town of Windham.

2.SEEKING PERMISSION TO USE THE WWTP for a Red Cross Blood Drive on July 24, 2020. A letter was received from Pamela Downey Red Cross Account Manager looking for permission to use the Windham Waste Water Treatment Plant for a Red Cross Blood Drive. “I hope this note finds you and yours in good health. As I reflect on the positives within a difficult time in the world amidst the COVID-19 outbreak, one of them is a greater appreciation for good health, and our role in helping each other maintain it. **The Red Cross currently has an urgent need for blood donors of all blood types to give now.** This is the time to take care of one another, and blood donation is essential to helping replenish the blood supply for trauma patients, those battling diseases and others throughout this pandemic. Here in Windham we need your help this **July 24<sup>th</sup> in holding a Blood Drive at the Waste Water treatment plant from 12pm – 6pm.** We would need the space from 10am – 8pm to give time for setup and take down. This Blood Drive was scheduled to be held at the VFW but they do not have AC and we are under strict advisement that we only use sites that have AC. Rest assured, each Red Cross blood drive and donation center follows the highest standards of safety and infection control. To ensure the health of staff, volunteers and donors, precautions include physical distancing of six feet, enhanced disinfecting between every donor, temperature screening and masks for all in attendance at blood drives, and more! I have attached an update on our safety measures as well. I read an article recently in the Press Herald about a Freeport, Maine craft brewery that held drives during COVID-19, and I was struck by a quote from the CEO, Steve Mills. “We’re all looking for some good that we can do. There are so many things out of our control right now and the fact that we can give blood is in our control, and is a clear need, for us it was a very clear ‘yes’ to participate.” Thanks for all you do, we couldn’t fulfill our lifesaving mission without you! I look forward to hearing from you!” Supervisor Hoyt has meet with Pam Downey as she came to visit and inspect the site to make sure the space would work for them. Any blood donations will also have the ability to be tested for the anti-body COVID-19. Supervisor Hoyt would like to make a motion to approve use of the WWTP to the Red Cross blood drive, 2<sup>nd</sup> by Councilman Peters, with all in favor.

3.SEEKING PERMISSION TO USE THE WWTP Greene County Public Health would like to have an outside drive-up **Flu-Shot Clinic on September 24, 2020.** Greene County Public Health was very happy to see that the COVID-19 drive-up testing was such a success they have asked for a drive-up flu-clinic. Supervisor Hoyt would like to make a motion to approve as it serves our community well, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. Supervisor Hoyt will let Greene County Public Health know that the site has been approved.

4.REPAIR BASKETBALL COURT at CD Lane Park. Supervisor Hoyt upon research the basketball court was put in about October 1994 for \$2,250 to do the striping. With the Town's Procurement Policy as a capital improvement we are required to have three written quotes. Three quotes have been given: Copeland for \$13,900; KCK Paving for \$15,985 and Hickory Hill Builders for \$16,380. Copeland did the original work in 1994. Supervisor Hoyt the park has been used a lot during this pandemic and this would be an investment to the town. In 26-years the court has had no maintenance done with the exception of buying new netting hoops. Councilman Peters there is a need for the basketball court as the WAJ School is locked down for the COVID-19 pandemic. A motion to approve the award to **Copeland for \$13,900** was accepted by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with all in favor. The basketball court is currently in the colors of green, red and green. The Supervisor asked if the Board would like to change the colors as he recently drove by a tennis court in the color of blue and it really pops. This is not a vote at this time two members like the blue color and three members like the natural colors.

5.TOWN JUSTICE MONTHLY REPORT: April, 2020 Justice McCarthy \$143.00. Noted by the Board.

6.GENERAL FUND RESOLUTION #10 OF 2020: to authorize the Supervisor to establish a new income account within the General Fund for funds received in relation to Fire Alarm Permit Fees. A motion to approve was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Walker, with all in favor. This pertains to Local Law #1 of 2020, adopting regulations for emergency alarm systems with the Town of Windham. This is a great asset to the community. GENERAL FUND RESOLUTION #11 OF 2020: the following resolution was proposed to transfer funds to balance the General Fund Accounts. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

7.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. No report was submitted for this meeting. Councilman Peters has spoken to Davia. They continue to have building maintenance issues with Main Care, the overhead garage doors are not working properly. One issue that has come up is the lack of completeness in the daily paperwork by some of the employees. This is a must for the billing to accurate.

8.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present by Zoom and was unmuted for any comments on his report. Gary has sent his report to the Board for their review. "**Operations:** Mowing road shoulders, weed eating bridges and guardrail, sight distance on road signs town wide; Removed a dead standing tree/hazard on Old Road near Galway intersection (assisted by Greene County Hwy with long boom bucket truck); Shared Services to Town of Jewett to assist with flagging; Assisted Water Dept with a hydrant issue; Misc. building/grounds maintenance; **Work Hours:** as all of our buildings and services resume normal (and successful) operation I will be considering summer work hours for the highway Dept (4-10 hour days per week)." Gary would like to thank the Town Board for allowing the hosting today at CD Lane Park for Greene County Highway Superintendents and Vendors. The new highway snowplow is just about built and should be delivered in Hudson, NY within the next two weeks. Those that attended the meeting today commented on the grounds of the park are well kept and beautiful. Other people are commenting on the fishing. They would like to see more stocking of fish. Maybe the town could participate in some sort of stocking program. Councilman Walker commented on a great job done on Mount Pisgah Road.

9.POLICE REPORT: Police Chief Tor Tryland was not present. The Chief has sent his report to the Board for their review. "**Received letter of resignation** from police officer Cody Rogers. He has been offered a position with the Greene County Sheriff's Office. Regretfully requesting his resignation to be accepted effective July 6, 2020. Officer Rogers has been an asset for this office, and it with sadness I let him go. However, I wish him all the best in his future endeavors, and I am happy for him as he is reaching out for new challenges and opportunities. **Referring to the above-mentioned resignation;** Officer Rogers is requesting to continue to work for the Town of Windham in a part time capacity. I request that this request be granted. **July 4<sup>th</sup>. Preparations.** We are currently preparing for the parade and fireworks on July 4<sup>th</sup> 2020. In this process we have requested some staffing from the State Police as well as from the Greene County Sheriff's Office. We do expect this event to be well attended. **Vehicles;** 7F386 back from repair, all

appears to be in order. 7F384 needed a new switch for the brake lights. Completed by Wes', parts and labor around \$65.00. **Attended a webinar** about new laws and regulations concerning Use of Force, FOIL requests etc. based on new laws passed in NY. We are already working on this but this will take same time. Further information to follow as we work through this process." Supervisor Hoyt stated there is an issue with a fox on the east side of Main Street Windham today that has some residents concerned, as it has been there for a few days now. The Chief and his Officers were there with DEC. Supervisor Hoyt would like **a motion to accept the resignation letter from Officer Cody Rogers effective July 6, 2020. A motion to approve was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor.** The Supervisor would like a Thank you letter of service be sent out to Officer Cody Rogers. The Supervisor would also like a letter from the Chief recommending Officer Cody Rogers to stay on as part-time officer for the next meeting. At the next meeting the letter will be voted on for approval.

**10.ASSESSOR REPORT:** Town Assessor Richard Tollner was not present. Richard has sent his report to the Board for their review. "The assessor's office continues to update the Town of Windham photo database. We've added another 100 photos bring the current total to 2,300 photos taken and catalogued this year. Town Hall has been opened for two-weeks our traffic remains normal. There appears not to be any SCAR claims against the town, this year. The actual deadline is June 26th, 2020, but there have been zero inquiries. All requests at Board of Assessment Review B.A.R. were satisfied to both taxpayer and Assessor's needs. There were zero attendees at B.A.R. as all requests were handled prior to this year's B.A.R. meeting."

**11.CODE ENFORCEMENT REPORT:** Code Enforcement Officer Dominick Caropreso was not present. Dominick has sent his report to the Board for their review. The Supervisor has been speaking with Dominick on a weekly basis. Dominick has been working on some issues that have slipped by over the years.

**12.COMMITTEE REPORT:** **Councilman Walker** has nothing at this time to report on. **Councilman Van Valin** is working on a potential project for the Centre Property that involves the gates. It is in its early stages it will need some design; it is not a time pressing issue like in the past. He will bring it to the Board as he gets closer to presenting it. He has not had a chance to speak to Bob Kerns about the Centre Property Lawn. He knows the highway guys are keeping an eye on the watering of the lawn. It has been a worth while investment. It is flat, beautiful and a constant green coloring. **Councilman Peters** is working on correspondence with some residents in the expansion of the Mid-Hudson Cablevision in Maplecrest. He is going to reach back out to Mid-Hudson Cablevision to make sure everything is still moving forward. Supervisor Hoyt spoke to them and they are still scheduled to be there around Labor Day. This year is the dead-line for Mid-Hudson Cablevision and the residents are still hoping. A lot of coordination for the 4<sup>th</sup> of July, there are larger property owners in town. The Chief of Police has a meeting with Windham Mountain to discuss specifics about that. As we get closer to the event; we should do some sort of general communication from the Town of what our expectations are with our visitors. Main Street residents may not be accommodative this year like in the past and visitors have to respect that, stay off front lawn and just stay to the sidewalks. Respect your neighbors, wear a mask when social distancing cannot be and no littering. Please practice being safe. The Supervisor would like Councilman Goettsche to write something for the Facebook page. Councilman Peters will work with Councilman Goettsche on writing something. **Councilman Goettsche** has been speaking with the locals and visitors. Everyone is excited out the 4<sup>th</sup> of July Parade and Fireworks. But they also have concerns about gatherings, wearing masks and social distancing. They would like to know there is the safety and people are wearing masks. As needed, he continues to update information on the website and Facebook page, both sites are getting a lot of traffic. He is getting concerns from the local people about Airbandbs concerning noise and garbage. They would like to know what the Town is going to do about it? Supervisor Hoyt was looking forward to our State Legislatures as they have met this last session for guidelines as Airbandbs effects the entire state. The Town of Jewett has a registration law. The Town of Windham is going to have to look into this and how do we enforce it. This is a problem. With the pandemic more and more people are here staying at Airbandbs, residents are worried about the rental house next to them, every weekend is a different car(s) and they are very concerned. Councilman Goettsche has been doing a lot of reading on this and would be happy to start laying out possible guidelines for the Town of Windham. **Supervisor Hoyt** today was the

first Comp Plan meeting, all the committee members attended. We had about 110 survey responses. We spoke on natural-resources today. The largest discussion was about over regulations that we have to use; jumping through hoops to use our resources. There will be surveys available at different locations throughout town i.e. Town Hall, each Post Office, Liquor Store, Windham Diner (aka Michael's Diner), Nana Gail's Café and in a month they will all be collected. John O'Grady will be doing a couple of public service announcements, just to encourage the public to take the survey. Zoning is on the survey. Another big subject is outdoor recreation and housing affordability for the first-time homebuyer. The responses back all really want to seeing Zoning, 10-years ago they were not interested. Councilman Goettsche has been keeping up with Facebook as he has a lot of updated information that is going on in town. The Hunter Transfer Station has an update on Facebook. The blacktop has been completed at the Windham Transfer Station. 4<sup>th</sup> of July we are moving forward. He has spoken to John Quinn he will not be doing the reenactment at the Centre Property this summer as he believes that he can do maintain the social distancing inside the Centre Property during their performances and other activities outside. He is cancelling for this year. The Supervisor has met with Bill Shaw from the Windham Chamber of Commerce to discuss the stage set up for the band on the 4<sup>th</sup> of July. The stage can be set up within 10 feet of the front gate. The front gate will be blocked off for no social gatherings and the back of the lawn will be blocked as well. They are not pushing for a lot of vendors. The food vendors will be down towards the Mountaintop Insurance Agency building. The Windham Chamber of Commerce is thankful that the Windham Town Board is allowing them to participate with the Celebration of the 4<sup>th</sup> of July. The Supervisor has spoken to Scott Templeton from Greene County Highway today. They have received their bids for the County Route 12 (South Street) job, widening of the shoulders. They have a contractor and if all the paperwork is there, they will put out a resolution with the County Legislature for the July schedule. **Town Attorney Larry Gardner** has nothing new to report. As for the Town mortgage taxes are booming! He has not seen anything like this in years. People from the city want to come up here and they are buying here. He thinks more people will be working from their homes. He doesn't think it is because of the pandemic but he thinks this is the new trend. Councilman Peters, Larry is taking about the mortgage tax and he has been thinking a lot of the town's budget for next year. He is worried about the games that the State is already playing with funding of other entities. Our highway dept depends on state funding and our general fund is dependent on the State as well. This will be a topic for us to discuss in budget season. **Supervisor Hoyt** has been in correspondence with Chip Seamans of Windham Mountain. They have a success golf tournament every year for the youth at the Country Club. It has been rescheduled to August 17-20, 2020. Greene County Public Health is requesting a letter of support to approve this event. The Supervisor would like permission from the Board to write this letter for the tournament date of August 17-20, 2020 and to sign the letter. A motion to approve was made by Councilman Walker, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, Councilman Peters obtains as he is employed by Windham Mountain. This is a positive event. The Supervisor has one more thing for the Board. The Planning Board was back in-session last Thursday, June 18, 2020. It went very well. They meet for a couple of hours as they had a full agenda. Each applicant was given an appointment time slot to meet before the Planning Board explaining their application with keeping in with the social distancing. At this time Janine Soule Recording Secretary has typed two and half pages of minutes. Bonnie Poehmel Town Clerk does all the newspaper legal notices for the applicant's projects that are posted in the Town's local paper "The Mountain Eagle".

GENERAL FUND WARRANT #12-G contained vouchers #441-485, totaling \$36,434.88 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

HIGHWAY FUND WARRANT # contained zero vouchers as none were submitted when warrants were being processed.

SEWER DISTRICT FUND WARRANT #12 contained vouchers #145-157, totaling \$9,728.38 was audited and approved on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

GENERAL FUND PAYROLL WARRANT #13-P for **General** contained 11 claims, totaling \$9,885.04 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. **Ambulance** payroll contained 19 claims, totaling \$14,000.62 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor. **Police** payroll contained 3 claims, totaling \$4,050.94 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

HIGHWAY PAYROLL WARRANT #13-P contained 4 claims, totaling \$6,847.95 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

SEWER DISTRICT FUND PAYROLL WARRANT #13-P contained 3 claims, totaling \$335.75 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

The meeting adjourned at 7:53 p.m. on a motion by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor.

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SUPERVISOR	COUNCILMAN	COUNCILMAN
_____	_____	_____
COUNCILMAN	COUNCILMAN	TOWN CLERK

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