

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

**JULY 9, 2020**

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

**Also Present:** Town Attorney Larry Gardner, Delaware Engineering John Brust, Windham Mountain Chip Seamans & Nick Bove

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

THE MINUTES OF THE JUNE 25, 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.

Supervisor Hoyt announced to the Board that this meeting tonight is not a water district meeting and he would like the Board to think about this for a couple of weeks. The next formal Water District Meeting will be on July 23, 2020. The Supervisor asked Windham Mountain Chip Seamans to discuss with the Board on how the new water infrastructure is going to affect the water billing for the Winwood Inn, 5220 State Route 23, Windham. Chip understands the billing is done by tax id. He would like the Board to bill the Winwood Inn more as a hotel than as individual tax id units. The Inn has 20 rooms and 27 outside condos. We are the rental

management agency for all the units. The owners of the condos do not live there, they are all for rent only. They are all reserved by our website or phone. All the units are treated the same. The condos are treated the same as a room in the Inn. In total there are 47 rooms available for rent. There is a HOA and this is maintained by Windham Mountain. Right now, the Inn is on a private well. The Winwood Inn would like the Board to treat them as any other hotel in Windham, i.e. the Thompson House or Hotel Vienna. Councilman Walker asked if state and county sales taxes are paid based upon the nightly rental fee for the room. Chip answered, the Winwood Inn does pay sales taxes. Supervisor Hoyt we will be having our next water district meeting on July 23 where the Board will discuss this more after researching the possibility. Delaware Engineering John Brust has spoken to the President of the HOA and he has some questions and concerns, that John has answered. Chip also wanted the Board to know there is the restaurant in the Winwood Inn that should be considered as a separate business. He doesn't think it is fair to bill each individual condo unit owner.

1.DELAWARE ENGINEERING: John Brust was present. John has updated the Board "Our list of current project items includes the following: **Water Project** A summary of project activities includes the following: Completed pressure reducing valve (PRV) vault near Mitchell Hollow Road and the last of water services last week. All restoration has been completed. A second round of bacteria tests are in process for the PRV and the final Mitchell Hollow Rd. connection. The equipment and staging area has been moved to West Winds Drive in Hensonville. Layout and service locations for the County Rt. 65 main line replacement were marked out yesterday. We are awaiting County approval to start work on County Rt. 65 and expect approval any day." All the water work on State Route 23 has been completed. We are all very happy with the work that Hubbell did. Councilman Peters we have full redemption for them and good news from everyone effected. John commented that the water process first started in October, 2007. "**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. A project budget is being developed and will be provided to the Board by the end of July. This will go on the voting ballot to the voters in November. **Comprehensive Plan** Helen and the Comprehensive Plan committee held a successful open-air meeting on 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 135 responses from the public. A summary of the project status is attached as is a summary of the survey responses. **Madd Brook – CWC Project** Bids for the Madd Brook work were opened on July 2<sup>nd</sup>. Eight contractors responded. A list of the received pricing is attached. D.E. will be forwarding a recommendation letter to CWC in the next few days. Please let me know if you have any questions or comments about the items detailed in this report."

2.APPLICATION FOR OUTSIDE SEWER DISTRICT: Edward Shanley & Barbara Rittenhouse, 132 County Route 21, Tax Map #78.00-5-47 has paid their \$50.00 application fee and the \$5,000 EDU fee for an out of district residential hook-up. Delaware Engineering Jesse Fraine has already been to the property and has marked out their lateral. They have a falling system right now. A motion to approve was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with all in favor.

3.WAJ SPORTS PRACTICE requesting use of the Windham Path & Creamery Pond Field for their sports practices. "The Cross-Country team is requesting to use the Windham Path for practices starting Monday, August 24, 2020 through the end of October 2020. The Varsity and Modified Soccer teams are requesting use of the Creamery Pond Field for practices beginning Friday, September 11, 2020 and running through the end of October 2020." Mountain Top Soccer is usually a summer youth program, but due to the COVID-19 virus the summer season was cancelled. They would like to change the dates this year starting September 9-October 24, 2020. They would like to have practices on Wednesday & Thursday nights from 6:00 pm-8:00 pm and games on Saturdays starting at 9:00 am to 1:00 pm. The Board approved use of the field at the May 28, 2020 Town Board Meeting. A motion to approve the WAJ students using the Windham Path & Creamy Pond Field was made by Supervisor Hoyt, 2<sup>nd</sup> by Councilman Peters, with all in favor. Town Clerk Bonnie Poehmel will write a letter to the Joel Middleton WAJ

Athletic Director on sharing the Creamery Pond Field during the common dates with the Mountain Top Soccer students.

4.TOWN CLERK'S MONTHLY REPORT FOR JUNE 2020: \$5,618.90. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor.

5.JUSTICE REPORTS FOR MAY & JUNE 2020: May \$0.00 and June \$351.00 for Justice McCarthy was noted by the Board.

6.TOWN BOARD RESOLUTION #20 OF 2020: the following resolution was proposed to transfer funds to balance the Sewer account. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. GENERAL FUND RESOLUTION #12 OF 2020: the following resolution was proposed to transfer funds to balance the General Fund account. A motion to approve was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

7.ASSESSOR'S REPORT: Town Assessor Richard Tollner has submitted his report to the Board for their review. "The Final Roll is in for the year. July 1st. The office activity remains normal with all requests met in timely fashion. Information requests and deed information/history all met with same day feedback, ahead of most offices about the state. While some offices are stilled delayed, Windham is business as usual. The Assessor is ahead on all continuing education requirements for this year and next. It will be a good summer with the increased requests for housing info from out of area inquiries... The market for Windham remains upbeat."

8.AMBULANCE REPORT: Ambulance Administrator Davia Montie has submitted her report to the Board for their review. "**Vehicles: 96-1** – due for service – will be going to Wes' as soon as we can get it scheduled. **96-2** - rotors and front brakes were done 2 weeks ago at Wes'. **Monthly Calls:** There were a total of 46 calls for the month of June, with one call turned over to Ashland. Last year for the month of June there were 33 calls. In comparison from Jan-June 2019 we had 199 calls, this year Jan – June we had 222. The rough draft of the "Standard Operating Guidelines" is finished, we have a few more agency specific policies to add and after that I will get copies to the board." **Calls for the Month of June:** *Calls in Windham: Advanced Life Support (ALS)-8, Basic Life Support (BLS)-4, Call Cancelled (C/C)-9; Fire S/B(stand by)-1 Refused Medical Assistance (RMA)-6; Calls in Hunter: C/C-1; Calls in Jewett: ALS-7, BLS-3, RMA-3, Public Assist-1; Greene County EMS: S/B-1; Calls in Cairo: none; Ashland, Prattsville, Lexington: none; Durham: BLS-1; Calls Turned Over: Ashland-1. Total calls for June: 46.* Calls turned over to mutual aid: 1. **Vehicle Mileage Log for June 2020:** 96-1: 29,888 and 96-2: 124,630. Councilman Peters commented on the award that Davia received through Greene County EMS as Administrator of The Year. She was recognized county wide. She is well regarded by all her colleagues at the county and any other towns.

9.HIGHWAY REPORT: Highway Superintendent Gary Thorington has nothing to report on at this time for the Board. Supervisor Hoyt has spoken to Gary today. The Highway crew are working on the summer maintenance. There was an issue on Siam Road today, they were doing an oil/stone project one of the residents was concerned with the heavy air and dust. He was having an issue with his breathing. The ambulance was called to assist the resident. The highway has received delivery yesterday for their new snow plow costing a total of \$195,543.20. The Supervisor would like the Board to consider the following two options for paying. Option 1: Highway Fund \$55,543.20 and have Attorney Larry Gardner look into a 7-year Bond Note for \$140,000. Attorney Larry Gardner all bonds are to be 5 years or less or we have to do a referendum. Supervisor we will change those numbers and take the extra \$40,000 out of the Highway Fund, making the Note \$75,000 Option 2: 5-year note Highway Fund \$75,543.20 and the General Fund \$40,000. Attorney Larry Gardner has indicated that loans are very low right now depending on the money that needs to be borrowed. Supervisor Hoyt commented on the options above were his suggestion, he will let Larry research & recommend to the Board other suggestions. We are not going to go over 5 years, how much a year should we borrow for principle/bond and use the rest out to the Highway Fund. The Board will think about this. No motion for payment was approved at this time. This new truck will take the place of the 20-year old truck this is in service and will then be our back-up truck and our back-up truck that is 50-years old will surplus out after the first winter with the new truck.

10.POLICE REPORT: Chief Tor Tryland has submitted his report to the Board for their review. "Officer Rogers status change from Full Time to Part Time. In a letter to the Board, Chief Tryland would like to recommend that Officer Cody Rogers continues to stay as a part-time officer effective July 6, 2020. Officer Rogers is an "asset for this department, he had good knowledge and a very good connection with the people in Windham." A motion to approve was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor. **July 4<sup>th</sup>** The Parade as well as the Fireworks went off without a hitch. We had support for the Sheriff's Office as well as the State Police and I would request that the Town of Windham sends a letter of appreciation to the Greene County Sheriff's Office, C/O Sheriff, Peter Kusminski. As well as to the New York State Police, C/O Sergeant James Fitzmaurice. I would like to take this opportunity to thank the people of the Town of Windham, as well as the surrounding towns, for the support they provided on July 4<sup>th</sup>. Being a member of the Law Enforcement Family, these days is a challenge. News media brings us story upon story about defunding the police, lack of support and/or trust in Law Enforcement. So, it was heartwarming, and humbling to experience the love and support we felt working this July 4<sup>th</sup>, in the Town of Windham. As we proceeded through the parade people would stand up and cheer, shouts of "thank you for all you do", thumbs up, and "Greta Job" was heard throughout the parade. So, thank you all."

11.COMMITTEE REPORTS: **Councilman Walker** has nothing to report on at this time. **Councilman Van Valin** has nothing to report on at this time. **Councilman Peters** has spoken to a longtime Windham resident who recently returned back home from the Navy Jonathan Post. Jonathan is interested in being a police officer with the Town of Windham. He would like the Board to think about sponsoring Jonathan Post. The Supervisor likes the idea of sponsoring Mr. Post. Councilman Peters will have Mr. Post continue speaking with the Chief and moving forward with the paperwork. Councilman Peters would like to thank Chief Tryland and to his crew for traffic management during the 4<sup>th</sup> of July celebration and to Highway Superintendent Gary Thorington and his crew for cleaning up the next day after the celebration. Councilman Peters commented on how great the town looks at night, as NYSEG has changed their lights to LEDs. Residents are beginning to notice and have made positive comments. I think we choose the right level of lighting. **Councilman Goettsche** continuing to take notes and read about STRs, the network was down in the business office. He had plans on working on this this spring but COVID-19 took over. He would like to work on this in the fall. He and his family were at CD Lane Park this past weekend. The park was very busy and was clean with no extra garbage around. People were asking about swimming regardless of the sign "No Swimming Allowed". They were asking when the park would be getting life guards? **Supervisor Hoyt** the Bookkeeper Cindy Nelson is calling the Department of Health and will be doing the research as to having possible summer life guards at the park. **John Wolf** has asked for a salary increase for his job at the park. John **currently works 20-24 hours a week at \$12.75 per hour**. The Supervisor would like to give John **another \$.50 per hour for a total of \$13.25 per hour. A motion to approve the salary increase was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor**. The Supervisor has also given permission to the individuals who are picking up trash along State Route 23 at the entrance of the Windham Path. And trash is being found on the town's property on the Windham Path. The bags of garbage will be brought to the town hall dumpster instead of them paying for the trash removal. He has also spoken to Jimmy Lawrence regarding a minor issue of deposits of water at the front steps of the Windham Hardware Store, 5390 State Route 23. He has also spoken to Toby Hubbell on a price to fix that water problem, so the water will sheet flow across the parking lot. **Attorney Larry Gardner** Paul Morales house has been sold in conjunction with the City. Larry has the contract for that sale and would like to put it on the agenda for the next meeting to have the Board approve. There is a description for the driveway that they talk about and he needs the Supervisor to meet with him to walk out to make sure that is true. **Supervisor Hoyt** Mrs. Bunce has stopped by the town hall to sign her parking lot agreement. He would also like to take care of the Ostrander property parking lot and would like a maintenance contract with Dick Jordan to mow the property across from the town hall. There will be no money exchange, we just need permission to be on their land.

GENERAL FUND WARRANT #13-G contained vouchers #486-521, totaling \$26,945.55 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

HIGHWAY FUND WARRANT #12 contained vouchers #116-131, totaling \$20,033.10 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 WARRANT #13 contained vouchers #158-177, totaling \$42,377.10 was audited and approved on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

STREETLIGHTING FUND WARRANT #7 contained vouchers #42-54, totaling \$2,781.18 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

GENERAL FUND PAYROLL WARRANT #14-P for **General** contained 8 claims, totaling \$8,635.96 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor. **Ambulance** payroll contained 18 claims, totaling \$14,267.23 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. **Police** payroll contained 6 claims, totaling \$6,316.95 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

HIGHWAY PAYROLL WARRANT #14-P contained 4 claims, totaling \$6,831.98 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

SEWER DISTRICT FUND PAYROLL WARRANT #14-P contained 3 claims, totaling \$478.75 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

EXECUTIVE SESSION Supervisor Hoyt made a motion at 7:34 p.m. to recess from the Town Board Meeting to go into Executive Session to discuss a possible litigation issue against the town, 2<sup>nd</sup> by Councilman Peters, with all in favor. Town Attorney Larry Gardner, Delaware Engineering John Brust & Town Clerk Bonnie Poehmel was allowed to stay. All others in the audience were asked to leave.

RECONVENE MEETING Councilman Peters made a motion at 7:50 p.m. to adjourn from Executive Session to reconvene to the Town Board Meeting, 2<sup>nd</sup> by Councilman Walker, with all in favor.

The meeting adjourned at 7:50 p.m. on a motion by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor.

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