

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

NOVEMBER 25, 2020

Present: Supervisor: Thomas F. Hoyt
Councilmen: Wayne Van Valin & Stephen Walker
Town Clerk: Bonnie Poehmel

Present by Zoom: Councilmen: Ian Peters & Kurt Goettsche

Also Present: Town Attorney Larry Gardner & Police Chief Tor Tryland

Also Present by Zoom: Highway Superintendent Gary Thorington and Mike Ryan Mountain Eagle

Absent: Ambulance Administrator Davia Montie & Delaware Engineering John Brust

The Supervisor called the meeting to order at 7:04 p.m. and opened with the Pledge of Allegiance.

Notice of Zoom Meeting. Computer and Telephone log in:
Time: Nov 25, 2020 07:00 PM Eastern Time (US and Canada)
Join Zoom Meeting
<https://us02web.zoom.us/j/83552339484?pwd=bGsyU0dieE5KNERnNW95WWxQNnF0Zz09>
Dial by your location
+1 929 205 6099 US (New York)
Meeting ID: 835 5233 9484
Passcode: 560754
Find your local number: <https://us02web.zoom.us/u/kckhXSIsqj>

Supervisor will Open Meeting – Via Zoom Meeting - Computer & Telephone Conference Call with Town Board Members & Anyone in the Public Listening. Board Members please state your name for the record that you are present. Supervisor to read brief statement below.

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

No. 202.72 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; and

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

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 find that a disaster continues to exist for which affected state agencies and local governments are unable to respond adequately. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby continue for thirty days the declaration of the State Disaster Emergency effective March 7, 2020, as set forth in Executive Order 202. This Executive order shall remain in effect through December 3, 2020.

IN ADDITION, 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 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, or to provide any directive necessary to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive, contained in Executive Orders 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.31, 202.38, 202.39, 202.40, 202.41, 202.42, 202.43, 202.48, 202.49, 202.50, 202.51, 202.52, 202.55, 202.55.1, 202.56, 202.60, 202.61, 202.62, 202.63, as continued and contained in Executive Orders 202.67 and 202.68 for another thirty days through December 3, 2020,

G I V E N under my hand and the Privy Seal of the State in the City of Albany this third day of November in the year two thousand twenty.

BY THE GOVERNOR
Secretary to the Governor

THE MINUTES OF THE NOVEMBER 12, 2020 TOWN BOARD MEETING were approved as typed on a motion by Councilman Peters, 2nd by Councilman Walker, with all in favor.

1.DELAWARE ENGINEERING: John Brust was not present. He sent his following report to the Board for their review. "Our list of current project items includes the following: **Water Project** All project work has been completed. The only remaining item is to secure long-term financing. This process is underway. **Wastewater Treatment Plant** Preparation of an Engineering Report that will provide an overall assessment of the WWTP will be provided to the Board for the December 10th Board meeting. On a parallel track, D.E. staff are preparing engineering plans for the anticipated conversion from the originally installed force main emanating from the Old Rd. pump station to the larger force main also installed back in 2004. The Town Board has forwarded correspondence to each of the private sewer collection system owners whose systems are connected to the municipal wastewater system informing them that the Town will be monitoring for I & I flow into the system. **Ambulance/Community Center Building** the Board has been provided with a proposal for permitting, design, and construction management of a new ambulance facility. Our work will proceed immediately upon approval. **Comprehensive Plan** Helen Budrock and the Comprehensive Plan committee held their most recent meeting on November 5th. The topic was Community Infrastructure...water, wastewater, stormwater and roads. **Madd Brook – CWC Project** Construction work on the Madd Brook project is complete. Delaware Bulldozing has performed well. We will look for grant opportunities to continue to work on the Madd Brook stream corridor. **C.D. Lane Park** D.E. staff have been supporting the development of a pedestrian bridge to be installed over the influent creek. We have also supported the installation of a WIFI system. **South Street - New Wastewater Connections** There are two proposed new connections to the wastewater collection system along South Street. Our staff has been working with Kaaterskill Engineering and C.T. Male on an evaluation of options. **Centre Church Improvements** Our staff worked with Windham Highway to install survey reflectors on the steeple. In the coming months these will be surveyed to monitor possible movement in the structure. **Crystal Pond/Quads Municipal Connections** We provided a cost estimate for the potential connection of Crystal Pond and the Quads condominiums to the municipal sewer system. We have not received any feedback. **Hotel Vienna** the owner of Hotel Vienna requested that the Town install a horizontal drain to direct groundwater away from the hotel parking lot. This water flow may have been the result of recent Town water line work thus we assisted Town Highway with the drain installation. An easement was secured for the work and it has been completed. We will monitor the drain for effectiveness. **Misc. Wastewater Connections** Recent inquiries regarding the process of connecting to the municipal wastewater system also include: A parcel on Mill Race Rd.; Wastewater service to a garage associated with a connected residence.; A residence on County Rt 65.; A proposed new development adjacent to Windham Ridge Club. These inquiries are being addressed. Please let me know if you have any questions or comments about the items detailed in this report."

2.AGREEMENT WITH DELAWARE ENGINEERING, D.P.C. for Professional Services Related to the New Ambulance Facility Project: "**General** the Town of Windham desires to construct a new ambulance facility located adjacent to the existing wastewater treatment plant at

the corner of County Route 12 and NY Route 23. The new facility will be including a new structure capable of supporting emergency services as well as the relocation of the existing helicopter pad. The Town plans to publicly solicit bids for the construction of the new building and requires an engineer to prepare contract documents which certify NYS building code compliance. They further require an engineer to assist in providing bid/award services and to act as the Town's agent to administer and inspect construction. This contract summarizes our understanding of project needs and assumptions made based on our discussions and sets forth our scope and cost to complete the necessary planning, design, bidding assistance and construction phase services." A motion to approve this agreement and give the Supervisor permission to sign was made by Councilman Walker, 2nd by Councilman Peters, with all in favor.

3.RECEIVED NYS LIQUOR APPLICATION requesting a 30-day hold letter waiver from the municipality. **Windham Ventures, 11 Vets Road** is submitting a new application for wine, beer & cider. A motion to approve the 30-day hold letter waiver for Windham Ventures, was made by Councilman Van Valin, 2nd by Councilman Walker, with all in favor.

4.TOWN BOARD RESOLUTION #34 OF 2020: The Highway Superintendent gave his written recommendation to accept 0.21 tenths of a mile of Blodgett Road into the Town Highway system; and Now, Therefore Be It Resolved, that the Town Board accepts 0.21 tenths of a mile of Blodgett Road into the Town Highway. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

5.LETTER OF RESIGNATION for Janine Soule has been received and accepted by the Town Board. Her last day of work will be effective December 3, 2020. A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Walker. Janine also asks in her resignation letter "I would like to remain the Planning Board Secretary if possible. I will need the use of the computer and printer that I am using now however, as I do not own either one. It will be strictly for all the Planning Board needs." Both the lap-top computer and printer are owned by the Town of Windham. Supervisor Hoyt, made a motion to retain Janine Soule for the time being at her current hourly rate as Recording Secretary to the Planning Board. A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Walker, with all in favor.

6.TOWN JUSTICE REPORTS: Justice Stevens reported for September \$3,624.00 and October \$2,015.00 & Justice McCarthy reported for October \$2,166.00. Noted by the Board.

7.TOWN BOARD RESOLUTION #35 OF 2020: the following resolution was proposed to transfer funds to balance the Sewer District accounts. A motion to approve was made by Councilman Goettsche, 2nd by Councilman Peters, with all in favor. TOWN BOARD RESOLUTION# 36 OF 2020: the following resolution was proposed to transfer funds to balance the Sidewalk District accounts. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Walker, with all in favor. GENERAL FUND RESOLUTION #21 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, 2nd by Councilman Goettsche, with all in favor. HIGHWAY FUND RESOLUTION #6 OF 2020: the following resolution was proposed to transfer funds to balance the Highway Fund accounts. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Walker, with all in favor.

8.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. No report was submitted. Ambulance Liaison Councilman Peters has nothing at this time to report on. Supervisor Hoyt has spoken to the Supervisor for the Town of Jewett Jim Pellitteri. Jim would like a meeting with Supervisor Hoyt, Councilman Peters and a Town of Jewett Councilman to discuss the Town of Windham Ambulance Service/billing to the Town of Jewett.

9.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present by Zoom. Supervisor Hoyt would like to thank you Gary. The highway worked with Greene County Highway for shared services with their boom truck. We were able to put some points on the Centre Property steeple to monitor it to see if it moves; we now have official bench marks on the steeple. Also, Greene County Highway worked with us on putting up new holiday lights on the front tree. Highway Superintendent Gary Thorington, Greene County Highway brought their big boom truck in and we were able to use our heavy weight distribution mats, that the Councilmen

approved. These mats were laid down on the newly placed sidewalks. The boom truck was able to drive right up close to the steeple. The mats worked out great. Thanks to Greene County Highway for their shared services. A complaint was received of a tree down on Old Road and that has been removed. He would like to thank the Town Board and Bonnie Poehmel Town Clerk for taking care of Town Board Resolution #34. He would also like to thank the Clerk-Typist Janine Soule for her help in his office, with her help he is now caught up into the electronic world. Hopefully the snowflake lights will be going up throughout town next week. He would like to thank his highway crew for getting the snowflake lights repaired and in working order. Gary has still not had any response back from his CHIPS Representative, nor has he been able to reach his Rep by email or phone regarding State reimbursement. Supervisor Hoyt asked "if any other towns were having the same difficulty?" Gary, most towns have already received their reimbursements for the CHIPS Program with little to no difficulty.

10.POLICE REPORT: Police Chief Tor Tryland was present. Good News last week, "Officer Charles Rion received the "Top Cop" award from the Greene County Police Association for best academics at the Zone 14, Law Enforcement Academy." He received a nice plaque and he received \$250.00.; Car 7F386 has computer problems. Needs a new docking station that will cost \$1,200.00 or a used one for \$250.00 with a 20-day warranty plus labor of \$267.00." The Chief will take the docking station from his car 7F384 as it is not being used all the time and the repair will be \$267.00 for the labor to install. Our new hire to be "Reno Romito and the Chief went to Galls to get him his new uniforms measured and ordered. He will start working Monday, November 30, 2020. He is scheduled to follow different Officers throughout December. He should be ready for work alone early 2021." Councilman Van Valin has a positive comment he gets a lot of good feedback, compliments and appreciation from the public for the Town of Windham Police Department. The Chief thanked Councilman Van Valin as the Police Dept does have a good group of Officers.

11.COMMITTEE REPORTS: **Councilman Walker** has nothing to report on. **Councilman Van Valin** has nothing to report on. He is in the works of spring projects, but he has nothing ready for discussion right now. **Councilman Peters** has nothing to report on. **Councilman Goettsche** has made some changes to the Draft STR Law he is working on. He is moving forward with the Police Reform Committee and has received a book from the State that he is reviewing. And computer work. Supervisor Hoyt has sought council with Town Attorney Larry Gardner prior to going into the meeting. "Town Attorney Larry Gardner recommends that we set a date for a public hearing for the proposed draft short-term rental law. We then can officially put it out to the public giving them time to review the it. We can then take in the public's comments, make any necessary changes and educate everyone for the need of this law". The Public Hearing for the Proposed Draft Short-Term Rentals Local Law #2 of 2020 to be held on Thursday, January 14, 2021 @ 6:50 pm prior to the regular scheduled Town Board Meeting. A motion to approve the public hearing was made by Councilman Peters, 2nd by Councilman Van Valin, with all in favor. Supervisor Hoyt would like Councilman Goettsche to put this Proposed STR Law on to the Town's Facebook page and to the Town's website for the public to review. Supervisor Hoyt, "We are pro-business in the Town of Windham and our doors are open." **Supervisor Hoyt** would like the Board's permission to set up a new steering-committee for the new ambulance facility. The committee will be Supervisor Hoyt and Councilman Van Valin who will work directly with the engineers and report back to the Board as to where we are with the project saving the town on engineer fees as stated in our contract. The more leg work that Councilman Van Valin can do with his knowledge/experience on building, this will save us overall on this project. Supervisor Hoyt would like to entertain a motion for himself the Supervisor and Councilman Van Valin to be on a sub-committee for the new ambulance building; a motion to approve was made by Councilman Walker, 2nd by Councilman Peters, with all in favor. The Supervisor will pass this on to the engineer. **CWC News:** CWC will be locking their doors to the public in December, to help keep the numbers down with the COVID-19 restrictions, all meetings will be by zoom. The Septic Program will re-open next spring/summer 2021 for residential dwellings. Commercial dwellings the program is still open with money. CWC will also be starting a Fuel Tank Anchor Program. To be eligible your property "must be in the flood way". The Supervisor has been very busy with just the regular business at the town hall making phone calls and the Town's Budget went through. **Attorney Larry Gardner** has a copy of the proposed draft STR law that he will further review.

The Supervisor has a message from Bonnie Poehmel Town Clerk that our *last meeting in December will fall on Christmas Eve*. With the Board's approval the Supervisor *would like that meeting to be changed to December 30, 2020 @ 7:00 pm*. A motion to approve the meeting date change was made by Councilman Peters, 2nd by Councilman Walker, with all in favor. We also need to set a date right after the new year for the Organizational Meeting. With the Board's approval the Supervisor would like to schedule the *Organization Meeting for January 4, 2021 @ 7:00 pm*. A motion to approve the meeting date was made by Councilman Peters, 2nd by Councilman Walker, with all in favor.

GENERAL FUND WARRANT #22-G contained vouchers #829-884, totaling \$198,911.30 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY FUND WARRANT #21 contained vouchers #229-239, totaling \$10,967.98 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 #22 contained vouchers #291-309, totaling \$8,256.78 was audited and approved on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

SIDEWALK MAINTENANCE DISTRICT WARRANT #3 contained voucher #3, totaling \$4,707.67 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 #24-P for **General** contained 5 claims, totaling \$6,313.94 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Ambulance** payroll contained 18 claims, totaling \$14,609.89 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Police** payroll contained 2 claims, totaling \$2,421.30 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY PAYROLL WARRANT #24-P contained 6 claims, totaling \$10,255.95 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 #24-P contained 1 claim, totaling \$62.25 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

The meeting adjourned at 7:31 p.m. on a motion by Councilman Walker, 2nd by Councilman Peters, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK
