

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

FEBRUARY 25, 2021

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

Present by Zoom: Councilmen: Ian Peters & Kurt Goettsche

Absent: Ambulance Administrator Davia Montie

Also Present: Town Attorney Larry Gardner, Police Chief Tor Tryland & Gail Nichol森

Also Present by Zoom: Highway Superintendent Gary Thorington, Delaware Engineering John Brust, Water Superintendent Kyle Schwarz, Elide Bell & Mike Ryan Mountain Eagle

The Supervisor called the Public Hearing to order at 6:50 p.m. and opened with the Pledge of Allegiance.

Notice of Zoom Meeting. The public may listen to the meeting using the following information:

Time: Feb 25, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87494030185?pwd=WStGZFIFaVBnb2FkSDJKelBVM3E5QT09>

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 874 9403 0185

Passcode: 550099

Like those attending the meeting in person, anyone attending virtually will be recorded in the minutes.

No. 202.92

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 February 26, 2021.

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, do hereby continue the suspensions and modifications of law and any directives, unless superseded, modified or otherwise expired, made by Executive Order 202 and each

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successor Executive Order to 202, for thirty days until February 26, 2021, and do hereby temporarily suspend or modify the following from the date of this Executive Order through February 26, 2021:

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

BY THE GOVERNOR
Secretary to the Governor

Supervisor will open the Public Hearing – Via Telephone Conference Call with Board Members & anyone in the Public listening. Board Members please state your name for the record that you are present.

Supervisor Hoyt read aloud the following: “Notice is hereby given by the Windham Town Board the resolution published herewith has been adopted on the 25th day of February, 2021, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Windham in the County of Greene, State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution. Accordingly, the Town has scheduled a public hearing for Thursday, February 25, 2021 at 6:50 p.m. at the Windham Town Hall, 371 State Route 296, Hensonville, NY. By Order of the Windham Town Board.”

With no public present in person and no comment, Supervisor Hoyt asked for the public hearing to be recessed at 6:55 p.m., motion to approve was made by Councilman Walker, 2nd by Councilman Van Valin with all in favor.

Supervisor Hoyt asked for the public hearing to be reconvened at 7:03 p.m., motion to approve was made by Councilman Van Valin, 2nd by Councilman Walker, with all in favor.

Supervisor asked for any public comments and hearing none at this time, the public hearing is closed and opened the Regular Town Board Meeting at 7:03 p.m., motion to approve was made by Councilman Walker, 2nd by Councilman Goettsche, with all in favor.

The Supervisor called the Town Board meeting to order at 7:03 p.m.

Supervisor will open the Town Board public meeting – Via Telephone Conference Call with Board Members & anyone in the Public listening. Board Members please state your name for the record that you are present.

THE MINUTES OF THE FEBRUARY 11, 2021 TOWN BOARD MEETING were approved as typed on a motion by Councilman Walker, 2nd by Councilman Peters, with 4 in favor, Councilman Van Valin abstained as he was absent.

1.DELAWARE ENGINEERING: John Brust was present by Zoom. The various projects are moving forward. He has no new items to report on for this meeting.

2.MOUNTAINTOP SOCCER requests the use of Creamery Pond Field for their Spring and Summer Rec Programs. In a letter to the Windham Town Board asking for permission: “The Mountaintop Soccer Program is once again ready to hit the field this Spring and we are writing to request use of the Creamery Pond Soccer Field. The Fall program was well attended by approximately 125 players ranging in age from 3 – 16 and we anticipate the Spring and Summer Rec programs will see increased numbers. In our continued efforts to provide additional opportunities to players we plan to operate a Spring Training Program, Summer Rec League and Fall Training Program making the Mountaintop soccer program a three-season program. We

would request the Creamery Soccer Field on Saturdays beginning April 10th through May 22nd from 9 -1 pm. [Spring Training ages 3 – 16]. June 7th – August 13th from 5 – 9 pm [This is the Summer Rec Program which plays other local rec programs in the County from Cairo / Greenville / etc.] Kindly let me know if it's possible to reserve the field space for the times outlined above. I appreciate your efforts to enhance the opportunities for youth players and I'm excited to work with the Board. Thank you, Michael Esslie" Councilman Walker would like to have a Certificate of Liability Insurance on file from them prior to playing. A motion to approve the above was made by Supervisor Hoyt, 2nd by Councilman Van Valin, with all in favor.

3.MOUNTAINTOP SOCCER CAMP requests the use of Creamery Pond Field for a proposed day camp. In a letter to the Windham Town Board asking for permission: "As a follow up to our earlier request. We are planning to offer players the opportunity to attend a Soccer Camp at the Creamery Pond Field for the 1st time this year. Our goal is to bring a top flight / professional soccer camp to the mountaintop area which is both fun but focused on improving the skill level of local players. We have contracted with Visionary Soccer to bring professional trainers to the camp which will allow players access to an unprecedented level of coaching. **The proposed date for the camp is July 12th, - 16th and it would operate that week from 8 am to 4 pm each day covering players ages 6 through 16. We would request use of the Creamery Pond Field the dates and time outlined above.** Thank you, Michael Esslie" Councilman Walker would like to have a Certificate of Liability Insurance on file from them prior to playing. A motion to approve the above was made by Councilman Walker, 2nd by Councilman Peters, with all in favor.

4.APPLYING FOR ON PREMISE new liquor license. The Windham Town Board has received notification that John Carey, LLC intends to apply for a new liquor license application for the premises located at 5335 State Route 23, Windham. A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

5.CATSKILL CENTER'S STREAMSIDE Acquisition Program Project #9570 to be purchased by New York City for the purposes of water supply protection. The property is owned by Nicholas Weist, County Route 56, Maplecrest, Tax Map #97.00-3-5.1, total acres 5.00. Mr. Weist will be keeping 1.50 acres, portion to be conveyed to adjoining landowner 0.30 acres and the remaining acres 3.20 to be sold to SAP. Supervisor Hoyt has comments and concerns for this property that the Town Board should put forward. Over the past years, Greene County Soil & Water has done numerous stream projects in this area. The Supervisor "would like the insurance that down the road should more stream projects be needed the easement process would not be a hindrance process to the Town of Windham. The Supervisor's main concern is public safety of County Route 56. Greene County has a culvert in the near future that will need to be replaced in the proximity of that property in question. County Route 56 is a dead-end street. They may have to do a detour to establish this project. If the City were to obtain this property would they allow Greene County Highway the ability to put in a temporary detour on their property while they did the installation of the upgrade of that culvert. The Supervisor has some concerns that he is going to put into the notes. The individual property owner will still have to come to the Planning Board to sub-divide his property for a subdivision. The Town of Windham will still have to express our public safety with maintaining the stream for the properties below and the hundred homes that live above there." Councilman Walker asked about a utility easement for the broadband poles. This is currently in place. Councilman Van Valin agrees with Supervisor Hoyt it is "vitaly important to maintain for emergency services of all kinds." Supervisor Hoyt "just spoke to council Attorney Larry Gardner that this should not be a problem that we should request that there be an easement set aside in the need to do highway work that may encroach on their property they are buying and the same down by the stream." Supervisor Hoyt will move forward on commenting to the Catskill Center for Conservation and Development.

6.COURT JUSTICE MONTHLY REPORT: January 2021 for Justice McCarthy \$529.00. As noted by the Board.

7.FIXED ASSESTS 2020 REPORT: has been received by the Windham Town Board for their review.

8.TOWN BOARD RESOLUTION #10 OF 2021: to accept the Sewer District Billing for 2021 in the amount of \$204,626.13. A motion to approve was made by Councilman Walker, 2nd by Peters, with all in favor. TOWN BOARD RESOLUTION #11 OF 2021: 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.

9.GREENE COUNTY RESOLUTION #16-21: Authorizing Municipalities to Participate in County Highway Purchases. GREENE COUNTY RESOLUTION #21-21: Authorizing Obtaining and Furnishing of Assessment Roll Related Services and Materials. GREENE COUNTY RESOLUTION #22-21: Authorizing Obtaining and Furnishing of Election Related Services and Materials.

10.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. Supervisor Hoyt would like the Town Board to approve the Ambulance Field Operation book for the Ambulance employee staff. All comment suggestions have been made. This book will be available to all the ambulance employees, it will be their responsibility to read and sign off on a sheet they have read and understand the policy. A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Peters, with all in favor.

11.CODE ENFORCEMENT OFFICER'S REPORT: has been provided for the Board's review. The report is for January and February 2021. Dominick Caropreso is laid up and has been working from his home office. The Ladies in the Town Office have been carrying a lot of his weight to keep the code enforcers' office open and running smoothly. He is available at his home office for phone calls and appointments.

12.HIGHWAY REPORT: Highway Superintendent Gary Thorington is present by Zoom. Gary would like to thank the Chief of Police and Windham Police Officers as they have been there for the highway dept with their tremendous support moving parked cars on our town roads and on Main Street. It works out much better when someone is in uniform to handle an issue. This allows the highway dept to do their street cleaning/plowing in a safer manner for the public. Gary would like permission from the Town Board to remove the 1969 Oshkosh truck from the fleet to be surplus equipment. The Greene County Highway has some interest in the truck parts or possibility to send it to auction. Gary will be keeping the front plow and wing plow as it fits the other highway trucks in the fleet. A motion to remove the 1969 Oshkosh truck was made by Councilman Van Valin, 2nd by Councilman Walker, with all in favor. Highway Superintendent Gary Thorington stated "he stands with the Supervisor Hoyt for the easements on city property as far as detours go; and he is willing to stand behind the Supervisor and the Town Board as needed."

13.POLICE REPORT: Police Chief Tor Tryland was present. The Chief is happy that both departments can work together. The Chief would like to commend Councilman Goettsche for doing a great job on the Police Policy Committee. The police cars are on their regular maintenance and he has nothing new to report on at this time.

14.COMMITTEE REPORTS: **Councilman Goettsche** would like to thank the Police Policy Committee for their time and hard work. Our job isn't done yet, but the plan is ready for review. Thank you to John Brust and his Company, Councilman Goettsche asked them for information and they had it right away. Councilman Goettsche also thanked Mike Ryan for writing an article in the Windham Weekly about the committee looking for feedback on the Windham Police Department; and thanked Jay Fink at WRIP for running accountments on the radio about getting feedback on the Windham Police Department. The draft plan has been sent to the Town Board and will be available at Town Hall and on the website next week. Councilman Goettsche would like permission from the Town Board to schedule a public hearing for March 11, for feedback on the draft plan. And a public hearing for March 25 to ratify the plan. The Town Board approved the **public hearing for March 11, 2021 at 6:00 p.m.**, with the regular Town Board Meeting to follow immediately at 7:00 pm. A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Goettsche, with all in favor. The Town Board also approved the **public hearing for March 25, 2021 at 6:30 p.m.**, with the regular Town Board meeting to follow immediately at 7:00 pm. A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Walker, with all in favor. Councilman Goettsche reported that everything else is going fine, and I'm looking

forward to things be alright for Councilman Peters and myself to get into Town Hall to work on the network. **Councilman Peters** has discussed the Ambulance Procedures with Ambulance Administrator Davia Montie, he would like to thank Davia for all her hard work going into that. Councilman Peters has a list of equipment to purchase that will allow the upgrade of the town hall network, the cost and materials will be less than \$700.00 for the upgrades. He would like permission from the Town Board to place this purchase. The labor will be done by Councilmen Peters and Goettsche. A motion to approve spending the \$700.00 for the equipment upgrade was made by Councilman Peters, 2nd by Councilman Walker, with all in favor. Supervisor Hoyt we are in need of the WIFI upgrade, as we have dropped a few times already this evening. **Councilman Van Valin** received an email message from Highway Superintendent Gary Thorington at the highway building there is a very mild leak, it is at the top of the stairs. Councilman Van Valin inspected the leak and there is no damage at this time, but we need to wait for the snow to melt off the roof. John Garzone Plumbing has been in to look at the heating system, as there is an issue with that. Once the weather in warmer the system will have to be shut down. Highway Superintendent Gary Thorington will keep an eye on the building and make a list of anything else that may need to be done in the spring. Councilman Van Valin is waiting for the snow to melt for other projects he is interested in. **Councilman Walker** had a CWT Meeting on February 15, 2021 by Zoom. "As per request from CWC, Councilman Walker moved to request the change in the payment schedule to CWC from DEP to Facilitate Septic Replacement Program and make funding process more fluid. They also gave us more information, there are 317 systems are scheduled for replacement this year and they can do only 52 more. Times of replacements are down to 735 days from 854 days. In the future there will be a stakeholders meeting set up to hold stream access it will be held up by zoom." **Supervisor Hoyt** asked our Town Attorney Larry Gardner to complete the last municipal parking lot agreement it is retroactive with the Samuel C. McCoubrey (the old Ostrander property). All the parking lot agreements have been completed the same. There is has an opt out anytime by either party. Supervisor Hoyt would like permission by the Town Board to approve this parking lot agreement and to allow the Supervisor to sign the agreement. A motion to approve was made by Councilman Walker, 2nd by Councilman Van Valin, with all in favor. Supervisor Hoyt it has been busy like always with comments on the street. Comments are being addressed as they come along. **Town Attorney Larry Gardner** has nothing to report on at this time.

Zoom communications were dropped. Councilmen Peters and Goettsche called in by phone to finish the meeting.

GENERAL FUND WARRANT #4-G contained vouchers #144-188, totaling \$21,482.06 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Walker, with all in favor.

HIGHWAY FUND WARRANT #4 contained vouchers #51-64, totaling \$12,965.16 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Walker, with all in favor.

SEWER DISTRICT FUND WARRANT #4 contained vouchers #65-82, totaling \$56,352.72 was audited and approved on a motion by Councilman Van Valin, 2nd by Councilman Walker, with all in favor.

GENERAL FUND PAYROLL WARRANT #5-P for **General** contained 5 claims, totaling \$5,250.55 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Walker, with all in favor. **Ambulance** payroll contained 21 claims, totaling \$18,030.79 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Walker, with all in favor. **Police** payroll contained 3 claims, totaling \$4,614.32 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Walker, with all in favor.

HIGHWAY PAYROLL WARRANT #5-P contained 6 claims, totaling \$13,003.67 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Walker, with all in favor.

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SEWER DISTRICT FUND PAYROLL WARRANT #5-P contained 2 claims, totaling \$538.10 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Walker, with all in favor.

The meeting adjourned at 7:38 p.m. on a motion by Councilman Walker, 2nd by Councilman Peters, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK

OFFICIAL