

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

**JANUARY 27, 2022**

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

**Also Present:** Highway Superintendent Gary Thorington, Delaware Engineering John Brust, Police Chief Tor Tryland, Gail Nichol森, Hyde Clark Esq, Bruce McNab & Tom Biaggi

**Present by phone:** Town Attorney Tal Rapplelea

**Absent:** Ambulance Administrator Davia Montie

The Supervisor called the meeting to order at 6:45 p.m. and opened with the Pledge of Allegiance.

**PUBLIC HEARING @ 6:45 PM For Sewer Petition-Mt. Village Sewer Works Inc.**  
Supervisor Hoyt read the legal notice aloud as follows: "NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Windham, 371 State Route

296, Hensonville, NY 12439 on the 27th day of January, 2022 at 6:45 PM regarding the Petition referenced below for proposed increase to sewer rates. Under Section 121 of the New York State Transportation Corporation Law, Mt. Village Sewage-Works, Inc. ("MVSW") has submitted a Petition to the Town Board for the increase of sewer rent to be approved by the Town Board. The current sewer rate is \$94/residential unit/quarter (\$376 per unit per year), and the proposed rate is \$125/residential unit/quarter (\$500 per unit per year). The Petition also provides for establishing an automatic increase per year for Town- imposed increases on MVSW customers. At such time and place, all persons interested in the subject matter thereof will be heard concerning the same. Copies of the Petition are available at the Town Clerk's Office during normal business hours for the purpose of inspection and procurement by interested persons and shall also be available at the time of the hearing. By Order of the Windham Town Board. Bonnie Poehmel Town Clerk. Dated: January 13, 2022."

Attorney Hyde Clark was present. Attorney Clark spoke to the Town Board; as part of this public hearing for tonight, each individual unit owner was mailed a copy of the legal notice giving them sufficient time to attend. The legal notice was also posted at the pool house as this is the common area for the unit owners. Prior to the public hearing, no unit owner has contacted Attorney Clark to discuss the opposition or in favor of the rate increase.

Supervisor Hoyt asked if anyone present in the room would like to discuss the issue. Hearing none Supervisor Hoyt asked for a motion to recess the public hearing at 6:50 pm, a motion was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor.

Supervisor Hoyt asked for a motion to open the public hearing back in session @ 7:00 pm, a motion was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor. Tom Biaggi unit owner of the Windham Mountain Village was present. He addressed the Board. He is happy the way things are running and he is positive about the rate increase.

Supervisor Hoyt asked for a motion to close the public hearing and open the regular town board meeting @ 7:03 pm, a motion was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor.

**TOWN BOARD RESOLUTION #7 OF 2022: "Resolution Approving Petition of Mt. Village Sewage-Works, Inc. For Permission to Increase Sewer Rate Pursuant to Article 10 of The Transportation Corporation Law. WHEREAS,** a petition for consent to increase the sewer rent and establish an automatic increase per year for Town-imposed increases on Mt. Village's customers to be known as the Mt. Village Sewage-Works, Inc. Petition, dated November 1, 2021 ("Petition"), was duly presented to the Town Board of the Town of Windham, New York (the "Town"), according to law; and **WHEREAS,** Petitioners propose, pursuant to Section 121 of the New York State Transportation Corporation Law, that the Town Board consent to increase the sewer rent and establish an automatic yearly increase per year for cost of living; and **WHEREAS,** under the Transportation Corporations Law, the Town Board has approval authority over increases to sewer rates for existing users; and **WHEREAS,** Mt. Village provides year-round flat rate sewer service to 103 customers (101 townhouse/condominium type units, a Club House, and a Pool House) in a development known as "Windham Mountain Village" in the Town of Windham, Greene County; and **WHEREAS,** Mt. Village currently still owns and maintains the sewer main and the metering station within its service area; and has contracted with the Town for sewer treatment pursuant to the Sewer Connection Contract **NOW, THEREFORE, BE IT RESOLVED,** that the Town Board has reviewed the Petition and hereby approves the requested 33% increase to the sewer rate, for a new flat rate of \$125.00/residential unit/quarter (\$500/yr. x 103 customers) resulting in a new total sewer bill of \$51,500; and it is further; **RESOLVED,** that the Town Board hereby approves Mt. Village to roll the yearly increases the Town imposes onto the sewage company customers into Mt. Village's sewer rate." A motion to adopt this resolution was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Peters, with all in favor.

**THE MINUTES OF THE JANUARY 13, 2022 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 present. We had a good pre-bid meeting for the new ambulance building. Hopefully that will speak well. We are still working on the EFC. Hopefully we will get the folks from Parks & Recs to visit the Centre Property in the spring to help us for funding.

2.TOWN BOARD RESOLUTION #6 OF 2022: Purchase 2021 John Deere 544 P Wheel Loader To authorize the purchase of a new 2021 John-Deere 544 P Wheel Loader Stock #257351 to be used by the Town of Windham Highway Department. Total Cost \$186,000.00. To authorize the Supervisor to use 2005 John Deere 624JXT as a trade-in \$46,750.00. To authorize the Supervisor to use \$100,000.00 of Unappropriated Highway Fund Balance. To authorize the Supervisor to use the borrow sum of \$39,250.00 in a Statutory Installment Bond from the Commercial Bank of Greene County. This will have an interest rate of \_\_\_\_\_% per annum to be paid over a term of 5 years, non-callable. A motion to adopt this resolution was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor. Supervisor Hoyt has asked Town Attorney Tal Rappleyea to look into the interest rate.

3.NEWTON FUND ACCOUNT: the report has been prepared by Bette Rhoades, Bookkeeper to the Newton Fund for the Board's review. The monies for this account are in a Key Public Money Market Savings. This account earned no interest for the year 2021. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

4.TOWN JUSTICE REPORT FOR DECEMBER 2021: Justice McCarthy \$1,861.00 and Justice Stevens \$679.00 was noted by the Board.

JUSTICE STEVENS court books for 2021 have been submitted to the Board for their review. A motion to approve was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Walker, with all in favor.

5.UNION MOU WITH LOCAL 17: "Memorandum of Understanding between the Town of Windham and the Laborers' International Union of North America, Local No. 17. The position of **Laborer "full time, 40 hours per week", will be compensated at \$18.00 per hour** going forward and be covered by the Collective Bargaining Agreement." A motion to adopt this was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

6.TOWN BOARD RESOLUTION #8 OF 2022: the following resolution was proposed to transfer funds to balance the Sewer District accounts in the year 2021. A motion to approve was made by Councilman Walker, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. TOWN BOARD RESOLUTION #9 OF 2022: to authorize the Supervisor to use \$30,975.00 from Unappropriated Fund Balance to balance the accounts in the Sewer Fund for the year 2021 as per Town Board Resolution #8 of 2022. A motion to approve was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor. HIGHWAY FUND RESOLUTION #3 OF 2022: the following resolution was proposed to transfer funds to balance the Highway Fund accounts in the year 2021. A motion to approve was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. GENERAL FUND RESOLUTION #3 OF 2022: the following resolution was proposed to transfer funds to balance the General Fund accounts in the year 2021. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. GENERAL FUND RESOLUTION #4 OF 2022: the following resolution was proposed to transfer funds to balance the General Fund accounts in the year 2022. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. The accounting books for the year 2021 have been closed out. The accountants will be here tomorrow to start their review.

7.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. No report was submitted to the Board. Ambulance Liaison Councilman Peters staffing is tight for us, as well for other agencies too. Kind of good news is that COVID has gone through the work force and all the employees are back from it. There has been good progress on shopping for a new ambulance. Deemers who we purchased the last ambulance from, has gotten back to us. They will work up a quote. Ambulance Administrator Davia Montie and Ambulance Liaison Councilman Peters are both thinking of ways of trimming spending. Looking at what is called remounting, taking the old ambulance box off and putting on a new/different frame chaise. At

the last town board meeting Councilman Peters had brought up the Board to think about raising our wages for Basic EMT. Hunter & Greenville along with the rest of the county, we are at least \$1.00 an hour below them. Supervisor Hoyt checked on what a \$1.00 an hour more would be, \$12,000.00 to the ambulance dept keeping us competitive with everyone else. It works out to be **a \$.99 pay raise for a Basic EMT**. Councilman Peters would like to make a motion that we do that pay raise, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. Supervisor Hoyt had received a call from the Town of Hunter Supervisor his staff as well got hit hard with the COVID this week. They were down 4 staff members and we worked hard at helping to keep both ambulance services staffed.

8.ASSESSOR'S REPORT: The following report was submitted to the Board for their review. "January is remains very busy, with dozens of walk-ins and a business situated appointments. The new year generated numerous Property Tax questions, but with very little complaints. Incorrect billing name and address calls are a fraction of prior years. Realtor inquiries much higher as marketed housing inventory is quite low. New home construction volume has mandated multiple site visits. The Assessor's office database of phone numbers & emails to our contact our taxpayers has reduced labor hours in searching for taxpayer contacts, as well as delays in serving our taxpayers. Current beneficiary is follow-ups for Water Billings. Letters giving advance notice of available exemption deadlines have gone out early. Request for Planning Board presentation data continues. Site plan layouts continue to be added to our photo database. I stay late to 7pm, on some Thursdays to be available for assisting planning board members and taxpayers alike. Work continues on 2022 Re-Assessment with Bob Rhoades. Contact with RPS personnel is weekly, assisting the process. MISCELLANEOUS: We still provide address change confirmation by text photo within minutes. Additionally on occasion ship copies of Tax Bills on the spot to out of town requests. The Tax Look Up sheet has been updated after WAJ and Kathy Murray's input/review. We now send out the Tax Look Up to virtually every new purchaser of Town of Windham real estate. Realtors call for it on occasion."

9.POLICE REPORT: Police Chief Tor Tryland was present. Chief Tryland would like to thank Mike Mattice at the highway dept. for painting the men's restroom at the town hall. He did a very nice clean job. The Grant "had to be resubmitted as it was signed with a black pen not a blue pen. The Police Dept will be getting computers, scanners and printers for three vehicles. Probably around \$12-13,000.00. We are only responsible for buying the mounting hardware. Estimated around \$700.00 per vehicle." Chief Tryland "would like to remind everyone of the **"Keep in Touch" Program**, we have had in service for a number of years now. **The program is a service for our town residents, free to enroll.** Chief Tryland explained to the Board, "There is no age requirement, whoever is in need of being somewhat checked on, they will call dispatch/our number every morning at a given time and if the Police do not hear from them, the Police will then go to their house to make sure they are okay." Over the years this has been a very good program. Councilman Goettsche would like to have this program noted on our town website.

10.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present. Many compliments on the snow removal on Main Street. The only negative thing with the new machine that was found, the machine itself the shoot control of the blower it does like a 90-degree throw. Caterpillar has been contacted to get this corrected. We have had a lot of positive feedback. The highway dept has been doing various maintenance on buildings and properties that we own and take care of. Until further notice, the highway dept will be plowing/sanding the firehouses in Windham, Hensonville and Maplecrest. Once the firehouses have resolved their solution, the plowing/sanding will go back to them.

11.COMMITTEE REPORT: **Councilman Van Valin** the Centre Property was out of heating fuel again. Councilman Van Valin has check in with the oil delivery company again. The room is left at 45 degrees. With people going in and out to the building someone may have turned the heat up and forgot to turn down when they left. Also, we have been having severe cold days and nights, the heating fuel is being used quicker. Councilman Van Valin will have to keep to keep checking the building more. **Councilman Walker** there have been many compliments regarding the snow clean up on Main Street. He would like to thank Highway Superintendent Gary Thorington and the Highway Dept guys for doing a great job. **Councilman Goettsche** has been keeping up with the updates on the town website and Facebook page. **Councilman Peters** has

nothing new to report on. **Supervisor Hoyt** Mid-Hudson Cable their contractor is setting poles on High Peak Road. In the spring they are looking to string the lines for the high-speed internet. We have 270 COVID test kits available for the General Public. We have teamed up with our neighbor town of Ashland to do a joint distribution at our WWTP on Saturday, January 29, 2022. Supervisor Hoyt spoke to our ex-Town Attorney, he has a book shelf full of law books that belong to the Town of Windham that date back to the year 1840. At some point the books will need to be boxed and a new home will have to be found for them. Delaware Engineering John Brust and the Engineer Alex, along with a handful of contractors meet for the pre-bid on-site construction meeting for the new ambulance building. **Councilman Walker** attended a CWT Zoom Meeting on January 17, 2022. The CWT signed on with Delaware County, with respect to the SAP opposing the City using the SAP to purchase more property. They were also told that the city will be coming up with money for the sewage/septic tank program. They are just waiting to receive the final paperwork.

GENERAL FUND WARRANT #2-G contained vouchers #90-127, totaling \$28,046.37 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 #2 contained vouchers #13-23, totaling \$6,637.36 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 #2 contained vouchers #18-33, totaling \$41,497.94 was audited and approved on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

AMERICAN RESCUE PLAN ACT WARRANT #2 (Government Law 2021) contained voucher #4, totaling \$94,611.66 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

SIDEWALK MAINTENANCE DISTRICT WARRANT #1 contained voucher #1, totaling \$2,351.10 (for the year 2021) was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

CD LANE PARK ENHANCEMENT WARRANT #19 contained voucher #54, totaling \$274.50 (for the year 2021) was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

HICKORY HILL O & M WARRANT #1 contained voucher #1, totaling \$213.61 (for the year 2021) was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

GENERAL FUND PAYROLL WARRANT #2-P for **General** contained 7 claims, totaling \$6,624.29 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 \$18,578.53 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 9 claims, totaling \$10,517.97 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 #2-P contained 5 claims, totaling \$12,661.70 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 #2-P contained 1 claim, totaling \$68.10 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

**TOWN BOARD MEETING (CON'T)**

**JANUARY 27, 2022**

The meeting adjourned at 7:29 p.m. on a motion by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

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SUPERVISOR

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COUNCILMAN

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COUNCILMAN

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COUNCILMAN

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COUNCILMAN

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TOWN CLERK

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OFFICIAL