

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

**APRIL 14, 2022**

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

**Absent:** Councilman Kurt Goettsche

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

**Also Present:** Ambulance Administrator Davia Montie, Highway Superintendent Gary Thorington, Delaware Engineering John Brust, John O'Grady & Mike Ryan Mountain Eagle

**Absent:** Police Chief Tor Tryland

The Supervisor called the meeting to order at 7:00 p.m. and Ambulance Administrator Davia Montie opened with the Pledge of Allegiance.

THE MINUTES OF THE MARCH 24, 2022 TOWN BOARD MEETING were approved as typed on a motion by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

1.DELAWARE ENGINEERING: John Brust was present. John handed to the Board a memo status of the Windham Wastewater System Upgrades. This project has been quiet all winter. Things are progressing now spring is here with an estimated date of completion end of June first of July 2022. Delaware Engineering Kevin Schwenzfeier has been working with John Brust, Supervisor Hoyt and Councilman Peters on an ambulance district. For the ambulance district, Councilman Peters has the revenue number and he can get the assessment role if needed. John has still been working with EFC for the zero percent financing, we are hoping to have this complete very soon.

2.WINDHAM COMP PLAN IMPLEMENTATION: Supervisor Hoyt, "we spent the time to redo the previous comprehensive plan was created 20-years ago and that plan has always been in the file;" but nothing was ever done with it until now. Supervisor Hoyt, "we have been reimbursed by DEC for our investment of the \$35,000. Supervisor Hoyt is going to request from the Board that we sign a contract with Delaware Engineering, with Helen Budrock to lead the way; to implement the actions requested through the comp plan. Mr. John O'Grady is here to

see that a zoning committee is established and to draft a zoning law and with town board considerations.” Supervisor Hoyt would like to invite those who served on the comp plan committee, who would like to serve again on a new committee. Supervisor Hoyt would like to make the motion that we enter into agreement with Delaware Engineering, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent. John Brust, “in chapter 10 “Plan Implementation” there are 8 goals & objectives. John is hoping to find some grant money to help out.” The following memo was sent to the Windham Town Board from John Brust, Principal and Helen Budrock, Senior Planner: “In February of 2020, the Town of Windham executed a Grant Agreement with the NYS Department of Environmental Conservation relating to a Catskill Park Community Smart Growth Grant in the amount of \$35,000 to update the Town’s Comprehensive Plan. Over a two-year period, a steering committee worked closely with Delaware Engineering staff to update the plan, which was formally adopted by the Town Board on February 22, 2022. Final grant documentation and a disbursement request were forwarded to the NYSDEC on March 23, 2022. Since this initial phase of the project is now complete, and transfer of the grant funds into the Town’s account is imminent, I had a recent conversation with Supervisor Hoyt regarding next steps and moving ahead with implementation of some of the recommendations outlined in the plan. At the Town Board’s direction, Delaware Engineering is prepared to assist the Town of Windham with advancing of one or more of the recommendations that were identified in the Action Plan as a high priority for “immediate” implementation (see attached). Specific tasks will be identified and prioritized by the Comprehensive Plan Steering Committee, in consultation with the Town Board. Once the specific tasks are identified, DE will provide ongoing technical support in the form of engineering, design, planning and/or grant procurement services on an hourly basis as needed with a not-to-exceed cap of \$35,000 in accordance with our 2022 hourly rate schedule. Delaware Engineering will advise the Town Board when we approach 90% of the \$35,000 cap, and any additional work would require reauthorization by the Town Board prior to incurring any additional expenses. At this stage, we are looking for a resolution from the Town Board authorizing DE to proceed with this second phase of work, and to reconvene the Comprehensive Plan Steering Committee for the purpose of identifying and prioritizing the specific tasks to be accomplished.”

3.APPLICATION FOR TOWN SEWER & TOWN WATER SERVICE: 108 County Route 12, has paid \$50.00 for the application fee for the purchase of one EDU. Spiro Spireas & Amalia Kassapidis-Spireas are asking for permission to hook their single-family home into the Town Sewer District (this home was never originally hooked up into the sewer system). A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent. Also 108 County Route 12, is asking for permission to hook into the Town Water District. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

4.PERMISSION TO USE CENTRE PROPERTY: John Quinn has submitted an application for permission to hold the “Annual Civil War Heritage Gathering”. The Community of Windham Foundation will be sponsoring this week-long event on Tuesday, August 2, 2022 through Sunday, August 7, 2022. Each day the event will run from 11:00 am till 9:00 pm. A motion to approve was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

5.PERMISSION TO USE CD LANE PARK for a wedding and reception. Maggie Hansen has requested in a letter to the Town Board for the use of CD Lane Park to hold her wedding and reception on September 3, 2022. A motion to approve was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

6.AGREEMENT WITH WINDHAM VILLAGE CEMETERY ASSOCIATION: “Due to fiscal restraints Windham Village Cemetery Association is not able to continue providing the necessary maintenance required for the proper operation of its cemetery; and... the Town of Windham recognizes the necessity of keeping said cemetery operating in a proper manner... The Town of Windham shall pay to the Windham Village Cemetery Association the sum of \$8,000.00 to aide it in properly maintaining said cemetery.” A motion to approve this agreement was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

7.THE GREEK ORTHODOX CHURCH OF ASSUMPTION is seeking permission to hang a banner for their annual Greek Festival over State Route 23. The annual festival will be held on Thursday, August 11, 2022 through August 15, 2022. A Highway Work Permit Application for Non-Utility Work (Perm 33) has been submitted in full to the Town Board, with the Town of Windham as lead agency in a joint application with the Greek Orthodox Church of Assumption. The application will then be submitted to NYS DOT for their final approval. A motion to approve and allow the Supervisor to sign the application was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

8.TOWN CLERK'S MONTHLY REPORT FOR MARCH 2022: \$4,805.38. A motion to approve was made by Councilman Peters, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

9.COURT JUSTICE REPORT FOR MARCH 2022: Justice Stevens \$1,136.00 was noted by the Board.

10.TOWN BOARD RESOLUTION #18 OF 2022: to authorize the Supervisor to transfer the sum of \$2,849.78 from the Town of Windham Sewer District checking account to the Town of Windham Sewer District O & M Contingency checking account. A motion to adopt this resolution was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent. TOWN BOARD RESOLUTION #19 OF 2022: to authorize the Supervisor to close the Town of Windham Hickory Hill O & M checking account, as this checking account is no longer needed. A motion to adopt this resolution was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent. GENERAL FUND RESOLUTION #9 OF 2022: the following resolution was proposed to transfer funds to balance the General Fund accounts. A motion to adopt this resolution was made by Councilman Peters, 2<sup>nd</sup> by Councilman Van Valin, with 4 in favor, one absent.

11.AMBULANCE REPORT: Ambulance Administrator Davia Montie was present. 96-2 has new tires and has been serviced. Davia has a couple of applications out for a new Paramedic and EMT that are interested in working for Windham Ambulance. Calls year to date for 2021: 113 and calls year to date for 2022: 171. Supervisor Hoyt has sent two separate certified return receipt letters to Tammy Litts and James Brabazon. At this time, they are both paid as a "per diem employee". However, neither of the two have worked in a very long time for the ambulance service. Tammy Litts has not responded to the letter and will be removed from the active employee list. A motion of approve was made by Supervisor Hoyt, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent. James Brabazon has expressed an interest in staying as a current employee and will fill some of the open shifts. A motion to approve James Brabazon was made by Supervisor Hoyt, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent. The following report was submitted to the Board for their review: "I spoke with Supervisor Hoyt regarding new mattresses for the station. I am going to get prices. Also, still waiting to hear something, anything from Tommy McCullough. I know he had spoken to Supervisor Hoyt, but I am not sure where they left off." Supervisor Hoyt stated he has recently spoken to Tommy McCullough. Mr. McCullough has found a piggyback contract to piggyback off of for an ambulance rig. The Board was provided with a copy of the following activity report ***Calls for the Month of March 2022:*** *Calls in Windham: Advanced Life Support (ALS)-13, Basic Life Support (BLS)-5, Call Cancelled (C/C)-3; Refused Medical Assistance (RMA)-2, Stand By Fire (S/B Fire)-1; Calls in Jewett: ALS-4, BLS-0, C/C-2, RMA-1; Calls in Hunter: ALS-3, BLS-2; Calls in Ashland: C/C-1; Calls in Lexington: ALS-1; Greene County EMS: S/B-2. Total calls: 43, Calls turned over to Mutual Aid-Ashland-2, Durham-1. Vehicle Mileage Log for March 2022:* 96-1: 62,956 and 96-2: 136,239.

12.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present. The NYS Budget has passed. The town will be getting funding from the State level. The Section 284 form of the Highway Law, "Agreement for the Expenditure of Highway Moneys" for 2022 has been filled out and is ready for the Board to review and approve. This form "we agree that moneys and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expanded as follows: General Repairs, the sum of \$215,165.00 shall be set aside to be expanded for primary work and general repairs upon 1.8 miles of town highways, including sluices, culverts and bridges having a

span of less than five feet and boardwalks or renewals thereof.” “On the road commencing at Mill & Homestead and Mill & Huckleberry and leading to Mill & Oliver and Mill & Stony Hill Pass, a distance of 1 mile, there shall be expanded not over the sum of \$143,443.33.” “On the road commencing at County Route 56/Peck and leading to Dead End/SPTA a distance of .80 miles, there shall be expanded not over the sum of \$71,721.67.” The Board made a unanimous approval for the agreement to be signed by the Board members. Highway Superintendent Gary Thorington, reported that a private driveway owner in Maplecrest did obtain a proper driveway permit but there was some damage due to weather related storm. The highway dept is starting to see some activity from contractors who are not doing acceptable work as to putting new driveways off of town roads. At this time there are at least three building projects with building permits, but they have not applied for the proper permits for these new driveways that will be affected by the town roads. Highway Superintendent Gary Thorington has been trying to work with these contractors, but one contractor had to have a stop-work order put in place; as he was totally destroying one of our town roads.

13.POLICE REPORT: Police Chief Tor Tryland was not present. The following report was submitted to the Board for their review: “Vehicles, regular services. Street Lights: two lights were out on County Route 65A and County Route 12. Reported to power company and received e-mail back from them. No information provided about repair date. We did receive another partial delivery of ammunition. This from the order placed 14 months ago.” Supervisor Hoyt reported that, the Chief has spoken to the Greene County Sheriff, they have a radar trailer that will be installed and the other radar device from the Village of Catskill will be installed on State Route 23 for all traffic. The Board was provided with a copy of the following activity report *for the Month of March 2022: Arrests-0; Traffic Tickets-1; Traffic Stops-23; Parking Tickets-4; Calls for Service-92; Property Checks-512; EMS Assist-3; Fire Assist-6; and EID, Alarms-11.* (Per the Chief, please do not place all the weight on these numbers as each month is subject to change.)”

14.COMMITTEE REPORT: **Councilman Van Valin** has received one quote from M & C Power Washing \$1332.00 for the power washing of the outside of the town hall exterior walls, front deck, handicap ramp and railings. The fee is under our procurement policy, therefore, only one quote is needed. Councilman Van Valin would like to reward the job to M & C Power Washing. A motion to approve the reward was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent. Councilman Van Valin would like the power washing done the same time that Greene County Highway will be sweeping the state road out front. Councilman Van Valin has ordered a new door to replace the old one. **Supervisor Hoyt**, we have had a conference call with the Historical Preservation Committee to meet with us at the Centre Property. They want us to repurpose the steeple not reconstruct the steeple. A lot of the material in its current state will not be able to be repurposed. Delaware Engineering John Brust has spoken to Mr. Harvey, as he will be doing another survey on the bench mark of the steeple. Nothing has been done at this time. Councilman Van Valin would like to know how often this will be done. We have had a lot of high winds this past year. **Councilman Walker** has nothing to report on until the next CWT Meeting, they are discussing the septic program. Court Liaison Councilman Walker has reported the court now has a new court clerk Karen Matteo. The Court Clerk from the Town of Greenville has been here to help train Karen. **Councilman Peters** has had some feed back from residents concerning the benches on the Windham Path. They feel the benches are unsafe. Councilman Peters asked Highway Superintendent Gary Thorington to look at the wooden bench by the bridge as the bottom base may need to be rebuilt to stabilize. Tom Pelham originally built these benches. Maybe he could help us with the bases. We should be keeping an eye on all the wooden benches as they may all need to be stabilized. Councilman Peters has also received two complaints about unleashed dogs on the Windham Path. The Town of Windham has a dog leash law (**SEE LOCAL LAW #10 OF 2003 DOG LAW OF THE TOWN OF WINDHAM AND LOCAL LAW #1 OF 2010 REGULATING THE LICENSING OF DOGS IN THE TOWN OF WINDHAM** these laws can be found on the town’s website or at the Town Clerk’s office), there are signs, they can call the Windham Police for assistance. There is a Greene County EMS Meeting next Tuesday, as he will be attending remotely. Councilman Peters did read through the Town of Hunter Solar Law their law is 95% of what we need. Supervisor Hoyt has received the schedule from Brinnier and Larios PC Allan Dumas, Sr. Project Engineer for the NY Rising South Street Stormwater project moving forward

this spring in May. Councilman Peters' daughter is at the age where she has discovered the Windham Library and it is awesome! **Supervisor Hoyt** has received an email from Greene County Soil & Water, the contractor Hubbell will be back to the Windham Path to install the split rail fence and fix any erosion from this past winter. Also at the Windham Path, our entrance sign has lights, one of the lights was weather destroyed, Highway Superintendent Gary Thorington has been asked to see if this can be fixed. We also have wildlife critters cutting trees down and flooding the fields at the Windham Path. Supervisor Hoyt reported, there have been conversations with Attorney Kevin Young over the SAP program with the land. It has come to the Supervisor's attention that NYS DEP has been going against our subdivision law, they cannot go into a contract/their intent with a landowner prior to meeting with our planning board. They are filing the memorandum with the Greene County Clerk's office. We will be having a sit down with DEP staff and members of the Center of the Catskills staff here at the town hall. This is a big deal with the city. **Supervisor Hoyt**, the Board should know that Councilman Van Valin and Supervisor Hoyt have signed document papers for a grant (SAM24912) from Senator Hinchey's office. We have already been assigned a lady who will be working on this with us.

GENERAL FUND WARRANT #7-G contained vouchers #307-359, totaling \$45,179.28 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

HIGHWAY FUND WARRANT #7 contained vouchers #78-100, totaling \$36,824.85 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

SEWER DISTRICT FUND WARRANT #7 contained vouchers #94-113, totaling \$25,500.29 was audited and approved on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

STREETLIGHTING FUND WARRANT #4 contained vouchers #24-33, totaling \$584.62 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

SIDEWALK MAINTENANCE DISTRICT WARRANT #3 contained voucher #3, totaling \$222.79 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

GENERAL FUND PAYROLL WARRANT #7-P for **General** contained 6 claims, totaling \$5,970.29 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent. **Ambulance** payroll contained 15 claims, totaling \$16,697.77 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent. **Police** payroll contained 1 claim, totaling \$2,176.11 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

HIGHWAY PAYROLL WARRANT #7-P contained 6 claims, totaling \$11,383.49 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

SEWER DISTRICT FUND PAYROLL WARRANT #7-P contained 2 claims, totaling \$540.60 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with 4 in favor, one absent.

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

**APRIL 14, 2022**

The meeting adjourned at 7:50 pm on a motion by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with 4 in favor, one absent.

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SUPERVISOR

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COUNCILMAN

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TOWN CLERK

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OFFICIAL