

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

APRIL 28, 2022

Present: Supervisor: Thomas F. Hoyt
Councilmen: Wayne Van Valin, Ian Peters, Stephen Walker & Kurt Goettsche

Absent: Town Clerk Bonnie Poehmel

Also Present: Highway Superintendent Gary Thorington, Police Chief Tor Tryland & Mike Ryan Mountain Eagle

Absent: Ambulance Administrator Davia Montie, Town Attorney Tal Rappleyea & Delaware Engineering John Brust

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

Moment of Silence for Michael & Laura Blass & Family. Their daughter Elisia Jane tragically died in an ATV accident.

THE MINUTES OF THE APRIL 14, 2022 TOWN BOARD MEETING were approved as typed on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

1.DELAWARE ENGINEERING: John Brust was not present. Delaware Engineering Alex Herrmann has provided for the Board's review the following "Notice of Award and Proceed" construction contracts for the Windham Ambulance Facility building. Supervisor Hoyt would like the Board's permission to sign each of the following contracts: **Hamilton Plumbing Inc. \$179,948.00.** A motion to approve the plumbing contract and allow the Supervisor to sign was made by Councilman Peters, 2nd by Councilman Van Valin, will all in favor. **CDE Electric Inc. \$281,240.00.** A motion to approve the electrical contract and allow the Supervisor to sign was made by Councilman Peters, 2nd by Councilman Goettsche, will all in favor. **T. McElliott Inc \$566,000.00.** A motion to approve the HVAC contract and allow the Supervisor to sign was made by Councilman Peters, 2nd by Councilman Van Valin, will all in favor. **Plank Construction Services LLC \$2,494,750.00** A motion to approve the general construction contract and allow the Supervisor to sign was made by Councilman Peters, 2nd by Councilman Van Valin, will all in favor.

2.TOWN BOARD RESOLUTION #20 OF 2022: RESOLUTION TO SUBMIT COMMENTS ON NEW YORK STATE CLIMATE COUNCIL'S DRAFT SCOPING PLAN FOR NEW YORK'S CLIMATE LEADERSHIP AND COMMUNITY PROTECTION ACT (THE "CLIMATE ACT"). The TOWN finds that in adopting the Climate Act with its 2030, 2040 and 2050 Mandates, the Legislature made a grave mistake – the Legislature prioritized their goal of

being recognized as a world leader in fighting Climate Change over the energy security of the state's residents. Under the recently adopted Green Constitutional Amendment, every New Yorker has a constitutional right to "healthful environment". Available and affordable energy is a critical component (comparable to air, water and food) to a healthful environment. Energy security is a constitutionally protected right. In the Climate Act, the Legislature effectively ordered the cessation of the use of fossil fuels; required all the state agency officials to enforce that mandate in each and every decision; and empowered every aggrieved well-heeled donor/person the right to go to court to enforce the mandate. The Climate Act mandates are the law and are enforceable in court regardless of whether the alternative energy sources are affordable, achievable, and available. The Climate Council selected its wish list of lofty directives without determining the feasibility, cost and funding for those directives. TOWN agrees that reducing the use of fossil fuels for building heating, electric generation and land travel will reduce CO2 emissions and is admirable goal. The Legislature can support that goal by enabling the availability, affordability, and the feasibility of the alternative energy sources so that the public/consumer selects those technologies over fossil fuel powered technology. The Legislature and the Climate Council should focus on enabling carbon reductions; not ordering those reductions against the will and at the expense of its citizens' constitutional rights to choose the technology that protects their families. A motion to adopt this resolution was made by Councilman Walker, 2nd by Councilman Van Valin, with all in favor.

3.APPLICATION FOR OUTSIDE SEWER DISTRICT: 96 Karlstadt Road, Windham; Tax Map #77.00-3-4. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Peters, with all in favor.

4.FLOWER BID AWARD: Only one sealed bid was received from Kerns Landscapes and Nursery **Supplying & Planting Garden Beds** for \$13,745.00 and **Water & Maintenance Specification** for \$4,495.00. Councilman Walker would like to make a motion that the Board accepts the bid. A motion to approve was made by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

5.REQUEST FOR FIREWORKS DISPLAY: Victoria Cann is the sponsor/applicant of the show @ Ski Windham on Saturday, May 28, 2022 @ 10pm. Young Explosives Corporation will have the fireworks display. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Walker, with all in favor.

6.TOWN BOARD RESOLUTION #21 OF 2022: to accept the Sidewalk District Billing for the winter season of 2021-2022 in the amount of \$9,798.00. A motion to adopt this resolution was made by Councilman Walker, 2nd by Councilman Peters, with all in favor. GENERAL FUND #10 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 Goettsche, 2nd by Councilman Van Valin, with all in favor.

7.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present.

8.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present.

9.POLICE REPORT: Police Chief Tor Tryland was present. Chief Tryland reported on the following: Funeral yesterday at Mitchell Hollow Mission Church was highly attended. Windham PD received assistance from the State Police, Greene County Sheriff's and Durham PD handling parking and traffic issues. "Drug Take Back Day" will be on Saturday, April 30, 2022 from 10:00 am to 1:00 pm at the Windham Pharmacy. The drugs will then be taken to Albany to be turned over to the DEA. "Blue Friday" is a state wide event to be held at R. C. Lacy in Catskill on Friday, April 29, 2022. Officer Romito will represent the Windham PD. The Chief would like permission from the Board to put Donald Schoenborn back on the roster as a part time police officer. A motion to approve was made by Councilman Walker, 2nd by Councilman Van Valin, with all in favor.

10.COMMITTEE REPORT: **Supervisor Hoyt** has received a resignation letter from Scott Schoonmaker. Scott will be leaving the Windham Highway Department effective on May 9,

2022. A motion to approve was made by Councilman Peters, 2nd by Councilman Van Valin, with all in favor.

GENERAL FUND WARRANT #8-G contained vouchers #360-390, totaling \$11,821.14 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY FUND WARRANT #8 contained vouchers #101-102, totaling \$3,103.88 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 #8 contained vouchers #114-123, totaling \$36,268.71 was audited and approved on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

GENERAL FUND PAYROLL WARRANT #8-P for **General** contained 20 claims, totaling \$16,993.73 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. **Ambulance** payroll contained 16 claims, totaling \$17,819.37 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor. **Police** payroll contained 8 claims, totaling \$8,293.20 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

HIGHWAY PAYROLL WARRANT #8-P contained 6 claims, totaling \$10,577.66 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

SEWER DISTRICT FUND PAYROLL WARRANT #8-P contained 1 claim, totaling \$68.10 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

The following report was typed as per notes taken by Councilman Walker.

The meeting adjourned at 7:30 p.m. on a motion by Councilman Peters, 2nd by Councilman Walker, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK
