

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

SEPTEMBER 22, 2022

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

Also Present: Town Attorney Tal Rappleyea, Police Chief Tor Tryland, Delaware Engineering John Brust, Gail Nichol森, Pat Higgins & Mike Ryan Mountain Eagle

Also Present for the Public Hearing: Adam Okonski, Anne Marie Troccoli, Michael Troccoli, John Pumilia, Phyllis Parrish, Bobby Goff, Susan Kowalski, Anita Buyers, Rosanna Mostacciolo, Joseph Agarenzo, Russell Funk, Teresa Higgins, Neal Higgins, Matthew Rodrigue, Derrek Shannon, Susan Smith, Barry Smith, Marianna Leman, Patricia Charbonneau, Thomas Jakubowski, Alan Trinkle, James McCabe, John Zelker, Ed Oakley, John Foy, Anne Oakley, Peter Lopez & John Bunce

Absent: Ambulance Administrator Davia Montie & Highway Superintendent Gary Thorington

The Supervisor called the public hearing meeting to order at 6:30 pm and opened with the Pledge of Allegiance.

Supervisor Hoyt read the following legal notice aloud: **Notice of Public Hearing Local Law #5 of 2022** For Local Law Imposing a Temporary Town-Wide Six-Month Moratorium on Site Plan Review. NOTICE IS HEREBY GIVEN, that a public hearing will be held by the Town Board of the Town of Windham at Town Hall, 371 State Route 296, Hensonville, NY on September 22, 2022, at 6:30 PM. All persons wishing to speak upon this matter shall be heard at this time. A copy of the Local Law #5 of 2022, for local law imposing a temporary town-wide six-month moratorium on site plan review is available for review at the Town Clerk's Office during business hours 9:00 am to 4:00 pm. Bonnie Poehmel, Town Clerk Dated: September 8, 2022. Supervisor Hoyt went around the room to each person seated if they would like to speak in support or against this law. Alan Trinkle spoke in support of the law. With no others speaking a

motion to close the public hearing was made at 6:49 pm. Motion to close the public hearing was made by Councilman Peters, 2nd by Councilman Van Valin, with all in favor.

Supervisor Hoyt open the second public hearing at 6:45pm reading the following legal notice aloud: **Notice of Public Hearing Local Law #4 of 2022** A Local Law Adding a New Chapter Entitled “Noise Local Law” To the Town Code of The Town of Windham. NOTICE IS HEREBY GIVEN, that a public hearing will be held by the Town Board of the Town of Windham at Town Hall, 371 State Route 296, Hensonville, NY on September 22, 2022, at 6:45 PM. All persons wishing to speak upon this matter shall be heard at this time. A copy of the Local Law #4 Of 2022, a Local Law Adding a New Chapter Entitled “Noise Local Law” is available for review at the Town Clerk’s Office during business hours 9:00 am to 4:00 pm. Bonnie Poehmel, Town Clerk Dated: September 8, 2022. Supervisor Hoyt went around the room to each person seated if they would like to speak in support or again this law. Most every in the room was in support of the law. **Thomas Jakubowski** would like to see if the time could be changed to 9:30 pm as he has a property line issue with the sound. **Ed Oakley** does not like to hear firearms going off for 25 minutes just after dusk. This is a call that should go the Police. The Chief of Police is here tonight and will speak to Mr. Oakley. **James McCabe** is a contractor and has issues with noise starting too early in the morning. **Anita Buyers** had a few good questions that Supervisor Hoyt was able to answer. It was a good discussion by all who participated. The Supervisor and the Town Board will take into consideration all the reasons for those against the noise law. A motion to close the public hearing at 7:16 pm was made by Councilman Peters, 2nd by Councilman Walker, with all in favor.

REGULAR TOWN BOARD MEETING opened at 7:20 pm.

THE MINUTES OF THE SEPTEMBER 8, 2022, TOWN BOARD MEETING were approved as typed on a motion by Councilman Walker, 2nd by Councilman Peters, with all in favor.

1.DELAWARE ENGINEERING: John Brust was present. John had two sets of as-builts for the Old Road pump station and the WWTP. One set for the town and the other to be given to Josh Vital at WWTP. Another survey was done on the Centre Property steeple. Good news, showing no change in movement. The ambulance project is going well. Concrete is coming on Tuesday. Inspectors will meet there prior to the pouring. We have a weekly construction meeting with minutes for all those who attend. The stormwater has been approved by DEP. A letter to confirm has been sent to Delaware Engineering and the Town.

2.APPLICATION FOR TOWN SEWER SERVICE: William Sloan, Thunderbird Terrace, Tax Map #78.18-1-46, is requesting to purchase one EDU for a single-family residential home. The \$50.00 application processing fee has been paid. A motion to approve was made by Councilman Peters, 2nd by Councilman Van Valin, with all in favor.

3.WINDHAM PUBLIC LIBRARY seeking permission to use Centre Property for **October 6 @ 11 am** Western Catskills Presentation “Finding Money in your Budget to Keep up with Inflation;” **October 15 @ 11 am**, Western Catskills Presentation “Tips & Tricks to purchasing your first home;” **October 27 @ 11am**, Western Catskills Presentation “SCAMS! Keeping your personal info & money safe;” and **November 10, 2022 @ 11am**, Western Catskills Presentation “Preparing for Disaster.” A motion to approve was made by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

4.TOWN CLERK’S REPORT FOR AUGUST 2022: \$6,170.02 was approved by Councilman Peters, 2nd by Councilman Walker, with all in favor.

5.TOWN BOARD RESOLUTION #41 OF 2022: the following resolution was proposed to transfer funds to balance the Sewer District accounts. A motion to adopt this resolution was made by Councilman Goettsche, 2nd by Councilman Peters, with all in favor. TOWN BOARD RESOLUTION #42 OF 2022: to authorize the Supervisor to use \$3,608.28 from Unanticipated Revenue in account 2590-2 Permits-Buildings to balance the accounts in the General Fund as per General Fund Resolution #20 of 2022. A motion to adopt this resolution was made by

Councilman Peters, 2nd by Councilman Goettsche, with all in favor. GENERAL FUND RESOLUTION #20 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 Peters, with all in favor.

WYLDER WINDHAM HOTLEL is seeking permission to have fireworks display event on **Tuesday, October 18, 2022 @ 9:00 pm**. Young's Fireworks Explosives will be doing the fireworks display show. This event falls within the town's noise law. A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

6.AMBULANCE REPORT: Ambulance Administrator Davia Montie was absent.

7.HIGHWAY REPORT: Highway Superintendent Gary Thorington was absent.

8.POLICE REPORT: Police Chief Tor Tryland was present. Computers were installed in the police cars today at the highway garage. October will be our training month. The Autumn Affair will have coverage. **October 29, 2022 @ 10:00 am to 2:00 pm will be "Drug Take Back" day at the Windham Pharmacy**. A little footnote to property lines; we have had a trespassing complaint come in by someone who does not own property. He was complaining about ATV riders and blocking someone else's property. Chief Tryland, "A lot of times people don't know what a property line is...it is here somewhere!" That might come up as an issue. Supervisor Hoyt would like the Chief to order two decibel meters, as this will be a handy tool to have.

9.COMMITTEE REPORT: **Councilman Van Valin** had a draft picture of what the new Windham Path sign will look like on both sides. The Board has approved the sign to move forward on. Still waiting to hear on the structure to hold the sign up. **Councilman Walker** there is no CWT meeting in September. There will be a meeting in October. **Councilman Goettsche** he just updating the Facebook users with the progress on the ambulance building. He will post the **"Drug Take Back" day at the Windham Pharmacy on October 29, 2022 @ 10:00 am to 2:00 pm**. **Councilman Peters** has been reviewing our site plan and will start to review other towns who have site plan laws. The Town of Prattsville has a current site plan law that we can review. **Supervisor Hoyt** will meet with the CWC tomorrow. It is a new committee. "They will be looking at what impacts the watershed communities have had in the last 20 years. What has come out of the agreement good or bad? Land is a big deal; we are running out of space to keep things moving".

GENERAL FUND WARRANT #18-G contained vouchers #750-801, totaling \$13,439.21 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

HIGHWAY FUND WARRANT #18 contained vouchers #167-171, totaling \$63,404.73 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

SEWER DISTRICT FUND WARRANT #18 contained vouchers #254-274, totaling \$15,483.73 was audited and approved on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

AMERICAN RESCUE PLAN ACT WARRANT #4 (Government Law 2021) contained voucher #5, totaling \$2,208.00 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 #19-P for **General** contained 10 claims, totaling \$10,956.02 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Ambulance** payroll contained 15 claims, totaling \$17,354.07 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Police** payroll contained 10 claims, totaling \$11,373.38

was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY PAYROLL WARRANT #19-P contained 3 claims, totaling \$5,421.60 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 #19-P contained 3 claims, totaling \$546.00 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

Local Law #5 of 2022 For Local Law Imposing a Temporary Town-Wide Six-Month Moratorium on Site Plan Review. Supervisor Hoyt asked for any board comments to be made or changes to be made to the law? Councilman Peters would like to make a motion as written to adopt, 2nd by Councilman Goettsche, with all in favor. Town Attorney Tal Rappleyea would like “to note for the record that we did not have to send to the County Planning Board as this is except from something that they would do and SEQR Type II as this is just a moratorium.” Bonnie Poehmel Town Clerk will send the law off to the Secretary of the State of NY and the Windham Planning Board will get a copy.

Local Law #4 of 2022 A Local Law Adding a New Chapter Entitled “Noise Local Law” To the Town Code of The Town of Windham. Supervisor Hoyt asked for any board comments to be made or changes to be made to the law? Town Attorney Tal Rappleyea “we should do a Neg SEQR and Neg Doc Unlisted”, a motion to approve was made by Councilman Walker, 2nd by Councilman Peters, with all in favor. Councilman Peters would like to make a motion as written to adopt, 2nd by Councilman Goettsche, with all in favor. Bonnie Poehmel Town Clerk will send the law off to the Secretary of the State of NY.

The meeting adjourned at 7:50 pm on a motion by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK
