

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

DECEMBER 8, 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, Kevin Maldonado, Diane Kletz & Mike Ryan Mountain Eagle

Absent: Ambulance Administrator Davia Montie & Police Chief Tor Tryland

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

THE MINUTES OF THE NOVEMBER 23, 2022, TOWN BOARD MEETING were approved as typed on a motion by Councilman Walker, 2nd by Councilman Peters, with 4 in favor, one abstained by Councilman Van Valin as he was absent.

1.DELAWARE ENGINEERING: John Brust was present. John has two items to speak about tonight. As we work with Water Superintendent Kyle Schwarz; complaints have been received regarding sulfur on County Route 12 (South Street) before getting to Windham Mountain. It could be due to the increase flows that the Mountain receives. At this time, we only have one chlorinator in the water treatment system. Delaware Engineering Alan Tavenner is currently working on this problem with the town to eliminate the sulfur issue. We currently have two pumps, two wells, two pipes and one chlorinator; having another chlorinator should help with the problem. The ambulance building is moving along. The General Contractor has sheathing on the roof it is about 60-70% completed, all the trusses are there and the exterior walls are up. Shingles are scheduled to go on the roof about December 19, 2022; windows are here in storage and the plumbing is to start next week. All the asphalt work is 100% complete and looks good. The final paving will be done in the spring. The General Contractor Plank is a good contractor and good to work with.

2.RED ROCK ROAD DEVELOPMENT Kevin Maldonado was present. Tax Map #78.00-6-55; 78.00-6-56; 78.00-6-31.1; 78.00-6-76. Kevin is here to discuss the sewer laterals. His EDU's have been approved by the town. Kevin is in a discussion with DEP as they would like him to do a sewer transportation corporation or turn the system over to the town? Supervisor Hoyt spoke about why an escrow account needs to be opened for this project. A letter was received from Delaware Engineering John Brust to Kevin Maldonado asking for an escrow account to be set up with funds of \$2,500.00. The escrow account will be taken care of by the town's attorney Tal Rappleyea; this is in the town's Sewer Use Law. The Town Board has asked our engineer Delaware to speak with Kevin Maldonado's engineer; for both to review and discuss the sewer plans together. This is all discussed in the subdivision law. Kevin, the property had been subdivided about 20 years ago, the road grade is now 8-10% with a cul-de-sac at the top. The

Windham Dept has been there with their fire trucks and they are okay with the road. Supervisor Hoyt the town is not interested in owning Red Rock Road or the sewer pipes. A sewer transportation corporation will need to be developed. The new modifications need to be sent to the Town asap as the corrected plans will need to be reviewed by Delaware Engineering John Brust. The town has an agreement with DEP as they will also need to review the corrected plans/work as well as the town and Delaware Engineering.

3. NEW APPLICATION FOR OUTSIDE SEWER DISTRICT: 95 Mill Street, Proposed Lots 1, 2, & 4; Tax Map #78.00-5-45.1; looking for 3 residential EDU's. An application processing fee of \$50.00 per proposed lots has been submitted (3 x \$50=\$150.00 has been paid). The property owners Lori & Guido Aceto are currently having this property subdivided. Their application has been submitted to the Windham Planning Board for their review. They are also going to request for water at our next water meeting. Kaaterskill Associates is their engineer for this project and has already contacted Delaware Engineering John Brust to speak to him about the project. Supervisor Hoyt has spoken to Kaaterskill Associates, they too will need to set up an escrow account with funds of \$2,500.00 for the proposed sewer. The escrow account will be taken care of by the town's attorney Tal Rappleyea; this is in the town's Sewer Use Law. Each parcel EDU will cost \$5,000.00 (3 x \$5,000=\$15,000) for out of sewer district prior to approving a building permit. A motion to approve the connection was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

4. TWO NEW APPLICATIONS FOR OUTSIDE SEWER DISTRICT: 25 Two Trees Lane, Tax Map #95.00-1-16.22 and 35 Two Trees Lane, Tax Map #95.00-1-16.222 (past two meetings this has been tabled). Delaware Engineering John Brust has had a discussion with Windham Mountain Chip Seamans; suggesting that Windham Mountain Stonewall Glen Project may help out the two locations as stated above. (As for the homeowners on Two Trees Lane they would have to dig under County Route 12 to be connected to the town's sewer system at their expense.) CWC has already been contacted to help the homeowners out. No solution was discussed this will remain tabled.

5. APPLICATION TO NAME PRIVATE ROAD: Bruce McNab would like permission to name private road "Carli's Way Drive"; tax map #96.00-5-88.1 Hensonville; 486 feet from the corner of County Route 65 and Elm Ridge Road, first left on Elm Ridge Road. A motion to approve was made by Councilman Van Valin, 2nd by Councilman Peters, with all in favor.

6. REQUEST FOR OUTDOOR FIREWORKS holiday display permit shows. Sponsor/Applicant of the show Ski Windham Operating Corp. will be hosting Young Explosives Corporation- **Display Fireworks on 3 dates: December 31, 2022 @ 7:00 pm, January 13, 2023 @ 7:00 pm & February 18, 2023 @ 7:00 pm.** Each show will have an expected duration of 15 minutes. This applies with our Noise Local Law #4 of 2022. A motion to approve was made by Councilman Walker, 2nd by Councilman Van Valin, with 3 in favor, two abstain Councilman Peters and Councilman Goettsche.

7. TOWN CLERK'S REPORT FOR NOVEMBER 2022: \$1,669.29. A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

8. COLUMBIA-GREENE HUMANE SOCIETY/SPCA Contract for year 2023. This is an annual contract January 1, 2023 through December 31, 2023; between Columbia-Greene Humane Society/SPCA and the Town of Windham. A motion to accept contract and allow the Supervisor to sign was made by Councilman Peters, 2nd by Councilman Van Valin, with all in favor.

9. NEW YORK PLANNING FEDERATION MEMBERSHIP for 2023 membership dues. A motion to approve was made by Councilman Walker, 2nd by Councilman Peters, with all in favor.

10. COURT JUSTICE REPORT FOR OCTOBER 2022: Justice Stevens \$2,769.00 was noted by the Board.

11. GREENE COUNTY RESOLUTION #366-22: Authorizing Public Hearing -Senior Citizen Tax Exempt; GREENE COUNTY RESOLUTION #367-22: Setting Public Hearing on Local

Law Introductory Number 4 of 2022 (A Local Law Amending Local Law Number 1 of 2004, Which Relates to Exemption from Real Property Taxes of Property Owned by Persons with Disabilities and Limited Incomes); GREENE COUNTY RESOLUTION #393-22: Authorizing Chargeback of Assessment Roll Related Services and Materials (State Software Licensing Fee); and GREENE COUNTY RESOLUTION #394-22: Authorizing Distribution of Mortgage Tax. All noted by the Board.

12. TOWN BOARD RESOLUTION #53 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. GENERAL FUND RESOLUTION #25 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, 2nd by Councilman Goettsche, with all in favor.

13.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. The Town Board received a resignation letter from Irene Bertone effective November 5, 2021 as a staff employee from the Windham Ambulance. A motion to accept was made by Supervisor Hoyt, 2nd by Councilman Peters, with all in favor. Supervisor Hoyt would like a thank you letter to go out to Irene for her ___years of dedication to our community residents. In the same letter received from Irene Bertone she is looking for reinstatement as of December 7, 2022 as a staff employee with the Windham Ambulance.

14.ASSESSOR'S REPORT: Richard Tollner submitted the follow report to the Board for their review: "Attended classes on Obstacles to Equity, and Ratio Studies, in November and December 2022. These classes will assist me in keeping our assessment balances, level throughout the whole Town of Windham. Would like to discuss with Town Board or Town Board member getting a drone. The drone can be stored in the town office supply closet, where it is available to Windham FD and Windham PD for their use for work or emergencies. The expense is relevant to quality. The cost can be a few hundred or few thousand. I do not believe we need spend major money at all. More next spring. I am researching the FAA 107 license needed, to keep us (Town of Windham) in line with all governmental requirements. FYI FAA has elevation, weight, and speed rules of Drones. Still getting a few calls on predominantly, land, from owners, investors, real estate pros, and even out of town investors. The Town of Windham's reputation continues to be well represented. Continuing Education requirements have been satisfied for this and next year. Officially notified Christine Douglass that we are not performing a Reassessment this year. Other towns here in Greene County have decided to do the same. Already begun in November data gathering for March 1st, 2023 taxable status date. BAR memberships of all 4 members (3 & alternate) are complete for next year 2023. Thank you, Town Board, for a good year (and unusual year)."

15.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present. Water Superintendent Kyle Schwarz is having an email issue. As Dig Safe tickets are not being checked properly. The GPS system lost all contact with vehicles. Otherwise, the fleet is in good shape. The highway dept is not exempt for the sick being out for a snow storm to plow. The dept currently is working at 50% as two of the five are out sick, and still have one vacancy spot to fill. A resident from Barnum Road, Maplecrest is very happy with the new mixture for snow/ice, that we are treating the roads with.

16.POLICE REPORT: Police Chief Tor Tryland was not present. The following report was submitted to the Board for their review: "On 11/26/2022 Officer Parquez while driving on County Route 10 struck a deer. The damage is limited to a broken grill. Said grill can be replaced for approximately at \$110.00. Anticipating that our copay is higher than this, I did not do an accident report or place a claim with insurance company. Requesting permission to buy a replacement grill for 7F385. Pictures of 7F385 and copy of the report have been submitted to the Board for their review. Stats for October and November Activity report, realizing that the report for last month was mislabeled. The Board was provided with a copy of the following activity report for the **Month of October**: *Arrests-0; Traffic Tickets-9; Traffic Stops-31; Parking Tickets-0; Calls for Service-76; Property Checks-264; EMS Assist-5; Fire Assist-1; and EID, Alarms-8.* (Per the Chief, please do not place all the weight on these numbers as each month is subject to change.) The Board was provided with a copy of the following activity report for the **Month of**

November: Arrests-0; Traffic Tickets-6; Traffic Stops-35; Parking Tickets-7; Calls for Service-50; Property Checks-196; EMS Assist-4; Fire Assist-4; and EID, Alarms-3. (Per the Chief, please do not place all the weight on these numbers as each month is subject to change.)”

17.COMMITTEE REPORT: **Councilman Walker** there will be no CWT meeting till the new year January 2023. SWAC Applications are still available till March 15, 2023. At their last meeting no SWAC Applications had been submitted. At the last meeting they reviewed the Red Falls project. **Councilman Van Valin** the furnace guy was called to check out the smell at the Centre Property. He has nothing else to report on. **Councilman Peters** will check on the Water Superintendent’s email, as this is the first, he has heard of any problems. **Supervisor Hoyt** the Morales house on 88 County Route 65 has been demolished and cleared. CWT are still having discussions on the land purchases in the watershed district. The Ag District are having a public hearing for two parcels. One of the parcels is in Maplecrest. This parcel currently has violations with the town and the Ag District should be aware of this. The Town Board needs to set a date for next year’s Organizational Meeting. A motion to set the date for Tuesday, January 3, 2023 @ 6:00 pm was made by Supervisor Hoyt, 2nd by Councilman Peters, with all in favor. The town has received a donation of \$1,000.00 from Barbara Tulley for the Centre Property. The new decorations on the fence for the holiday season this year have been donated by Barbara Tulley.

COMMENTS FROM THE PUBLIC: **Kevin Maldonado** has a question about the moratorium site plan law that is in place. Supervisor Hoyt it is just for commercial properties. It will not affect single family residence properties. A sunset clause was never approved and this is being discussed. The Committee is looking just to clean up the laws to be more uniform with each other i.e., subdivisions and setback laws will all work together. Next Thursday, December 15 the Committee for this project will be meeting. **Diane Kletz** is a board member of Crystal Pond. She is just here to observe the meeting. Supervisor Hoyt mentioned to Diane that the town has had many discussions with Crystal Pond to help them with their water. Crystal Pond’s waste water sewer belongs now to the town.

GENERAL FUND WARRANT #23-G contained vouchers #958-986, totaling \$11,416.96 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

HIGHWAY FUND WARRANT #23 contained vouchers #210-222, totaling \$105,635.43 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 #23 contained vouchers #316-337, totaling \$57,345.05 was audited and approved on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

STREETLIGHTING FUND WARRANT #12 contained vouchers #90-94, totaling \$1,359.05 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

AMERICAN RESCUE PLAN ACT WARRANT #8 (Government Law 2021) contained voucher #13, totaling \$19,011.26 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 #24-P for **General** contained 5 claims, totaling \$6,030.91 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Ambulance** payroll contained 17 claims, totaling \$17,164.22 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 \$11,315.88 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

TOWN BOARD MEETING (CON'T)

DECEMBER 8, 2022

HIGHWAY PAYROLL WARRANT #24-P contained 5 claims, totaling \$9,950.93 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 #24-P contained 1 claim, totaling \$68.10 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

The meeting adjourned at 7:46 pm on a motion by Councilman Peters, 2nd by Councilman Walker, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK

OFFICIAL