

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

**JULY 27, 2023**

**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, Liz Saunier, Marianne Brigham & Mike Ryan Mountain Eagle

**Absent:** Ambulance Administrator Davia Montie, Highway Superintendent Gary Thorington & Delaware Engineering John Brust

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

THE MINUTES OF THE JULY 13, 2023, 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 not present.

2.ASHLAND COMMUNITY CHURCH requesting use of Centre Property for a concert event with the Catskill Glee Club on Sunday, October 22, 2023 @ 3:00 pm. Certificate of Liability Insurance is on file. A motion to approve was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Walker, with all in favor.

3.HIGHWAY WORK PERMIT Application for Non-Utility Work: Windham Chamber of Commerce Autumn Affair banner to be hung over State Route 23, Windham from September 12-October 17, 2023. A motion to approve allowing the Supervisor to sign the Perm 33 non-utility form and sent to NYS DOT for their approval was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Peters, with all in favor.

4.APPLICATION TO NAME PRIVATE ROADS: Robert Greifeld, Tax Map #46.00-2-77; #46.00-2-78 and #46.00-2-79; **Knollwood Circle** (a private road off 798 County Route 21), Windham. A motion to approve the name was made by Councilman Goettsche, 2<sup>nd</sup> Councilman Peters, with all in favor.

5.TOWN CLERK'S MONTHLY REPORT for June: \$6,585.47 was approved by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor.

6.TOWN JUSTICE MONTHLY REPORTS: **May:** Justice McCarthy \$2,176.00; Justice Stevens \$1, 434.00 and **June:** Justice McCarthy \$868.00; Justice Stevens \$1,004.00 was all noted by the Board.

7.ALL GREENE COUNTY TOWN/VILLAGE COURTS regarding Opposition to NYS Senate Bill S-00139B and Assembly Bill A-1358B. The Town of Catskill has already approved this resolution. Justice McCarthy has submitted a copy of the resolution for the Town Board's review and adoption. TOWN BOARD RESOLUTION #74 OF 2023: WHEREAS, New York Senate Bill number S-00139B has been passed which, if adopted by the NYS Assembly (A-1358B) and signed by the Governor, would require all Judges presiding in the 100 largest Town and Village Courts to be licensed to practice law in the State and to have been admitted to the NYS Bar for at least five years; and NOW, THEREFORE, BE IT RESOLVED, that the governing board of the Town of Windham, and in unequivocal terms, calls on both the leadership in New York State Senate and Assembly, and the Governor to reject this poorly conceived and hastily fashioned seizure of voters' rights to determine, for themselves, who they would choose to sit as their judges as has been the case for almost two hundred years. A motion to adopt this resolution was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

8.TOWN BOARD RESOLUTION #65 OF 2023: the following resolution was proposed to transfer funds to balance the Sewer District accounts. A motion to adopt this resolution was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor. TOWN BOARD RESOLUTION #66 OF 2023: the Capital Highway Equipment Reserve moved from Capital Fund accounts to the Highway Fund. Highway Funds received funds in the amount of \$10,952.66 in Unanticipated Revenue. A motion to adopt was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with all in favor. TOWN BOARD RESOLUTION #67 OF 2023: the amount of \$82,304.14 from the checkbook of the Ambulance holding account moved the amount of \$11,437.15 of Capital Ambulance Equipment Reserve. Ambulance Funds received funds in the amount of \$93,741.29 in Unanticipated Revenue. A motion to adopt was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor. TOWN BOARD RESOLUTION #68 OF 2023: to authorize the Supervisor to use \$11,437.15 from Unappropriated Fund Balance due to the Capital Ambulance Equipment Reserve account checkbook moving to the Ambulance Fund. A motion to adopt was made by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor. TOWN BOARD RESOLUTION #69 OF 2023: to authorize the Supervisor to reinvest the sum of \$504,375.00 principal and interest earned of General Fund Money in a Certificate of Deposit for 60 days at Key Bank, Windham, NY. A motion to adopt was made by Councilman Peters, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. TOWN BOARD RESOLUTION #70 OF 2023: to authorize the Supervisor to reinvest the sum of \$75,656.25 principal and interest earned of Highway Fund Money in a Certificate of Deposit for 60 days at Key Bank, Windham, NY. A motion to adopt was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor. TOWN BOARD RESOLUTION #71 OF 2023: to authorize the Supervisor to reinvest the sum of \$201,750.00 principal and interest earned of Water District Fund Money in a Certificate of Deposit for 60 days at Key Bank, Windham, NY. A motion to adopt was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor. TOWN BOARD RESOLUTION #72 OF 2023: to authorize the Supervisor to reinvest the sum of \$100,875.00 principal and interest earned of Library Fund Money in a Certificate of Deposit for 60 days at Key Bank, Windham, NY. A motion to adopt was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Peters, with all in favor. TOWN BOARD RESOLUTION #73 OF 2023: to authorize the Supervisor to reinvest the sum of \$150,000.00 of Ambulance Fund Money into a new Certificate of Deposit for 60 days at National Bank of Cossackie, Cairo, NY. A motion to adopt was made by Councilman Peters, 2<sup>nd</sup> by Councilman Walker, with all in favor. GENERAL FUND RESOLUTION #12 OF 2023: the following resolution was proposed to transfer funds to balance the General Fund accounts. A motion to adopt this resolution was made by Councilman Van Valin, 2<sup>nd</sup> by Councilman Peters, with all in favor. AMBULANCE FUND DISTRICT RESOLUTION #3 OF 2023: the following resolution was proposed to transfer funds to balance the Ambulance District Fund accounts. A motion to adopt this resolution was made by Councilman Goettsche, 2<sup>nd</sup> by Councilman Walker, with all in favor.

9.GREENE COUNTY RESOLUTION #233-23: Awarding Bid for Propane

10.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. The ambulance staff/equipment/rigs have relocated to the new building at 495 County Route 12, Windham. Their first full night was on Tuesday. Cindy Nelson the bookkeeper will call Main

Care to make sure we leave the right appliances; as it has been over 25 years. The new ambulance rig will be delivered sometime in August. Supervisor Hoyt has asked Town Attorney Rappleyea to look into the financing for the new ambulance rig. The cost is roughly \$232,000.00; giving a down payment of \$40,000.00 and the rest to be financed.

11.HIGHWAY REPORT: Highway Superintendent Gary Thorington was not present. CD Lane Road was paved today. Peck Road will get a top pavement on Monday. One highway employee is currently out as he had tripped getting out of the truck and hurt his ankle. He should be out tentatively for 3 to 4.5 weeks.

12.POLICE REPORT: Sgt. David Sherman is in charge. He is still having some issues filling the day/night shifts.

13.COMMITTEE REPORT: **Councilman Walker** the CWT Meeting has been cancelled. Supervisor Hoyt, yesterday there was a stakeholders meeting in Arkville, NY. They will be having a next round of SAP. Delaware County Board has asked for lead agency. SEQA is good till 2024 (it is a 10 year water permit). The next water permit will renew for 10 years 2034. They are waiting for New York City DEP to file the paperwork correctly to continue. **Councilman Van Valin** is having Electrician Brian Hammel resolve the fixture issue at the Library. Also, Electrician Bob Pelham is looking at the front lawn ground power problem. Councilman Van Valin and Town Clerk Bonnie Poehmel have written out a request for a painting bid for one side of the Centre Property building. The Town Board has reviewed and approved the bid notice for the newspaper. **Councilman Goettsche** has nothing to report on at this time. **Councilman Peters**, Greene County Paramedics will have a 12.8 % increase in their approved budget for one year. Councilman Peters has updated the internet network in the town hall as there have been various issues on a daily basis. **Supervisor Hoyt** spoke today to the Greene County EMS Chairman; he was not aware of the increase yet. It is about a \$2.00 an hour increase for the paramedics. How will this affect the moral of other employees that will not be getting an increase? Jenna Maggio has been rehired at CD Lane Park as a part-time lifeguard at a pay rate of \$16.00 per hour.

GENERAL FUND WARRANT #14-G contained vouchers #472-489, totaling \$13,069.13 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 #14 contained vouchers #133-142, totaling \$10,166.31 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

SEWER DISTRICT FUND WARRANT #14 contained vouchers #178-181, totaling \$1,952.57 was audited and approved on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

AMBULANCE FUND WARRANT #13 contained vouchers #127-134, totaling \$12,180.55 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

CAPITAL AMBULANCE BUILDING WARRANT #17 contained voucher #48, totaling \$112,284.47 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

CD LANE PARK ENHANCEMENT WARRANT #29 contained voucher #71, totaling \$2,263.22 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

GENERAL FUND PAYROLL WARRANT #15-P for **General** contained 15 claims, totaling \$17,281.95 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor. **Ambulance** payroll contained 16 claims, totaling

\$18,421.05 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

HIGHWAY PAYROLL WARRANT #15-P contained 3 claims, totaling \$5,529.60 was audited and approved for payment on a motion by Councilman Van Valin, 2<sup>nd</sup> by Councilman Goettsche, with all in favor.

SEWER DISTRICT FUND PAYROLL WARRANT #15-P contained 3 claims, totaling \$662.81 was audited and approved for payment on a motion by Councilman Goettsche, 2<sup>nd</sup> by Councilman Van Valin, with all in favor.

COMMENTS FROM THE PUBLIC: **Marianne Brigham** asked about the safety of the path at CD Lane Park if it is ever mowed or maintained. Supervisor Hoyt stated the path is forever wild. The Highway Dept. mows the park and will check time to time on the path for any debris that may be a safety issue. Marianne Brigham is concerned about the subdivision/site plan on Mill Street that was approved by the planning board. They currently have a building permit for one of the parcels. She is concerned about the electric company and the building. The Supervisor explained to her how is all works and he has reviewed the site in person. Marianne would like to make sure this is monitored on a regular basis.

EXECUTIVE SESSION Councilman Peters made a motion at 7:37 p.m. to recess from the Town Board Meeting to go into Executive Session to discuss a litigation issue, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. Town Attorney Tal Rappleyea and Bonnie Poehmel Town Clerk were allowed to stay. All others in the audience were asked to leave.

RECONVENE MEETING Councilman Walker made a motion at 7:58 p.m. to adjourn from Executive Session to reconvene to the Town Board Meeting, 2<sup>nd</sup> by Councilman Peters, with all in favor.

Councilman Peters would like to make a motion to allow the Supervisor to reach a settlement in the current case pending with the Greene County Supreme Court, 2<sup>nd</sup> by Councilman Goettsche, with all in favor. (see Town Board Resolution #75 of 2023)

The meeting adjourned at 7:59 p.m. on a motion by Councilman Walker, 2<sup>nd</sup> by Councilman Peters, with all in favor.

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SUPERVISOR

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TOWN CLERK

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