

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

OCTOBER 26, 2023

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

Absent: Councilman: Ian Peters

Also Present: Highway Superintendent Gary Thorington, Town Attorney Tal Rappleyea, Jon Licurse, Edouard Terzis & Mike Ryan Mountain Eagle

Absent: Ambulance Administrator Davia Montie & Delaware Engineering John Brust

The Supervisor called the meeting to order at 7:00 p.m. and Jon Licurse was asked to open with the Pledge of Allegiance.

THE MINUTES OF THE OCTOBER 12, 2023, TOWN BOARD MEETING were approved as typed on a motion by Councilman Goettsche, 2nd by Councilman Walker, with 4 in favor, one absent.

1.SEWER REQUEST HOOKUP for Edouard Terzis @ Tax Map #95.06-1-5, County Rt 12. Edouard Terzis was present. He has a site plan residential condominium development project application (#15-2023) that has been submitted to the planning board for their review. There will be 29 units, one unit has already been allotted an EDU and he will need to purchase 28 more EDU's. There will be an HOA that will manage the development. Each condo unit will have its own tax map parcel id. An escrow account has already been set up with the Town Attorney, per the planning board's requirement. Edouard would like to know if it would be possible to pay for half of the EDU's at building permit construction and the remaining half closing out the building permit for the final Certificate of Occupancy. The Town Board would like to see a Sewer Transportation Corporation to be done. **Supervisor Hoyt will give a "conditional letter to the planning board for the EDU's based upon their approval of the exact number of units that can be built with proper parking and stormwater."** The Town Sewer Board at this time is not giving approval until the planning board approves to the correct number of units with parking spaces and stormwater. A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Goettsche with 4 in favor, one absent.

2.RESCHEDULE TOWN BOARD Meeting: “The regular Town Board meeting for the Town of Windham has been rescheduled from Thursday, November 9, 2023 to **Wednesday, November 8, 2023 at 7:00 p.m.** at the Town Hall, 371 St. Rt. 296, Hensonville, NY. By Order of the Town Board Bonnie Poehmel Town Clerk Dated: October 26, 2023” A motion to approve was made by Councilman Van Valin, 2nd by Councilman Goettsche, with 4 in favor, one absent.

3.SET PUBLIC HEARING to adopt the Preliminary Budget for 2024: “Notice is hereby given that the Preliminary Budget for the Town of Windham for the fiscal year beginning January 1, 2024 has been completed and filed in the office of the Town Clerk where it is available for inspection by any interested persons at all scheduled office hours. Further notice is hereby given that the Town Board of the Town of Windham will review said preliminary budget and **hold a public hearing thereon at the Town Hall at 6:50 p.m. on November 8, 2023.** At said hearing any person may be heard for or against the preliminary budget as compiled or for or against any item or items therein contained. Pursuant to section 113 of Town Law, the proposed salaries of the following Town Officers are hereby specified: Supervisor: \$17,500; 4 Councilmen: (each) \$11,250; 2 Justices: (each) \$11,500; Town Clerk: \$44,000; Highway Superintendent \$62,000; Tax Collector: \$9,000. Notice is also hereby given the Regular Town Board meeting will be held November 8, 2023 immediately following the Public Hearing for the purpose of conducting any other business that shall come before the Town Board. By Order of the Town Board Bonnie Poehmel Town Clerk Dated: October 26, 2023” A motion to approve was made by Councilman Goettsche, 2nd by Councilman Walker, with 4 in favor, one absent.

4.RESCHEDULE THE THANKSGIVING Meeting: “Due to the regular Town Board meeting of the Town of Windham falling on Thanksgiving Day the meeting has been rescheduled for **Tuesday, November 21, 2023 at 7:00 p.m.** at the Town Hall, 371 St. Rt. 296, Hensonville, NY. By Order of the Town Board Bonnie Poehmel Town Clerk Dated: October 26, 2023” A motion to approve was made by Councilman Van Valin, 2nd by Councilman Walker, with 4 in favor, one absent.

5.TOWN BOARD RESOLUTION #99 OF 2023: 2023 Greene County Hazard Mitigation & Resilience Plan: “**WHEREAS**, the Town of Windham Town Board recognizes the threat that natural hazards pose to people and property within Town of Windham; and **WHEREAS**, the Town of Windham has prepared a multi-hazard mitigation plan, hereby known as 2023 Greene County Hazard Mitigation and Resilience Plan in accordance with the Disaster Mitigation Act of 2000; and **WHEREAS**, 2023Greene County Hazard Mitigation and Resilience Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Windham from the impacts of future hazards and disasters; and **WHEREAS**, adoption by the Town of Windham demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2023Greene County Hazard Mitigation and Resilience Plan. **NOW, THEREFORE BE IT RESOLVED, BY THE TOWN OF WINDHAM, NEW YORK, THAT: Section 1.** In accordance with (Public Law 106-390; local rule for adopting resolutions), the Town of Windham adopts the 2023 Greene County Hazard Mitigation and Resilience Plan. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.” A motion to adopt this resolution was made by Councilman Walker, 2nd by Councilman Goettsche, with 4 in favor, one absent.

6.SET PUBLIC HEARING Zoom Meeting for Planning Board Members: “NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board for the Town of Windham at the Town Hall, 371 State Route 296, Hensonville, NY on **November 8, 2023 at 6:55 pm**, regarding the adoption of a Local Law for Hybrid Public Meetings. On April 9, 2022 Governor Hochul signed an amendment to the Open Meetings Law to allow (until July 1, 2024) the expanded use of videoconferencing by public bodies in the conduct of open meetings, under extraordinary circumstances, regardless of a declaration of emergency. In order to continue meeting virtually, a town must pass a local law to opt in. Pursuant to the amendment to the Open Meetings Law, beginning on November 8, 2023, the Town of Windham Planning Board may hold Hybrid Public Meetings, permitting members of the Planning Board, to appear virtually. At such time and place all persons interested in the subject matter thereof will be heard concerning the same. Copies of the proposed law shall be

available at the time of the hearing and shall be available at times prior to and after the hearing at the Town Clerk's Office during normal business hours for the purpose of inspection or procurement by interested persons. By Order of the Town Board Bonnie Poehmel Town Clerk Dated: October 26, 2023" A motion to approve was made by Councilman Goettsche, 2nd by Councilman Van Valin, with 4 in favor, one absent.

7.VFW POST 1545 seeking permission to hold tag day on November 8, 2023 @ 9:00 am till 1:00 pm at the intersections of State Route 23 & 296. A motion to approve was made by Councilman Goettsche, 2nd by Councilman Walker, with 4 in favor, one absent.

8.WINDHAM MANOR SEEKING permission to request an exemption for the sound law on December 9, 2023 an event with music ending past midnight: "We at Windham Manor would like to inform you that we have an event on Saturday, Dec 9, 2023 that will be ending past midnight. We will have all music contained in the building and kept within the sound requirements. We however felt the need to inform you of the potential sound of vendors packing up and vehicles exiting the property. We would like to request an exemption for the sound ordinance for that evening. Due to the time of the year and the fact that people will have their windows closed I do not anticipation any complaints. Thank you for your consideration in this matter. Regards, Susan & Barry Smith". The Board would like to **table** for more information. The Board needs more clarification on a hard stop time.

9.SEEKING PERMISSION to use the Centre Property front lawn for CHANNUKAH December 7-15, 2023 to place Menorah: "I wanted to touch base with you to let you know that Channukah this year is December 7th – 15th. We would again like to place the menorah at the town center from approximately the 5th through the end of December. We expect to have a modest public lighting for the first night only. Ronnie or I will light the remaining candles each night thereafter of the 8-day holiday. Thanks for all you have done for us! Stephen Bendernagel A motion to approve was made by Councilman Goettsche, 2nd by Councilman Walker, with 4 in favor, one absent.

10.SEEKING PERMISSION to use the Centre Property for Holiday Extravaganza (family friendly variety show) December 27-29, 2023. Event show will be on Friday, December 29 @ 7:00 pm. A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Goettsche, with 4 in favor, one absent.

11.PERMISSION TO APPROVE Annual Sewer Software Support Contract 11/01/23-10/31/24. A motion to approve was made by Councilman Goettsche, 2nd by Councilman Van Valin, with 4 in favor, one absent.

12.TOWN BOARD RESOLUTIONS #100 OF 2023: authorize the Supervisor to close maturing Certificate of Deposit regarding the sum of \$150,000.00 plus the interest earned of Ambulance Fund Money at the National Bank of Coxsackie, Cairo, New York. A motion to adopt this resolution was made by Councilman Goettsche, 2nd by Councilman Walker, with 4 in favor, one absent. TOWN BOARD RESOLUTIONS #101 OF 2023: authorize the Supervisor to reinvest the sum of \$300,000.00 principle and interest earned for Sewer District #2-Crystal Pond Fund Money in a Certificate of Deposit for 1 month at the National Bank of Coxsackie, Cairo, New York. A motion to adopt this resolution was made by Councilman Goettsche, 2nd by Councilman Van Valin, with 4 in favor, one absent. TOWN BOARD RESOLUTIONS #102 OF 2023: authorize the Supervisor to reinvest the sum of \$350,000.00 principle and interest earned for Capital Sewer EDU Fund Money in a Certificate of Deposit for 1 month at the National Bank of Coxsackie, Cairo, New York. A motion to adopt this resolution was made by Councilman Walker, 2nd by Councilman Goettsche, with 4 in favor, one absent. TOWN BOARD RESOLUTION #103 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 Goettsche, 2nd by Councilman Van Valin, with 4 in favor, one absent. AMBULANCE FUND RESOLUTION #9 OF 2023: the following resolution was proposed to transfer funds to balance the Ambulance Fund accounts. A motion to adopt this resolution was made by Councilman Goettsche, 2nd by Councilman Walker, with 4 in favor, one absent. GENERAL FUND RESOLUTION #18 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, 2nd by Councilman Goettsche, with 4 in favor, one absent.

13.AMBULANCE REPORT: Ambulance Administrator Davia Montie was absent. Supervisor Hoyt gave the ambulance report. The new ambulance rig will be delivered on October 27, 2023 in the morning. On October 31, 2023 the radio from the old rig will be transferred into the new rig. The loan for the new ambulance rig has been secured with the Bank of Greene County.

14.ASSESSOR'S REPORT: the following report was submitted to the Board for their review: "Still fielding inquiries on the Windham Mountain Club situation. A good volume of realtors, builders, local property owners, and more. Just listen and provide factual real estate information. Prep has started for spring 2024 Tentative Roll. Site visits are ongoing. Promoting the upcoming Windham Zoning Commission public meeting, Thursday November 30th, 2023 at 6:30pm, at new Senior Community Center. Attended the ANSI Standard Continuing Education Class on Federal Government generated changes to appraisal guidelines, in the banking/private sector that could have an effect on some of our reviews. Replaced office flat screen with newer version, after the existing flat screen expired. Invited to speak with Windham Seniors in November at the new Senior Community Center. Celebrated my fourth year in Windham, October 1st thank you. It's a great experience to be working in a town with such a varied real estate field. (Vacation, rural, regular, and new construction arenas.)"

15.HIGHWAY REPORT: Highway Superintendent Gary Thorington was present. Supervisor Hoyt has approved the security cameras at the highway building. The cost will be \$6,869.56. The vendor who is installing the security system would like to receive half of the payment down now and the remaining half at time of completion. Supervisor Hoyt would like to pay for the system in full once it is completed installed, a motion to approve payment as a prepay once the system is completed was made by Councilman Van Valin, 2nd by Councilman Goettsche, with 4 in favor, one absent. Highway Superintendent Gary Thorington has items to be declared surplus: The 1050 JD Tractor (park) and Ferris Zero turn (park). A motion to approve was made by Councilman Walker, 2nd by Councilman Goettsche, with 4 in favor, one absent. Highway Superintendent Gary Thorington would like permission to place these two items on the surplus auction. A motion to approve was made by Councilman Goettsche, 2nd by Councilman Van Valin, with 4 in favor, one absent. Highway Superintendent Gary Thorington stated the highway bucket truck has a motor leak and is at Jr.'s Transmission Repair. We are waiting to hear if the motor will need to be disposed and replaced or keep in place for repair. Also, to report on Highway Superintendent Gary Thorington, Dan Crandal and Johnny G. (Blue Mtn Contracting) meet at the corner of Hickory Hill Rd and Thunderbird Terrace (two town roads); there is a new house with a sewer connection going in at that location. The blacktop plant will still be on until December 22, 2023; the town road will need to be completed for the winter season. This will be a single lateral to the new home per Supervisor Hoyt. The Prevailing Weight Challenge is back in court in Ulster County. The Judge has lifted the temporary restraining order as of November 15, 2023; at this time it will be subject to driver prevailing wage. This change will affect the paving in the Town of Windham.

16.POLICE REPORT: Supervisor Hoyt the Windham Police phone number 518-734-3030 has a roll over issue. This number is ringing to the State Police and not to dispatch in Cairo. Shifts for October have been filled. Highway Superintendent Gary Thorington wanted the Board to know that two out of the three police cars will need new winter tires. The tires will be bought on the state bidding price and Grand Gorge Tire will be installing the tires.

17.COMMITTEE REPORT: **Councilman Walker** attended the CWT meeting on October 16, 2023 in Arkville. They are still working on the definitions of a "wet land" from the State. SAP still has not approval from the towns. LAP's is in a draft agreement. Councilman Walker also attended the SWAC Meeting on October 25, 2023 at the WWTP. There was a presentation on "kids learning to kayak in the stream"; update was given on County Route 2 Culvert Replacement project at Falke's gravel pit. The next SWAC meeting will be in April 2024, new applications are due by March 15, 2024. **Councilman Van Valin** has nothing to report on. **Councilman Goettsche** has nothing to report on. **Supervisor Hoyt** received an email from **Windham Wylder** asking for permission to use the Windham Path on November 23, 2023

at 9:00 am to 11:00 am for a free “turkey trot”. A motion to approve was made by Councilman Goettsche, 2nd by Supervisor Hoyt, with 4 in favor, one absent.

GENERAL FUND WARRANT #20-G contained vouchers #654-680, totaling \$11,222.57 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with 4 in favor, one absent.

HIGHWAY FUND WARRANT #20 contained vouchers #187-190, totaling \$10,230.48 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with 4 in favor, one absent.

SEWER DISTRICT FUND WARRANT #20 contained vouchers #260-270, totaling \$13,490.20 was audited and approved on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with 4 in favor, one absent.

AMBULANCE FUND WARRANT #19 contained vouchers #190-195, totaling \$3,429.22 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with 4 in favor, one absent.

CAPITAL AMBULANCE BUILDING WARRANT #21 contained voucher #56, totaling \$752.75 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with 4 in favor, one absent.

GENERAL FUND PAYROLL WARRANT #21-P for **General** contained 14 claims, totaling \$13,148.20 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with 4 in favor, one absent. **Ambulance** payroll contained 17 claims, totaling \$19,931.58 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with 4 in favor, one absent.

HIGHWAY PAYROLL WARRANT #21-P contained 4 claims, totaling \$7,372.80 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with 4 in favor, one absent.

SEWER DISTRICT FUND PAYROLL WARRANT #21-P contained 3 claims, totaling \$403.59 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with 4 in favor, one absent.

The meeting adjourned at 7:45 p.m. on a motion by Councilman Walker, 2nd by Councilman Goettsche, with 4 in favor, one absent.

SUPERVISOR

COUNCILMAN

COUNCILMAN

Absent Ian Peters

COUNCILMAN

COUNCILMAN

TOWN CLERK
