

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

NOVEMBER 21, 2023

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

Also Present: WAJ Student Mariam Abigail Salinas Jaimes, Timothy Marshall, James McCade, Barry Smith & Mike Ryan Mountain Eagle on phone

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

The Supervisor called the public hearing to order at 6:45 p.m. and opened with the Pledge of Allegiance.

1.PUBLIC HEARING @ 6:45 pm noise permit application submitted by Windham Manor. NOTICE IS HEREBY GIVEN, that a public hearing will be held by the Town Board of the Town of Windham at 371 State Route 296, Hensonville, NY on November 21, 2023 at 6:45 pm. The Town Board has elected to hold a public hearing on the noise permit application submitted by Windham Manor. All persons wishing to speak upon this matter shall be heard at this time.

TOWN BOARD MEETING (CON'T)

NOVEMBER 21, 2023

By Order of the Town Board Bonnie Poehmel Town Clerk Dated: November 8, 2023(see Local Law #4 of 2022)

Supervisor let the public speak allowing them to speak about the “trucks leaving late, music the will be inside”; there will be no debating back and forth. The Board wants to hear what are the pros and cons. **James McCade** is a full time resident for the past 8-years. His concern is the late night weddings with the music regardless of the timeframe. **Timothy Marshall** has owned a home here for the past 11-years. His concern is the music still playing at 2:00 am. **Barry Smith** is owner of the Windham Manor. He has had multiple visits by the local, county and state police. Barry and his wife Susan have always been courteous to the neighbors. They want to have the “good neighbor policy” above and beyond. The discussion went well. The Board will think about the comments and will make a decision at the end of the town board meeting. A motion to close the public hearing at 7:09 pm was made by Councilman Walker, 2nd by Councilman Peters, with all in favor.

Supervisor Hoyt opened the **REGULAR TOWN BOARD MEETING** at 7:09 pm.

THE MINUTES OF THE NOVEMBER 8, 2023, TOWN BOARD MEETING were approved as typed on a motion by Councilman Walker, 2nd by Councilman Goettsche, with 4 in favor, Councilman Peters abstains as he was absent.

1.DELAWARE ENGINEERING: John Brust was not present. Supervisor Hoyt gave his report. John Brust is working on two waste water projects with the planning board. One of the projects is at the west end of town. The project owner still has no approved plans for DEP, DEC or the town.

2.COMMUNITY OF WINDHAM FOUNDATION requesting permission to light holiday tree at the Hensonville Park. “The Community of Windham Foundation (COWF) is requesting permission to light the Hensonville Tree on Friday, December 8th at 5:30 PM for the holiday season. If approved, we will also have Santa present as well as carolers and hot chocolate. Thank you for your favorable response and we invite all of you to join us for the festivities!” A motion to approve was made by Councilman Goettsche, 2nd by Councilman Walker, with all in favor.

3.ANNUAL SOFTWARE SUPPORT CONTRACT: Town Clerk Plus Dogs December 1, 2023 through November 30, 2024 @ \$453.00. A motion to approve was made by Councilman Peters, 2nd by Councilman Van Valin, with all in favor.

3.JUSTICE REPORT FOR OCTOBER 2023: Justice McCarthy \$1,900.00 was noted by the Board.

4.TOWN BOARD RESOLUTION #111 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 Peters, with all in favor. TOWN BOARD RESOLUTION #112 OF 2023: to authorize the Supervisor to us \$1,875.48 from Unappropriated Fund Balance to balance the accounts in the Streetlighting Fund as per Streetlighting Fund Resolution #113 of 2023. . A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor. TOWN BOARD RESOLUTION #113 OF 2023: the following resolution was proposed to transfer funds to balance the Streetlighting District accounts. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor. AMBULANCE FUND RESOLUTION #11 OF 2023: the following resolution was proposed to transfer funds to balance the Ambulance District accounts. A motion to adopt this resolution was made by Councilman Peters, 2nd by Councilman Van Valin, with all in favor. GENERAL FUND RESOLUTION #20 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 Goettsche, 2nd by Councilman Peters, with all in favor.

5.AMBULANCE REPORT: Ambulance Administrator Davia Montie was not present. Supervisor Hoyt has a new hire application and recommendation from the Ambulance Administrator Davia Montie. Supervisor Hoyt would like a motion from the Board to hire Aaron Cook. A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor.

6.ASSESSOR'S REPORT the following report was submitted to the Board for their review: "Queries still come in on the WINDHAM MOUNTAIN CLUB situation. A good volume of Realtors, builders, local property owners, and more. Updated today November 15, 2023. WMC reducing by 500 skiers, cancelling mountain biking, adding restaurant, upgrading lift, NO single day tickets in Jan 2024 – March 2024, with the buy in still at \$175,000. The quoted number of purchasers to date is 175, with evidence not on file here. Have speaking engagement with Windham Seniors November 20th, 2023. Will offer Tax Exemption information in addition to main topic of Windham history. Photography work continues with a 100 plus site visits in November update. Office organization continues with additional binders of permit data, Tax Mapping info, and other useful support materials. Will research computer software to expedite issues with current Windows 11, that effect our RPS, stated sponsored software. Data download issue and problems have occurred causing stoppages. Solutions underway.... RPS people VERY helpful. Adding third office flat screen by approximately January 31st, 2024 in time for heavy assessing season, January 1st – March 1st, 2024. Already have flat screen. Working with newer ANSI standards for housing guidelines."

7.HIGHWAY REPORT: Highway Superintendent Gary Thornton was not present. Supervisor Hoyt, we are due for mix weather winter storm tonight. The highway department is preparing to go out.

8.POLICE REPORT: Supervisor Hoyt has been out into the town introducing our new Chief of Police Richard Selner. Supervisor Hoyt would like a motion from the Board to approve the downstairs are of the old senior center room for the Chief of Police new office. A motion to approve was made by Supervisor Hoyt, 2nd by Councilman Walker, with all in favor. The current police office will continue to be used by the Officers on duty, as a processing center & for the court officers.

9.COMMITTEE REPORT: **Councilman Walker** did not attend the last CWT meeting as he was not able to go. **Councilman Van Valin** has no issues to report on everything is quiet. **Councilman Goettsche** has nothing to report on. **Councilman Peters** will take care of the moving of the tax collector's telephone from her home office back to the tax collector's office at 134 South Street. Councilman Peters suggests in order to cancel the ambulance fax line that is no longer needed, it is better to buy out the contract as noted in an email from our telephone provider for \$750.00. A motion to approve was made by Councilman Peters, 2nd by Councilman Goettsche, with all in favor. "According to our records, you are under a 3-year term agreement that was signed in 2023. Per our Terms and Conditions, the Service Term of each Service and each additional Service ordered after the Effective Date will begin on its Installation Date and continue for a Term identical to the initial Term set forth in the Agreement. The Service Term shall automatically renew for one (1) year periods at BullsEye's then current rates unless either Party provides at least sixty (60) days prior written notice of cancellation."

Supervisor Hoyt would like the Town Board to state should a noise permit be issued for the Windham Manor for the event on December 9, 2023? A motion to grant permission was made by Councilman Peters, 2nd by Councilman Walker, with all in favor.

Supervisor would like to review the "sound level reading above 75 dBA as measured from the property line boundary shall be considered prima facie evidence of an unreasonable noise." Maybe the 75 dBA level is too high at 11:00 pm-12:00 midnight and different at 8:00 pm-10:00 pm. Supervisor Hoyt would like the Board to review the law again, mark up, note any concerns and submit back; from there a public hearing for the revisions of the law can be set.

GENERAL FUND WARRANT #22-G contained vouchers #724-737, totaling \$11,839.69 was audited and approved for payment on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

HIGHWAY FUND WARRANT #22 contained vouchers #212-219, totaling \$4,232.98 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 #22 contained vouchers #288-292, totaling \$992.72 was audited and approved on a motion by Councilman Van Valin, 2nd by Councilman Goettsche, with all in favor.

AMBULANCE FUND WARRANT #21 contained vouchers #210-220, totaling \$4,164.03 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

CAPITAL AMBULANCE BUILDING WARRANT #22 contained voucher #57, totaling \$16,033.24 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 #23-P for **General** contained 7 claims, totaling \$8,432.10 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor. **Ambulance** payroll contained 16 claims, totaling \$17,949.37 was audited and approved for payment on a motion by Councilman Goettsche, 2nd by Councilman Van Valin, with all in favor.

HIGHWAY PAYROLL WARRANT #23-P contained 6 claims, totaling \$11,335.68 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 #23-P contained 1 claim, totaling \$81.03 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 7:29 pm on a motion by Councilman Walker, 2nd by Councilman Peters, with all in favor.

SUPERVISOR

COUNCILMAN

COUNCILMAN

COUNCILMAN

COUNCILMAN

TOWN CLERK
