

**Special Meeting of the Town Board
Town of Windsor, New York
June 26, 2013 7:00pm
Town of Windsor, Town Hall
124 Main Street, Windsor, NY 13865**

MEETING CALLED TO ORDER by Supervisor Carolyn Price, at 7:00pm.

PLEDGE OF ALLEGIANCE was recited.

ROLL CALL by Clerk:

Supervisor Carolyn Price: Present
Councilman George B. West: Present
Councilman Timothy J. Bates: Present
Councilwoman Lesa Hawk-Shuler: Present
Councilman William J. McIntyre: Present
Highway Superintendent Rocky Kohlbach: **Absent**
Attorney Cheryl Sacco: Present
Engineer Ron Lake: Present
Town Clerk Barbara Rajner Miller: Present

Also present were: Jerry Henehan, Dan Schofield (Broome County Transportation), and Christopher Maby (Delta).

PUBLIC COMMENT:

(Supervisor Price outlined the guidelines of public comment.)

None.

UNFINISHED BUSINESS:

- Broome County and the Delta Road Preservation Plan

Dan Schofield explained that as the gas industry was first introduced several years ago, the County was concerned with protecting its roads. The County adopted a road ordinance, which was cumbersome and logistically hard to manage. It also "picked on" every trucking industry that was going to use County roads. County looked to formalize a process, with Delta Engineering, who has an extensive road use blanket protection program in a considerable portion of lower NYS. Delta's approach is not industry-specific; it's project-specific. In doing a project, which upsets greater than an acre, it would require a stormwater permit. The County would require an application to be filled out to see which roads will be used, the frequency of the road, trips, the weights of the trucks, types of trucks, etc. The application would be reviewed and mathematical calculations would be done to determine if the owner, *not the trucker*, would be damaging the roads or not.

Christopher Maby, with Delta Engineering explained the program:

The program is broken down into phases. Determination is made whether or not the project is regulated. Local Law adopted. Delta will train personnel at the Town level as to how the program works. Assessment is made as to whether or not the truck exceeds a predetermined threshold. Deeper look into the roads used by the developer. Sampling of roads is done. Meeting with Hwy Superintendent on typical road repair, which Delta documents. Engineer's report is done. Each year, Delta asks Hwy Superintendent to update the costs associated with repairs/reconstruction.

Dan Schofield mentioned that per Debbie Preston, for uniformity, the County will pay (the fee of approx. \$8,000-\$10,000) for any Town that wants to opt-in to the Delta Program. There's no cost to the Town to be a member of the Delta Road Use Agreement, which the County will umbrella. Towns that passed this are: Binghamton, Union, Chenango (planning to pass next month), Fenton, Colesville.

Supervisor Price mentioned that the Board would like to see the appendixes that are referenced. Discussion followed. Concerns of enforcement. Memorandum of Understanding with neighboring Towns for shared service of enforcement was discussed.

Attorney Sacco mentioned that she does not like the amount of control this plan gives to the developer and the procedure for the appeal.

Attorney Sacco will "tweek" some language, have it reviewed by Delta's attorney, and have it ready for August's Town Board meeting.

Attorney Sacco confirmed that: the pre-testing will be paid for out of the money put into the escrow, the post-testing analysis will be paid for out of the escrow, and the escrow is replenishable (by them). All were confirmed.

Supervisor Price: "I want to clarify. Is it 20 miles or 20% of our miles?" Maby's response: "It's a minimum of 20 miles."

NEW BUSINESS:

**Town of Windsor, County of Broome, State of New York
A RESOLUTION AUTHORIZING
THE ADOPTION OF
THE BROOME COUNTY
MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN
Resolution #24-2013**

PRESENT: Supervisor Carolyn W. Price
Councilman George B. West
Councilman Timothy Bates
Councilwoman Lesa Hawk-Shuler
Councilman William McIntyre

At a **Special Meeting** of the Town of Windsor Town Board, held at the Town Hall on the **26th day of June, 2013**, the following resolution was

OFFERED BY: Councilman McIntyre

SECONDED BY: Councilman West

WHEREAS, all of Broome County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Broome County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Broome County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the **Town of Windsor**:

- 1) Adopts in its entirety, the Broome County Multi-Jurisdictional All-Hazard Mitigation Plan (the "Plan") as the jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

PASSED AND ADOPTED on **this 26th day of June, 2013**, by the following vote:

AYE - Supervisor Carolyn W. Price

AYE - Councilman George B. West

AYE - Councilman Timothy J. Bates

AYE - Councilman Lesa Hawk-Shuler

AYE - Councilman William J. McIntyre

Motion Approved.

Resolution Adopted: June 26, 2013

**Town of Windsor, County of Broome, State of New York
RESOLUTION AUTHORIZING SUBMITTAL OF A LETTER OF INTENT TO THE
HAZARD MITIGATION GRANT PROGRAM
Resolution #25-2013**

PRESENT: Supervisor Carolyn W. Price
Councilman George B. West
Councilman Timothy Bates

