

**Regular Meeting of the Town Board
December 14, 2022 7:00 P.M.
Town of Windsor Town Hall
124 Main Streets, Windsor, NY 13865**

Supervisor Odell pointed out the exits in the room.

MEETING CALLED TO ORDER: by Supervisor Mark Odell, at 7:00 P.M.

PLEDGE OF ALLEGIANCE: was recited.

ROLL CALL by Town Clerk Elizabeth Pfister:

Supervisor Mark Odell: Present
Deputy Supervisor Daniel Colwell: Present
Councilman Gary M. Hupman: Present
Councilman Timothy Harting: Absent
Councilwoman Christine Kennedy-Tierno: Present
Code Enforcement Officer Richard Osbourne: Present
Highway Superintendent Michael Kithcart: Present
Attorney Cheryl Insinga: Present

Also, present were: Don & Elizabeth Einstein, Ryan Glovich, David Brown, Daniel R. Price, Fred & Fran Barrett

PUBLIC COMMENTS: None

APPROVAL OF MINUTES:

Motion By: Councilman Hupman Sec. By: Deputy Supervisor Colwell

Motion to approve the minutes of the November 9, 2022 Public Hearing & Regular Meeting as submitted.

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

FINANCIAL REPORT:

Motion By: Deputy Supervisor Colwell Sec. By: Councilman Hupman

Motion to approve December 2022 Bills for Payment.

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

November 2022 Financials were distributed to the Board.

Motion By: Councilman Hupman Sec. By: Councilwoman Kennedy-Tierno

Motion to Set Wastewater Treatment Plant Operator Hourly Rates Effective January 1, 2023

DEC Certificate 2: \$27.95 per hour
DEC Certificate 2A: \$27.95 per hour
DEC Certificate 3: \$28.98 per hour
DEC Certificate 3A: \$28.98 per hour
DEC Certificate 3A with Extra Responsibilities: \$31.05 per hour
DEC Certificate 4: \$30.02 per hour
DEC Certificate 4A: \$30.02 per hour

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

Motion By: Deputy Supervisor Colwell Sec. By: Councilwoman Kennedy-Tierno
Motion to Set Casual Laborers' Hourly Rate at \$16.90, Effective January 1, 2023

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

COMMITTEE REPORTS:

ASSESSOR: None

CEMETERIES:

Councilman Hupman reported that he was contacted by Joe & Laura Fiore about volunteering to repair damaged headstones in Town owned cemetery on North Road. They have relatives there who's stones they would like to repair first and asked about the possibility of repairing others. They have already received permission from Mountain View Cemetery on Trim Street to repair some stones in there. Attorney Insinga advised it would be up to the Board on how to proceed, Supervisor Odell asked Councilman Hupman to see if they would be willing to present to the Board at an upcoming meeting.

DOG CONTROL:

The 2022 Municipal Shelter Inspection Report was reviewed by the Board, the Front Street Dog Shelter received an Unsatisfactory rating for not having a written contract or lease with municipalities all other items were in compliance.

ECONOMIC DEVELOPMENT:

The Windsor Partnership will be hosting First Knight on December 31, 2022 thru January 1, 2023

Motion By: Deputy Supervisor Colwell **Sec. By:** Councilwoman Kennedy – Tierno
Motion to allow the spending of up to \$250.00 from the Celebrations budget line on food for the Town Hall during the First Knight Celebration.

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

The Supervisor opened the motion up for public comments, there were none.

ENERGY: None

HIGHWAY:

Highway Superintendent Kithcart let the Board know that the new plow truck is on the road.

HISTORY: None

SENIOR CITIZENS:

Councilman Hupman shared that he has attended a couple of the Wednesday Senior lunches at the Community House and said it's a great meal with entertainment and nice people, he encourages others to stop in.

TOWN CLERK/REGISTRAR:

The Board reviewed the Clerk's November report, the Clerk reported that tax bill printing has begun.

TOWN HALL:

Quotes that were received for the Gutter System and the Masonry work on the Town Hall were given to the Board. One quote for the gutter system work was received from Gutter Pro and one Masonry Quote from Aztec Masonry. Supervisor Odell stated nothing would be done with these quotes until Councilman Harting had the estimates for insulating the roof. The Town Clerk also advised that the Town should be hearing back on the Historic Preservation Grant this month as well.

WASTEWATER TREATMENT PLANT:

The Board was given the statement of unpaid and delinquent sewer charges for 2022 that have been sent to the County for relevy.

Wastewater Treatment Plant Operator, Don Sherwood had submitted 3 estimates for a spare pump for the Wastewater Treatment Plant. Supervisor Odell stated that this is not a currently failing part, everything is operating as it should currently this would be a spare to have on hand.

Motion By: Deputy Supervisor Colwell

Sec. By: Councilwoman Kennedy-Tierno

Motion to use ARPA funds to purchase a spare Sulzer ABS Submersible XFP80C-VX2-PS22/4 as per the Shrier-Martin quote submitted in the amount of \$4780.00 + Delivery

Vote of the Board:

Supervisor Odell- Aye

Deputy Supervisor Colwell- Aye

Councilman Hupman- Aye

Councilman Harting- Absent

Councilwoman Kennedy-Tierno- Aye

Motion Passed

YOUTH & RECREATION: None

ZONING, PLANNING & CODE ENFORCEMENT:

The Board reviewed the November 2022 Zoning report. Code Enforcement Officer Osborne wanted to make the Board aware that all municipalities will need to pass a Town law to repeal the current and adopt the 2020 NYS Fire Code & Building Code he will have information at the January meeting.

Motion By: Councilman Hupman

Sec. By: Deputy Supervisor Colwell

Motion to Approve the Renewal of 10 Mobile Home Park Licenses

Vote of the Board:

Supervisor Odell- Aye

Deputy Supervisor Colwell- Aye

Councilman Hupman- Aye

Councilman Harting- Absent

Councilwoman Kennedy-Tierno- Aye

Motion Passed

PUBLIC SAFETY:

The Board reviewed Eastern Broome Emergency Services November 2022 Operating Report along with their September and October 2022 revenues.

TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK

Amend the 2022 Budget to Reflect One Time Allocation of Fund Balance RESOLUTION #46-2022

PRESENT: Supervisor Mark Odell
Deputy Supervisor Daniel Colwell
Councilman Gary M. Hupman
Councilwoman Christine Kennedy-Tierno

ABSENT: Councilman Timothy Harting

At a Regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 14th day of December, 2022, the following resolution was

Offered By: Councilwoman Kennedy – Tierno

Second By: Councilman Hupman

WHEREAS, at a public hearing held the 8th day of June, 2022 an Agreement with Windsor Emergency Services, Inc. for Ambulance Service in the Town of Windsor was approved for the period of one year beginning June 8, 2022 ending June 8, 2023

WHEREAS, in accordance with Section 6(b) of Agreement of Ambulance Services; the town can as an additional consideration make a one-time allocation from fund balance to assist the Squad with a one-time, non-operating expense or a one-time deposit in Squad’s savings account to bridge a gap due to billing cash, flow in an amount not to exceed \$10,000.00; and

IT IS HEREBY RESOLVED by the Town Board of the Town of Windsor that the following budgetary adjustment be made, effective on the date the payment is spent:

Estimated Revenues	
A909 Fund Balance - Unreserved	\$10,000.00
Estimated Expenditure	
A4540.4A Ambulance – Contractual	\$10,000.00

Vote of the Board:

Supervisor Mark Odell - Aye

Deputy Supervisor Daniel Colwell - Aye

Councilman Gary M. Hupman - Aye

Councilman Timothy Harting - ABSENT

Councilwoman Christine Kennedy-Tierno - Aye

Motion Approved

Resolution Adopted: December 14, 2022

STATE OF NEW YORK:

COUNTY OF BROOME: ss

TOWN OF WINDSOR:

Certification

I, Elizabeth Pfister, Clerk of the Town of Windsor, do hereby certify that the foregoing is a true and exact copy of a resolution adopted by the Town Board of the Town of Windsor, Broome County, New York on the 14th day of December 2022.

[Town Seal]

Elizabeth Pfister,
Town Clerk Town of Windsor

Motion By: Councilman Hupman Sec. By: Deputy Supervisor Colwell
Motion to Recess for Legal advice at 7:30 p.m.

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

Motion By: Deputy Supervisor Colwell Sec. By: Councilman Hupman
Motion to Return from Legal advice at 8:03 p.m.

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

UNFINISHED BUSINESS:

Motion By: Deputy Supervisor Colwell Sec. By: Councilwoman Kennedy-Tierno
Motion for Supervisor to Sign All Legal Documents Necessary to Settle the Insurance Payment as a result of the fire at the Highway Garage.

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

**Town of Windsor, County of Broome, State of New York
A Resolution Acknowledging that an Examination of the
Justice Court's Records was Conducted
Resolution #42-2022**

**PRESENT: Supervisor Mark Odell
 Deputy Supervisor Daniel Colwell
 Councilman Gary M. Hupman
 Councilwoman Christine Kennedy-Tierno**
ABSENT: Councilman Timothy Harting

At a Regular Board Meeting of the Town of Windsor Town Board, held at the Town Hall on the 14th day of December, 2022, the following resolution was

OFFERED BY: Councilman Hupman
SECONDED BY: Councilwoman Kennedy - Tierno

WHEREAS, Uniform Justice Court Act Section 2020-a partially sets forth the following:

“It shall be the duty of every such justice, at least once a year and upon the last audit day of such village or town, to present his records and docket to the auditing board of said village or town, which board shall examine the said records and docket, or cause same to be examined and a report thereon submitted to the board by a certified public accountant, or a public accountant and enter in the minutes of its proceedings the fact that they have been duly examined, and that the fines therein collected have been turned over to the proper officials of the village or town as required by law. Any such justice who shall willfully fail to make and enter in such records and docket forthwith, the entries by this section required to be made or to exhibit such records and docket when reasonably required, or present his records and docket to the auditing board as herein required, shall be guilty of a misdemeanor and shall, upon conviction, in addition to the punishment provided by law for a misdemeanor, forfeit his office.”

WHEREAS, On or about the 16th day of November, 2022, the Justice Court of the Town of Windsor presented its records and docket to the auditing board of the Town of Windsor.

WHEREAS, On or about the 16th day of November, 2022, the auditing board of the Town of Windsor duly examined the records and docket of the Justice Court of the Town of Windsor, for the timeframe of December 1, 2021 - October 31, 2022.

WHEREAS, the auditing board of the Town of Windsor found no issues during its examination.

NOW, THEREFORE, this 14th day of December, 2022,

BE IT RESOLVED by the Town Board of the Town of Windsor, as follows:

RESOLVED, The Town Board acknowledges that the required examination of the Town Justice books was conducted and that no issues were identified during the examination.

RESOLVED, The Town Clerk is asked to send a copy of this resolution to: Internal Audit Services Unit, Attn: Joan Casazza 2500 Pond View, Suite LL01, Castleton – on – Hudson, NY 12033 or via email at: jcasazza@nycourts.gov

RESOLVED, this resolution shall take effect immediately.

Vote of the Board:

Supervisor Mark Odell - Aye
Deputy Supervisor Daniel Colwell - Aye
Councilman Gary M. Hupman - Aye
Councilman Timothy Harting - Absent
Councilwoman Christine Kennedy-Tierno – Aye

Motion Approved

Resolution Adopted: December 14, 2022

CERTIFICATION

I, Elizabeth Pfister, do hereby certify that I am the Town Clerk of the Town of Windsor and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Windsor at a meeting thereof held at the Windsor Town Hall, 124 Main Street, Windsor, NY on the 14th day of December, 2022.

[Town of Windsor Seal]

Elizabeth Pfister
Town Clerk of the Town of Windsor

Town of Windsor, County of Broome, State of New York
A RESOLUTION ACKNOWLEDGING AN EXAMINATION OF THE RECORDS OF
THE TOWN CLERK WAS CONDUCTED
Resolution #43-2022

PRESENT: Supervisor Mark Odell

Deputy Supervisor Daniel Colwell
Councilman Gary M. Hupman
Councilwoman Christine Kennedy-Tierno
ABSENT: Councilman Timothy Harting

At a Regular Meeting of the Town of Windsor Town Board, held at the Town Hall on the 14th day of December, 2022, the following resolution was

OFFERED BY: Deputy Supervisor Colwell
SECONDED BY: Councilwoman Kennedy – Tierno

WHEREAS, Town Law Section 123 requires each town officer and employee who received or disbursed any moneys in the previous fiscal year shall account with the Town Board for such moneys and shall produce all supporting books, records, receipts, warrants, vouchers, and cancelled checks or check images as authorized by General Municipal Law Section 99-b;

WHEREAS, on or about the 8th day of December, 2022, the Town Clerk of the Town of Windsor presented her records and docket to the Town of Windsor’s auditing board;

WHEREAS, on or about the 8th day of December, 2022, the Town’s auditing board duly examined the records and docket of the Town Clerk Elizabeth Pfister, for the timeframe of December 1, 2021 – November 30, 2022.

WHEREAS, the Town’s auditing board completed its review and filed its report in the Clerk’s office; and

NOW, THEREFORE, this 14th day of December, 2022,

BE IT RESOLVED by the Town Board of the Town of Windsor, as follows:

RESOLVED, the Town Board acknowledges that the required examination of the Town books was conducted; the report is on file in the Clerk’s Office;

RESOLVED, this resolution shall take effect immediately.

Vote of the Board:

Supervisor Mark Odell - Aye
Deputy Supervisor Daniel Colwell - Aye
Councilman Gary M. Hupman - Aye
Councilman Timothy Harting - Absent
Councilwoman Christine Kennedy-Tierno – Aye

Motion Approved
Resolution Adopted: December 14, 2022

CERTIFICATION

I, Elizabeth Pfister, do hereby certify that I am the Town Clerk of the Town of Windsor and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Windsor at a meeting thereof held at the Windsor Town Hall, 124 Main Street, Windsor, NY on the 14th of December, 2022.

Town of Windsor Seal

Elizabeth Pfister
Town Clerk of the Town of Windsor

Town of Windsor, County of Broome, State of New York
A Resolution Acknowledging that an Examination of the
Chief Fiscal Officer’s Records was Conducted
Resolution #44-2022

PRESENT: Supervisor Mark Odell
Deputy Supervisor Daniel Colwell
Councilman Gary M. Hupman
Councilwoman Christine Kennedy-Tierno
ABSENT: Councilman Timothy Harting

At a Regular Meeting of the Town of Windsor Town Board, held at the Town Hall on the 14th day of December, 2022, the following resolution was:

OFFERED BY: Deputy Supervisor Colwell
SECONDED BY: Councilwoman Kennedy - Tierno

WHEREAS, Town Law Section 123 requires each town officer and employee who received or disbursed any moneys in the previous fiscal year shall account with the town board for such moneys and shall produce all supporting books, records, receipts, warrants, vouchers, and cancelled checks or check images as authorized by General Municipal Law Section 99-b.

WHEREAS, On or about the 23rd day of November, 2022, the Chief Fiscal Officer of the Town of Windsor presented her records and docket to the auditing board of the Town of Windsor.

WHEREAS, On or about the 23rd day of November, 2022, the auditing board of the Town of Windsor duly examined the records and docket of the Chief Fiscal Officer of the Town of Windsor, for the timeframe of **November 1, 2021 – November 11, 2022**.

WHEREAS, the auditing board of the Town of Windsor found no issues during its examination.

NOW, THEREFORE, this 14th day of December, 2022,

BE IT RESOLVED by the Town Board of the Town of Windsor, as follows:

RESOLVED, The Town Board acknowledges that the required examination of the Chief Fiscal Officer's books was conducted and that no issues were identified during the examination.

RESOLVED, this resolution shall take effect immediately.

CERTIFICATION

I, Elizabeth Pfister, do hereby certify that I am the Town Clerk of the Town of Windsor and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Windsor at a meeting thereof held at the Windsor Town Hall, 124 Main Street, Windsor, NY on the 14th day of December, 2022. Said resolution was adopted by the following vote:

Vote of the Board:

Supervisor Mark Odell - Aye
Deputy Supervisor Daniel Colwell - Aye
Councilman Gary M. Hupman - Aye
Councilman Timothy Harting - Absent
Councilwoman Christine Kennedy-Tierno – Aye

Motion Approved
Resolution Adopted: December 14, 2022

Elizabeth Pfister
Town Clerk of the Town of Windsor

Town of Windsor, County of Broome, State of New York
A RESOLUTION ACKNOWLEDGING AN EXAMINATION OF THE RECORDS OF
THE TAX COLLECTOR FOR 2022 WAS CONDUCTED
Resolution #45-2022

PRESENT: Supervisor Mark Odell
Deputy Supervisor Daniel Colwell
Councilman Gary M. Hupman
Councilwoman Christine Kennedy-Tierno
ABSENT: Councilman Timothy Harting

At a Regular Meeting of the Town of Windsor Town Board, held at the Town Hall on the 14th day of December, 2022, the following resolution was

OFFERED BY: Councilman Hupman
SECONDED BY: Deputy Supervisor Colwell

WHEREAS, Town Law Section 123 requires each town officer and employee who received or disbursed any moneys in the previous fiscal year shall account with the Town Board for such moneys and shall produce all supporting books, records, receipts, warrants, vouchers, and cancelled checks or check images as authorized by General Municipal Law Section 99-b;

WHEREAS, on or about the 8th day of December, 2022, the Tax Collector of the Town of Windsor presented her records and docket to the Town of Windsor's auditing board;

WHEREAS, on or about the 8th day of December, 2022, the Town's auditing board duly examined the records and docket of the Tax Collector, for the timeframe of January 1, 2022 – November 30, 2022;

WHEREAS, the Town's auditing board completed its review and filed its report in the Clerk's office; and

NOW, THEREFORE, this 14th day of December, 2022,

BE IT RESOLVED by the Town Board of the Town of Windsor, as follows:

RESOLVED, The Town Board acknowledges that the required examination of the Tax Collector's books was conducted and that no issues were identified during the examination.

RESOLVED, this resolution shall take effect immediately.

CERTIFICATION

I, Elizabeth Pfister, do hereby certify that I am the Town Clerk of the Town of Windsor and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Windsor at a meeting thereof held at the Windsor Town Hall, 124 Main Street, Windsor, NY on the 14th day of December, 2022. Said resolution was adopted by the following vote:

Vote of the Board:

Supervisor Mark Odell - Aye
Deputy Supervisor Daniel Colwell - Aye
Councilman Gary M. Hupman - Aye
Councilman Timothy Harting - Absent
Councilwoman Christine Kennedy-Tierno – Aye

Motion Approved

Resolution Adopted: December 14, 2022

Elizabeth Pfister
Town Clerk of the Town of Windsor

NEW BUSINESS:

The Board received copies of Justice Stapleton's annual education certification and sexual harassment certification.

The Board received copies of Justice Blythe's sexual harassment certification.

The Board did the annual review of the Procurement Policy #23-2013, no changes are needed at this time.

Motion By: Councilman Hupman

Sec. By: Deputy Supervisor Colwell

Motion to Schedule a Special Meeting to Pay Year End Bills, December 28, 2022 7:00 P.M. at Windsor Town Hall

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

Motion By: Councilman Hupman Sec. By: Deputy Supervisor Colwell
Motion to Authorize Supervisor or His Designee to Sign Agreement with Broome County to Operate Satellite DMV Offices at Town Hall for 2023

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

Motion By: Deputy Supervisor Colwell Sec. By: Councilman Hupman
Motion to Advertise for Position on the Zoning Board of Appeals

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

UPCOMING MEETING: Special Meeting December 28, 2022 7:00 P.M. Town Hall
Regular Meeting January 11, 2023 7:00 P.M. Town Hall

PUBLIC COMMENTS:

Dan Price – White Birch Lake Road, Windsor – Wanted to compliment Highway Superintendent for black topping Piper Hill and painting the lines on the road at the intersection, many other residents have also commented on how helpful it has been.

ADJOURNMENT:

Motion By: Deputy Supervisor Colwell Sec. By: Councilwoman Kennedy-Tierno
Motion to Adjourn Meeting at 8:09 P.M.

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Absent
Councilwoman Kennedy-Tierno- Aye

Motion Passed

Respectfully Submitted,

Elizabeth Pfister
Town Clerk