

**Public Hearing & Regular Meeting of the Town Board
April 12, 2023 7:00 PM
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 7:01 PM

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: Present

Councilman Daniel R. Price: Present

Code Enforcement Officer Richard Osbourne: Present

Highway Superintendent Michael Kithcart: Present

Attorney Mark Spinner: Present

Also, present were: Kristine Breeding, Route 79, Windsor; Don & Elizabeth Einstein, Windsor Standard; Fred & Anne Stapleton, Riley Road, Windsor; Mike Korchak, Hawley Street, Binghamton; John Mastronardi, Griffiths Engineering; Stephen Finch, Beaver Lake Road, Windsor; Lori A. Svercak, Anne Road, Windsor; Fred & Fran Barrett, Blatchley Road, Windsor; David E. Brown, Ostrander Road, Windsor; Jason Garner, Hawley Street, Binghamton; Bob Williams, Kent Street, Windsor

PUBLIC HEARING:

Supervisor Odell Opened the Public Hearing for Local Law Amending Article X of Chapter 93 of the Zoning Code to Authorize the Appointment of Two Alternate Zoning Board of Appeals Members at 7:02 P.M. There were no public comments, the Hearing was closed at 7:03 P.M.

**TOWN OF WINDSOR
RESOLUTION #8-2023 APPROVING LOCAL LAW NO. 2 OF 2023**

At a regular meeting of the Town Board of the Town of Windsor, held at Town Hall, 124 Main Street, Windsor, New York on the 12th day of April, 2023, the following resolution was:

Offered By: Deputy Supervisor Colwell

Seconded By: Councilman Harting

WHEREAS, the Town Board scheduled a public hearing for April 12, 2023 at 7:00 p.m. for Local Law No. 2 of the Year 2023 entitled "A LOCAL LAW AMENDING ARTICLE X OF CHAPTER 93 OF THE ZONING CODE TO AUTHORIZE THE APPOINTMENT OF TWO ALTERNATE ZONING BOARD OF APPEALS MEMBERS"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk's signboard; and

WHEREAS, said public hearing was duly held at Town Hall 124 Main Street, Windsor, New York on the 12th day of April, 2023 at 7:00 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(26) and (33); and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Windsor hereby adopts said local law as Local Law No. 2 of the Year 2023 entitled “A LOCAL LAW AMENDING ARTICLE X OF CHAPTER 93 OF THE ZONING CODE TO AUTHORIZE THE APPOINTMENT OF TWO ALTERNATE ZONING BOARD OF APPEALS MEMBERS”, a copy of which is attached hereto and made a part hereof; and further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting; and it is further

RESOLVED that the Local Law will take effect immediately upon filing with the Department of State.

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 Town Hall, 124 Main Street, Windsor, NY on the 12th day of April, 2023. Said resolution was adopted by the following vote:

Supervisor Mark Odell	VOTED - Aye
Deputy Supervisor Daniel Colwell	VOTED - Aye
Councilman Gary Hupman	VOTED - Aye
Councilman Timothy Harting	VOTED - Aye
Councilman Daniel R. Price	VOTED – Aye

Motion Approved

Resolution Adopted: April 12, 2023

Town of Windsor Seal

Elizabeth Pfister, Town Clerk
Town of Windsor

Supervisor Odell introduced County Executive Jason Garner to give his State of the County Address. County Executive Garner began by sharing that the economy in Broome County is doing well, and the fiscal health of the County is good. Currently Broome County has the lowest unemployment rate since 1990 and there is plenty of work available. Crime is down 17% but County Executive Garner stated there is still more work to do in that area. There has been record sales tax growth the past two years in the County, and this is the fifth year in a row the County has reduced property taxes. The State Comptroller’s office recently increased the County’s Bond rating to A1, the best rating the County has ever seen. Major projects over the past couple years have been the new Amazon and FedEx facilities in Kirkwood, the first lithium battery manufacturing plant in North America opening in Endicott, new flights at the Broome County Airport, and the current Oakdale Commons project that will house the largest Dick’s Sporting Goods in the world. The Executive is looking to utilize abandoned plazas around the County for projects currently working on the old Kmart plaza in Endicott and looking to the Binghamton Kmart Plaza for a stand-alone Veterans Services building. All Broome County Parks will receive upgrades this year with new bathrooms, grill and trails. Looking into making the Bagsai softball complex an attraction for large softball tournaments to help bring people to Broome County. County Executive Garner shared that the County for the first time will be partnering with a private company to secure grants to fix the broadband issues in Broome County, and the place with the largest need is the Town of Windsor and will be where the project will be piloted in order to try to bring the service to more residents. County Executive Garner recognized the efforts of former Town Supervisor Carolyn Price who has helped with the project.

Supervisor Odell asked the Executive how the decision of the Governor to keep Medicaid money instead of giving it to the County’s how that affects Broome. Executive Garner stated that this would be a \$5Million dollar impact to the County budget.

Councilman Price asked about recent news he had heard in Pennsylvania that they had just received \$50Million for Broadband infrastructure and not one of the federal grants was given in New York State. Executive Garner stated he is hopeful that with the partner company they will be able to secure the funds necessary to move Broome County broadband project forward.

Councilman Hupman asked if there was any interest in building residential housing in the Windsor area. The County Executive shared that he has not had specific interest to this point, most likely due to the cost of property taxes in the State.

Supervisor Odell introduced Broome County District Attorney Michael Korchak to give an overview of what is happening at the D.A.'s office. DA Korchak shared that in his six years in office the biggest hurdles that he's had to face have been bail reform and discovery reform. Part of the delay with the State budget passing is the bail reform issue. The decrease in crime in Broome County D.A. Korchak contributes to the Law Enforcement in the area and the job that they do along with a focus at the D.A.'s office on repeat offenders and violent criminals. District Attorney Korchak stated he is proud of the work that has been done in Windsor, Windsor Schools is where the first School Resource Officer was placed and just recently, he was part of the First Responder Program that was launched at Windsor High School. This program will assist in attracting students to become First Responders and start them in programs at a young age, and assist with the shortage of First Responders across the state.

Supervisor Odell apologized to the Public for the length of time for the two guests but thanked both County Executive Garner and District Attorney Korchak for coming to the meeting and letting the public know what is going on as he feels its important that they come and talk to the residents.

PUBLIC COMMENTS:

Steven Finch – Beaver Lake Road, Windsor – Asked what the new highway garage building would do to taxes. Supervisor Odell stated at this time it is still unknown.

Lori Svercek – Anne Road, Windsor – Asked what can be done about ATV's riding up and down roads and her rights to be on the road on her horse. Also stating the ATVs are a safety concern as they have scared her horse and she has almost been injured. The Board advised that roadways and ATVs are governed by State traffic laws not the Town and suggested law enforcement be contacted.

APPROVAL OF MINUTES:

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

Motion to approve the minutes of the March 8, 2023 Regular Meeting as submitted.

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Aye
Councilman Price - Aye

Motion Passed

FINANCIAL REPORT:

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

Motion to approve April 2023 Bills for Payment.

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Aye
Councilman Price - Aye

Motion Passed

The March 2023 Financials were distributed Supervisor Odell asked if there were any questions, there were none.

TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK
Amend the 2023 Budget to Reflect Federal ARPA Revenue and Expenditures
RESOLUTION #9-2023

PRESENT: **Supervisor Mark Odell**
 Deputy Supervisor Daniel Colwell
 Councilman Gary M. Hupman
 Councilman Timothy Harting
 Councilman Daniel R. Price

At a Regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 12th day of April, 2023, the following resolution was:

Offered By: Councilman Harting
Second By: Councilman Hupman

WHEREAS, the Town expects to spend \$25,681.00 for ductless splits at the Town Hall. Motion was made and approved at the Regular Meeting of the Town of Windsor Town Board, held at the Town Hall on the 8th day of March 2023 to use APRPA funds for this project. Bid proposal accepted from Appolo Heating and

IT IS HEREBY RESOLVED by the Town Board of the Town of Windsor that the following budgetary adjustment in the A fund be made to cover the cost of this purchase and installation;

BE IT FURTHER RESOLVED that this resolution take effect on the date the payment is requested:

ACCOUNT	ACCOUNT NAME	DEBIT	CREDIT
A688	OTHER LIABILITIES - ARPA	\$25,681.00	
A4089	OTHER AID FROM ARPA		\$25,681.00
	<i>REVENUE RECOGNITION FOR ARPA TOWN HALL DUCTLESS SPLIT</i>		
A4089	OTHER AID FROM ARPA	\$25,681.00	
A1620.4	BUILDINGS: CONTRACTUAL		\$25,681.00
	<i>ARPA FUNDS TO APPOLO HEATING</i>		

Vote of the Board:

Supervisor Mark Odell - Aye
 Deputy Supervisor Daniel Colwell – Aye
 Councilman Gary M. Hupman - Aye
 Councilman Timothy Harting - Aye
 Councilman Daniel R. Price - Aye

Motion Approved

Resolution Adopted: April 12, 2023

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 12th day of April 2023.

 Elizabeth Pfister, Town Clerk Town of Windsor

TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK
Resolution To Amend 2023 Budget For
Receiving Revenue From “The Justice Court Assistance Program”.
RESOLUTION #10-2023

PRESENT: **Supervisor Mark Odell**
 Deputy Supervisor Daniel Colwell
 Councilman Gary M. Hupman
 Councilman Timothy Harting
 Councilman Daniel Price

At a Regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 12th day of April, 2023, the following resolution was:

Offered By: Councilman Hupman
Second By: Deputy Supervisor Colwell

WHEREAS, the Town of Windsor has received monies from the State of New York in the amount of \$7,989.00 (Resolution #32-2022); therefore

IT IS HEREBY RESOLVED by the Town Board of the Town of Windsor that the following budgetary adjustment be made:

Increase Estimated Revenues	
A3089 Revenue Other State Aid – JCAP Grant	\$7,989.00
Increase Estimated Expenditures	
A1110.4 Justices – Contractual	\$7,989.00

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 12th day of April, 2023. Said resolution was adopted by the following roll call vote:

Supervisor Mark Odell - Aye
Deputy Supervisor Daniel Colwell – Aye
Councilman Gary M. Hupman - Aye
Councilman Timothy Harting – Aye
Councilman Daniel R. Price – Aye

Motion Approved
Resolution Adopted: April 12, 2023

Elizabeth Pfister,
Town Clerk Town of Windsor

Motion By: Deputy Supervisor Colwell Sec. By: Councilman Hupman
Motion to Recess for Legal advice on a Contractual Matter at 8:01 PM

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Aye
Councilman Price - Aye

Motion Passed

Motion By: Deputy Supervisor Colwell Sec. By: Councilman Harting
Motion to Return from Legal advice on a Contractual Matter at 8:15 PM

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Aye
Councilman Price - Aye

Motion Passed

COMMITTEE REPORTS:

ASSESSOR:

The Board reviewed the Assessor’s report, there were no questions or comments.

CEMETERIES:

DOG CONTROL:

ECONOMIC DEVELOPMENT:

ENERGY:

ENGINEER:

HIGHWAY:

John Mastronardi gave the update to the Board on the Highway Building we are at the 100% design phase and the bid advertisement has been submitted to the Windsor Standard and the Press & Sun Bulletin the first ad to run Friday April 14th. All contractors that are interested will go through Data Flow to receive all the documents and addendums now through May 1st and bids are due to the Clerk by May 15th where they will be opened and publicly read aloud. John will be present at the bid opening so he can then take all the bid packets back to review them for the correct paperwork and make a recommendation to the Board for the June meeting. John brought Code Officer Osbourne plans to do the site review for the project as well and Code Officer Osbourne will notify John of any issues but neither party expects anything major that would delay the project. Councilman Price asked about material delays that they keep reporting, John stated he is hopeful that contractors will be able to find supplies through the various suppliers that they work with. The only possible known issue is a delay in generators which would not halt the progress on the building. If these issues arise John will come to the Board to see if adjustments can be made to bid contracts but until we have an issue it is hard to prepare for it. Councilman Harting questioned the size of the backup generator in the plans, he feels it's far larger than what is necessary. John said he would go back to the mechanical engineer and ask how he arrived at the size and share Councilman Harting's concerns and see if there is any alternative.

Deputy Supervisor Colwell asked if the new single axle truck had been received from Burr Trucking. Highway Superintendent Kithcart said it was currently at Binghamton Truck Body being outfitted with snow equipment and the Town should take delivery of the truck very soon.

HISTORY:

SENIOR CITIZENS:

TOWN CLERK/REGISTRAR:

The Board reviewed the Town Clerk's report and asked if the Clerk had anything to share with the Board. Clerk Pfister shared she had received a \$450 scholarship from the New York State Town Clerks Association for their conference, so the Town would be receiving a check and she will receive a plaque at the conference at the end of the month.

TOWN HALL:

Councilman Harting shared that both contractors he had come in to give estimates on insulating the ceiling above the Court room said that trying to spray foam the ceiling would be a waste of money. Both suggested that a "serviceable" drop ceiling be installed that can support the weight of insulation and still allow access above the ceiling when needed. Deputy Supervisor Colwell asked Code Officer Osbourne if building support above the current drop ceiling to support batted insulation would meet code requirements, the Code Officer agreed it would. Deputy Supervisor Colwell stated he would reach out to contractors to come look at the job.

The Board decided to hold off on the flooring quotes until a contractor is confirmed to do the carpentry work in the Clerk's office because that needs to be scheduled before flooring can be done. The Clerk stated there is a contractor scheduled to come on Tuesday to look at the job and they will continue to reach out for other quotes.

WASTEWATER TREATMENT PLANT:

Supervisor Odell shared an email from Sewer Plant Operator Don Sherwood in regards to a failed submersible sludge pump that is need of replacement. Don sent three quotes for pumps available as replacements for the Board. Supervisor Odell continued on to share that the sludge beds will be reaching maximum capacity in the 3-4years. Once they are full the Town will be responsible to remove the sludge and clean reed beds within one season. Supervisor Odell stated that this is something he would urge the Board to consider spending more of the ARPA funds on as this will be a costly yet essential endeavor.

Motion By: Deputy Supervisor Colwell

Sec. By: Councilman Hupman

Motion to Purchase the Barnes 4SE113_4L Submersible Non-Clog Pump from Koester in the Amount of \$11,300.00 and Estimated Shipping of \$750.00

Vote of the Board:

Supervisor Odell- Aye

Deputy Supervisor Colwell- Aye

Councilman Hupman- Aye

Councilman Harting- Aye

Councilman Price - Aye

Motion Passed

Discussion: Deputy Supervisor Colwell stated he thinks this pump is the best choice because all specifications are laid out, Supervisor Odell added that the Town has purchased from Koester in the past and they are reliable.

YOUTH & RECREATION:

ZONING, PLANNING & CODE ENFORCEMENT:

The Board reviewed the March 2023 Zoning Report, Code Officer Osbourne said there are a couple large projects in the works. One project *The Hills of Windsor* on Garrett Road is scheduled to be on the agenda at the next two months Planning Board meetings. Code Officer Osbourne reiterated that he would like to see the Board put into place bonding of roadways because the work they are planning to do on this project will destroy Garrett Road and the Town will end up paying to repair the road.

The other project in the works is Pine Crest Campground in South Windsor is looking to expand so that may potentially be coming in front of the Board as well in the coming months.

Bob Williams, Zoning Board Chair addressed the Board about forming a committee to go through the Town Code and look at the definitions in the law as well as anything that is no longer relevant or has changed that it may be time to update in the Code. He would like to have ZBA, Planning Board and anyone else that would be interested to be a part of it. Once they had reviewed the Town Code, they would bring back to the Board anything that they felt it was time to update or change for the Board to decide on. Attorney Spinner advised that Supervisor Odell would need to make any committee appointments. It was decided that once they know who will on the committee Supervisor Odell will make the appointment.

The Board reviewed the minutes from the March 22, 2023 Zoning Board of Appeals Minutes, there was no discussion.

PUBLIC SAFETY:

The Board reviewed the March 2023 Eastern Broome EMS reports, there was nothing to note.

UNFINISHED BUSINESS:

The Board received the decision on the Speed Limit request on Ostrander Road, New York State DOT has approved reducing the speed limit to 45 miles per hour. The signs have been ordered to be installed.

**Town of Windsor, County of Broome, State of New York
Adoption of the NYS Public Employer Health Emergency Plan
Resolution #11-2023**

PRESENT: Supervisor Mark Odell
Deputy Supervisor Daniel Colwell
Councilman Gary M. Hupman
Councilman Timothy Harting
Councilman Daniel R. Price

At a regular meeting of the Town Board of the Town of Windsor, held at Windsor Town Hall, 124 Main Street, Windsor, New York on the 12th day of April, 2023, the following resolution was:

Offered By: Deputy Supervisor Colwell
Second By: Councilman Harting

WHEREAS, a Public Employer Health Emergency Plan (the “Plan”) has been developed in accordance with NYS legislation S8617B/A10832 Promulgation, and amended New York State Labor Law section 27-c, requiring public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease; and

WHEREAS, the Plan is pertinent to a declared public health emergency in the State of New York which may impact the Town’s operations, and it is in the interest of the safety of the Town’s residents and employees, and the continuity of the Town’s operations; and

WHEREAS, the Town Board holds the authority to direct the implementation of the Plan should a public health emergency be declared within the territorial limits of the Town of Windsor.

IT IS THEREFORE RESOLVED that the Town of Windsor hereby implements the Public Employer Health Emergency Plan and, pursuant to the Plan, the Supervisor shall be authorized and empowered to use any and all facilities, equipment, supplies, personnel, or other resources of the Town of Windsor to cope with any disaster or emergency which may arise; and

IT IS FURTHER RESOLVED that the Supervisor of the Town of Windsor may modify the Plan as reasonably necessary to address the public health emergency and comply with any and all changes in applicable state, federal and local laws, regulations, and guidance within the Town of Windsor; and

IT IS FURTHER RESOLVED that a copy of this Plan is on file in the Office of the Town Clerk, a copy of which is attached to and made a part of these minutes; and

IT IS FURTHER RESOLVED that Plan shall be reviewed on an annual basis to ensure the continuity, updating or revising of the plan; and

IT IS THEREFORE RESOLVED, by the Town Board of the Plan is enacted effective April 12th, 2023.

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 Windsor Town Hall, 124 Main Street, Windsor, New York on the 12th day of April, 2023. Said resolution was adopted by the vote:

Supervisor Mark Odell	VOTED - Aye
Deputy Supervisor Daniel Colwell	VOTED - Aye
Councilman Gary Hupman	VOTED - Aye
Councilman Timothy Harting	VOTED - Aye
Councilman Daniel R. Price	VOTED - Aye

Dated: April 12, 2023
Motion Approved

Town of Windsor Seal

Elizabeth Pfister, Town Clerk

Supervisor Odell read aloud the “Thank You” letter sent by Don & Elizabeth Einstein, former owners of the Windsor Standard for the recognition by the Board at the March meeting.

NEW BUSINESS:

Motion By: Councilman Price

Sec. By: Councilman Harting

Motion to Ratify the Approval of the Supervisor or His Designee Sending a Letter to the Broome County Land Bank Corporation in Support of Demolishing 714 E. Windsor Road in the Town of Windsor

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Aye
Councilman Price - Aye

Motion Passed

The Emergency Preparedness Plan was distributed to the Board to get any updates to the Clerk by next months meeting so the updates plan can be adopted.

Motion By: Councilman Harting

Sec. By: Councilman Price

Motion to Authorize The Supervisor or His Designee to Execute Memorandum of Agreement with Teamsters Local 317 Relating to the Reimbursement of Insurance Premiums Deducted in Error, Subject to Legal Counsel and Opinion

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Aye
Councilman Price - Aye

Motion Passed

The Board received a copy of a letter from Adam’s Cable in regards to rate increases, they have to notify the Town due to the franchise agreement.

UPCOMING MEETING: May 10, 2023 7:00 PM Windsor Town Hall

PUBLIC COMMENTS:

David Brown, Ostrander Road, Windsor – Felt that having the Zoning and Planning Board go through the Town Code is a very good idea, he knows from when he was working for the Town as Code Officer there were issues with the updates at that time.

ADJOURNMENT:

Motion By: Deputy Supervisor Colwell
Motion to Adjourn Meeting at 9:17 PM

Sec. By: Councilman Hupman

Vote of the Board:

Supervisor Odell- Aye
Deputy Supervisor Colwell- Aye
Councilman Hupman- Aye
Councilman Harting- Aye
Councilman Price - Aye

Motion Passed

Respectfully Submitted,

Elizabeth Pfister
Town Clerk