

**Regular Meeting of the Town Board**  
**May 10, 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 7:00 PM

**PLEDGE OF ALLEGIANCE:** was recited.

**ROLL CALL** by Town Clerk Elizabeth Pfister:

Supervisor Mark Odell: Present

Deputy Supervisor Daniel Colwell: Absent

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: Kevin Houghtaling, Grove Street; Carolyn Price, White Birch Lake Road; Fred & Fran Barrett, Blatchley Road; David Brown, Ostrander Road

**PUBLIC COMMENTS:** Kevin Houghtaling, Grove Street – Came to the meeting to be on record about an erosion issue at his home that he feels was the result of an unnecessary ditch that was put in front of his house in error back in 2006, prior to the flooding. Previous Town employees were made aware of it and Kevin admitted he did not follow up on correcting it but has notices excessive erosion and wanted to make the Town aware. Highway Superintendent Kithcart stated he would go out and set up some markers so they can attempt to track where the issue needs to be corrected then the cause can be determined to see if it is due to the ditch or not.

**APPROVAL OF MINUTES:**

**Motion By: Councilman Hupman**

**Sec. By: Councilman Harting**

Motion to approve the minutes of the April 12, 2023 Public Hearing & Regular Meeting as submitted.

**Vote of the Board:**

Supervisor Odell- Aye

Deputy Supervisor Colwell- Absent

Councilman Hupman- Aye

Councilman Harting- Aye

Councilman Price - Aye

**Motion Passed**

**FINANCIAL REPORT:**

**Motion By: Councilman Harting**

**Sec. By: Councilman Hupman**

Motion to approve May 2023 Bills for Payment.

**Vote of the Board:**

Supervisor Odell- Aye

Deputy Supervisor Colwell- Absent

Councilman Hupman- Aye

Councilman Harting- Aye

Councilman Price - Aye

**Motion Passed**

**COMMITTEE REPORTS:**

**ASSESSOR:**

The Board reviewed the April report.

**CEMETERIES:**

Councilman Hupman followed up with the Board on what he found out from NYS Division of Cemeteries in regards to the Fiore's repairing stones at the Town owned cemeteries. Unfortunately, without consent from a family member a headstone is considered private property. Private cemeteries have more liberty because they have a Board in charge of maintenance and they can decide that a monument needs repair.

**DOG CONTROL:**

Councilman Harting brought to the Boards attention that Dog Control Officer Bronson had contacted him because legal council had advised that DCO and Code Officer look into body cameras to wear when they are going out to home on a dog call or a code issue. They are looking into pricing and they are reasonable in cost and they would provide legal with the necessary documentation to hold residents accountable in court.

**ECONOMIC DEVELOPMENT:**

**ENERGY:**

**ENGINEER:**

**HIGHWAY:**

Supervisor Odell stated John Mastronardi from Griffiths Engineering was supposed to be at the meeting with generator specs for the new Highway building but is not sure what happened to him. Supervisor Odell told Councilman Harting that after looking the information again he is in agreeance that it can be a smaller unit.

**Motion By: Councilman Hupman**

**Sec. By: Councilman Price**

Motion to Advertise Bids for Road Sand and Authorize Publication

**Vote of the Board:**

Supervisor Odell- Aye

Deputy Supervisor Colwell- Absent

Councilman Hupman- Aye

Councilman Harting- Aye

Councilman Price - Aye

**Motion Passed**

**HISTORY:**

**SENIOR CITIZENS:**

The Board received a "Thank You" card from the Wednesday Senior Group that meets at the Community House for the yearly contribution to their program. Councilman Hupman said they have a really nice program.

**TOWN CLERK/REGISTRAR:**

The Board review the Clerk's April report. The Clerk shared she was the recipient of a full scholarship for the NYS Tax Collector's Conference in June and the Town will be receiving reimbursement.

**TOWN HALL:**

**Motion By: Councilman Harting**

**Sec. By: Councilman Hupman**

Motion to Hire Greg Pitcher Renovations for the Court Room Ceiling Insulating Project at a cost of \$3,200.00 from ARPA Funds

**Vote of the Board:**

Supervisor Odell- Aye

Deputy Supervisor Colwell- Absent

Councilman Hupman- Aye

Councilman Harting- Aye

Councilman Price - Aye

**Motion Passed**

**Motion By: Councilman Harting**

**Sec. By: Councilman Hupman**

Motion to Hire Greg

Pitcher Renovations for the Clerks Office Remodel for \$10,100.00 from ARPA Funds

**Vote of the Board:**

Supervisor Odell- Aye

Deputy Supervisor Colwell- Absent

Councilman Hupman- Aye

Councilman Harting- Aye

Councilman Price - Aye

**Motion Passed**

**Discussion:** Councilman Harting asked if this would be acceptable as there were not three bids presented, Supervisor Odell said legal council had advised as long as due diligence had been done to get the bids this would be acceptable.

**Motion By: Councilman Harting**

**Sec. By: Councilman Hupman**

Motion to Approve the Purchase of Office Furniture for Clerk's Office from Staples NY SOGS Contract in the Amount of \$2,353.22 using ARPA Funds.

**Vote of the Board:**

Supervisor Odell- Aye

Deputy Supervisor Colwell- Absent

Councilman Hupman- Aye

Councilman Harting- Aye

Councilman Price - Aye

**Motion Passed**

**WASTEWATER TREATMENT PLANT:**

Supervisor Odell just wanted to remind the Board of last months discussion in regards to emptying the reed beds in the next year. It was decided to ask Don Sherwood to compile information and cost for the Board to review.

**YOUTH & RECREATION:**

Opening Day took place May 6<sup>th</sup> and seemed to be successful. The Town Fair is moving forward for it's second year it will be August 16<sup>th</sup>-19<sup>th</sup> this year.

**ZONING, PLANNING & CODE ENFORCEMENT:**

The Board reviewed the April Zoning Report. Code Officer Osborne has been working with Bob Williams and Shelly Bennett to revise and update the Town Code for print and online. Shelly Bennett has already done a lot of the work they are reviewing what she has done to this point. Councilman Price remarked that the Town has excellent people working for them with Planning Board Chair Bennett and Code Officer Osborne and the Town should be sure to appreciate them.

Code Officer Osborne asked the Board to review a letter that he will be submitting to the NYS Farm Brewery licensing board in regards to The McKnight's property on Dunbar Road. All Board members agreed it looked acceptable.

The Board reviewed the Zoning Board of Appeals Meeting Minutes from May 10, 2023 which contained all the necessary information about the McKnight's project. Code Officer Osborne made the Board aware of an error in the minutes; "Under the Farm Brewery License, production must be under 50 barrels..." it must be a minimum of 50 barrels and he will notify the ZBA secretary of error.

**PUBLIC SAFETY:**

The Board received the January 2023 Transport Revenue report along with the April 2023 Operating Update. Supervisor Odell asked Councilman Harting if there was anything to add, Councilman Harting stated that they had received delivery of their last ambulance.

**UNFINISHED BUSINESS:**

**Town of Windsor, County of Broome, State of New York  
Adoption of the Town of Windsor Disaster Emergency Preparedness Plan  
Resolution #12-2023**

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

**ABSENT:** Deputy Supervisor Daniel Colwell

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 10<sup>th</sup> day of May, 2023, the following resolution was:

**Offered By: Councilman Harting  
Seconded By: Councilman Hupman**

**IT IS HEREBY RESOLVED**, by the Town Board of the Town of Windsor, Broome County, State of New York that Pursuant to Section 23, Article 2-B of the Executive Law of the State of New York, that the Supervisor of the Town of Windsor, may proclaim a local state of emergency within any part of, or all of the territorial limits of the Town of Windsor, and

**IT IS RESOLVED**, that the Supervisor of the Town of Windsor is 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 RESOLVED**, that the Supervisor of the Town of Windsor will be responsible for the interpretation of the procedures set forth in this Plan in responding to natural or man-made disasters within the Town of Windsor, and

**IT IS FURTHER RESOLVED**, that a copy of this Disaster Emergency Preparedness 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 The Town of Windsor Disaster Emergency Preparedness 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 Town of Windsor that this Disaster Emergency Preparedness Plan is enacted effective May 10, 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 10<sup>th</sup> day of May, 2023. Said resolution was adopted by the following vote:

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

Dated: May 10, 2023

Motion Approved

Town of Windsor Seal

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Elizabeth Pfister, Town Clerk  
Town of Windsor

**NEW BUSINESS:**

**Motion By: Councilman Hupman                      Sec. By: Councilman Harting**  
Motion to Recess for Legal advice at 7:51 PM

**Vote of the Board:**

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

**Motion Passed**

**Motion By: Councilman Harting    Sec. By: Councilman Hupman**  
Motion to Return from Legal advice at 8:19 PM

**Vote of the Board:**

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

**Motion By: Councilman Harting                      Sec. By: Councilman Hupman**  
Motion to Advertise for Alternate for the Zoning Board of Appeals and Authorize Publication

**Vote of the Board:**

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

**Motion Passed**

**Town of Windsor, County of Broome, State of New York**  
**RETIREMENT OF FREDRIC STAPLETON, TOWN JUSTICE**  
**Resolution #13-2023**

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

**ABSENT:** Deputy Supervisor Daniel Colwell

**Offered, With Deepest Regret, By: Supervisor Odell**  
**Second By: Councilman Hupman**

**WHEREAS**, Frederic Stapleton has served the Town of Windsor faithfully and continuously since January 4<sup>th</sup>, 1999, as Town Justice; and

**WHEREAS**, Frederic Stapleton has submitted his intention to retire effective at the end of the day May 31<sup>st</sup>, 2023; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Windsor Board does and hereby accepts his request for retirement; and

**BE IT FURTHER RESOLVED** that the Town of Windsor Board extends to Frederic Stapleton its sincere thanks and the thanks of the community for his efforts on behalf of the residents of the Town; and

**BE IT FURTHER RESOLVED**, that the Town of Windsor Board extends to him its sincere best wishes for a long, happy and prosperous retirement.

**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 10<sup>th</sup> day of May, 2023. Said resolution was adopted by the following vote:

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

**Motion Approved**

**Resolution Adopted: May 10, 2023**

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Elizabeth Pfister Town Clerk, Town of Windsor

**Motion By: Councilman Harting                      Sec. By: Councilman Hupman**

Motion to Add Justice Fredric Stapleton to the Role of Honor

**Vote of the Board:**

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

**Motion Passed**

**UPCOMING MEETING:** Planning Board Meeting May 31, 2023 7:30 P.M. Windsor Town Hall  
Regular Town Board Meeting June 14, 2023 7:00 PM Windsor Town Hall

**PUBLIC COMMENTS:** None

**ADJOURNMENT:**

**Motion By: Councilman Hupman                      Sec. By: Councilman Harting**

Motion to Adjourn Meeting at 8:22 PM

**Vote of the Board:**

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

**Motion Passed**

Respectfully Submitted,

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Elizabeth Pfister  
Town Clerk