

Public Hearing & Regular Meeting of the Windsor Town Board
October 4, 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: 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: Holly Gardinier, Maple Ave.; David Brown, Ostrander Rd.; Khristine Breeding, Route 79; Fred & Fran Barrett, Blatchley Rd.; Jeremie Rounds, Route 79

Supervisor Odell Reopened the Public Hearing for The Hills of Windsor Project at 7:01 P.M. Attorney Spinner informed the Board that he spoke with Town Engineer and The Hills of Windsor has not submitted an updated SWPP. The public hearing will be held open until next month.

PUBLIC COMMENTS: Holly Gardinier, Maple Ave – Asked the Board what could be done to protect the bricks on the front corner of the Town Hall building until repairs can be made so no more damage occurs. Supervisor Odell stated that an application was recently submitted to Broome County for their Small Communities Grant to cover these repairs and he does not want to do a temporary repair because the work will be completed eventually.

APPROVAL OF MINUTES:

Motion By: Deputy Supervisor Colwell

Sec. By: Councilman Price

Motion to approve the minutes of the September 13, 2023 Public Hearing & 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 October 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

Supervisor Odell shared the Towns Fiscal Stress Score from the Comptroller's Office happy to report that the Town is in good standing.

The Board reviewed the 2024 Tentative Budget, Supervisor Odell thanked Deputy Supervisor Colwell and Secretary to the Supervisor, Kristine Breeding for all their hard work in order to keep the budget within the tax cap. Councilman Harting asked how the budget numbers worked when the contracts are negotiated after the budget passes. Supervisor Odell and Secretary to the Supervisor, Kristine Breeding stated they had spoken with the fire departments and they agreed to the amount that is budgeted and in return the contracts have been adjusted to require these entities to provide their financials to the Board yearly. Supervisor Odell expressed to the Public how difficult it is for municipalities to keep up with the increases in the cost of goods.

Councilman Harting brought awareness to the amount of money that is set aside for road repairs in the Town. Stating one of the most common complaints Townwide is the condition of roads, and y taxes are collected for the Town to provide the service of maintaining roads and if the budget amount is not increased for this item the Town will never be able to keep up with repairs.

Motion By: Councilman Harting Sec. By: Councilman Hupman

Motion to Set Public Hearings for 2024 Preliminary Budget, 2024 Fire Protection Contracts, 2024 Sewer Rates, 2024 Broome EMS Contract for November 1, 2023 at 7:00 P.M. and to Authorize Publication of Notice(s) of said Public Hearings

Vote of the Board:

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

Motion Passed

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK
Amend 2023 Highway Fund Budget Modification for CHIPs
Resolution #27-2023**

**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 4th day of October, 2023, the following resolution was:

**Offered By: Deputy Supervisor Daniel Colwell
Second By: Councilman Hupman**

WHEREAS the town's adopted 2023 part-town highway fund budget included an estimated revenue of \$250,000.00 and corresponding appropriation of \$250,000.00 pertaining to CHIPs moneys; and

WHEREAS the State budget has set the Town's share of CHIPs funding for 2023 at \$664,350.00; as follows:

• CHIPS Capital	\$426,588.00
• Winter Recovery	\$81,144.00
• PAVE-NY	\$93,971.00
• Pothole Aid	<u>\$62,647.00</u>
	\$664,350.00

NOW, THEREFORE BE IT RESOLVED, the highway fund budget be modified to increase both the CHIPs Improvement line (DB5112.200) and the CHIPs State Aid revenue line (DB3501) from \$250,000.00 to the approved State amount of \$664,350.00

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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 4th day of October, 2023. Said resolution was adopted by the following roll call 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: October 4, 2023

Elizabeth Pfister, Town Clerk
Town of Windsor

COMMITTEE REPORTS:

ASSESSOR:

Supervisor Odell shared that the Assessor had been busy with mailings and asked the Clerk to elaborate. Clerk Pfister explained that after a resident had come to see the Assessor with her tax bill that had increased significantly the Assessor looked into it and STAR had put a cap on the credit and if senior residents and low-income residents applied for the credit check program, they would receive a larger STAR credit.

CEMETERIES:

Councilman Hupman reported that Joe & Laura Fiore have continued to do a lot of work in the Mountainview Cemetery and the West Windsor Cemetery on the headstones of the ancestors. Councilman Hupman asked Attorney Spinner if he had found out anything on the liability law that he asked about a couple month ago, Attorney Spinner said he would make note to get the information and get in contact with Councilman Hupman before next month.

DOG CONTROL:

Code Officer Osborne shared that there were a couple dangerous dog cases, and the Dog Control Officer was frustrated due to the lack of enforcement after he pursues individuals. These situations cost the Town a substantial amount of money in attorney fees and salaries and is frustrating.

ECONOMIC DEVELOPMENT: None

ENERGY: None

ENGINEER:

The Board was given the calendar for the Highway Garage project. Councilman Harting asked if Griffiths had given any reason why the project was already six months behind and it was due to the design change to go from all electric to propane.

HIGHWAY:

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK
A RESOLUTION AUTHORIZING THE HIGHWAY SUPERINTENDENT TO SCRAP 2008 FORD F-150
PICKUP TRUCK
RESOLUTION #28-2023**

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 4th day of October 2023, the following resolution was:

Offered By: Deputy Supervisor Daniel Colwell
Second By: Councilman Price

WHEREAS at the September 13th, 2023 meeting of the Town Board, Town of Windsor, the Town Board authorized the Highway Superintendent to explore scrap prices for a junk, Town-owned 2008 Ford F-150 pickup truck; and

WHEREAS it was determined by the Highway Superintendent that scrap prices for such vehicles fluctuate weekly, and in the best interest of the Town the sale was executed to secure a favorable price; and

WHEREAS the Highway Superintendent has successfully sold the vehicle for scrap to Gary's U-Pull it in the amount of \$650.00 ;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Windsor hereby ratifies and approves the sale of the vehicle, for scrap as executed by the Highway Superintendent; and

BE IT FURTHER RESOLVED that this resolution takes immediate effect.

CERTIFICATION

WHEREAS, the County of Broome is aware of the Applicant's request, and has consented in writing to the same;
and

WHEREAS, it further appears that the portion of said Town Highway sought to be discontinued has become unnecessary and is useless as a public thoroughfare; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act ("SEQRA"), after consideration of said application, it was determined by the Town Board that discontinuance of the portion of the highway described in the application is an Unlisted Action, as defined under said regulations, and after a review of the Short Environmental Assessment Form, that consent to the discontinuance would not have any significant adverse effects upon the environment and therefore a negative declaration was issued.

NOW, THEREFORE, BE IT RESOLVED, that after due deliberation, the Town Board of the Town of Windsor, pursuant to section 171 of the New York State Highway Law, hereby consents in writing to the alteration and discontinuance of the portions of Page Road specifically described in Applicant's application; and be it further

RESOLVED, that the Town Supervisor and/or Highway Superintendent, as applicable and/or required by law, are authorized to execute any and all documentation required to carry out the alteration and discontinuance of the said portions of Page Road specifically described in Applicant's application;

BE IT FURTHER RESOLVED, that 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 Town Hall, 124 Main Street, Windsor, NY on the 4th day of October, 2023. Said resolution was adopted by the following vote:

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

Motion Approved
Resolution Adopted: October 4, 2023

Town of Windsor Seal

Elizabeth Pfister, Town Clerk

Discussion: Highway Supervisor Kithcart explained that this was an access road put in by the Bluestone Wind project for access and the property owners asked to keep the access road and discontinuing a portion of the current road. The County approved the change and once the Town approves this the only thing left will be for the Highway Superintendent to file the official paperwork to discontinue the portion of road once The Upper New York Annual Conference of the United Methodist Church submits their application.

HISTORY:

Town Historian Rita Saunders will have the Charles English train museum open Saturday October 7, 2023 10:00 A.M. – 2:00 P.M.

SENIOR CITIZENS: None

TOWN CLERK/REGISTRAR:

The Board reviewed the Clerks September 2023 report Deputy Supervisor Colwell asked about the revenue from DEC licenses and the Clerk stated she believed it was 1 ½% commission on sales.

Councilman Harting asked about the additional computer for the Clerk's office and the tablet for the Code Officer, Clerk Pfister informed everything was ordered after the approval at last months meeting and just waiting for it to come in.

Supervisor Odell questioned what the monthly charges are for from the Computer Shop and questioned if anything was overlapping where we could cut back on spending. Councilman Harting explained that all computers in the building funnel through the Clerk's computer so their information is backed up on the cloud daily and that the Clerk's and Secretary to the Supervisor's computers had remote access and these are requirements of the Town's IT Policy.

TOWN HALL:

The Town Clerk read a Thank You card from the Stapleton Family after Justice Stapleton's passing.

Supervisor Odell asked how the split systems were working in the building as we head into winter, Code Officer Osborne and the Clerk had turned boiler back on to keep building from having pipes freeze during off hours as cold weather starts to set in.

Supervisor Odell thanked the Clerk and Holly Gardinier for submitting for the Broome County Small Communities Grant for the exterior work on the Town Hall.

WASTEWATER TREATMENT PLANT:

Councilman Hupman questioned the status on the reed bed project at the plant, Supervisor Odell has been speaking with the Engineer they are still awaiting the sample testing so it is determined where the waste can be dumped and then he will be able to price out the job.

YOUTH & RECREATION: None

ZONING, PLANNING & CODE ENFORCEMENT:

The Board reviewed the September 2023 Code Report, nothing to note. Code Officer Osborne asked about the progress with updating the Code books. Code Officer Osborne shared that there has been difficulty trying to find laws on the books when residents call in order to know the procedures to follow and both the Code Officer and the Town Clerk had spent a lot of time looking for the information. Supervisor Odell said he called Bob Williams, Zoning Chair and he had a call out to Shelly Bennett, Planning Board Chair and is waiting a call back to schedule a meeting. Councilman Harting shared that the Clerk had gotten a quote from Williamson for a Code program but it was not what we were looking for. There are companies that do update the Code for you and will maintain it as well for a fee but it is costly to have done.

Deputy Supervisor Colwell shared he had spoke with D.E.C. representatives and is concerned that the Town is very restricted on what they can regulate for mining. Code Officer Osborne and Attorney Spinner stated that the Town is not trying to control any of the regulations, what the Town wants is to have input and oversight of any project which we currently do not have. Code Officer Osborne shared that since this dialogue has been opened things have already improved with the D.E.C.

PUBLIC SAFETY: None

Motion By: Deputy Supervisor Colwell

Sec. By: Councilman Hupman

Motion to Go into Executive Session to Discuss the Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person or Persons at 8:00 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 Go into Executive Session to Discuss the Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person or Persons at 8:26 PM

Vote of the Board:

Supervisor Odell- Aye

Deputy Supervisor Colwell- Aye

Councilman Hupman- Aye

Councilman Harting- Aye

Councilman Price - Aye

Motion Passed

UNFINISHED BUSINESS: None

NEW BUSINESS: None

UPCOMING MEETING: Planning Board Meeting October 25, 2023 7:30 P.M. Town Hall
Public Hearing & Regular Meeting November 1, 2023 7:00 PM Windsor Town Hall

Motion By: Deputy Supervisor Colwell

Sec. By: Councilman Harting

Motion to Go Out for Bids on Gutter System for Town Hall Building. Supervisor Odell opened for Public Comments, there were none.

Vote of the Board:

Supervisor Odell- Aye

Deputy Supervisor Colwell- Aye

Councilman Hupman- Aye

Councilman Harting- Aye

Councilman Price - Aye

PUBLIC COMMENTS: Holly Gardineer, Maple Ave – The Village Board at their October meeting approved the planting of a tree on the Village Green in former Town Justice Stapleton's honor and they would like the Town to be involved with the ceremony come spring, Mayor Harting will be in contact.

Dave Brown, Ostrander Road – Former Code Officer for the Town wanted to make the Board aware that the Board sets the Planning and Zoning Board meeting schedule at the beginning of the year with the Board appointments. The former Zoning Chair would be at every meeting of the Town and would hold Zoning meetings regularly regardless of weather, etc. after he passed the Zoning Board went to meeting as needed.

Councilman Harting wanted to ask the Board about recognizing Town resident, Jeremie Rounds for all the hard work he has been doing at the cemeteries in the Town. He started a Facebook page for the Windsor Cemeteries and daily posts videos and photos of headstones of his relatives that he has cleaned and he has actually helped to cleanup a lot of the cemeteries and got interest in them as well. Supervisor Odell agreed that recognition would be given at the next Board meeting for his efforts.

ADJOURNMENT:

Motion By: Councilman Harting

Sec. By: Deputy Supervisor Colwell

Motion to Adjourn Meeting at 8:31 PM

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