

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK**  
**A RESOLUTION CONSENTING TO THE ALTERATION AND CORRESPONDING**  
**DISCONTINUANCE OF A PORTION OF PAGE ROAD**  
**RESOLUTION #29-2023**

**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 4<sup>th</sup> day of October, 2023, the following resolution was:

**Offered By:**  
**Second By:**

**WHEREAS**, we, the members of the Town Board of the Town of Windsor, Broome County, New York, (the “Town”), have reviewed the application of the Upper New York Annual Conference of the United Methodist Church (“Applicant”), which requests the alteration and discontinuance of specifically-described portions of Page Road, a Town highway that has heretofore been constructed in said Town; and

**WHEREAS**, it appears that there are no other persons, corporations or other entities, other than the Applicant and the County of Broome, New York, owning any premises through which the portions of said Town Highway sought to be altered and discontinued pass, or to which it is adjacent, and

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

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

Motion  
Resolution Adopted:

Town of Windsor Seal

\_\_\_\_\_  
Elizabeth Pfister, Town Clerk  
Town of Windsor

**ORDER OF THE TOWN OF WINDSOR HIGHWAY SUPERINTENDENT  
PURSUANT TO NEW YORK STATE HIGHWAY LAW § 171**

IN THE MATTER OF THE APPLICATION OF THE UPPER NEW YORK ANNUAL CONFERENCE OF  
THE UNITED METHODIST CHURCH TO ALTER  
AND DISCONTINUE CERTAIN PORTIONS OF PAGE ROAD  
IN THE TOWN OF WINDSOR, BROOME COUNTY, NEW YORK

WHEREAS, by application dated \_\_\_\_\_ 2023, the Upper New York Annual Conference of the United Methodist Church (“Applicant”) applied for the alteration and discontinuance of certain portions Page Road, a Town Highway in the Town of Windsor, as specifically described in said application; and

WHEREAS, there is attached to said application a release from all damages executed by an authorized agent of Applicant, the record owner of lands taken or affected by the alteration and corresponding discontinuance applied for therein, and of lands through which the said portions of the highway sought to be altered and discontinued pass, or to which it is adjacent; and

WHEREAS, the County of Broome, New York (“County”), which is also the record owner of lands taken or affected by the applied for alteration and discontinuance, has similarly executed a release from all damages resulting from the same; and

WHEREAS, a majority of the Town Board of the Town of Windsor has consented to said course alteration and discontinuance via resolution dated October 4<sup>th</sup> 2023; and

WHEREAS, it appears that the Applicant and the County are the only persons/entities owning any land abutting on or adjacent to the portions of said Town Highway sought to be altered and discontinued, and that no claim for damages have been made; and

NOW, THEREFORE, in accordance with the power and discretion vested in me by section 171 of the New York State Highway Law, and after due deliberation of the matter, I hereby determine that:

- (1) the portion of Page Road for which Applicant seeks a course alteration should be so altered in the best interest of the motoring public;
- (2) The separate portion of Page Road for which Applicant seeks a discontinuance should be so discontinued, inasmuch as it has become useless as a public thoroughfare as a result of the corresponding course alteration; and so, it is hereby

ORDERED, that the said portions of said Town Highway as hereinafter described (and as described in Applicant’s application), be, and the same hereby is, altered and discontinued.

**LEGAL DESCRIPTION PORTION OF PAGE ROAD TO BE ALTERED:**

**LEGAL DESCRIPTION OF PORTION OF PAGE ROAD TO BE DISCONTINUED:**

Town of Windsor, N.Y.,  
\_\_\_\_\_, 2023.

\_\_\_\_\_  
Michael Kithcart, Highway Superintendent  
Town of Windsor



State of New York  
County of Broome Government Offices

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Broome County Attorney's Office

Jason T. Garnar, County Executive · Robert G. Behnke, County Attorney

June 22, 2023

Nicholas S. Cortese, Esq.  
Coughlin and Gerhart, LLP  
99 Corporate Drive  
PO Box 2039  
Binghamton, NY 13902

Re: Page Road  
Town of Windsor

Dear Nick:

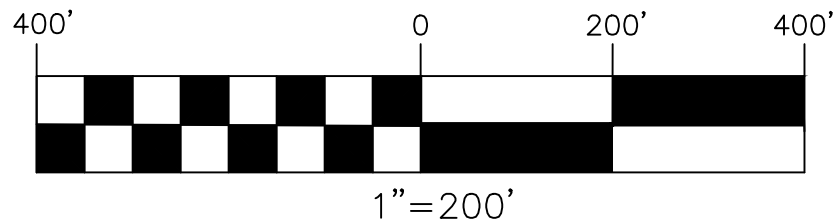
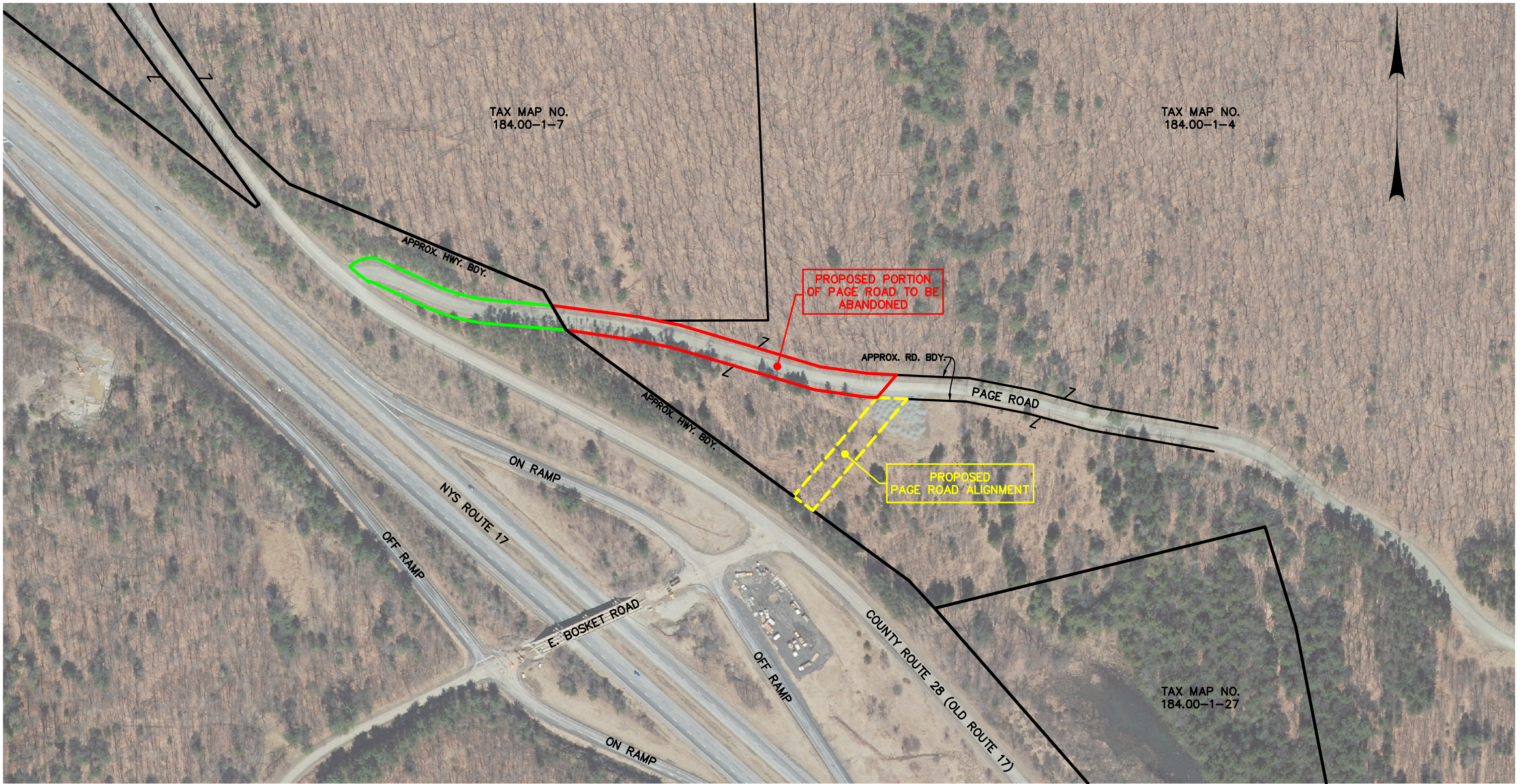
Enclosed please find the executed release regarding Page Road. If you require anything further, please feel free to contact me.

Very Truly Yours,

Robert G. Behnke  
County Attorney

RGB/ams  
Enclosure





**SURVEY LIMITS**  
 PROPOSED  
 ALIGNMENT CHANGE FOR A  
 PORTION OF PAGE ROAD  
 TOWN OF WINDSOR, BROOME COUNTY, NY

