

Regular Meeting of the Town Board
April 10, 2024 7:00 P.M.
Town of Windsor Town Hall
124 Main Street, 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: Present

Councilman Daniel R. Price: Present

Code Enforcement Officer Richard Osbourne: Present

Highway Superintendent Michael Kithcart: Present

Attorney Mark Spinner: Present

Also, present were: LeWayne H. Colwell, Route 79; Jim Colpitts, Old Route 17; Jason, Shannon & Alex Butler, East Windsor Rd.; Fran Stone, Riley Rd.; John McNulty, Locust St.; Nick, Eve & Joy Neureuter, Blatchley Rd.; John Mastronardi, Griffiths Engineering; Tim Quick, Genesee St. Binghamton; Zach Abbott, Honey Hollow Rd.; Jeremie Rounds, Route 79; Fred & Fran Barrett, Blatchley Rd.; David Brown, Ostrander Rd.

RECOGNITION:

Supervisor Odell read aloud the resignation of Evelyn Neureuter from the Planning Board. The Board recognized Frances Stone & Evelyn Neureuter for their time serving on the Town of Windsor Planning Board, Supervisor Odell thanked them for their service and each were presented with a certificate.

Supervisor Odell read aloud a letter from Town resident Arthur Scott on Rudd Road that was submitted by Highway Superintendent Kithcart. Mr. Scott praised Highway employees Jason Butler and Tim Quick for assisting him during a snow storm on March 21, 2024. Mr. Scott had fallen on his sidewalk and had been there about 20 minutes unable to get up when Butler & Quick came to plow the Rudd Road and seeing Mr. Scott they stopped administered first aid and assisted Mr. Scott into his home where his son then took him to the hospital. Mr. Scott wanted to say "Thank you very much and you guys do a great job." to Butler and Quick. Supervisor Odell and the Board presented them with an "Outstanding Neighbors" certificate and thanked them for the great work that they do every day.

PUBLIC COMMENTS:

Jeremie Rounds, Route 79 – The cemetery group has been at most of the cemeteries getting the sticks picked up so that Jason Lehr will be able to mow them once it is time, they still need to get to Blatchley Cemetery and Riley Farm Cemetery. He thanked the Highway department for cleaning up tree limbs in East Windsor Road cemetery. Councilman Harting asked if there was anything that the cemetery group needed, Jeremie said not at this time.

Deputy Supervisor Colwell wanted to make the Board aware that he received two phone calls in regards to the speed limit on Baker Road. Colwell said residents are putting together a petition for a road study to present at the next meeting and he asked Attorney Spinner if there was anything specific that needed to be in the petition for the Board to accept it. Attorney Spinner said that there was not and when they present the petition, he will go over how it works. Highway Superintendent Kithcart verified Baker Road is a Town road and has not ever had a speed limit set which means it would be 55 mph, unless the Town wanted to pass a law giving a speed limit for all Town roads.

John McNulty, Locust Street – On behalf of the Windsor Fire Company wanted to Thank the Board for finally addressing the option for property tax relief for volunteer first responders that he had presented to the Board over a year ago. Supervisor Odell wanted to be clear that the Board was never against offering the credit to the First Responders, but the income tax credit was more advantageous for them to take advantage of rather than the property tax credit. Currently NYS is deciding on weather or not to offer both but the legislation has not passed yet.

APPROVAL OF MINUTES:

Motion By: Deputy Supervisor Colwell

Sec. By: Councilman Hupman

Motion to approve the minutes of the March 13, 2024 Public Hearing & Regular Meeting as submitted.

Vote of the Board:

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

Motion Passed

FINANCIAL REPORT:

Motion By: Councilman Hupman

Sec. By: Deputy Supervisor Colwell

Motion to approve April 2024 Bills for Payment.

A Fund Voucher #128 -166	\$29,509.55
B Fund Voucher #127-149	\$10,433.35
DB Fund Voucher #78-106	\$53,631.21
H Fund Voucher#14-21	\$620,778.21
SS3 Fund Voucher#15-22	\$4,074.71
TA Fund Voucher#6	\$961.69
Total:	\$719,388.72

Vote of the Board:

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

Motion Passed

March 2024 Financials were distributed to the Board, there was no comment.

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

Resolution Amending Petty Cash Policy

RESOLUTION #14-2024

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 10th day of April, 2024, the following resolution was

OFFERED BY: Councilman Harting

SECONDED BY: Councilman Price

WHEREAS, Pursuant to Town Law Section 64(1-a), a town, by resolution, may establish a petty cash fund for any town officer or head of a department or office in the town;

WHEREAS, in accordance with Town Law section 64(1-a), the Petty Cash can be used for the payment, in advance of audit, of properly itemized and verified or certified bills for materials, supplies or services furnished to the town for the conduct of its affairs and upon terms calling for payment to the vendor upon the delivery of any such materials or supplies or the rendering of any such services, provided that moneys in any such fund may also be used for the purpose of making change when required in the performance of official duties;

WHEREAS, in accordance with Town Law section 64 (1-a), at the time of any payment from such fund, the officer for which the fund was established shall require delivery of a bill in a form sufficient for audit by the town board as required by law,

WHEREAS, in accordance with Town law section 64 (1-a), at a meeting of the town board, a list of all expenditures made from each such fund together with the bills supporting such expenditures, shall be presented to the town board for audit and the town board shall direct the supervisor to reimburse each petty cash fund from the appropriate budgetary item or items, in an amount equal to the totals of such bills which it shall so audit and allow, except that, in any such town in which there is a town comptroller, such list of expenditures, together with such bills shall be presented to said town comptroller for audit no later than the last day of each month and the supervisor shall so reimburse each petty cash fund in an amount equal to the total of such bills which the town comptroller shall so audit and allow;

WHEREAS, in accordance with Town Law section 64 (1-a), any of such bills or any portion of any of such bills which the town board or the town comptroller as applicable, shall refuse to audit and allow shall be the personal liability of the officer for which the fund was established and they shall promptly reimburse their petty cash fund in the amount of such disallowances, and if such reimbursement has not been made by the time of the first payment of salary to such officer after the action of the town board or the town comptroller, as the case may be, in disallowing an amount so expended, such amount shall be withheld from his or her salary payment and, if necessary, subsequent salary payments and paid into the appropriate petty cash fund until an amount equal to the amount so disallowed has been repaid to such petty cash fund and any bond or undertaking filed by any town officer or department or office head shall be available to the town for recovery of any losses incurred by reason of the operation of the petty cash fund established for him or her; and

NOW THEREFORE, BE IT RESOLVED, Petty cash funds shall be established for the purpose allowed under Town law section 64(1-a), including but not limited to making change as required in the performance of official duties and;

BE IT FURTHER RESOLVED, all aspects of establishing, and managing the petty case funds shall be done in compliance with the procedures, auditing standards and other requirements under Town Law section 64(1-a) and any other relevant sections of law, rules and regulations and;

BE IT FURTHER RESOLVED, individual petty cash expenditures are not to exceed \$50. If there are items to be purchased via petty cash which are questionable, the Chief Financial Officer shall be consulted for clarification and;

BE IT FURTHER RESOLVED, the petty cash funds are hereby established as follows:

Town Clerk	\$300.00 (\$100.00 Clerk Payments/\$200.00 Tax Collection)
Justice Blythe	\$100.00
Justice Colpitts	\$100.00

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 10th day of April, 2024. Said resolution was adopted by the following 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 10, 2024

Elizabeth Pfister
Town Clerk, Town of Windsor

Discussion: Clerk Pfister explained that this was to update the names of the Justice's with petty cash and to layout how the Clerk's office petty cash is maintained.

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

Amend the B Fund, Town Out 2024 Budget for Cost of AEDs Purchased by the Windsor Youth Sports and Recreation to Reflect Federal ARPA Revenue and Expenditures
RESOLUTION #15-2024

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 10th day of April, 2024, the following resolution was

Offered By: Deputy Supervisor Colwell
Second By: Councilman Hupman

WHEREAS, \$3,995.97 in expenses have been incurred by Windsor Youth and Recreation to purchase two AED’s, authorized by resolution #13-2024, at the Public Hearing & Regular Meeting of the Windsor Town Board, on the 13th day of March, 2024 to be funded with Federal ARPA funds, and

WHEREAS, Federal ARPA funds held on deposit in the townwide general fund bank account will need to be transferred to the “Town Out” B fund to reimburse Windsor Youth Sports purchase of two (2) automated external defibrillators as required by accounting bulletin guidance issued by the New York State Comptroller’s Office;

IT IS HEREBY RESOLVED by the Town Board of the Town of Windsor that the following budgetary adjustments be made, to cover the cost of this outlay in the Town Out, B fund.

ACCOUNT	ACCOUNT NAME	DEBIT	CREDIT
B201	CASH-SAVINGS	\$3,995.97	
B5031	INTERFUND TRANSFER		\$3,995.97
	RECEIVE ARPA FUNDS HELD IN GENERAL FUND		
A9901.9	INTERFUND TRANSFER	\$3,995.97	
A201	CASH-SAVINGS		\$3,995.97
A688	OTHER LIABILITIES - ARPA	\$3,995.97	
A4089	OTHER AID FROM ARPA		\$3,995.97
	REVENUE RECOGNITION FOR AEDS FOR YOUTH		
	BUDGET JOURNAL ENTRIES:		
B5031	INTERFUND TRANSFER	\$3,995.97	
B7310.4	WINDSOR YOUTH SPORTS		\$3,995.97
	ARPA EXPENDITURE MOTION 3/13/2024		
A4089	OTHER FEDERAL AID, ARPA	\$3,995.97	
A9901.9	INTERFUND TRANSFER		\$3,995.97

BE IT FURTHER RESOLVED that this resolution 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 10th day of April, 2024. 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 10, 2024

Elizabeth Pfister, Town Clerk

COMMITTEE REPORTS:

ENGINEER:

John Mastronardi from Griffiths Engineering gave an update on the Highway Garage building, everything is still on time for June completion. John reviewed the change order numbers 1, 4, 5, 6, 8, 9, 10, 11 for the Highway Garage project that have been submitted and presented the Board with estimates for a flag pole and the slop sink Highway Superintendent Kithcart mentioned at the March 13, 2024 meeting. Deputy Supervisor Colwell opposed change

orders 1, 5, 8 & 9 all having to do with the contractor pouring concrete and working during winter months. This question was asked at the start of the project and it was known by the contractor that these would be the working conditions. Councilman Harting questioned who is managing all of the change orders and why has it taken so long to submit these change orders to the Board since most of them are dated for November. John Mastronardi stated that LeChase was citing the delayed start of the project on a majority of them and he has been reviewing and pushing back on them for some price decreases prior to bringing them to the Board, John also said that there are some orders that he gave the go ahead for because they were immediate things such as the valve and waterline.

John Mastronardi asked if any Board members would be interested in scheduling a meeting with LeChase and his office to discuss this. Supervisor Odell and the other Board members agreed that Deputy Supervisor Colwell and Councilman Harting should go to the meeting to discuss these change orders and any future change orders for the project. Attorney Spinner stated that by the contractor submitting change orders after work is completed, they leave the Town no choice in their action to take and the contractor cannot continue using the delayed start of the project as the reason for all of the change orders they submit.

The Board asked about the flagpole and sink estimates, Highway Superintendent Kithcart said that they should have a flagpole as a government building and that the highway department could install it themselves. John Mastronardi let the Board know that he had spoken to the Highway Supervisor in regards to the submitted estimate for the sink and the estimate was excessive. Highway Superintendent Kithcart is looking for a less expensive sink and John Mastronardi is working with the plumbing contractor to simplify the installation to bring the cost to a reasonable amount.

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

Motion to Accept Change Orders #4, 6, 10 & 11 Since the Board Previously Discussed and Approved These Changes and the Purchase of the 33' Flagpole from Alexander Mithcell & Son. Inc. at a cost of \$2,450.00 for the Highway Department to Install.

Vote of the Board:

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

Motion Passed

ASSESSOR:

The Board received the Assessor's March 2024 Report, there were no questions.

CEMETERIES:

Councilman Hupman just wanted to Thank the Highway Department for the work they did in the cemeteries removing large branches that had broken off of trees. Councilman Hupman mentioned a couple cemeteries have large trees that should come down but he is not certain how it can be done and Highway Superintendent Kithcart said it was not something the highway has equipment to do.

Councilman Price said he is still waiting for a response from Claudia Tenny's office on the maintenance of Veterans graves.

DOG CONTROL:

The Board received the 3/8/2024 Municipal Shelter Inspection Report, still unsatisfactory at this time.

ECONOMIC DEVELOPMENT:

ENERGY:

HIGHWAY:

HISTORY:

SENIOR CITIZENS:

TOWN CLERK/REGISTRAR:

The Board received the Town Clerk's March 2024 Report, there were no questions. The Clerk mentioned that tax collection has ended and they are waiting to settle with the County and that she will be attending the New York State Town Clerks conference the week of April 21st.

The Town Clerk notified the Board that she has spoken with BOCES and has agreed to have 2 students work at the Town Hall over the summer from July 10th – August 8, 2024. The Town Historian has a project that will keep them busy during that time.

TOWN HALL:

WASTEWATER TREATMENT PLANT:

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

Motion to Award the West Windsor Wastewater Treatment Plant Sludge Removal Project to Sole Bidder, Bodek Septic & Excavating Services, Inc., in an Amount Not to Exceed \$68,000.00, as Recommended by the Town Engineer and that the Town Supervisor be and is Hereby Authorized to Execute a Contract for this Project with Bodek Septic & Excavating Services, Inc., Subject to Legal Review by the Town

Vote of the Board:

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

Motion Passed

Discussion: Councilman Hupman questioned why we were not doing this during the winter, John Mastronardi shared that he had gone through the manual and this was acceptable practice now and the past winter never got cold

enough that the reed beds would not have frozen anyway. The contractor is aware of the membrane and all the other components at the bottom of the tank and is confident in their ability to handle the project. Councilman Price questioned if it interferes with the functioning of the wastewater plant and Supervisor Odell shared that he had spoken with plant operator, Don Sherwood there will be no interruption to operation. Supervisor Odell advised that he spoke with Don Sherwood and he had recommended the best course of action to handle this.

Motion By: Councilman Hupman Sec. By: Councilman Harting

Motion to Allocate American Rescue Plan Act (ARPA) Funds Not Exceeding \$10,000.00, for the Purpose of Engaging the Services of Bodek Septic and Excavating Services, Inc. to Pump Adjuster Tank as Necessary to Ensure the Successful Completion of the West Windsor Wastewater Treatment Plant Sludge Removal Project, Which has Been Awarded by the Town to Bodek Septic and Excavating Services, Inc. and Further Authorizing the Town Supervisor to Execute Agreements, Subject to Legal Review, as Necessary for the Town to Contract for the Adjuster Tank Pumping Services

Vote of the Board:

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

Motion Passed

YOUTH & RECREATION:

ZONING, PLANNING & CODE ENFORCEMENT:

The Board received the Code Officer's March 2024 Report, there were no questions. Code Officer Osborne mentioned that he has a couple issues with changes that have been made to the type of fill being used at the Highway Garage project that he has not received change orders for from the engineer which he has to reflect in his report as the building not being built to specs that he was given. John Mastronardi stated that material changes were approved and were acceptable and he would get the paperwork to Code Officer Osborne. John Mastronardi invited Code Officer Osborne to attend the weekly site meetings Tuesday at 10:00 A.M. so he can bring up any future issues but will also be made aware of any other things that may arise.

The Board received the Minutes from the March 14, 2024 Zoning Board Meeting. They have suggested revisions to the definitions of some terms in section 93-4 of the Town Code. Code Officer Osborne said this is a nice to start to the Code revision work and is please to see progress. Supervisor Odell agreed and thanked the Zoning Board members for their work on this.

PUBLIC SAFETY:

The Board received the February and March 2024 Operations Update and Call Log from Eastern Broome Emergency Services. Councilman Harting said there was nothing in particular to note or make the Board aware of other than EBES is done with their grant monies so account balances will not look so high since they have purchased all their replacement vehicles.

Deputy Supervisor Colwell asked Attorney Spinner what the next step is to move forward with approving the property tax exemption for First Responders, he sent the sample given at the March 13, 2024 meeting from Attorney Spinner to both Fire Departments and they approved it. Attorney Spinner said he would draft a resolution for approval at the May meeting and the public hearing could then be scheduled for the June meeting.

UNFINISHED BUSINESS:

**Town of Windsor, County of Broome, State of New York
Adoption of the NYS Public Employer Health Emergency Plan
Resolution #16-2024**

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 10th day of April, 2024, 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 10, 2024.

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 10th day of April, 2024. 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 10, 2024
Motion Approved

Elizabeth Pfister, Town Clerk

NEW BUSINESS:

Town of Windsor Emergency Preparedness Plan was distributed to the Board members, the Town Clerk stated she had highlighted items that she knew needed updating and advised Board members to notify her of anything they found prior to the May meeting.

UPCOMING MEETING:

Zoning Board Meeting April 11, 2024 6:30 P.M. Windsor Town Hall
Planning Board Meeting April 24, 2024 7:30 P.M. Windsor Town Hall
Regular Board Meeting May 8, 2024 7:00 P.M. Windsor Town Hall

PUBLIC COMMENTS:

ADJOURNMENT:

Motion By: Councilman Harting **Sec. By: Councilman Hupman**
Motion to Adjourn Meeting at 8:24 P.M.

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