

**Regular Meeting of the Town Board**  
**July 10, 2024 7:00 P.M.**  
**Town of Windsor Town Hall**  
**174 Chapel Street, Windsor, NY 13865**

Prior to the meeting start Supervisor Odell and the Board hosted an Open House and Ribbon Cutting for the completion and opening of the new highway garage building. Supervisor Odell thanked Town employees and elected officials for all the hard work during this time. The Supervisor also thanked the school district, County officials and Village officials for all they did to assist the Town.

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: Bob Williams, Kent Street; John Mastronardi, Dan Griffiths, Griffiths Engineering; Robert Cunningham, Route 79; Norman Colwell, Route 79; Khristine Breeding, Route 79; Ron & Patti Harting, Pine Street; Fred & Fran Barrett, Blatchley Road; Captain Ben Harting, Sheriff's Office; Andrew & Landin Adams, Kimball Midwest; Randy & Shirley Williams, Tim Williams, Baker Road; Lorina Colwell, Route 79; Gary & Debra Thomas, Anne Road; John Gollogly, Treadwell Road; LeWayne Colwell, Route 79; David Brown, Ostrander Road; Preston Baisley, Route 79

**PUBLIC COMMENTS:** None

**APPROVAL OF MINUTES:**

**Motion By: Deputy Supervisor Colwell**

**Sec. By: Councilman Hupman**

Motion to approve the minutes of the June 12, 2024 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**

Supervisor Odell introduced Captain Ben Harting from the Broome County Sheriff's Office to give a community update and clarify some questions from the June 12, 2024 meeting in regards to squatters. Captain Harting first addressed many calls that his office has been receiving in regards to a couple black Ford Explorer SUVs that have been seen driving around the Town of Windsor. Captain Harting explained these are part of Sheriff Akshar's community deployment and they have been focusing on areas of the community that have been known for a lot of illegal activity, nuisance speeders on roadways, etc. and they have been successful in apprehending individuals that have been causing these problems. Captain Harting told the public that if they are aware of an area or activity that is taking place to contact the non-emergency number at the Sheriff's Office and they will follow up on it.

Captain Harting addressed the topic of squatters, which Deputy Supervisor Colwell asked the other Board members about at the June meeting. Captain Harting explained that the court system redefined the term "squatter" which has made it so law enforcement can remove those that trespass unlawfully into or onto a property and declare it as their residence by receiving mail at that location. If a person enters a residence/structure or takes up residence on a parcel that does not belong to them, the owner of that residence or parcel can contact law enforcement stating they did not permit this individual permission to be there and the Sheriff's office can now treat these individuals as trespassers and charge them as such. This is not the same for individuals that have been invited into your home and refuse to leave there is an eviction process that would need to be acted on in those cases. Deputy Supervisor Colwell thanked Captain Harting for coming and explaining this to the Board his concern when bringing the topic up was to make sure the residents of the Town are protected against these incidents.

**FINANCIAL REPORT:**

**Motion By: Councilman Hupman**

**Sec. By: Councilman Harting**

Motion to approve July 2024 Bills for Payment

A Fund Voucher #240, 242-285	\$ 31,533.00
B Fund Voucher #241, 244-247, 255-257, 265	\$ 1,144.54
DB Fund Voucher #159-182	\$ 47,273.54
H Fund Voucher #34-38	\$400,640.66
SS3 Fund Voucher#45-52	\$ 7,923.76
TA Fund Voucher#20	\$ 961.69
<b>Total:</b>	<b>\$489,477.19</b>

**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 the June 2024 Financials there were no comments or questions.

Supervisor Odell went over the Goals and Calendar for the 2025 Budget, Supervisor Odell invited Councilman Harting to be a part of the Budget work this year since it appears it will be his budget in 2025

The Local Law was introduced to Exceed the Tax Cap, Supervisor Odell stated this is procedural and the Board strives not to exceed the Tax Cap every year but that we must have this in place in the instance that we must use it.

**Motion By: Councilman Hupman**

**Sec. By: Deputy Supervisor Colwell**

Motion to Schedule a Public Hearing for Local Law to Exceed the Tax Cap for August 14, 2024 at 7:00 P.M. and Authorize Publication

**Vote of the Board:**

Supervisor Odell – Aye

Deputy Supervisor Colwell – Aye

Councilman Hupman – Aye

Councilman Harting – Aye

Councilman Price – Aye

**Motion Passed**

**COMMITTEE REPORTS:**

**ENGINEER:**

John Mastronardi from Griffiths Engineering presented change order# 27 for the fuel tanks at the Highway Garage John explained this change order has come before the Board before but he went back to Upstate Contracting on the price and negotiated them down from \$12,000.00 to the current \$10,561.91 that is looking to be approved now. Supervisor Odell questioned weather or not this was work that the Board knew about and Deputy Supervisor Colwell stated himself and Councilman Harting we in attendance at a meeting with the contractors where this was discussed. John stated that he is pretty sure that would complete any and all change orders for the project and that the Town currently had a credit on the project of \$9,779.36 Supervisor Odell clarified that the majority of the credit was due to the credit for the change in steel panels for the building, Mastronardi confirmed it was. John made the Board aware that he is working through punch list items with Highway Superintendent Kithcart and the contractors to finish minor items, probably through the remainder of the week. Deputy Supervisor Colwell wanted to clarify for the all in attendance that in the planning for this project the Board had set aside \$300,000.00 contingency fund for overages on the project which never had to be touched and the project as a whole is complete with \$9,779.36 credit.

**Motion By: Deputy Supervisor Colwell**

**Sec. By: Councilman Hupman**

Motion to Approve Change Order #27 for fuel tank installation and associated necessary expenses in the Amount of \$10,561.91

**Vote of the Board:**

Supervisor Odell – Aye

Deputy Supervisor Colwell – Aye

Councilman Hupman – Aye

Councilman Harting – Aye

Councilman Price – Aye

**Motion Passed**

**ASSESSOR:** None

**CEMETERIES:** None

**DOG CONTROL:**

Supervisor Odell reminded everyone of the rabies vaccine clinic July 23, 2024 from 5:30 – 7:00 P.M. at the Highway Garage the cost is \$5.00 per pet, cash only

**ECONOMIC DEVELOPMENT:** None

**ENERGY:** None

**HIGHWAY:**

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

Motion to Ratify the Approval of the Supervisor or His Designee to Sign a Contract with Sentry Alarms for the Installation and Monitoring of the Fire Alarm System at the Highway Garage

**Vote of the Board:**

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

**Motion Passed**

**Discussion:** Supervisor Odell shared that because this was a professional service and a company that the Town already has a working relationship with is why the Board is being informed after the fact. This was necessary in order to have the proper fire suppression and monitoring system in the building and had to be done in order to hold the meeting at the building this evening.

Councilman Harting asked John Mastronardi what was being used as the hard backup in the event of a power outage because most alarms rely on a standard phone line connection and the building was not wired to have such. John Mastronardi explained he had asked Sentry about this as well and they installed a cellular backup on the system and tested the coverage and everything was fine.

**HISTORY:** None

**SENIOR CITIZENS:** None

**TOWN CLERK/REGISTRAR:**

The Board reviewed the Town Clerks June 2024 Report the Clerk reported that the BOCES summer intern student started today at the Town Hall.

**TOWN HALL:**

The Town Clerk opened bids for the Town Hall roof repair, the bidders were:

Axe Construction Services	\$55,000.00
Greg Pitcher Renovations	\$32,000.00
Nuvista General Contract	\$98,000.00
Weathermaster Roofing Co., Inc	\$79,490.00
SJBS Construction Inc	\$58,000.00
Marchuska Brothers Construction. LLC.	\$49,775.00

Deputy Supervisor Colwell asked to review the bid documents, he said Greg Pitcher Renovations is an independent contractor and that is why the bid is so much lower.

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

Motion to Award Bid to Greg Pitcher Renovations in the Amount of \$32,000.00 Contingent on Proof of Adequate Insurance and Documentation to Pay Laborers Prevailing Wage

**Vote of the Board:**

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

**Motion Passed**

**WASTEWATER TREATMENT PLANT:**

Supervisor Odell stated the reed bed project was completed, and was glad the Board decided to use ARPA funds to complete this necessary work so the burden of cost did not have to be passed on to residents. John Mastronardi said he stopped over to look at the reed beds two weeks after the clean out with plant operator Don Sherwood and they are confident in the existing reeds regenerating, the first two holding tanks were doing well already. Councilman Harting asked how long can it be expected before it will need to be cleaned out again, John Mastronardi stated there are a few variables but he believes probably at least another 15 years before it will be necessary.

**YOUTH & RECREATION:** None

**ZONING, PLANNING & CODE ENFORCEMENT:**

The Board received the Code Officer's June 2024 Report, there were no questions. Code Officer Osborne made the Board aware that he had received a complaint about blasting in one of the quarries last week which he referred to the D.E.C.

The Clerk opened the bids for the Ford F150 Pickup Truck, there was one bid;  
Sam Osborne, Bloomingburg, NY \$18,561.00

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

Motion to Award the Bid to Sam Osborne in the Amount of \$18,561.00

**Vote of the Board:**

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

Councilman Harting - Aye

Councilman Price - Aye

**Motion Passed**

The Town Clerk and Code Officer Osborne let the Board know they had spoken with Todd Metcalfe from General Code/Code 360 about updating and making available online the Town Code. The Clerk explained that with the work the Zoning Board is doing to update the Code this will work hand in hand and help to speed up the process but also make the Code enforceable for the Town. A quote is being prepared and will be sent over in the next week or two and it will be presented at the next Board meeting. Councilman Harting explained that by having this updated and readily available it reduces the liability of the Town due to various versions of the Code being available to the Public.

**PUBLIC SAFETY:**

The Board received Eastern Broome Ambulance's June 2024 Operation update and call log, no one had any questions. Councilman Harting pointed the call response rate was almost 95% for June.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

**Motion By: Deputy Supervisor Colwell**

**Sec. By: Councilman Hupman**

Motion to Change the Date of the Regular Meeting on October 9, 2024 to October 2, 2024 at 7:00 P.M.

**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 Hupman**

Motion to Change the Date of the Regular Meeting on November 13, 2024 to November 6, 2024 at 7:00 P.M.

**Vote of the Board:**

Supervisor Odell - Aye

Deputy Supervisor Colwell - Aye

Councilman Hupman - Aye

Councilman Harting - Aye

Councilman Price - Aye

**Motion Passed**

**Discussion:** Supervisor Odell remarked that these are changes in order to meet state budget requirements

**UPCOMING MEETING:**

Zoning Board Meeting July 11, 2024 6:30 P.M. Windsor Town Hall

Planning Board Meeting July 31, 2024 7:30 P.M. Windsor Town Hall

Public Hearing & Regular Board Meeting August 14, 2024 7:00 P.M. Windsor Town Hall

**PUBLIC COMMENTS:** None

**ADJOURNMENT:**

**Motion By: Councilman Hupman**

**Sec. By: Councilman Harting**

Motion to Adjourn Meeting at 7:53 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