

**Public Hearing & Regular Meeting of the Town Board**  
**August 13, 2025 7:00 P.M.**  
**Town of Windsor Town Hall**  
**124 Main Streets, Windsor, NY 13865**

Supervisor Harting pointed out the exits in the room.

**MEETING CALLED TO ORDER:** by Supervisor Tim Harting, at 7:00 P.M.

**PLEDGE OF ALLEGIANCE:** was recited.

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

Supervisor Tim Harting: Present

Deputy Supervisor Eric A. Beavers: Absent

Council Member Gary M. Hupman: Present

Council Member Mark Odell: Present

Council Member Daniel Colwell: Present

Code Enforcement Officer Richard Osborne: Present

Highway Superintendent Michael Kithcart: Present

Attorney Mark Spinner: Present

Also, present were: Khristine Breeding, NY Route 79; Steve Finch, Beaver Lake Road; Carolyn Price, Reagan Road; Ruth Seward, Main Street; Fred & Fran Barrett, Blatchley Road; Robert Cunningham, Route 79; Michael & Erica Beamer, Atwell Hill Road; David Brown, Ostrander Road; Miria Florance, Main Street; Heather Noyd, Academy Street

**PUBLIC HEARING:**

Supervisor Harting opened the Public Hearing for Local Law No. 3 of 2025 Local Law to Exceed Tax cap at 7:01 P.M. there were no comments, the Public Hearing was closed at 7:01 P.M.

**PUBLIC COMMENTS:**

Michael Beamer, Atwell Hill Road – Gave members of the Board photos of property that neighbors his that is an eye soar and asked what is being done to remedy the situation. Beamer voiced his disgruntlement at the requirement for him to purchase a building permit to put a deck on his home when he has to look at this property with a dilapidated structure and garbage all over it. Code Officer Osborne explained to the Board that he has done what he can within his power, the owner of the property is renting it to family members which makes it difficult for Osborne to serve notices as the property owners where abouts are not always known. Attorney Spinner asked Code Officer Osborne to send him all the information he has and he will review the Town Code to see what next step the Town can take. Supervisor Harting stated that the Town will do what is within its power to do.

Steve Finch, Beaver Lake Road – Asked what was going to be done with Beaver Lake Road, Highway Supervisor Kithcart stated Beaver Lake Road is on the schedule for oil and stone on the west end of the road and a guide rail would be installed. Finch asked when the work would be done, Highway Superintendent Kithcart said they are waiting on the schedule from the contractors. Supervisor Harting pointed out that the Highway Department has spent the summer working on every road it can in the Town.

**APPROVAL OF MINUTES:**

**Motion By: Council Member Odell**

**Sec. By: Council Member Colwell**

Motion to approve the minutes of the July 9, 2025 Regular Meeting as submitted.

**Vote of the Board:**

Supervisor Harting - Aye

Deputy Supervisor Beavers - Absent

Council Member Hupman - Aye

Council Member Odell - Aye

Council Member Colwell - Aye

**Motion Passed**

**Motion By: Council Member Hupman**                      **Sec. By: Council Member Colwell**  
Motion to approve the minutes of the July 16, 2025 Work Session Meeting as submitted.

**Vote of the Board:**  
Supervisor Harting - Aye  
Deputy Supervisor Beavers - Absent  
Council Member Hupman - Aye  
Council Member Odell - Abstain  
Council Member Colwell - Aye

**Motion Passed**

**YOUTH & RECREATION:**  
Supervisor Harting moved the WYSR report ahead on the agenda. Miria Florance & Heather Noyd from Windsor Youth Sports & Recreation gave a mid-year update on the program to the Board. Florance thanked the Board on behalf of WYSR Board for the continued support of the program. Offering 10 league sports and enrollment numbers continue to increase each year. The enrollment for soccer this fall is the highest it has ever been. Heather Noyd highlighted that the program continues to partner with Windsor Central School District Varsity sports program. Projects that have been completed this year were replacing the fence on the little league field at Klumpp Park, which was completed before opening day. The lights have finally been installed on the girls’ softball field and they hosted the first 8U baseball tournament and will be looking to expand to other age levels next year since they had a lot of positive feedback. Looking forward they are pursuing a grant for playground equipment, looking to regrade the girls’ softball field, there is a water drainage issue which caused quite a few games to be canceled on that field during the season, however the school allowed the use of their fields which was appreciated. The Board thanked the members of WYSR for all that they do, Council Member Odell stated it’s important that the youth have these opportunities. Council Member Hupman asked if they were experiencing any trouble finding coaches but Florance and Noyd said the parents are great and they have not had an issue.

**FINANCIAL REPORT:**  
**Motion By: Council Member Colwell**                      **Sec. By: Council Member Hupman**  
Motion to Approve the August 2025 Bills for Payment

Vouchers for Payment	
A & B Fund #297-341	\$ 92,263.36
DB Fund #242-283	\$ 1,059,126.42
SS3 Fund #44-53	\$ 6,403.13
TA Fund #37-39	\$ 3,656.54
<b>Total</b>	<b>\$ 1,161,449.45</b>

**Vote of the Board:**  
Supervisor Harting - Aye  
Deputy Supervisor Beavers - Absent  
Council Member Hupman - Aye  
Council Member Odell - Aye  
Council Member Colwell - Aye

**Motion Passed**

The Board received the July 2025 Financials; there was no discussion.

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK**  
**Resolution Amending 2025 Budget DB Fund Resolution #32-2025**

**PRESENT:**     **Supervisor Timothy Harting**  
                  **Council Member Gary M. Hupman**  
                  **Council Member Mark Odell**  
                  **Council Member Daniel Colwell**  
**ABSENT:**     **Deputy Supervisor Eric Beavers**

**Offered By: Council Member Odell**  
**Seconded By: Council Member Hupman**

**WHEREAS**, the Town of Windsor will use unrestricted fund balance to pave Anne Road, Barton Road and Williams Road at an estimated total of \$703,000.00

**IT IS HEREBY RESOLVED**, by the Town Board of the Town of Windsor that the following budgetary adjustments be made in the 2025 Budget to expend these monies

ACCOUNT	ACCOUNT NAME	DEBIT	CREDIT
	BUDGET JOURNAL ENTRIES:		
DB909	Unrestricted Fund Balance	\$703,000.00	
DB5130.2	General Repairs - Contractual		\$703,000.00

**BE IT FURTHER RESOLVED** that this resolution 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 the 13<sup>th</sup> day of August 2025. Said resolution was adopted by the following vote:

Supervisor Timothy Harting	Voted - Aye
Deputy Supervisor Eric Beavers	Voted – Absent
Council Member Gary M. Hupman	Voted - Aye
Council Member Mark Odell	Voted - Aye
Council Member Daniel Colwell	Voted - Aye

**Motion Approved**  
**Resolution Adopted: August 13, 2025**

Elizabeth Pfister, Town Clerk  
Town of Windsor

**Discussion:** Moving money from reserve to regular account to pay for paving of roads.

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK**  
**Resolution Amending 2025 Budget DB Fund Resolution #33-2025**

**PRESENT:** Supervisor Timothy Harting  
Council Member Gary M. Hupman  
Council Member Mark Odell  
Council Member Daniel Colwell  
**ABSENT:** Deputy Supervisor Eric Beavers

**Offered By: Council Member Odell**  
**Seconded By: Council Member Hupman**

**IT IS HEREBY RESOLVED**, by the Town Board of the Town of Windsor that the following budgetary adjustment be made to fund insurance coverage for the 2025 Hitachi Excavator:

**IT IS HEREBY RESOLVED**, by the Town Board of the Town of Windsor that the following budgetary adjustment be made in the 2025 Budget to expend these monies.

ACCOUNT	ACCOUNT NAME	DEBIT	CREDIT
	BUDGET JOURNAL ENTRIES:		
DB9060.8	INSURANCE – HIGHWAY VEHICLE/EQUIP	\$1,067.00	
DB5130.2	MEDICAL INSURANCE		\$1,067.00

**BE IT FURTHER RESOLVED** that this resolution 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 the 13<sup>th</sup> day of August 2025. Said resolution was adopted by the following vote:

Supervisor Timothy Harting	Voted - Aye
Deputy Supervisor Eric Beavers	Voted – Absent
Council Member Gary M. Hupman	Voted - Aye

Council Member Mark Odell                      Voted - Aye  
Council Member Daniel Colwell                Voted - Aye

## **Motion Approved**

### **Resolution Adopted: August 13, 2025**

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Elizabeth Pfister, Town Clerk

Town of Windsor

**Discussion:** Moving funds to cover the cost of insurance increase for the purchase of the excavator

### **OFFICIALS/DEPARTMENT HEAD REPORTS**

#### **SUPERVISOR:**

Supervisor Harting explained to the Public that the NYS Comptrollers Office had performed an audit of the Town and the Capitol Project at the Highway. The audit of the Capital Project is still in draft form but the Board wanted to have a response letter from the Board included in the final audit that is released addressing the concerns that the auditors brought to the Boards attention. Supervisor Harting presented the Board with a draft letter to send to the auditors, Council Member Odell questioned whether or not the wording “corrective action” could be removed, the use of the word “corrective” indicates that steps were done incorrectly when that is not necessarily the case and feels it is misleading to the public who would not have any background on the situation. Attorney Spinner and the rest of the Board agreed to remove the wording “corrective action” in the letter and all board members would sign the revised letter to be submitted.

#### **HIGHWAY SUPERINTENDENT:**

Town Clerk Pfister reported that the bids submitted for the Road Sweeper had been opened at her office at 3:30 P.M. as advertised with Highway Superintendent Kithcart, Secretary to the Supervisor, Deputy Clerk Hunt and one of the salesmen were present. Two bids were received Tracey Road Equipment’s bid in the amount of \$82,975.00 with a 1 year or 1,000-hour warranty and Alta Equipment Company’s bid \$82,809.00 with a 2-year limited warranty. Highway Superintendent Kithcart will look through each bid packet to see which is the better option and Attorney Spinner will look through each bid packet to make sure bidders included all necessary documents and information. Clerk Pfister will acknowledge the receipt of the bids to bidders and let them know a decision is pending.

Highway Superintendent Kithcart shared that the Highway crew has been grater patching roads they have Mt. Carmel, Flanders Hill, Vinegar Hill, Cascade Valley, Hoadley Hill, Dickinson, Zimmer and Brown Road are completed. Currently working on Phillips and John White Roads, and plan to oil, stone and install guide rail on Beaver Lake Road. Planning to work on Springsteen, Thompson, Garrett and Dutchtown Road this year for patching. Williams is to be paved this year still. Supervisor Harting asked Highway Superintendent Kithcart if he could send a list to the Clerk of the road schedule so it could be posted on the website for residents and the Council Members. Supervisor Harting also stated the Highway has done a lot of work this year on roads and would like residents to know that, Council Member Colwell pointed out that there are 120 miles of road that 11 workers are responsible for.

#### **TOWN CLERK/REGISTRAR:**

The Board received the Town Clerk’s July 2025 report, Clerk Pfister told the Board that the summer intern had finished last week and she was very helpful with organizational tasks in the Clerk’s office and History Room. Clerk Pfister shared that hunting license sales have begun and the office has been busy with sales since Dick’s Sporting Goods is no longer selling licenses. Clerk Pfister shared that during the month of September she would be participating in the BC Safe Chalk the Walk event again this year for suicide prevention and awareness.

#### **CODE ENFORCEMENT:**

The Board received the Code Officer’s July 2025 report, Code Officer Osborne pointed out that he issued 19 permits this past month and also completed his yearly recertification. Has been working on the sewer tie in on Riley Road, they had someone come with a camera and verify there was no hook up located there; they did find a manhole that had been paved over. The original blueprint specs are available to use and Rich has a couple calls out to get quotes for the work, the Town will be responsible to open the road and when it is repaved, they will have them keep the manhole exposed.

Planning Board has a draft solar law now and work is progressing rapidly now. Clerk Pfister mentioned that the draft of the Codification project is due to the Town this month as well.

#### **DOG CONTROL:**

With Floyd being out of the office and Dave Brown covering the published dog number will be the DCO office phone where people can call and leave a message and the phone will be forwarded to the cell phone of the DCO on duty at the time.

Council Member Odell wanted to remind residents to please take care of their dogs, it is very costly to the Town to handle dangerous dog matters.

#### **ASSESSOR:**

The Board received the Assessor’s July 2025 report, Supervisor Harting pointed out that Becky noted she has had a couple crazy months.

Clerk Pfister explained that this year all appointed assessors across New York have to be reappointed and that would be done at the September meeting.

#### **WASTEWATER TREATMENT PLANT:**

Supervisor Harting shared that there had been a complaint of an odor on North Road by a resident one of the sewer staff went and checked all pump stations and found nothing of that nature.

Council Member Hupman asked if the new LED lights had all been ordered and installed, Supervisor Harting said he had not followed up but he will for next month.

#### **TOWN JUSTICE:**

Supervisor Harting shared with the Board that he had a meeting with the District Attorneys office about the traffic diversion money because the amount received was substantially higher than it has been. The D.A.’s office confirmed that the figure was accurate and it is anticipated to increase still

## **COMMITTEE REPORTS:**

### **HISTORY & CEMETERIES:**

### **ECONOMIC DEVELOPMENT:**

Supervisor Harting announced the Windsor Partnership Corn Festival & Tractor Show that will be on August 23, 2025 from 12:00 PM to 5:00 PM at Klumpp Park. Council Member Hupman stated Susquehanna Valley Grange would be attending as well as the Town Historian.

### **PUBLIC SAFETY:**

The Board received the July 2025 Operation Update & Call Log from EBES, Supervisor Harting reached out to Chris Zacharias about the low call rate. The reason for the drop has been an increase in covering mutual aid calls which they cannot refuse.

### **TOWN HALL:**

Supervisor Harting acknowledged a thank you letter from the BOCES Summer Intern Program. The front roof replacement has been completed. Supervisor Harting asked how the masonry repairs are going, Clerk Pfister said it was slowly being worked on.

### **ZONING/PLANNING:**

Code Officer Osborne said the solar law is the current focus of the Planning Board, Khristine Breeding shared that the Zoning Board meeting scheduled for August 14<sup>th</sup> is canceled and ZBA members will be attending a training at Cornell Cooperative Extension.

### **OTHER:**

**UNFINISHED BUSINESS:** NONE

### **NEW BUSINESS:**

Clerk Pfister explained that new legislation was passed this year in regards to Cyber security across the state one provision is that anyone in a municipality that works on a computer will be required to take an annual cyber security training that Comptrollers office will provide at no charge. Clerk Pfister had sent the new legislation along with the current I.T. policies to the Town's I.T. provider, Computer Shop and they responded with some suggestions. The first recommendation is to move users away from echoes.net emails and switch to IE Office 365, otherwise the Computer Shop cannot backup or maintain security settings without a secure platform. Currently the Computer Shop only backs up and monitors 2 P.C.'s for the Town currently, in order to comply with the state's request, they would need to back up and monitor all P.C.s. Supervisor Harting said he would ask for quotes on the suggestions that were given and bring them to the Board to consider.

## **TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK Approving the Adoption of an Acceptable Use Policy Resolution #34-2025**

**PRESENT:**   Supervisor Timothy Harting  
                  Council Member Gary M. Hupman  
                  Council Member Mark Odell  
                  Council Member Daniel Colwell

**ABSENT:**     Deputy Supervisor Eric Beavers

**OFFERED BY:** Council Member Odell

**SECONDED BY:** Council Member Hupman

The Town Board (hereinafter "Town Board") of the Town of Windsor (hereinafter "Town"), duly convened in regular session, does hereby resolve as follows:

**WHEREAS**, the Town of Windsor desires to adopt and implement an Acceptable Use Policy (the "Policy"); and

**WHEREAS**, the Policy concerns Computer, Network Resource and Internet Usage and applies to all Town-owned network facilities, computer systems and email accounts provided to Town employees and officials; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act ("SEQRA"), it has been determined by the Town Board that this constitutes a Type II Action as defined under 6 NYCRR 617.5(20) and (27); and

**WHEREAS**, the Policy shall be reviewed on an annual basis and updated as needed.

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Windsor, after review and discussion, hereby approves the adoption of the Acceptable Use Policy; and it is

**FURTHER RESOLVED** that the Supervisor is hereby authorized to sign and deliver any documents necessary to effectuate the Policy and implement the same on behalf of the Town; and it is

**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 13<sup>th</sup> day of August, 2025. Said resolution was adopted by the following vote:

Supervisor Timothy Harting	Voted - Aye
Deputy Supervisor Eric Beavers	Voted – Absent
Council Member Gary M. Hupman	Voted - Aye
Council Member Mark Odell	Voted - Aye
Council Member Daniel Colwell	Voted - Aye

**Motion Approved**

**Resolution Adopted: August 13, 2025**

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

**Acceptable Use Policy**

Policy Statement- The Town of Windsor has adopted the following Town of Windsor Computer, Network Resource and Internet Usage Policy:

This policy shall be reviewed on an annual basis and updated as needed. This policy shall supersede and revoke all previous policies. Town computers, Town network resources, and internet access lines within the Town of Windsor Town Hall and within any other Town buildings are to be used only for official business of the Town. In no event are those computers, network resources or internet access lines to be used for the personal purposes. Prohibited personal purposes shall include, but not be limited to, the following of:

- a) creating, sending or receiving any personal letters, personal messages, personal advertising, communications relating to personal commercial activities, jokes or other personal communications,
- b) playing any card games or other games,
- c) using any streaming video services e.g., Netflix, Hulu, YouTube, etc., unless directly related to Town business.
- d) creating, sending, posting, displaying or receiving any pornographic or obscene pictures, text, graphics, images, or materials,
- e) accessing any web sites that contain sexually explicit images and/or related materials, advocate illegal activity, and/or advocate intolerance of others,
- f) creating, sending, posting, or displaying any sexually explicit images and/or related materials,
- g) advocating or promoting any illegal activity, and/or advocating or promoting intolerance of others.
- h) creating, sending, posting, displaying or receiving any offensive, abusive, slanderous, libelous, defamatory, vulgar, harassing or intimidating messages, text, graphics, images or materials,
- i) creating or sending any viruses, worms, hoaxes or chain letters,
- j) engaging in any unwarranted invasion of the personal privacy of any individual,
- k) engaging in any unauthorized disclosure of sensitive or confidential information, or
- l) violating any licensing or copyright restrictions.

Any misuse of a Town computer, network resource, or internet access line, or non-compliance with the Town's written computer and internet usage policies, may result in one or more of the following consequences:

- 1) Temporary loss of privileges and/or deactivation of computer/network access/internet access.
- 2) Permanent loss of privileges and/or deactivation of computer/network access/internet access.
- 3) Confiscation of Town laptop computer by the proper Town official.
- 4) Disciplinary actions (including proceedings for removal from office) by the appropriate Town board or Town officials and/or State boards or State officials.

- 5) Subpoena of data files and/or the application for and execution of a search warrant.
- 6) Legal prosecution under applicable United States, New York State, and/or Town of Windsor statutes, local laws, ordinances, codes, rules and/or regulations (hereinafter the "Laws").
- 7) Possible penalties under applicable Laws, including fines and/or imprisonment

The Town of Windsor owns all network facilities, computer systems and e-mail accounts that are provided to Town employees and officials. The Town reserves the right to monitor and audit all usage of Town-owned technology systems, including but not limited to hard drives, e-mails, computer files, and network traffic. No employee or Town official should have an expectation of privacy with regard to the use of Town-owned technology.

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK**  
**Approving the Adoption of Breach Notification Policy Resolution #35-2025**

**PRESENT:** Supervisor Timothy Harting  
Council Member Gary M. Hupman  
Council Member Mark Odell  
Council Member Daniel Colwell  
**ABSENT:** Deputy Supervisor Eric Beavers

**OFFERED BY:** Council Member Colwell  
**SECONDED BY:** Council Member Odell

The Town Board (hereinafter “Town Board”) of the Town of Windsor (hereinafter “Town”), duly convened in regular session, does hereby resolve as follows:

**WHEREAS**, the Town of Windsor desires to adopt and implement a Breach Notification Policy (the “Policy”); and

**WHEREAS**, the purpose of the Policy is to ensure the Town of Windsor complies with State and Federal laws, and minimizes the harm to individuals served or employed by the Town, when responding to a suspected breach of private and confidential information; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Town Board that this constitutes a Type II Action as defined under 6 NYCRR 617.5(20) and (27).

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Windsor, after review and discussion, hereby approves the adoption of the Breach Notification Policy; and it is

**FURTHER RESOLVED** that the Supervisor is hereby authorized to sign and deliver any documents necessary to effectuate the Policy and implement the same on behalf of the Town; and it is

**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 13<sup>th</sup> day of August, 2025. Said resolution was adopted by the following vote:

Supervisor Timothy Harting	Voted - Aye
Deputy Supervisor Eric Beavers	Voted – Absent
Council Member Gary M. Hupman	Voted - Aye
Council Member Mark Odell	Voted - Aye
Council Member Daniel Colwell	Voted - Aye

**Motion Approved**  
**Resolution Adopted: August 13, 2025**

Elizabeth Pfister, Town Clerk  
Town of Windsor

### **Breach Notification Policy**

**Objective:** To ensure that the Town of Windsor's response to any suspected breach of private and confidential information complies with State and Federal laws and minimizes harm to individuals served or employed by the Town of Windsor.

The Town values the protection of private information of individuals in accordance with applicable law and regulations. Further, the Town is required to notify affected individuals when there has been or is reasonably believed to have been a compromise of the individual's private information in compliance with the Information Security Breach and Notification Act and Town policy.

The Town shall educate all individuals who may come into contact with any of the information described below on the Town policy in order to increase IT security awareness. The Town desires to ensure each individual understands his or her responsibilities regarding any potential issues.

- a) "Private information" shall mean "personal information" in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:
  - 1) Social security number;
  - 2) Driver's license number or non-driver identification card number; or
  - 3) Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

"Private information" does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.

"Personal information" shall mean any information concerning a person which, because of name, number, symbol, mark or other identifier, can be used to identify that person.

- b) "Breach of the security of the system," shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the Town. Good faith acquisition of personal information by an employee or agent of the Town for the purposes of the Town is not a breach of the security of the system, provided that private information is not used or subject to unauthorized disclosure.

### **Determining if a Breach has Occurred**

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or person without valid authorization, the Town may consider the following factors, among others:

- a) Indications that the information is in the physical possession or control of an unauthorized person, such as a lost or stolen computer or other device containing information; or
- b) Indications that the information has been downloaded or copied; or
- c) Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported; or
- d) System failure

### **Notification Requirements**

For any computerized data owned or licensed by the Town that includes private information, the Town shall disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

The disclosure to affected individuals shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. The Town shall consult with the State Office of Information Technology Services to determine the scope of the breach and restoration measures.



For any computerized data maintained by the Town that includes private information which the Town does not own, the Town shall notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. The required notification shall be made after the law enforcement agency determines that such notification does not compromise the investigation.

#### **Methods of Notification**

The required notice shall be directly provided to the affected persons by one or more of the following methods:

- a) Written notice;
- b) Telephone Notification, with records of all calls being kept;

Additional Notices: in addition to one of the above forms of notice the Town may, at its discretion, perform the following additional forms of notice:

- a) E-Mail notice when the Town has an e-mail address for the subject individuals;
- b) Conspicuous posting of the notice on the Town's webpage, or any Town signs; and
- c) Notification to local media

Regardless of the method by which notice is provided, the notice shall include contact information for the Town and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

In the event that any New York State residents are to be notified, the Town shall notify the New York State Attorney General (AG), the New York State Department of State, and the New York State Office of Information Technology Services as to the timing, content and distribution of the notices and approximate number of affected persons.

In the event that more than five thousand (5,000) New York State residents are to be notified at one time, the Town shall also notify consumer reporting agencies, as defined pursuant to State Technology Law Section 208, as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents. A list of consumer reporting agencies shall be compiled by the State Attorney General and furnished upon request to Towns required to make a notification in accordance with State Technology Law Section 208(2), regarding notification of breach of security of the system.

### **TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK Approving the Adoption of Disaster Recovery Plan Resolution #36-2025**

**PRESENT:** Supervisor Timothy Harting  
Council Member Gary M. Hupman  
Council Member Mark Odell  
Council Member Daniel Colwell  
**ABSENT:** Deputy Supervisor Eric Beavers

**OFFERED BY:** Council Member Odell  
**SECONDED BY:** Council Member Hupman

The Town Board (hereinafter "Town Board") of the Town of Windsor (hereinafter "Town"), duly convened in regular session, does hereby resolve as follows:

**WHEREAS**, the Town of Windsor desires to adopt and implement a Disaster Recovery Plan; and

**WHEREAS**, the Disaster Recovery Plan defines acceptable methods for disaster recovery planning, preparedness, management, and mitigation of IT systems and services for the Town; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Town Board that this constitutes a Type II Action as defined under 6 NYCRR 617.5(20) and (27).

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Windsor, after review and discussion, hereby approves the adoption of the Disaster Recovery Plan; and it is

**FURTHER RESOLVED** that the Supervisor is hereby authorized to sign and deliver any documents necessary to effectuate the Disaster Recovery Plan and implement the same on behalf of the Town; and it is

**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 13<sup>th</sup> day of August, 2025. Said resolution was adopted by the following vote:

Supervisor Timothy Harting	Voted – Aye
Deputy Supervisor Eric Beavers	Voted – Absent
Council Member Gary M. Hupman	Voted – Aye
Council Member Mark Odell	Voted – Aye
Council Member Daniel Colwell	Voted – Aye

**Motion Approved**

**Resolution Adopted: August 13, 2025**

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Elizabeth Pfister, Town Clerk  
Town of Windsor

#### **Disaster Recovery Plan**

**Policy Statement:** This policy defines acceptable methods for disaster recovery planning, preparedness, management and mitigation of IT systems and services for the Town of Windsor (hereinafter the “Town”).

The disaster recovery standards in this policy provide a systematic approach for safeguarding the vital technology and data managed by the Town. This policy provides a framework for the management, development, and implementation and maintenance of a disaster recovery program for the systems and services managed by the Town.

**Implementation:** The Town shall establish as follows:

- 1) Appoint a Disaster Recovery Manager. The Disaster Recovery Manager shall be charged with implementing the Town’s Disaster Recovery Plan.

**Scenarios:** There are two planning scenarios that will enable the Town to effectively prepare for and recover from likely potential threats.

- 1) The main computer system fails due to a lightning strike, catastrophic equipment failure, etc.
- 2) The Town Hall is destroyed in a natural disaster. In this scenario the Town will simultaneously be responding to other effects of the incident at the same time they are trying to restore computer operations.

**General Requirements:** The Town shall:

- 1) Continue the Town’s contractual relationship with The Computer Shop.
  - a) The Computer Shop has made accessible via remote access work stations of the Town Clerk and Secretary to the Supervisor
  - b) The Computer Shop maintains generators to maintain operations in the event of a power failure.
- 2) Maintain rigorous backup routines that assure the data is available to restore. The backup shall entail secure off-site backup of data for the Town’s financial and other computer data.

- a) Financial data shall be backed up by the third-party company the Town contracts with.
- b) The Town's computer data shall be backed up at least once a week.
- 3) The Town's Disaster Recovery Manager or 3<sup>rd</sup> Party Provider shall attempt to restore the backup data, no less frequently than once a month, in order to ensure the validity of the backup data.
- 4) Have redundant computer technician services to assure immediate response.
- 5) The Town shall appoint a Disaster Recovery Manager who shall be responsible for remote restoration of Town computer data, in accordance with the then current Town Disaster Recovery Plan.
- 6) The Town's financial data is maintained by a third-party software company. This financial data is remotely accessible in the event of a disaster.
  - a) The Town's Disaster Recovery Manager shall be responsible with coordinating remote access in the event of a disaster.

Attorney Spinner brought the Board up to speed on two types of tax challenge filings by Millenium Pipeline. The first is the assessment of their Special Franchise which is filed with the State Court, this covers pipeline in public rights of way. The office of Real Property Tax Services determines those valuations and Millenium feels they are valued too high. The second is an Article 7 filing which has been filed against the Town challenging the assessment based on the values determined by the Office of Real Property Tax Services. Attorney Spinner and Assessor Herzog-Ottens have attended several meetings about this, these filings have been filed against several municipalities across the state, many have much more pipeline than the Town of Windsor has. This is a difficult case as it will require expert engineering analysis to determine the valuation of pipeline. At this time all municipalities and school districts that have been filed against are looking to come together for a joint defense on this so the interested parties can share the cost of the legal fees. Attorney Spinner had Assessor Herzog-Ottens prepare some figures as to the implications of these filings and the Special Franchise implications if ruled in favor of Millenium would be \$594.00 to the Town and \$4,194.00 to Windsor School District. If Millenium was to win the Article 7 the potential hit to the Town would be \$71,548.00/yr and approximately \$500,000.00/yr. Spinner explained the next meeting is in September where it will be known what towns and school districts will be coming together for this joint defense and then he will know the formula for determining the cost share and could report to the board. Currently the estimated cost to the Town to be part of the Special Franchise defense will be between \$7,000.00 and \$12,000.00, the Article 7 defense has been estimated to be capped at \$25,000.00. The alternative would be for the Town to defend on its own which would mean the Town would have to get expert analysis on its own and would cost much more. Spinner noted that the expert on this type of defense out of a Syracuse law firm has been secured to handle the joint defense. Spinner's suggestion is for the Board to approve joining the defense pending review of the terms and cost for the Special Franchise case. Council Member Odell asked what about the Article 7 case, Spinner explained that the Article 7 would be handled differently but the two cases will go hand in hand. The determination of the Special Franchise case will dictate what happens with the Article 7.

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK**  
**Resolution Authorizing the Town to Enter Into Joint Defense and Cost**  
**Sharing Agreement for Millenium Pipeline Tax Assessment Proceedings**  
**Resolution #37-2025**

**PRESENT:**     **Supervisor Timothy Harting**  
                   **Council Member Gary M. Hupman**  
                   **Council Member Mark Odell**  
                   **Council Member Daniel Colwell**  
**ABSENT:**     **Deputy Supervisor Eric Beavers**

At a public hearing and regular meeting of the Town of Windsor Town Board, held at the Town Hall, 124 Main Street, Windsor, NY, on the 13<sup>th</sup> day of August, 2025, the following resolution was offered by

**Offered By: Council Member Colwell**  
**Seconded By: Council Member Hupman**

**Resolved**, that the Town Board authorizes the Town to enter into a Joint Defense and Cost-Sharing Agreement with other municipalities in connection with the Millennium Pipeline tax assessment proceedings, subject to review and approval by the Town Attorney and confirmation of the Town's final apportioned cost share, and to take all necessary steps to protect the Town's interests.

**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 13<sup>th</sup> day of August, 2025. Said resolution was adopted by the following vote:

Supervisor Timothy Harting:	Voted - Aye
Deputy Supervisor Eric Beavers:	Voted - Absent
Council Member Gary M. Hupman:	Voted - Aye
Council Member Mark Odell:	Voted - Aye
Council Member Daniel Colwell:	Voted - Aye

**Motion Approved**

**Resolution Adopted: August 13, 2025**

[Town Seal]

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Elizabeth Pfister, Town Clerk  
Town of Windsor

**Discussion:** Supervisor Harting opened it to the Public for comments before voting, Carolyn Price, Reagan Road – Felt the Board and members of the public should understand the history in the Town of the pipeline companies. The Williams company that constructed a compressor station within the Town never had a P.I.L.O.T. or complained about tax assessments and has put a lot of money into the community. While Millenium has had nothing but a reduction since they came into the Town and now, they want to challenge their assessments, one would think this was their plan all along, Price stated she was happy to hear that the Town wanted to challenge this. Price asked Attorney Spinner if the Town should worry that Williams might do the same thing if they get wind of this, Attorney Spinner shared Price’s sentiments and based on William’s history he would think not but you never know for sure. Attorney Spinner pointed out to the board that right now there is strength in numbers and with so many municipalities coming together the State cannot ignore them and that should weigh positively in the outcome of this case. Spinner also thanked Assessor Herzog-Ottens for all of her help and attendance at all of the meetings regarding this.

**UPCOMING MEETING:**

Zoning Board Meeting **August 14, 2025** 6:30 P.M. Windsor Town Hall-**CANCELED**

Planning Board Meeting **August 27, 2025** 7:30 P.M. Windsor Town Hall

Regular Board Meeting **September 10, 2025** 7:00 P.M. Windsor Town Hall

**PUBLIC COMMENTS: NONE**

**ADJOURNMENT:**

**Motion By: Council Member Hupman**  
Motion to Adjourn Meeting at 8:25 P.M.

**Sec. By: Council Member Colwell**

**Vote of the Board:**

Supervisor Harting - Aye  
Deputy Supervisor Beavers - Absent  
Council Member Hupman - Aye  
Council Member Odell - Aye  
Council Member Colwell - Aye

**Motion Passed**

Respectfully Submitted,

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Elizabeth Pfister

Town Clerk