

Public Hearing & Regular Meeting of the Town Board
July 8, 2026 7:00 P.M.
Town of Windsor Town Hall
124 Main Streets, Windsor, NY 13865

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: Present
Council Member Gary M. Hupman: Present
Council Member James Conrad: Present
Council Member Matthew Hartwell: Present
Code Enforcement Officer Richard Osborne: Present
Highway Superintendent Michael Kithcart: Present
Attorney Mark Spinner: Present

Also, present were: April Hartwell, Route 79; Jonathon Van Barriger, Liberty Highway; Jerry Henehan, Dunbar Road; Dave Ballard, Dodd Road; Khristine Breeding, Route 79; Norman Colwell, Route 79; Robert Fish, Buttercup Hill Road; David Eucker, North Road; Julie Skinner, Abbey Road; Douglas Dillon, Abbey Road; Ruth Seward, Main Street; Anne Underwood, Honey Hollow Road; Carol Sherwood, Route 79; Diana Isham, Honey Hollow Road; Carolyn Price, Reagan Road; Jim Donahue, Route 79; Rebecca Reed, Patterson Road; Beverly Foster Bills, Route 79; David Brown, Ostrander Road; Robert Cunningham, Route 79; Greg Bronson, Buell Road

PUBLIC HEARING: Supervisor Harting opened the Public Hearing at 7:01 p.m.
Jim Donahue, Route 79 – Asked for an explanation of this law Code Enforcement Officer Osborne explained Chapter 53 of the Town Code pertains to building construction, maintenance and energy compliance. In 1986 the Town adopted the State’s Uniform Code so whenever there is an update the Town must adopt it. Donahue asked if the law has anything to do with solar farms, Osborne responded that it only addresses residential units. Supervisor Harting Closed the public hearing at 7:01 p.m.

TOWN OF WINDSOR
LOCAL LAW NO. 2 OF 2026

**A LOCAL LAW REPEALING AND REPLACING CHAPTER 53 OF THE CODE OF THE
TOWN OF WINDSOR RELATING TO THE ADMINISTRATION AND ENFORCEMENT OF
THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE AND THE
STATE ENERGY CONSERVATION CONSTRUCTION CODE.**

Be it enacted by the Town Board of the Town of Windsor as follows:

Section 1. Chapter 53 of the Town Code is hereby repealed and replaced as follows:

§ 53-1 Purpose and Intent.

This chapter provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the Town of Windsor (“Town”). This chapter is adopted pursuant to Section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, the Energy Code, or other state law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions of this chapter. References in this chapter to the Uniform Code, Energy Code, or any component code thereof shall be deemed to refer to such codes as currently in effect and as hereafter amended from time to time, unless expressly stated otherwise.

§ 53-2 Definitions.

In this chapter:

ASSEMBLY AREA

An area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

BUILDING PERMIT

A building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term “Building Permit” shall also include a Building Permit which is renewed, amended, or extended pursuant to any provision of this chapter.

CERTIFICATE OF COMPLIANCE

A document issued by the Town stating that work was done in compliance with approved construction documents and the Codes.

CERTIFICATE OF OCCUPANCY

A document issued by the Town certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the Town, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

CODE ENFORCEMENT OFFICER

The Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this chapter.

CODE ENFORCEMENT PERSONNEL

The Code Enforcement Officer and all Inspectors.

CODES

The Uniform Code and Energy Code.

ENERGY CODE

The New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

FCNYS

The Fire Code of New York State as adopted by the State of New York and incorporated by reference in 19 NYCRR Part 1225, as currently in effect and as hereafter amended from time to time.

FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTION

An inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

HAZARDOUS PRODUCTION MATERIALS

A solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

INSPECTOR

An inspector appointed pursuant to subdivision (d) of section 3 of this chapter.

MOBILE FOOD PREPARATION VEHICLES

Vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

OPERATING PERMIT

A permit issued pursuant to section 10 of this chapter. The term “Operating Permit” shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this chapter.

ORDER TO REMEDY

An order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 17 of this chapter.

PERMIT HOLDER

The Person to whom a Building Permit has been issued.

PERSON

An individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

PMCNYS

The Property Maintenance Code of New York State as adopted by the State of New York and incorporated by reference in 19 NYCRR Part 1226, as currently in effect and as hereafter amended from time to time.

RCNYS

The Residential Code of New York State, as adopted by the State of New York and incorporated by reference in 19 NYCRR Part 1220, as currently in effect and as hereafter amended from time to time.

REPAIR

The reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

STOP WORK ORDER

An order issued pursuant to section 6 of this chapter.

SUGARHOUSE

A building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

TEMPORARY CERTIFICATE OF OCCUPANCY

A certificate issued pursuant to subdivision (d) of section 7 of this chapter.

UNIFORM CODE

The New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

TOWN

The Town of Windsor.

§ 53-3 Code Enforcement Officer and Inspectors.

- (a) The Office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this chapter. The Code Enforcement Officer shall have the following powers and duties:
- (1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;
 - (2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits;
 - (3) to conduct construction inspections; inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this chapter;
 - (4) to issue Stop Work Orders;
 - (5) to review and investigate complaints;
 - (6) to issue orders pursuant to subdivision (a) of section 17 (Violations) of this chapter;
 - (7) to maintain records;
 - (8) to collect fees as set by the Town Board of this Town;
 - (9) to pursue administrative enforcement actions and proceedings;
 - (10) in consultation with this Town's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this chapter, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this chapter; and
 - (11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this chapter.
- (b) The Code Enforcement Officer shall be appointed by the Town Board of the Town of Windsor. The

Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

- (c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by the Town Board of the Town of Windsor to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this chapter.
- (d) One or more Inspectors may be appointed by the Town Board of the Town of Windsor to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this chapter. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.
- (e) The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Town Board of the Town of Windsor.

§ 53-4 Building Permits.

- (a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Town.
- (b) Exemptions. No Building Permit shall be required for work in any of the following categories:
 - (1) construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet;
 - (2) construction of temporary sets and scenery associated with motion picture, television, and theater uses;
 - (3) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
 - (4) installation of partitions or movable cases less than 5'-9" in height;
 - (5) painting, wallpapering, tiling, carpeting, or other similar finish work;
 - (6) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
 - (7) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
 - (8) repairs, provided that the work does not have an impact on fire and life safety, such as (i) any part of the structural system; (ii) the required means of egress; or (iii) the fire protection system or the removal from service of any part of the fire protection system for any period of time.
- (c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.
- (d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall

include or be accompanied by the following information and documentation:

- (1) a description of the location, nature, extent, and scope of the proposed work;
 - (2) the tax map number and the street address of any affected building or structure;
 - (3) the occupancy classification of any affected building or structure;
 - (4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
 - (5) at least 2 sets of construction documents (drawings and/or specifications) which (i) describe the location, nature, extent, and scope of the proposed work; (ii) show that the proposed work will conform to the applicable provisions of the Codes; (iii) show the location, construction, size, and character of all portions of the means of egress; (iv) show a representation of the building thermal envelope; (v) show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information; (vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building; (vii) include a written statement indicating compliance with the Energy Code; (viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and (ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.
- (e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.
- (f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.
- (g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.
- (h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.
- (i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 6 months following the date of issuance. Building Permits shall expire 12 months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.
- (j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a

Building Permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

- (k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

§ 53-5 Construction Inspections.

- (a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.
- (b) Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:
 - (1) work site prior to the issuance of a Building Permit;
 - (2) footing and foundation;
 - (3) preparation for concrete slab;
 - (4) framing;
 - (5) structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
 - (6) fire resistant construction;
 - (7) fire resistant penetrations;
 - (8) solid fuel burning heating appliances, chimneys, flues, or gas vents;
 - (9) inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
 - (10) installation, connection, and assembly of factory-manufactured buildings and manufactured homes; and
 - (11) a final inspection after all work authorized by the Building Permit has been completed.
- (c) Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.
- (d) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in which the work fails to comply with the Uniform Code or Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.
- (e) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this chapter must be paid prior to or at the time of each inspection performed pursuant to this section.

§ 53-6 Stop Work Orders.

- (a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:
- (1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
 - (2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
 - (3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.
- (b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.
- (c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.
- (d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.
- (e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 17 (Violations) of this chapter or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

§ 53-7 Certificates of Occupancy and Certificates of Compliance.

- (a) Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.
- (b) Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:
- (1) a written statement of structural observations and/or a final report of special inspections,
 - (2) flood hazard certifications,

- (3) a written statement of the results of tests performed to show compliance with the Energy Code, and
 - (4) where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.
- (c) Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:
- (1) the Building Permit number, if any;
 - (2) the date of issuance of the Building Permit, if any;
 - (3) the name (if any), address and tax map number of the property;
 - (4) if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;
 - (5) the use and occupancy classification of the structure;
 - (6) the type of construction of the structure;
 - (7) the occupant load of the assembly areas in the structure, if any;
 - (8) any special conditions imposed in connection with the issuance of the Building Permit; and
 - (9) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.
- (d) Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed 6 months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.
- (e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.
- (f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this chapter must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance, or for Temporary Certificate of Occupancy.

§ 53-8 Notification Regarding Fire or Explosion.

The chief of any fire department providing firefighting services for a property within this Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

§ 53-9 Unsafe Buildings, Structures, and Equipment and Conditions of Imminent Danger.

Unsafe buildings, structures, and equipment and conditions of imminent danger in this Town shall be identified and addressed in accordance with the procedures established in Chapter 81, as now in effect or as hereafter amended from time to time.

§ 53-10 Operating Permits.

(a) Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

- (1) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS;
- (2) buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:
 - (i) Chapter 22, “Combustible Dust-Producing Operations.” Facilities where the operation produces combustible dust;
 - (ii) Chapter 24, “Flammable Finishes.” Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;
 - (iii) Chapter 25, “Fruit and Crop Ripening.” Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;
 - (iv) Chapter 26, “Fumigation and Insecticidal Fogging.” Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;
 - (v) Chapter 31, “Tents, Temporary Special Event Structures, and Other Membrane Structures.” Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;
 - (vi) Chapter 32, “High-Piled Combustible Storage.” High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;
 - (vii) Chapter 34, “Tire Rebuilding and Tire Storage.” Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;
 - (viii) Chapter 35, “Welding and Other Hot Work.” Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;
 - (ix) Chapter 40, “Sugarhouse Alternative Activity Provisions.” Conducting an alternative activity at a sugarhouse;
 - (x) Chapter 56, “Explosives and Fireworks.” Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;
 - (xi) Section 307, “Open Burning, Recreational Fires and Portable Outdoor Fireplaces.” Conducting open burning, not including recreational fires and portable outdoor fireplaces;
 - (xii) Section 308, “Open Flames.” Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies; and
 - (xiii) Section 319, “Mobile Food Preparation Vehicles.” Operating a mobile food preparation vehicle in accordance with the permitting requirements established by Local Law, as now in effect or as hereafter amended from time to time.
- (3) energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.
- (4) buildings containing one or more assembly areas;
- (5) outdoor events where the planned attendance exceeds 1,000 persons;
- (6) facilities that store, handle or use hazardous production materials;
- (7) parking garages as defined in subdivision (a) of section 13 of this chapter;
- (8) buildings whose use or occupancy classification may pose a substantial potential hazard to public

safety, as determined by resolution adopted by the Town Board of this Town; and

- (9) other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the Town Board of this Town. Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.
- (b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.
- (c) Exemptions. Operating permits shall not be required for processes or activities, or the buildings, structures, or facilities listed in paragraphs (1) through (7) of subdivision (a) of this section, provided that the use is expressly authorized by a certificate of occupancy or certificate of compliance, fire safety and property maintenance inspections are performed in accordance with section 11 (Fire Safety and Property Maintenance Inspections) of this chapter, and condition assessments are performed in compliance with section 13 (Condition Assessments of Parking Garages) of this chapter, as applicable.
- (d) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit. Such inspections shall be performed either in-person or remotely. Remote inspections in lieu of in-person inspections may be performed when, at the discretion of the Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or Inspector authorized by the Code Enforcement Officer that the premises conform with the applicable requirements of the Uniform Code and the code enforcement program. Should a remote inspection not afford the Town sufficient information to make a determination, an in-person inspection shall be performed. After inspection, the premises shall be noted as satisfactory and the operating permit shall be issued, or the operating permit holder shall be notified as to the manner in which the premises fail to comply with either or both of the Uniform Code and the code enforcement program, including a citation to the specific provision or provisions that have not been met.
- (e) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in their discretion, issue a single Operating Permit to apply to all such activities.
- (f) Duration of Operating Permits. Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:
 - (1) 180 days for tents, special event structures, and other membrane structures;
 - (2) 60 days for alternative activities at a sugarhouse;
 - (3) Three (3) years for the activities, structures, and operations determined per paragraph (9) of subdivision (a) of this section, and
 - (4) One (1) year for all other activities, structures, and operations identified in subdivision (a) of this section.

The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

- (g) Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.
- (h) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this chapter must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

§ 53-11 Fire Safety and Property Maintenance Inspections.

- (a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:
- (1) at least once every twelve (12) months for buildings which contain an assembly area;
 - (2) at least once every twelve (12) months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and
 - (3) at least once thirty-six (36) months for multiple dwellings and all nonresidential occupancies.
- (b) Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.
- (c) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:
- (1) the request of the owner of the property to be inspected or an authorized agent of such owner;
 - (2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or
 - (3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;
- provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.
- (d) OFPC Inspections. Nothing in this section or in any other provision of this chapter shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control (“OFPC”) and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.
- (e) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this chapter must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

§ 53-12 Complaints.

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this chapter, or any local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code.

The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- (a) Performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- (b) If a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 17 (Violations) of this chapter;
- (c) If appropriate, issuing a Stop Work Order;

- (d) If a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§ 53-13 Condition Assessments of Parking Garages.

(a) Definitions. For the purposes of this section:

- (1) the term “condition assessment” means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;
- (2) the term “deterioration” means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;
- (3) the term “parking garage” means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:
 - (i) buildings in which the only level used for parking or storage of motor vehicles is on grade;
 - (ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and
 - (iii) a townhouse unit with attached parking exclusively for such unit;
- (4) the term “professional engineer” means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;
- (5) the term “responsible professional engineer” means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term “responsible professional engineer” shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment.
- (6) the term “unsafe condition” includes the conditions identified as “unsafe” in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and
- (7) the term “unsafe structure” means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(b) Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (c) of this section, periodic condition assessments as described in subdivision (d) of this section, and such additional condition assessments as may be required under subdivision (e) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the Town, in accordance with the requirements of subdivision (f) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

(c) Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

- (1) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.
- (2) Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:
 - (i) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;

- (ii) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and
 - (iii) if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.
- (3) Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment prior to six (6) months after the effective date of this local law.
- (d) Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed (3) years.
- (e) Additional Condition Assessments.
 - (1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.
 - (2) If the Town becomes aware of any new or increased deterioration which, in the judgment of the Town, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the Town to be appropriate.
- (f) Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Town within sixty (60) days. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:
 - (1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;
 - (2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;
 - (3) an evaluation and description of the unsafe conditions;
 - (4) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;
 - (5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;
 - (6) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;
 - (7) the responsible professional engineer's recommendation regarding preventative maintenance;
 - (8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and
 - (9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer

shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

- (g) Review Condition Assessment Reports. The Town shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the Town shall, by Order to Remedy or such other means of enforcement as the Town may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision (f). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the Town to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.
- (h) The Town shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the Town with a written statement attesting to the fact that he or she has been so engaged, the Town shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The Town shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.
- (i) This section shall not limit or impair the right or the obligation of the Town:
 - (1) to perform such construction inspections as are required by section 5 (Construction Inspections) of this chapter;
 - (2) to perform such periodic fire safety and property maintenance inspections as are required by section 11 (Fire Safety and Property Maintenance Inspections) of this chapter; and/or
 - (3) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the Town by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

§ 53-14 Climatic and Geographic Design Criteria.

- (a) The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this Town as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:
 - (1) design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;
 - (2) heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and
 - (3) flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:
 - (i) the accompanying Flood Insurance Rate Map (FIRM);
 - (ii) Flood Boundary and Floodway Map (FBFM); and
 - (iii) related supporting data along with any revisions thereto.
- (b) The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (a) of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

§ 53-15 Record Keeping.

- (a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:
- (1) all applications received, reviewed and approved or denied;
 - (2) all plans, specifications and construction documents approved;
 - (3) all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
 - (4) all inspections and tests performed;
 - (5) all statements and reports issued;
 - (6) all complaints received;
 - (7) all investigations conducted;
 - (8) all condition assessment reports received;
 - (9) all fees charged and collected; and
 - (10) all other features and activities specified in or contemplated by sections 4 through 14, inclusive, of this chapter.
- (b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

§ 53-16 Program Review and Reporting.

- (a) The Code Enforcement Officer shall annually submit to the Town Board of this Town a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 15 (Record Keeping) of this chapter and a report and summary of all appeals or litigation pending or concluded.
- (b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Town, on a form prescribed by the Secretary of State, a report of the activities of this Town relative to administration and enforcement of the Uniform Code.
- (c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this Town is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

§ 53-17 Violations.

- (a) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this chapter. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this chapter; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this chapter which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

“The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____ [specify date], which is thirty (30) days after the date of this Order to Remedy.”

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this chapter or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to

be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Order to Remedy.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Penalties. In addition to such other penalties as may be prescribed by State law,

(1) any Person who violates any provision of this chapter or any term, condition, or provision of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this chapter, shall be punishable by a fine of not more than \$250 per day of violation, or imprisonment not exceeding 15 days, or both; and

(2) any Person who violates any provision of the Uniform Code, the Energy Code or this chapter, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this chapter, shall be liable to pay a civil penalty of not more than \$250 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Town.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this chapter, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this chapter. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this chapter, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this chapter, an action or proceeding may be commenced in the name of this Town, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Board of this Town.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this chapter, in any other section of this chapter, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this chapter, in any other section of this chapter, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

§ 53-18 Fees.

A fee schedule shall be established by resolution of the Town Board of this Town. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this chapter.

§ 53-19 Intermunicipal Agreements.

The Town Board of this Town may, by resolution, authorize the Supervisor of this Town to enter into an agreement, in the name of this Town, with other governments to carry out the terms of this chapter, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

Section 2. Separability

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 3. Repealer

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4. Effective Date

This local law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK
Resolution Approving Local Law No. 2 of 2026 Resolution #18-2026**

**PRESENT: Supervisor Timothy Harting
Deputy Supervisor Eric Beavers
Council Member Gary M. Hupman
Council Member James Conrad
Council Member Matthew Hartwell**

At a regular meeting of the Town Board of the Town of Windsor, held at Town Hall, 124 Main Street, Windsor, New York on the 8th day of July, 2026, the following resolution was

**Offered By: Council Member Gary M. Hupman
Seconded: Council Member Matthew Hartwell**

WHEREAS, the Town Board a public hearing was commenced on July 8, 2026 for Local Law No. 2 of the Year 2026 entitled “A LOCAL LAW REPEALING AND REPLACING CHAPTER 53 OF THE CODE OF THE TOWN OF WINDSOR RELATING TO THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE AND THE STATE ENERGY CONSERVATION CONSTRUCTION CODE”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

WHEREAS, said public hearing was duly held on the 8th day of July, 2026 at 7:00 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II action as defined under 6 NYCRR 617.5(26) and (33); and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board, after due deliberation and finding it in the best interest of the Town, hereby adopts said local law as Local Law No. 2 of the Year 2026 entitled “A LOCAL LAW REPEALING AND REPLACING CHAPTER 53 OF THE CODE OF THE TOWN OF WINDSOR RELATING TO THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE AND THE STATE ENERGY CONSERVATION CONSTRUCTION CODE” a copy of which is attached hereto and made a part hereof; and further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and further

RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

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, New York on the 8th day of July, 2026. Said resolution was adopted by the following vote:

Supervisor Timothy Harting	VOTED – Aye
Deputy Supervisor Eric Beavers	VOTED – Aye
Council Member Gary Hupman	VOTED – Aye
Council Member James Conrad	VOTED – Aye
Council Member Matthew Hartwell	VOTED – Aye

Dated: July 8, 2026
Town of Windsor Seal

Elizabeth Pfister, Town Clerk

PUBLIC COMMENTS:

Dave Ballard, Dodd Road - Asked if anyone from Town is working on applying for water grants for West Windsor. Supervisor Harting explained that he looked into the grant that came out and was discussed last month does not cover new systems but he will keep looking. Ballard feels the Town should apply anyway.

Ballard also thanked Highway Superintendent Kithcart for the work done on Dodd Road.

APPROVAL OF MINUTES:

Motion By: Council Member Conrad Sec. By: Council Member Hupman

Motion to Approve Minutes of the June 10, 2026 Regular Meeting as Submitted

Vote of the Board:

Supervisor Harting - Aye
Deputy Supervisor Beavers - Aye
Council Member Hupman - Aye
Council Member Conrad - Aye
Council Member Hartwell - Aye

Motion Passed

FINANCIAL REPORT:

Motion By: Deputy Supervisor Beavers Sec. By: Council Member Hartwell

Motion to Approve the July 2026 Bills for Payment

Vouchers for Payment

A & B Fund #	\$ 65,855.99
DA Fund #	\$ 3,761.18
DB Fund #	\$ 80,838.19
SS3 Fund #	\$ 5,421.63
TA Fund #	\$ 1,109.56
Total	\$156,986.55

Vote of the Board:

Supervisor Harting - Aye
Deputy Supervisor Beavers - Aye
Council Member Hupman - Aye
Council Member Conrad - Aye
Council Member Hartwell - Aye

Motion Passed

The Board received the June 2026 Financials Supervisor Harting asked Secretary to the Supervisor Khristine Breeding about the “utilities” line in the sewer budget questioning if the \$21,000.00 expended was for electric charges or if included extra pump purchase, Breeding confirmed it is only electricity charges.

The Boad received the 2027 Budget Goals & Calendar, pointing out where the Board currently is in the process.

Motion By: Council Member Hupman Sec. By: Council Member Conrad

Motion to Schedule a Public Hearing for Local Law to Exceed the Tax Cap for August 12, 2026 at 7:00 P.M. and Authorize Publication

Vote of the Board:

Supervisor Harting - Aye
Deputy Supervisor Beavers - Aye

Council Member Hupman - Aye
Council Member Conrad - Aye
Council Member Hartwell - Aye

Motion Passed

Discussion: Supervisor Harting reminded all in attendance that this is routine each year in case the tax cap has to be exceeded, the Board does not plan to exceed it at this time.

OFFICIALS/DEPARTMENT REPORTS:

Supervisor

Highway Superintendent

Highway Superintendent Kithcart confirmed that the State approved the plans for McNair Road Bridge. The Engineers are gathering information about other projects that have been let this time of year, since the project is now behind schedule due to the State's delayed response and will not be completed until next year. With the project not being completed until next year material costs are increasing so they are trying to determine the best date to let the project. Kithcart is currently trying to see if the State will cover any of the increased costs since the project is delayed due to them. The grant covers 95% of the cost and the Town is responsible for the remainder.

Motion By: Council Member Hartwell

Sec. By: Council Member Hupman

Motion to Ratify the Approval of the Supervisor or His Designee to Sign an Agreement with Petcosky Fire Protection for Quarterly Fire Inspection Testing and Maintenance, Including Backflow Prevention Device Testing of Fire Suppression System at Highway Garage in the Amount of \$895.00

Vote of the Board:

Supervisor Harting - Aye
Deputy Supervisor Beavers - Aye
Council Member Hupman - Aye
Council Member Conrad - Aye
Council Member Hartwell - Aye

Motion Passed

Town Clerk/Registrar

The Board received the Town Clerk's June 2026 Report, Town Clerk Pfister made the Board aware that the BOCES summer intern Peighton Kruger, started today. Peighton is a 10th grade student at Windsor. She will be working on small projects in the Clerk's office and helping the Town Historian Rita Saunders digitize the Echoes Magazines from the early 1900s.

Code Enforcement

The Board received the Code Officer's June 2026 Report. Code Enforcement Officer Osborne shared with the Board that there was a set back with one of the property maintenance issues that neighboring property owners had brought to the Board. Osborne explained the discrepancy to the Board and said he will be pursuing it again now that the new law was adopted tonight.

Osborne shared that the first commercial solar project is scheduled to go in front of the Planning Board and Town engineer for review this month. The proposed project is a 5-megawatt system on Hoadley Hill. A Farm Brewery that has been in the works for about 3 years is working its way through as well to be ready to open soon.

Dog Control

The Board received the report from the Rabies Clinic, Supervisor Harting stated that 85 animals were vaccinated in total. Town Clerk Pfister explained that this number is lower, usually around 100 animals are seen. Due to the Health Department approvals advertising was put off in case there was an issue. Council Members Conrad and Hupman said it was very organized and ran very smooth.

The Board received the Dog Control Officer's Inspection Report June 16, 2026 which was satisfactory.

The Board received the new agreement with the Broome County Humaine Society & Relief Association (BCHS) for Dog Shelter Services beginning July 1, 2026 through December 31, 2028. Supervisor Harting explained that the County's shelter will be partnering with BCHS going forward to handle the administrative end.

Assessor's Office

Wastewater Treatment Plant

Town Clerk Pfister explained that mowing at the waste water treatment plant that was supposed to be done by the Sheriff's office has not been getting done, Jason Lehr has been checking on it and keeping up with it since he is still under contract. Supervisor Harting explained that he had spoken with the Sheriff's office to have this done by the weekender program, he will reach back out to them but thanked Jason for his flexibility with this as he was willing to deduct the fee from our billing if the Sheriff's office did take care of it.

Court

The Board received notice that Judge Dennis Colpitts completed his 2026 Continuing Judicial Education requirements.

COMMITTEE REPORTS:

History & Cemeteries

Supervisor Harting thanked Joe and Laura Fiore for all of the work they did in the cemeteries in preparation for and their help with the 250th Anniversary Celebration. Council Member Hupman commented that the history display was amazing and if anyone didn't get to see it to stop by the History Room.

Economic Development

Dave Ballard stated he was aware of previous talks of agreements for water lines to be run from Kirkwood, and asked if the Board could find out if that would still be a possibility. Supervisor Harting shared that he is trying to get the information from past studies that were done on this so the Town isn't duplicating work. Keystone Associates did a majority of the work and since they are now the Town's Engineer it's easier to get that information now. The other portion of the problem is how to have this paid for, Ballard said that any incoming business should pay for the water he isn't expecting taxpayers to. Council Member Conrad said the Board would support a new business covering the costs, but those businesses need to be willing and ready to do that then the Board is willing to have these discussions with these businesses.

David Eucker from North Road shared his concerns that this water situation sounds like the sewer system that residents were forced to connect to. Supervisor Harting cleared any misunderstandings with the public stating there is no proposal to force anyone onto municipal water in West Windsor this is merely exploration and discussion on all possibilities and if anything is ever proposed residents would be made well aware in advance. Harting said the Town doesn't want to build something and hold the bill and hope business comes; the Town wants those businesses committed and paying those costs. Council Member Hartwell said the Board is responsible to be listen to the residents and make sure they are hearing their voice and representing it. Residents are seeing the social media posts and having concerns due to what has transpired in the past so the Board is doing their best to be transparent with residents and also make sure that all aspects of any project is looked at. Hartwell said he supports brining in new business.

Public Safety

Town Hall

Motion By: Council Member Hupman

Sec. By: Council Member Conrad

Motion to Approve Purchase of Flooring, Including All Associated Materials and Installation for the Assessor's Office and 1st Floor Conference Room, from National Floor Center on State contract – Group 20600, Award 23346 in an Amount Not to Exceed \$5,205.01.

Vote of the Board:

Supervisor Harting - Aye

Deputy Supervisor Beavers - Aye

Council Member Hupman - Aye

Council Member Conrad - Aye

Council Member Hartwell - Aye

Motion Passed

Discussion: Supervisor Harting explained that Council Member Colwell was the contact person the last time a quote was requested and assured that his name would be removed from any invoices. Secretary to the Supervisor Khristine Breeding explained that the court received a JCAP grant to cover the costs to replace the flooring in the court office, court room and hallway which left the conference room and the assessor's office to be done on the first floor. Since the rest of the flooring is being completed and there is money in the budget the two remaining rooms should be done. Town Clerk Pfister announced that the Town Hall will be closed Tuesday July 14th through Friday July 17th, due to the flooring install but the Clerk will work remotely from the back of the Community House for residents.

Youth and Recreation

Zoning/Planning

The Board received the June 2026 Minutes from the Zoning Board Meeting. Secretary Breeding announced that the Zoning Board is scheduled to hold a Public Hearing at the July 9th meeting but she thinks it may have to be rescheduled as they might not have a quorum. Attorney Spinner instructed to open the public hearing as normal and if there are not enough members present for a quorum then reschedule the hearing to next month and re-notice.

UNFINISHED BUSINESS:

Supervisor Harting explained that the Planning Board provided a draft of the Battery Energy Storage Systems law and clarified that there are currently not any applicants at this time. Attorney Spinner said he took what the Planning Board sent, which was a standalone law so he reformatted it since it will be added to part of the Town's current code right after the solar law. Spinner told the Board to consider the setbacks, noise limits and permitted zoning districts as they review this version, he indicated suggestions in the draft based on other laws he reviewed. Spinner stated that the Board might want to consider revising the solar law to allow battery storage as well but that would be a Board decision.

Norman Colwell, Planning Board Member asked what Attorney Spinner was suggesting for setbacks, Spinner read his suggested list that was given to the Board. Council Member Conrad asked what was used for reference and Spinner stated he had reviewed other local laws and used the Town of Cortlandville's law as a point of reference.

Jim Donahue commented that battery storage systems sound like bad news and asked why the Town doesn't just ban them. Supervisor Harting explained that if the Town does not have a law, the State can force these into a municipality, if the Town has a law, then the Town has some control. Attorney Spinner explained that the State's energy initiative requires them to be allowed otherwise they will force them into a Town through public necessity as a utility. Supervisor Harting explained that this is exactly why the Board is creating these laws and taking their time going through them and addressing all concerns.

NEW BUSINESS:

Motion By: Council Member Hupman

Sec. By: Deputy Supervisor Beavers

Motion to Change the Date of the Regular October Meeting from October 14, 2026 to October 7, 2026 at 7:00 P.M.

Vote of the Board:

Supervisor Harting - Aye

Deputy Supervisor Beavers - Aye

Council Member Hupman - Aye

Council Member Conrad - Aye

Council Member Hartwell - Aye

Motion Passed

Motion By: Council Member Hartwell

Sec. By: Council Member Conrad

Motion to Change the Date of the Regular November Meeting from November 11, 2026 to November 4, 2026 at 7:00 P.M.

Vote of the Board:

Supervisor Harting - Aye

Deputy Supervisor Beavers - Aye

Council Member Hupman - Aye

Council Member Conrad - Aye

Council Member Hartwell - Aye

Motion Passed

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

Resolution Regarding Cannabis Showcase Events Resolution #19-2026

PRESENT: **Supervisor Timothy Harting**
 Deputy Supervisor Eric Beavers
 Council Member Gary M. Hupman
 Council Member James Conrad
 Council Member Matthew Hartwell

At a Regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 8th day of July, 2026, the following resolution was

Offered By: Council Member James Conrad

Seconded By: Deputy Supervisor Eric Beavers

WHEREAS, pursuant to Cannabis Law § 130-a and its implementing regulations, the State of New York authorized "Cannabis Showcase Events" ("CSEs"), which permit certain licensed adult-use cannabis retailers, cultivators, and processors to conduct temporary cannabis sales and showcase events away from licensed dispensary premises; and

WHEREAS, pursuant to 9 NYCRR Part 117, applicants seeking approval for a Cannabis Showcase Event must first obtain written authorization from the municipality in which the proposed event is to occur before the Office of Cannabis Management ("OCM") may consider the application; and

WHEREAS, the Town Board previously exercised its authority under New York Cannabis Law to opt out of permitting adult-use retail dispensaries and/or on-site cannabis consumption establishments within the Town; and

WHEREAS, the Town Board finds that Cannabis Showcase Events are inconsistent with the Town's prior opt-out determination, existing community character, local land use objectives, pedestrian-oriented commercial areas, public safety considerations, and the intended purpose of temporary vendor, sidewalk market, and similar community event activities conducted within the Town; and

WHEREAS, the Town Board further finds it appropriate to establish a clear municipal policy concerning requests for authorization of Cannabis Showcase Events within Town limits;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Windsor hereby determines that the Town shall not approve or authorize Cannabis Showcase Events within the Town limits pursuant to Cannabis Law § 130-a and 9 NYCRR Part 117; and be it further

RESOLVED, that no officer, employee, agent, board, department, or representative of the Town is authorized to execute or issue any Office of Cannabis Management Cannabis Showcase Event Municipal Approval Form, or any similar municipal authorization, for a Cannabis Showcase Event within the Town unless expressly authorized by subsequent resolution of the Town Board; and be it further

RESOLVED, that the approval or issuance of any sidewalk market permit, temporary vendor permit, park use permit, special event permit, farmers market approval, peddling permit, or similar authorization by the Town shall not be construed as approval or authorization for any cannabis sales, cannabis showcase activities, or Cannabis Showcase Events; and be it further

RESOLVED, that cannabis sales, cannabis promotional activities, and Cannabis Showcase Events are prohibited as part of any Town-approved sidewalk market, temporary vendor event, or similar activity unless specifically approved by formal resolution of the Town Board; and be it further

RESOLVED, that the Town Clerk is hereby directed to maintain a copy of this Resolution with Town policies and to provide copies to appropriate Town officials, departments, and boards involved in permitting or event approvals.

Effective Date. This Resolution takes effect immediately.

Adopted: July 8, 2026

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 124 Main Street, Windsor, New York on July 8th, 2026. Said resolution was adopted by the following roll call vote:

Supervisor Timothy Harting	VOTED – Aye
Deputy Supervisor Eric Beavers	VOTED – Aye
Council Member Gary Hupman	VOTED – Aye
Council Member James Conrad	VOTED – Aye
Council Member Matthew Hartwell	VOTED – Aye

Dated: July 8, 2026
Town of Windsor Seal

Elizabeth Pfister, Town Clerk

Discussion: Supervisor Harting explained that in 2021 the Town passed a law to opting out of cannabis sales in the Town. The State has now created this alternative for retailers to hold “pop-up” events and this resolution is in line with the 2021 law. Town Clerk Pfister explained that there has been an inquiry about hosting one of these events recently and by passing this resolution the Town has a mechanism in which to say these events are not allowed instead of having to bring each inquiry in front of the Board.

Supervisor Harting addressed an email that was received requesting to change the name of “E. Bosket Road” to “Earl Bosket Road” from Adam Rupakus, Great Grandson of Earl. Supervisor Harting shared he had done some research and when the road was adopted it was “E. Bosket Road” and a lot of other systems are affected like the postal service, emergency systems, tax parcels, etc. Harting made the recommendation to place a plaque with the information pertaining to Earl, such as the historic roadside plaques. The Board members agreed, Clerk Pfister said she would look into getting the plaque paid for and get back to the Board.

Supervisor Harting added to the agenda an applicant that had gone in front of the Planning Board to open a Farm Brewery at 433 Dunbar Road. Harting said his understanding is that now it is to come in front of the Town Board for approval, but minutes from the Planning Board meeting have not yet been received, however several Planning Board members are present at this meeting. Harting asked Attorney Spinner if the word of these members could be used in lieu of the minutes so they are not holding up the approved project because the Board doesn’t have minutes in writing. Code Enforcement Officer Osborne explained that the Planning Board approved the project and site plan with a couple small contingencies, that the Planning Board gave Osborne the authority to ensure were resolved before moving forward and they have. Attorney Spinner explained that the Planning Board approves site plans so there is nothing for this Board to do to finalize the project, it has to go to the County for review at this point.

UPCOMING MEETING:

Zoning Board Meeting July 9, 2026 6:30 P.M. Windsor Town Hall

Planning Board Meeting July 29, 2026 7:30 P.M. Windsor Town Hall

Public Hearing & Regular Board Meeting August 12, 2026 7:00 P.M. Windsor Town Hall

PUBLIC COMMENTS:

Ruth Seward, Main Street asked if this meant the Village couldn't host any of these events either. Supervisor Harting stated the Village can do what they want to.

ADJOURNMENT:

Motion By: Deputy Supervisor Beavers

Sec. By: Council Member Conrad

Motion to Adjourn Meeting at 8:04 P.M.

Vote of the Board:

Supervisor Harting - Aye

Deputy Supervisor Beavers - Aye

Council Member Hupman - Aye

Council Member Conrad - Aye

Council Member Hartwell - Aye

Motion Passed

Respectfully Submitted,

Elizabeth Pfister

Town Clerk