

**Public Hearing & Regular Meeting of the Town Board
Town of Windsor, New York
January 8, 2014 7:00pm
Town of Windsor, Town Hall
124 Main Street, Windsor, NY 13865**

Supervisor Price pointed out the exits in the room.

MEETING CALLED TO ORDER by Supervisor Carolyn Price, at 7:00pm.

PLEDGE OF ALLEGIANCE was recited.

ROLL CALL by Clerk:

Supervisor Carolyn Price: Present
Councilman George B. West: Absent
Councilman Timothy J. Bates: Present
Councilwoman Lesa Hawk-Shuler: Present
Councilman William J. McIntyre: Present
Highway Superintendent Rocky Kohlbach: Absent
Attorney Cheryl Sacco: Absent (Attorney Nathan VanWhy was present)
Engineer Ron Lake: Absent
Town Clerk Barbara Rajner Miller: Present

Also present were: Chris Buchek, Michelle Stark, Courtney Vaccaro, Kylie Buchek, Christina Salasny, Scott Baker, Linda Beagell, Megan Collins, Morgan Starley, Rachel DeAngelo, Tom Starley, Bill Waldron, Jerry Henehan, Rebecca Reed, Mark Lippolis, Bev Foster-Bills, Ron Rambo, Sr., Sue Rambo, Mara Kohlbach, Jerry Launt, Craig Terrell, Mike Atchie (with Williams).

Supervisor Price recognized the presence of County Legislator Scott Baker.

OPENING OF BIDS FOR 8' CONTRACTOR'S CAP:

The Clerk mentioned the dates the ad was published in The Windsor Standard, and posted on the Bulletin Board and on the Town's website. The Clerk also reported that no bids were received.

PUBLIC HEARING FOR LOCAL LAW#1-2014 – AMENDING ARTICLE IX OF CHAPTER 93 OF THE TOWN OF WINDSOR CODE ENTITLED “ADMINISTRATION”:

Advertised for 7:00pm

Hearing Opened: 7:02pm

Attorney Van Why gave a brief synopsis.

Hearing Closed: 7:03pm

TOWN OF WINDSOR

A RESOLUTION APPROVING LOCAL LAW No. 1-2014

Resolution #1-2014

PRESENT: Supervisor Carolyn W. Price
Councilman Timothy J. Bates
Councilman William J. McIntyre
Councilwoman Lesa Hawk-Shuler

ABSENT: Councilman George B. West

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 8th day of January, 2014, the following resolution was

OFFERED BY: Councilman McIntyre

SECONDED BY: Councilwoman Hawk-Shuler

WHEREAS, the Town of Windsor Board of Councilmen (“Town Board”) scheduled a public hearing for 7:00pm, for Local Law No. 1 of the Year 2014, entitled “A LOCAL LAW AMENDING ARTICLE IX OF CHAPTER 93 OF THE TOWN OF WINDSOR CODE ENTITLED “ADMINISTRATION”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town, and posted on the Town Clerk's sign board, and

WHEREAS, said public hearing was duly held at the Town Hall, 124 Main Street, Windsor, New York on the 8th day of January, at 7:00pm, 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, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law, and

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQRA) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT:

RESOLVED, that the Town Board hereby determines that the Town Board's adoption of the proposed Local Law entitled "A LOCAL LAW AMENDING ARTICLE IX OF CHAPTER 93 OF THE TOWN OF WINDSOR CODE ENTITLED 'ADMINISTRATION'", is a Type II action in accordance with 6 NYCRR Section 617.5(c)(20),(31) and (27), because it constitutes routine or continuing agency administration and management, the interpretation of an existing code, rule or regulation, and the adoption of regulations, policies, procedures and local legislative decisions in connection with such interpretation, administration and management, and as such is not subject to further review under 6 NYCRR Part 617; and further

RESOLVED, that the Town Board hereby adopts said Local Law as Local Law No. 1-2014 entitled "A LOCAL LAW AMENDING ARTICLE IX OF CHAPTER 93 OF THE TOWN OF WINDSOR CODE ENTITLED "ADMINISTRATION," 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 to 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.

Vote of the Board:

Supervisor Carolyn W. Price - AYE

Councilman Timothy J. Bates - AYE

Councilman George B. West - ABSENT

Councilman William J. McIntyre - AYE

Councilwoman Lesa Hawk-Shuler - AYE

Motion Approved.

Resolution Adopted: January 8, 2014

Town of Windsor

RESOLUTION SETTING THE SCHEDULE OF FEES ALLOWED PURSUANT TO LOCAL LAW NO. 1-2014.

Resolution #2-2014

PRESENT: Supervisor Carolyn W. Price
Councilman Timothy J. Bates
Councilman William J. McIntyre
Councilwoman Lesa Hawk-Shuler

ABSENT: Councilman George B. West

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 8th day of January, 2014, the following resolution was

OFFERED BY: Councilman Bates
SECONDED BY: Councilwoman Hawk-Shuler

WHEREAS, the Town of Windsor adopted Local Law No. 1-2014 on the 8th day of January, 2014; and

WHEREAS, said Local Law allows the Town Board to set forth by resolution fees for all applications and permits described in or contemplated by Chapter 93 of the Town of Windsor's Code; and

WHEREAS, the Town of Windsor's Code Enforcement Officer has proposed a schedule of fees for said applications and permits, a copy of which is attached hereto; and

WHEREAS, the Town Board finds that it is in the best interest of the Town to approve said proposed schedule of fees;

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQRA) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT:

RESOLVED, that the Town Board hereby determines that the Town Board's adoption of this resolution, is a Type II action in accordance with 6 NYCRR Section 617.5(c)(20) and (27), because it constitutes routine or continuing agency administration and management, the and the adoption of regulations, policies, procedures and local legislative decisions in connection with such

administration and management, and as such is not subject to further review under 6 NYCRR Part 617; and further

RESOLVED, that the Town Board of Windsor hereby adopts the schedule of fees proposed by the Town's Code Enforcement Officer, which shall be the fees for all applications and permits from this day forward; and further

RESOLVED, that this Resolution shall take immediate effect.

Vote of the Board:

Supervisor Carolyn W. Price - AYE

Councilman Timothy J. Bates - AYE

Councilman George B. West - ABSENT

Councilman William J. McIntyre - AYE

Councilwoman Lesa Hawk-Shuler - AYE

Motion Approved.

Resolution Adopted: January 8, 2014



TOWN OF WINDSOR
CODE ENFORCEMENT OFFICER

124 Main Street
Windsor, New York 13865
Telephone (607)655-3118

David E. Brown
Code Enforcement Officer
Town of Windsor

To: Town Board Members;
In summary ;

- A. Residence. Currently
- | | |
|-------------------------------|----------|
| (a) Area up to 999 sq. ft. | \$30.00 |
| (b) Area 1000 to 1999 sq. ft. | \$50.00 |
| (c) Area 2000 sq ft. and more | \$100.00 |

CHANGE TO;

Residence including Additions/ Repairs/ Roofs over decks and porches

- | | |
|----------------------------------|----------|
| (a) Area up to 999 sq. ft. | \$50.00 |
| (b) Area of 1000 to 1500 sq.ft. | \$100.00 |
| (c) Area of 1500 sq ft. and more | \$150.00 |

B. Multiple Dwellings Currently;

- | | |
|----------------------------------|----------|
| (a) Area up to 999 sq. ft. | \$30.00 |
| (b) Area of 1000 to 1999 sq. ft. | \$50.00 |
| (c) Area of 2000 sq.ft. or more | \$100.00 |

CHANGE TO;

- | | |
|----------------------------|----------|
| (a) Area up to 1500 sq.ft. | \$200.00 |
| (b) Area over 1500 sq.ft. | \$300.00 |

C. Garages Currently;

- | | |
|-----------------|---------|
| (a) Single door | \$10.00 |
| (b) Double door | \$20.00 |

CHANGE TO;

Garages attached or detached from main structure and Pole Barns; \$75.00

- D. Decks; \$0

ADD;
Decks; \$25.00

E.	Sheds ;	\$0
	ADD; Sheds more than 144 sq ft.	\$25.00
F.	Mobile Homes Currently (a) All Mobile homes;	\$25.00
	CHANGE TO; Manufactured homes;	same as residence
	(a) Area up to 999 sq ft.	\$50.00
	(b) Area of 1000 to 1500 sq ft.	\$100.00
	(c) Area of 1500 sq ft. and more	\$150.00
G.	Swimming Pools;	\$0
	ADD; Swimming Pools;	\$25.00
H.	Demolishing Structures;	\$0
	ADD; Residence Demolishing Structures;	\$20.00
I.	Chimneys/Fireplace/ Woodstoves	\$0
	ADD; Chimneys/Fireplace/Woodstoves	\$20.00
J.	Commercial Buildings Currently; (a) All Commercial Buildings	\$.08 per sq ft.
	CHANGE TO; All Commercial / Industrial Construction	
	(a) Under 1000 sq ft.	\$100.00
	(b) Over 1000 sq ft.	\$100.00 plus .08 per sq. ft.
K.	ADD; Commercial / Industrial signs exceeding 10 sq. ft. in Area	\$20.00
L.	ADD; Commercial / Industrial Demolition	\$50.00

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**Town of Windsor
RESOLUTION SETTING THE SCHEDULE OF FEES ALLOWED PURSUANT TO SECTION 53-
16 OF THE TOWN OF WINDSOR CODE.**

Resolution #3-2014

PRESENT: Supervisor Carolyn W. Price
Councilman Timothy J. Bates
Councilman William J. McIntyre
Councilwoman Lesa Hawk-Shuler

ABSENT: Councilman George B. West

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 8th day of

January, 2014, the following resolution was

OFFERED BY: Councilman McIntyre

SECONDED BY: Councilman Bates

WHEREAS, Section 53-16 of the Town of Windsor Code allows the Town Board to set forth by resolution a schedule of fees for all actions needed to be taken by the Town's Code Enforcement Officer described in or contemplated by Chapter 53 of the Town of Windsor's Code; and

WHEREAS, the Town of Windsor's Code Enforcement Officer has proposed such a schedule of fees, a copy of which is attached hereto; and

WHEREAS, the Town Board finds that it is in the best interest of the Town to approve said proposed schedule of fees;

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQRA) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT:

RESOLVED, that the Town Board hereby determines that the Town Board's adoption of this resolution, is a Type II action in accordance with 6 NYCRR Section 617.5(c)(20) and (27), because it constitutes routine or continuing agency administration and management, the and the adoption of regulations, policies, procedures and local legislative decisions in connection with such administration and management, and as such is not subject to further review under 6 NYCRR Part 617; and further

RESOLVED, that the Town Board of Windsor hereby adopts the schedule of fees proposed by the Town's Code Enforcement Officer for those actions described in or contemplated by Chapter 53 of the Town of Windsor's Code; and further

RESOLVED, that this Resolution shall take immediate effect.

Vote of the Board:

Supervisor Carolyn W. Price - AYE

Councilman Timothy J. Bates - AYE

Councilman George B. West - ABSENT

Councilman William J. McIntyre - AYE

Councilwoman Lesa Hawk-Shuler - AYE

Motion Approved.

Resolution Adopted: January 8, 2014

RECOGNITION:

Supervisor Price and the Councilmembers recognized the Windsor High School Varsity Softball Class B State Championship Team.

REPORT FROM FIRE CHIEF LAUNT AND FIRE CHIEF TERRELL

On Monday night there was a fire inside the compressor station. Chief Launt reported on the mechanical failure. He assured the Board that the fire was contained to the inside of the building, and that at no time was there a danger to the public.

PUBLIC COMMENT:

(Supervisor Price outlined the guidelines of public comment.)

- Jerry Henehan, Dunbar Rd, expressed "appreciation regarding the efforts of all the fire companies. He stated that there are still concerns about the timing from when an incident occurs until emergency services are notified. He feels this is something that needs to be looked at closely. It does appear that Williams has some discretion on what they're reporting."

APPROVAL OF MINUTES:

Motion By: Councilman Bates Sec. By: Councilwoman Hawk-Shuler

To approve the minutes of the December 4, 2013 Public Hearing & Regular Meeting, as submitted.

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

Motion By: Councilwoman Hawk-Shuler Sec. By: Councilman Bates
To approve the minutes of the December 30, 2013 Special Meeting, as submitted.

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

FINANCIAL REPORT:

**Town of Windsor, County of Broome, State of New York
BUDGETARY TRANSFER RESOLUTION
Resolution #5-2014**

PRESENT: Supervisor Carolyn W. Price
 Councilman Timothy J. Bates
 Councilwoman Lesa Hawk-Shuler
 Councilman William J. McIntyre

ABSENT: Councilman George B. West

Offered By: Councilman McIntyre
Second By: Councilwoman Hawk-Shuler

IT IS HEREBY RESOLVED by the Town Board of the Town of Windsor that the following budgetary transfer be made to cover unanticipated legal advertising expenses:

From: A1620.43 Buildings - Telephone
To: A1620.44 Buildings - Advertising
Amount: \$58.00

Vote of the Board:

AYE - Supervisor Carolyn W. Price
ABSENT - Councilman George B. West
AYE - Councilman Timothy J. Bates
AYE - Councilman Lesa Hawk-Shuler
AYE - Councilman William J. McIntyre

Motion Approved.

Resolution Adopted: January 8, 2014

**Town of Windsor, County of Broome, State of New York
BUDGETARY TRANSFER RESOLUTION
Resolution #6-2014**

PRESENT: Supervisor Carolyn W. Price
 Councilman Timothy J. Bates
 Councilwoman Lesa Hawk-Shuler
 Councilman William J. McIntyre

ABSENT: Councilman George B. West

Offered By: Councilwoman Hawk-Shuler
Second By: Councilman Bates

IT IS HEREBY RESOLVED by the Town Board of the Town of Windsor that the following budgetary transfer be made to cover unanticipated emergency repairs to electrical service and boiler for heat:

From: A1620.42 Buildings – Fuel Oil
To: A1620.4 Buildings – Contractual
Amount: \$2,614.00

From: A1620.41 Buildings – Electric
To: A1620.4 Buildings – Contractual
Amount: \$675.00

From: A1620.43 Buildings – Telephone
To: A1620.4 Buildings – Contractual
Amount: \$132.00

From: A1990.4 Contingency
To: A1620.4 Buildings – Contractual
Amount: \$689.00

Vote of the Board:

AYE - Supervisor Carolyn W. Price
ABSENT - Councilman George B. West
AYE - Councilman Timothy J. Bates
AYE - Councilman Lesa Hawk-Shuler

AYE - Councilman William J. McIntyre

Motion Approved.

Resolution Adopted: January 8, 2014

Motion By: Councilman McIntyre

Sec. By: Councilman Bates

To approve bills for payment:

- General Fund Vouchers #1 through #14, totaling \$73,051.17;
- General Fund Vouchers #626 through #634, totaling \$3,492.94;
- Sewer Operating Vouchers #1 and #2, totaling \$7,256.99;
- Sewer Operating Vouchers #98 and #99, totaling \$1,574.40;
- Highway Fund Vouchers #521 through #557, totaling \$69,338.16 (Board decision not to pay sales tax on Voucher #523. Amount to be paid on this Voucher is \$89.99);
- Highway Fund Vouchers #1 through #8, totaling \$171,470.61;
- Trust and Agency Voucher #88, totaling \$379.50;

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

COMMITTEE REPORTS:

ASSESSOR: Report submitted.

DOG CONTROL: Supervisor Price made the Board aware of receipt of a copy of the report from the 11/20/13 Ag&Mkts inspection.

HIGHWAY: None.

NATURAL GAS:

Supervisor Price mentioned:

- Windsor Community Natural Gas Safety Awareness Night – 1/21/2014 at 6:30pm at the Windsor High School.
- Williams' response 12/12/13 to the New York State Department of Public Service Information Request Case 10-T-0350.
- 12/16/13 Letter from New York State Department of Public Service Secretary Kathleen Burgess to Sam Laniado, Esq. Regarding Deficiencies Case 13-T-0538.

TOWN CLERK/TAX COLLECTOR/REGISTRAR: Report submitted.

HISTORY: None.

TOWN HALL: None.

WASTEWATER TREATMENT PLANT: None.

YOUTH & RECREATION: Report submitted.

ZONING, PLANNING & CODE ENFORCEMENT:

- 11-20-13 ZBA meeting minutes submitted.
- 12-19-13 Planning Board minutes submitted.
- Code Enforcement Monthly Report submitted.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

**Councilman Timothy J. Bates
Councilwoman Lesa Hawk-Shuler**

ABSENT: Councilman George B. West

Offered By: Councilwoman Hawk-Shuler

Second By: Councilman Bates

IT IS HEREBY RESOLVED by the Town Board of the Town of Windsor that the following individuals are authorized parties/signers for the following Banks/Accounts, **effective 1/1/14:**

Tioga State Bank (Sewer Account):

Carolyn Price, Town Supervisor

OR

William J. McIntyre, Deputy Town Supervisor

First Niagara (Sewer O&M):

Carolyn Price, Town Supervisor

OR

William J. McIntyre, Deputy Town Supervisor

First Niagara (General Savings, General Checking, Hwy Savings, Hwy Checking, Trust & Agency):

Carolyn Price, Town Supervisor

OR

William J. McIntyre, Deputy Town Supervisor

M&T Bank (Seward Road Project Accounts):

Carolyn Price, Town Supervisor

OR

William J. McIntyre, Deputy Town Supervisor

Vote of the Board:

- AYE - Supervisor Carolyn W. Price
- AYE - Councilman William J. McIntyre
- AYE - Councilman Timothy J. Bates
- ABSENT - Councilman George B. West
- AYE - Councilwoman Lesa Hawk-Shuler

Motion Approved.

Resolution Adopted: January 8, 2014

UPCOMING MEETINGS:

- Regular Meeting: Wednesday, February 12th, at 7:00pm, in the Town Hall.

PUBLIC COMMENTS:

- Diane Wallick was wondering if the Town of Windsor can choose to hold taxes, after collected, until November?

At 7:42pm:

Motion By: Councilman McIntyre

Sec. By: Councilman Bates

To enter into Executive Session for the Proposed Acquisition, Sale or Lease of Real Property in Accordance with Public Officers Law Section 105 (h).

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

At 7:57pm:

Motion By: Councilman McIntyre

Sec. By: Councilman Bates

To come out of Executive Session.

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

ADJOURNMENT:

Motion By: Councilman Bates

Sec. By: Councilwoman Hawk-Shuler

To adjourn the meeting at 7:58pm.

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT
Councilman Bates - AYE
Councilwoman Hawk-Shuler - AYE
Councilman McIntyre - AYE

Motion Approved.

Respectfully Submitted,
Barbara Rajner Miller, Windsor Town Clerk