

**Public Hearing & Regular Meeting of the Town Board  
Town of Windsor, New York  
October 2, 2013 7:00pm  
West Windsor Fire Hall  
Karla Drive, 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: Present  
Councilman Timothy J. Bates: Present  
Councilwoman Lesa Hawk-Shuler: Present  
Councilman William J. McIntyre: Present  
Highway Superintendent Rocky Kohlbach: Arrived after roll call  
Attorney Cheryl Sacco: Present  
Engineer Ron Lake: Absent  
Town Clerk Barbara Rajner Miller: Present

Also present were: Jerry Henehan, Scott Baker, Jerry Launt, Fred Stapleton, Dave Ballard, Dave Harder, Mike Oswald, Floyd Bronson II, Elaine Card, Eileen Ruggieri, Kim Cleney, Sue Rambo, Ron Rambo, Sr., Tony Stracuzzi, Samantha Smalley, Autumn Zeh, Tom Skinner.

**PUBLIC HEARING REVISING DOG LOCAL LAW**

**Public Hearing Opened: 7:05pm**

Mike Oswald, Town Line Rd, voiced a complaint regarding a pit bull rescue sanctuary next door to his house, saying the dogs bark day and night. He also questioned the rules and regulations that the Town has in place regarding that type of kennel. Code Enforcement Officer Dave Brown gave background information on the pit bull rescue sanctuary. DCO Floyd Bronson stated that the owner of the sanctuary is working cooperatively with the Town of Windsor providing rabies information on the dogs and letting us know when/where dogs are placed out of her sanctuary. He also stated that he randomly visited the rescue sanctuary area on several occasions, and did not hear excessive barking.

Attorney Sacco told Mr. Oswald that the proper channel to challenge the sanctuary would be the ZBA. DCO Bronson told Mr. Oswald he would work with him regarding that which is needed to properly document the barking issue.

DCO Bronson explained that the only change with this local law is that we're switching out the word "purebred" with the word "kennel."

**Public Hearing Closed: 7:14pm**

**Town of Windsor, County of Broome, State of New York**

***A RESOLUTION ON SEQRA REVIEW OF LOCAL LAW No. 2- 2013, AND APPROVING  
THE LOCAL LAW***

**Resolution #36-2013**

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

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the **2nd day of October, 2013**, the following resolution was

**OFFERED BY:** Councilwoman Hawk-Shuler

**SECONDED BY:** Councilman West

**WHEREAS**, the Town of Windsor Town Board ("Town Board") has introduced and scheduled a public hearing for **October 2, 2013** on **Local Law No. 2 of the Year 2013** entitled "Dogs and other animals"; 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 Windsor Town Hall at 7:05 o'clock P.M. on October 2, 2013** 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**, that the Town Board hereby declares itself lead agency pursuant to SEQRA for the environmental review of said **Local Law No. 2-2013**; and further

**WHEREAS**, that the review will be not be a coordinated review.

**WHEREAS**, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act)(“SEQRA”), it has been determined by the Windsor Town Board that adoption of the proposed Local Law does not constitute an action as defined and could be considered without further regard to SEQRA, and

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

**NOW, THEREFORE**, the Windsor Town Board hereby adopts said Local Law as **Local Law No. 2-2013** entitled “Dogs and other animals”, a copy of which is attached hereto and made a part hereof, and

**THEREFORE**, the Town Clerk be and she 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.

**RESOLVED**, that this resolution will take effect immediately.

**Vote of the Board:**

- AYE - Supervisor Carolyn Price
- AYE - Councilman William J. McIntyre
- AYE - Councilman Burt West
- AYE - Councilwoman Lesa Hawk-Shuler
- AYE - Councilman Timothy Bates

Motion Approved.

**Resolution Adopted: October 2, 2013**

DOGS AND OTHER ANIMALS  
CHAPTER 44  
Dogs and other animals

**Section 1. Purpose**

The purpose of this Local Law is to partially amend the licensing and identification of dogs.

**Section 2. Authority**

This Local Law is enacted pursuant to the provisions of Article 7 of the Agriculture and Markets Law of the State of New York.

**Section 3. The Amendment**

Chapter 44-4 B. entitled “Purebred Licenses” is hereby amended to read as Follows:

**B. Kennel Licenses**

The dog license fees set forth in paragraph (a) above will be increased as follows for registered dogs:

Eight (8) to ten (10) dogs	\$100.00
Eleven (11) to fifteen (15) dogs	\$150.00
Sixteen (16) to twenty (20) dogs	\$200.00
Twenty-one (21) to twenty-five (25) dogs	\$250.00

Any person who wishes to license more than 25 dogs shall purchase one kennel license for 25 of the dogs and all additional dogs shall be licensed separately as provided for in Section 4(A).

The remaining provisions of this Chapter shall remain unchanged.

**Section 4. 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 5. Repealer**

All ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed, including specifically Chapter 44-4 B. of the Windsor Town Code, as amended.

**Section 24. Effective Date**

This local law shall take effective on when filed with the Department of State.

**PUBLIC COMMENT:**

(Supervisor Price outlined the guidelines of public comment.)

- Kim Cleney, Anne Rd, expressed concern with the road conditions (on the Trim St end) of Anne Rd. (ie. dust problem, dangerous road conditions, visibility, slippery road due to loose surface material, deep muddy trenches.) She wondered if there is a timeline when this will be resolved. Hwy Superintendent stated that they have to run the grader over it again, probably next week. Will be stone-and-oiled next year.

**RECOGNITION:**

Supervisor Price recognized the presence of County Legislator Scott Baker, Sheriff David Harder, Sergeant Dawn Shaeffer and Officer Joe Spaziano. She and the Councilmembers recognized/thanked the Broome County Sheriff’s Office Working Weekenders for cutting the grass at the West Windsor Waste Water Treatment Plant.

Supervisor Price mentioned that Broome County Executive Debbie Preston was on the Agenda for tonight's meeting; however, due to County business that came up, she could not be here this evening.

**APPROVAL OF MINUTES:**

**Motion By: Councilman McIntyre                      Sec. By: Councilman West**

To approve the minutes of the 9/4/2013 Regular Meeting as submitted.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

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

To approve the minutes of the 9/18/2013 Special Meeting as submitted.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

**FINANCIAL REPORT:**

**Motion By: Councilman McIntyre                      Sec. By: Councilwoman Hawk-Shuler**

To pay: \* General Fund Vouchers #448 through #503, totaling \$30,309.52; and  
\* Highway Fund Vouchers #415 through #447, totaling \$190,557.84; and  
\* Sewer O&M Fund Vouchers #67 through #75, totaling \$1,220.67; and  
\* Trust and Agency Vouchers #56 through #63, totaling \$147,186.80;

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

Supervisor Price reviewed the goals of the Tentative Budget:

- \* To provide residents quality services;
- \* To treat employees and elected officials fairly;
- \* To reduce the use of fund balance;
- \* To stay within the tax cap.

All of these goals have been met with the Tentative Budget.

Right now, the Tentative Budget has a 3.8% increase, with an increase of 3.1% in real property taxes to be collected. The Final Budget and the tax increase will be lower once the analysis of the health insurance costs is completed. The Town received numbers today from the insurance brokers. Councilman West and Supervisor Price are recommending to the Board that the retirees on Medicare Advantage Plan be moved to the Excellus Plan. They are currently with MVP. Supervisor Price added that the Excellus Plan is less costly than the MVP Plan we had this year, and substantially less than what MVP would be next year. The maximum that a person could pay with the MVP Plan is \$4,000 per year, and with the Excellus Plan, it's \$1,250. The co-pays on the drugs went down. Some of the other smaller costs (ex. office visits, in-hospital stays), went up. The Insurance brokers will be coming in to meet with the retirees on October 17<sup>th</sup>, which is well ahead of the change, being 1/1/14.

Supervisor Price mentioned that at the last Special Meeting, she made the Board aware that the Election costs were higher than the Board's original planning, so she put the higher number, \$18,134 in the budget. Councilman McIntyre looked to County Legislator Baker for an explanation of the 40% increase. Baker stated that "there has been a lot of discussion at the county level about that. We are limited by vendors which the election board can use, to take care of things, like getting their machines set, and so forth. We're stuck with it because of the way the election cycle plays out this year. Hopefully next year that will go down, but I can not promise anything." Baker greatly urged the Board to file a petition with the Executive's Office. Supervisor Price mentioned to Baker that she called the County Executive's Office, wanting in writing, the reasons behind these large increases. However, she still has not received anything. Baker told Price to write him a letter, and he will bring it before a caucus.

The truck and van are coming out of this year's budget, so Price adjusted the Tentative Budget accordingly and put the money back into the lines they were taken from.

Supervisor Price reviewed a handout regarding numbers on the West Windsor wastewater treatment plant. Expenditures in 2012, were \$305,052. In 2013 the budget was set at \$321,886. As of September 30<sup>th</sup>, we've spent \$280,693. The proposed budget is \$313,168. Estimated savings for next year:

- \* grass cutting will be done by volunteers, saving \$2,000;
- \* snow removal will be done by the Hwy Superintendent, saving \$3,000;
- \* eliminated the maintenance agreement for the generator at the main building, saving an estimated \$800 (maintenance will be done by one of the operators);
- \* obtained competitive quotes for liability and property insurance, saving an estimated \$600;
- \* changed electric supplier, saving an estimated \$700;
- \* changed propane supplier, saving \$400.

There is no Contingency line in the Tentative Budget. Price showed an option of adding a Contingency line of \$3,118. This would be used for emergencies only. Board agreed to add the Contingency line of \$3,118, thereby changing the *Total Revenues & Other Sources* from \$313,168 to \$316,285. She also reviewed options for rates.

Price recommended to the Board, to give a five-day grace period before the penalty kicks in. Attorney Sacco will review the current local law.

Councilman Bates mentioned that Engineer Lake will be invited to the next meeting of the Working Group. One topic to look at is perhaps having different rates for homeowners and businesses.

Discussion of having an audit every other year, instead of yearly. FEMA money must be considered. Supervisor Price will look into the FEMA numbers.

Reviewed various parts of the Tentative Budget.

**Motion By: Councilman McIntyre**

**Sec. By: Councilwoman Hawk-Shuler**

To adopt the Tentative Budget, with the changes regarding the Sewer Budget, as discussed.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

Supervisor Price mentioned that the Budget will be reduced, for final adoption on 11/6/13, once we have the health insurance numbers more firm.

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK  
Resolution To Amend 2013 Budget For Reimbursement of Bid Spec Fees  
RESOLUTION #35-2013**

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

**Offered By: Councilman Bates**

**Second By: Councilman West**

**WHEREAS**, the Town of Windsor collected bid spec fees through Clerk Fees and reimbursed the fees through Engineer-Reimbursement of Bid Specs

**IT IS HEREBY RESOLVED** by the Town Board, of the Town of Windsor, that by budgetary amendment \$450.00 be appropriated into the A1440.41-Reimbursement of Bid Spec fund as follows:

A510 Estimated Revenues \$450.00

Subaccount A1255-Clerk Fees

A960 Estimated Appropriations \$450.00

Subaccount A1440.41-Reimbursement of Bid Specs

**Vote of the Board:**

AYE - Supervisor Price

AYE - Councilman West

AYE - Councilman Bates

AYE - Councilwoman Hawk-Shuler

AYE - Councilman McIntyre

**Motion Approved.**

**Resolution Adopted: October 2, 2013**

**Motion By: Councilman West**

**Sec. By: Councilman McIntyre**

To advertise Public Hearings for 11/6/13:

Fire Budget at 7:10pm

Sewer Budget at 7:15pm

Regular Budget at 7:20pm

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

**COMMITTEE/DEPARTMENT HEAD REPORTS:**

**ASSESSOR:** Report submitted.

**DOG CONTROL:** none.

**HIGHWAY:**

\* Auction update: For three trucks, we received approx. \$5,300.

\* Pin issue on Golden's property, Seward Rd. Engineer Lake will run it through NRCS.

\* Page Rd. bank drop-off: will take approx. 100 loads of rock.

\* Ostrander Rd.: Waiting to hear back from Ian.

\* Received the bill from J.C. Smith for the lights on Ostrander Rd.

**HISTORY:**

\* 200 more copies of the pamphlets received, printed at no charge (due to initially leaving off subtitle).

\* Meeting tomorrow night at the Community House, 7:00pm.

**NATURAL GAS:**

\* Supervisor Price pointed out *Reply Comments of Williams Field Services Company, LLC to PSC (9/13/13)*.

**TOWN CLERK/TAX COLLECTOR/REGISTRAR:** Report submitted.

**TOWN HALL:**

\* Installed subpanel.

**WASTEWATER TREATMENT PLANT:**

\* A few went to the Plant and compiled a list of some things that need to be done. Listing will be prioritized, then forwarded to the Board.

**YOUTH & RECREATION:** Report submitted.

**ZONING, PLANNING & CODE ENFORCEMENT:**

Code Enforcement report submitted.

ZBA minutes from 8/21/13 were submitted.

Planning Board minutes were submitted.

**UNFINISHED BUSINESS:**

none.

**NEW BUSINESS:**

**Motion By: Councilman McIntyre**

**Sec. By: Councilman Bates**

To approve the application of Walter T. Moss, as a new member of the West Windsor Fire Company.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

**UPCOMING MEETINGS:**

- 11/6/13 at Windsor Town Hall, 7:00pm, with Public Hearings as previously mentioned.

**PUBLIC COMMENTS:**

(Supervisor Price reminded the public about the guidelines, as read earlier.)

\* Jerry Henehan, Dunbar Rd, spoke regarding the *reply comments of Williams Field Services Co*. The residents submitted an analysis of those same comments, to include all of the information that Mr. McKnight had provided to the PSC. Forty-one residents of Dunbar, Patterson and Dodd Roads signed on to this response.

\* Tony Stracuzzi, Riley Rd, thanked the Board for action at the sewer plant. He is "very upset for how it was left for the last three years. I know there is about \$5,000 worth of work that needs to be done, so \$3,000

doesn't buy us a lot. Budgets are hard, and I'm not an advocate of raising money, but we've got a problem that needs to be fixed now, not next year.” He also mentioned that maybe the rates have to be changed, with businesses paying more than homeowners.

\* County Legislator Scott Baker mentioned that the County Executive has presented the budget for 2014, which includes a 3% increase in taxes. There is a public hearing on 10/10/13, at Legislative Chambers. All are welcome to attend.

At 8:30pm:

**Motion By: Councilman McIntyre**

**Sec. By: Councilwoman Hawk-Shuler**

To enter into Executive Session to discuss Collective Negotiations Pursuant to Article 14 of the Civil Service Law.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

At 9:25pm:

**Motion By: Councilman Bates**

**Sec. By: Councilwoman Hawk-Shuler**

To come out of Executive Session.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

**ADJOURNMENT:**

**Motion By: Councilman Bates**

**Sec. By: Councilman McIntyre**

To adjourn the meeting at 9:26pm.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

Respectfully Submitted,

Barbara Rajner Miller, Windsor Town Clerk