

**Public Hearing & Regular Meeting of the Town Board  
Town of Windsor, New York  
April 2, 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: Present  
Attorney Cheryl Sacco: Present  
Engineer Ron Lake: Absent  
Town Clerk Barbara Rajner Miller: Present

Also present were: Scott B. Clarke, Daniel R. Price, Jerry Henehan, Luella English, Charlie Pierson, Linda Pierson, Eileen Ruggieri, Rebecca Reed, Sue Rambo, Ron Rambo, Sr., and Mark Lippolis.  
Supervisor Price gave an update on Councilman West's medical status.

**PUBLIC HEARING FOR LOCAL LAW#2-2014 – AMENDING CHAPTER 41 OF THE TOWN OF WINDSOR CODE ENTITLED “BURIALS AND BURIAL GROUNDS”:**

Attorney Sacco gave a brief overview of this Public Hearing.

Advertised for 7:05pm

Hearing Opened: 7:05pm

Hearing Closed: 7:06pm

Attorney Sacco did a short form SEQRA.

Negative declaration was declared.

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

***A RESOLUTION ON SEQRA REVIEW OF LOCAL LAW No. 2-2014, AND APPROVING THE LOCAL LAW***

**Resolution #16-2014**

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

**ABSENT:** Councilman George B. West

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the **2<sup>nd</sup> day of April, 2014**, the following resolution was

**OFFERED BY:** Councilman McIntyre

**SECONDED BY:** Councilwoman Hawk-Shuler

**WHEREAS**, the Town of Windsor Town Board (“Town Board”) has introduced and scheduled a public hearing for **April 2, 2014** on **Local Law No. 2 of the Year 2014** entitled “A Local Law of the Town of Windsor amending **“CHAPTER 41 BURIALS AND BURIAL GROUNDS** of the Town of Windsor;” 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 April 2, 2014**, 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. 2-2014**; 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 is an Unlisted action under 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 determines that the adoption of this local law will not result in any significant adverse environmental impacts.

**NOW, THEREFORE**, the Windsor Town Board adopts said Local Law as **Local Law No. 2-2014 entitled “A Local Law of the Town of Windsor amending “CHAPTER 41 BURIALS AND BURIAL GROUNDS”** of the Town of Windsor,” 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:**

Supervisor Carolyn Price -AYE

Councilman William J. McIntyre -AYE

Councilman Burt West - ABSENT

Councilwoman Lesa Hawk-Shuler -AYE

Councilman Timothy Bates - AYE

Motion Approved.

**Resolution Adopted: April 2, 2014**

**“A local law of the Town of Windsor amending “CHAPTER 41 BURIALS AND BURIAL GROUNDS of the Town of Windsor Code”**

**TOWN OF WINDSOR LOCAL LAW NO. 2 OF THE YEAR 2014**

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

**Section 1.**

This local law is adopted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(12).

**Section 2.**

Chapter 41 of the Town Code adopted April 5, 1978 as Local Law no. 1-1978, be and hereby is amended by this Local Law as follows:

A. § 41-1 of the Town Code is deleted in its entirety, renamed, and replaced with the following:

**§ 41-1 Burials prohibited outside of public, private and/or family cemeteries.**

No person shall cause a human cadaver to be buried, or establish a burial ground for such purpose, in the Town of Windsor, in any ground not registered as a public, private, or family cemetery with the New York State Department of State, Division of Cemeteries, after the date of enactment of this chapter.

B. § 41-2 of the Town Code is deleted in its entirety, renamed, and replaced with the following:

**§ 41-2. Registration and marking of previously existing private burials.**

(a) All human cadavers buried in any ground not registered as a public, private, or family cemetery as provided for in § 41-1 shall be registered with the Town Clerk within one year of the enactment of this chapter.

(b) All such private burial grounds shall be adequately and appropriately marked with a fence, gravestone, marker or other decoration so as to provide notice to the general public that a cadaver is buried in that location.

(c) § 41-3 of the Town Code is deleted in its entirety, renamed, and replaced with the following:

**§ 41-3. Penalties for offenses.**

Any person who shall be found to violate any provision of this chapter shall be served by the Town Code Enforcement Officer with written notice providing a reasonable time limit for the exhumation of the buried remains. The offender shall, within the period of time stated in such notice, permanently cease all violations. Any person who shall continue any violations beyond the said time limit shall be guilty of an offense and, upon conviction thereof, shall be fined in an amount not exceeding \$250 for each violation or imprisonment for not more than 15 days, or both, for each separate offense. Each day in which any violation shall continue shall be deemed a separate offense. The provisions of this section shall be in addition to and shall not preclude the enforcement of this chapter by application to the New York Supreme Court for injunction or by any other lawful means. Any person violating any of the provisions of this chapter shall become liable to the Town for any expense, loss or damage occasioned by it by reason of such violation.

**Section 3.**

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

**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.**

This Local Law shall take effect when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**RECOGNITION:**

Supervisor Price and the Councilmembers recognized Luella English, Town Historian and the Historic Windsor Advisory Committee for their outstanding commitment to preserving the history of the Greater Windsor Community, with Eileen Ruggieri and Linda Price accepting for the committee.

**PUBLIC COMMENT:**

(Supervisor Price outlined the guidelines of public comment.)

- Jerry Henehan, Dunbar Rd, does not recall any prior discussions on the support of a casino in our area, yet on tonight’s Agenda there is a resolution in support of this. Supervisor Price mentioned that the Town of Windsor, along with other municipalities, received a letter from Assemblyman Clifford Crouch, asking us to consider passing this resolution, as it could bring revenue to the county.
- Scott Clarke, Dodd Rd, mentioned that Binghamton Regional Sustainability Coalition (BRISC) has an initiative called Southern Tier Solar Works. They are putting on a series of free educational workshops, from April 1 thru May 14. Some of the topics to be discussed are: Affordable Solar Panels, Expanding Solar Education, Making NYS a Solar Leader, and Local Job Creation.
- Charlie Pierson, Dodd Rd: Speaking of the casino, “regardless of which way it goes, as far as the Town of Windsor is concerned, it’s not going to have an impact on the end result. If they want to have a gambling thing, they’ll have it. If they don’t, they won’t. And what we think about it ain’t gonna make a whole lot of difference.”

**APPROVAL OF MINUTES:**

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

To approve the minutes of the March 12, 2014 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: Councilman Bates**

**Sec. By: Councilman McIntyre**

To approve bills for payment:

- General Fund Vouchers #118 through #170, totaling \$22,920.74;
- Sewer Operating Vouchers #23 and #25, totaling \$6,050.46;
- Highway Fund Vouchers #91 through #117, totaling \$28,460.43;
- Communications Tower Escrow Vouchers #14 through #18, totaling \$43,460.38.

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

Supervisor Price gave an update regarding the financials/paperwork on the Seward Road Project.

**COMMITTEE REPORTS:**

**ASSESSOR:** No report submitted.

**DOG CONTROL:** None.

**HIGHWAY:**

- Job Posting regarding Motor Equipment Operator, for Robert Brink’s position which is currently open, as Mr. Brink is now retired.

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

To advertise the vacant position of Motor Equipment Operator.

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

Discussion regarding the highway going on summer hours earlier than the contract states. The agreement is that there would be no wages paid if they had to come in on either of those Fridays. Compensatory time would be agreed to.

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

To ratify the Memorandum of Understanding.

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

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

To re-bid the 8' fiberglass contractor's cap that did not sell last time it was put out for bid.

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

• **Motion By: Councilman McIntyre Sec. By: Councilman Bates**

To declare as surplus the 2005 1-Ton Ford Dump. Everything that goes with the truck (spreader, plow) is included.

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

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

To send the above 2005 1-Ton Ford Dump to the Broome County Surplus Auction in April.

Vote of the Board:

Supervisor Price - AYE

Councilman West - ABSENT

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

**Motion Approved.**

- Councilman McIntyre informed the rest of the Town Board that Mr. Brink, who recently retired, extends his gratitude for the recognition through the framed resolution and his name being on the Highway Plaque.

**HISTORY:**

- Next meeting is tomorrow night.

**NATURAL GAS:**

Supervisor Price mentioned PSC Case #13-T-0538 Natural Gas Pipeline:

- Filed 3/14/14 Letter to Kathleen Burgess, PSC Secretary, from Sam Laniado regarding Williams' responses to New York Department of Agriculture & Markets.
- Filed 3/18/14 Letter to Kathleen Burgess, PSC Secretary, from Sam Laniado regarding Williams' responses to New York State Department of Environmental Conservation

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

**TOWN HALL:**

- Need new dehumidifier in records room in basement.

**WASTEWATER TREATMENT PLANT:**

- Supervisor Price met with the three operators and she was given notification that they wish to resign, effective the end of May. They realize that we may not be able to have replacements that quickly. At least 2 of the 3 may be able to stay on longer if we needed, in order to make sure the plant is still operating. Supervisor Price noted that there are job postings for three positions at the wastewater treatment plant, and reviewed the requirements for the jobs. RFP requests for contracted service will also be advertised.

**YOUTH & RECREATION:** No report submitted.

**ZONING, PLANNING & CODE ENFORCEMENT:**

- 2-19-14 ZBA meeting minutes submitted.
- 3-26-14 Planning Board minutes submitted.
- No Code Enforcement Monthly Report submitted.
- **Motion By: Councilman McIntyre    Sec. By: Councilman Bates**  
To approve the application to close Upper Grove Street, on 5/17/14 from 8:55am to 9:45am., for the 5K run for Huntington’s Disease, contingent upon the completion of the application, including the provision of insurance, contacting the Highway Department for barricades, notification to residents on Upper Grove Street, and notification to the Fire Chief. The application fee is waived.

Vote of the Board:  
 Supervisor Price - AYE  
 Councilman West - ABSENT  
 Councilman Bates - AYE  
 Councilwoman Hawk-Shuler - AYE  
 Councilman McIntyre - AYE

**Motion Approved.**

**UNFINISHED BUSINESS:**

\* Concensus of the Town Board to have Attorney Sacco meet with Code Enforcement Officer Brown to whittle-down the latest proposed Manufactured/Mobile Home Park Local Law.

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK  
 Municipal Clean-Up Day  
 RESOLUTION # 14-2014**

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

**ABSENT:** Councilman George B. West

**Offered By: Councilman McIntyre**

**Sec. By: Councilman Bates**

**IT IS HEREBY RESOLVED**, by the Town Board of the Town of Windsor, Broome County, New York, that, for the benefit of the residents of the Town of Windsor, the Town will have a Municipal Clean-Up Day, and **IT IS RESOLVED**, that **Saturday, May 10<sup>th</sup> 2014, from 8:00 am to 12:00 pm** is designated for this purpose, and **IT IS RESOLVED**, that disposable items may be deposited at either the Town of Windsor Highway Garage, East Chapel Street, Windsor, OR the West Windsor Fire Station, Karla Drive, in West Windsor.

**IT IS FURTHER RESOLVED**, that the following materials will be accepted:

1. White goods – Stoves, washers, dryers, hot water heaters, refrigerators.
2. Tires (\$3.00 per tire)
3. Furniture
4. Electronics

**Vote of the Board:**

Supervisor Price- AYE  
 Councilman McIntyre- AYE  
 Councilman West- ABSENT  
 Councilman Bates- AYE  
 Councilwoman Hawk-Shuler - AYE  
 Motion Approved.

**Resolution Adopted: April 2, 2014**

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK  
 RECOMMENDATION TO IMPROVE TRAFFIC SAFETY BY REDUCING THE SPEED LIMIT and POSTING SPEED  
 LIMIT SIGNS ON PATTERSON ROAD and SPRINGSTEEN ROAD IN THE TOWN OF WINDSOR  
 RESOLUTION # 15-2014**

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

**ABSENT:** Councilperson George B. West

At a Public Hearing & Regular Meeting of the Town of Windsor Town Board, held at the Town Hall on the 2<sup>nd</sup> day of April, 2014, the following resolution was

**OFFERED BY:** Councilperson McIntyre

**SECONDED BY:** Councilperson Hawk-Shuler

**WHEREAS**, the community and the Town of Windsor are concerned about traffic safety and the safety of residents;

**WHEREAS**, a petition was filed alleging that speed limit signs and a reduction in the speed limit were necessary for Patterson Road, from Dunbar to Springsteen and on Springsteen, from Springsteen to Ouaquaga;

**WHEREAS**, the speed limit should be reduced to 40 miles per hour in the area, it is currently 55 miles per hour;

**WHEREAS**, the resident made this request due to an increase in traffic on these two roads;

**WHEREAS**, the community and the Town of Windsor want appropriate action taken to mitigate risk posed by current conditions.

**NOW, THEREFORE**, the Town Board of the Town of Windsor resolves to recommend to the County of Broome and the New York State Department of Transportation that: 1) the speed limit on Patterson Road and Springsteen be reduced to 40 miles per hour and 2) that the speed limit be clearly posted.

**RESOLVED**, that copies of this resolution and the completed attached NYS DOT form shall be forwarded to Senator Thomas W. Libous, Assemblyman Clifford W. Crouch, Broome County Executive Debra Preston and Jack Williams, (NYS DOT REGION 9 Director at 44 Hawley Street Binghamton, NY 13901) ; and it further is

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

**Vote of the Board:**

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

Motion Approved.

**Resolution Adopted: April 2, 2014**

**NEW BUSINESS:**

The following Resolution was tabled until next Board Meeting.

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK**  
**Resolution Of Support For A Casino In Broome County**  
**RESOLUTION #13-2014**

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

**ABSENT:** Councilman George B. West

**Offered By:** \_\_\_\_\_

**Second By:** \_\_\_\_\_

**WHEREAS**, the citizens of the State of New York overwhelmingly voted in the affirmative to amend Section 9 of Article 1 of the Constitution to allow the authorization for up to seven Class III casinos in New York State; and

**WHEREAS**, the Governor announced that the first four casinos will be built in Upstate New York, including at least one in the Southern Tier/Central Region, which includes Broome County; and

**WHEREAS**, it is projected that the construction of these Class III casinos will promote significant job growth, increase aid to schools, and permit local governments to lower property taxes through revenues generated for the host communities, which would accordingly inure to the benefit of the Town of Windsor in the event that a Broome County site was selected, now

**THEREFORE BE IT RESOLVED**, that in furtherance of the above goals, the Windsor Town Board hereby declares its support for locating one of the proposed casinos within Broome County, and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be sent to the New York State Gaming Commission, Governor Andrew Cuomo, and Broome County state-elected officials: Senator Thomas Libous, Assemblymember Donna Lupardo, Assemblymember Clifford Crouch and Assemblymember Christopher Friend.

**Vote of the Board:**

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

ABSENT - Councilman George B. West

**Motion Approved / Not Approved**

**Resolution Adopted:** \_\_\_\_\_

- **Motion By: Councilwoman Hawk-Shuler    Sec. By: Councilman McIntyre**  
To accept the application of Nathaniel Smalley, to become a member of the West Windsor Fire Company.

Vote of the Board:  
Supervisor Price - AYE  
Councilman West - ABSENT  
Councilman Bates - AYE  
Councilwoman Hawk-Shuler - AYE  
Councilman McIntyre - AYE

**Motion Approved.**

- Disaster Emergency Preparedness Plan will appear on the May Agenda, to give Councilmembers time to review the lengthy document.

**Town of Windsor, County of Broome, State of New York  
RESOLUTION AUTHORIZING THE SUPERVISOR TO DESIGNATE AN  
INSURANCE BROKER**

**Resolution #17-2014**

**PRESENT:** Supervisor Carolyn W. Price  
Councilperson Timothy Bates  
Councilperson Lesa Hawk-Shuler  
Councilperson William McIntyre

**ABSENT:** Councilperson George B. West

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the **2<sup>nd</sup> day of April, 2014**, the following resolution was

**OFFERED BY:** Councilperson Hawk-Shuler

**SECONDED BY:** Councilperson McIntyre

**WHEREAS**, the Town is in the process of securing an insurance Broker for the Town for the coming year;

**WHEREAS**, a request for proposals (RFP) for such professional services was created, and was circulated at the authorization by this board;

**WHEREAS**, responses to this RFP will be returned **on or about April 9, 2014**;

**WHEREAS**, the Town Board, under Town Law Section 29 (16), can expressly confer upon the Supervisor certain powers which would be performed on behalf of the Town Board;

**NOW, THEREFORE**, this **2<sup>nd</sup> day of April, 2014**, **BE IT RESOLVED** by the Town Board of the Town of Windsor, as follows:

**RESOLVED**, that the Supervisor is expressly authorized to designate an insurance broker as the firm/company/entity/person, most qualified under the RFP, which can provide the specific services sought and is the lowest responsible bidder;

**RESOLVED**, such authority is to be performed by the Supervisor on behalf of the Town Board.

**FURTHER RESOLVED**, this resolution shall take effect immediately.

**Vote of the Board:**

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

Motion Approved.

**Resolution Adopted: April 2, 2014**

**UPCOMING MEETINGS:**

- Regular Meeting: Wednesday, May 14, 2014, at 7:00pm, at the West Windsor Fire Hall.

**PUBLIC COMMENTS:**

- Eileen Ruggieri: Suggestion of signage in front of the Town Hall, for referencing upcoming meetings/events/times, etc.
- Jerry Henahan wondered if a schedule has been put together regarding road use agreement. Attorney Sacco will check on the status of: "putting them on formal notice."
- Mark Lippolis, Dunbar Rd, requested clarification of the differences between the old and new road use agreements. Attorney Sacco responded with: changing the name, the bond amount was going to stay in place for a short time period for the prior work, and a new bond will be put in place for the new roads, the list of roads able to be utilized is going to be shortened.
- Sue Rambo, Director of Window-on-the-Arts, announced that this year the event will be held on Saturday, September 13, 2014.

**ADJOURNMENT:**

**At 8:25pm:**

**Motion By: Councilman Bates**

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

To adjourn the meeting.

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