

**Regular Meeting of the Town Board  
Town of Windsor, New York  
January 14, 2015 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  
Deputy Supervisor William J. McIntyre: Present  
Councilman Gary M. Hupman: Present  
Councilman Timothy J. Bates: Present  
Councilwoman Lesa Hawk-Shuler: Present  
Highway Superintendent Rocky Kohlbach: Present  
Attorney Cheryl Sacco: Present  
Engineer Ron Lake: Present  
Town Clerk Barbara Rajner Miller: Present

Also present were: Code Enforcement Officer Dave Brown, Dave Ballard, Tom Eveges, Jerry Henehan, Mark J. Lippolis, Scott Baker, Janet Rosar, James Rosar, Scott B. Clarke, Marcella Crawford, Floyd Bronson, Elizabeth Einstein, John Youngs, Peter Stoeckel, Judy McDonald, Joe McDonald.

**RECOGNITION:**

The Town Board recognized the Holiday Decorating Group for their beautiful holiday decorating which lights up the Windsor Community.

Supervisor Price recognized the presence of County Legislator Scott Baker, who expressed his disappointment in the Cuomo Administration regarding both the casino and the natural gas decision. He also informed the Board that on January 28<sup>th</sup>, the Windsor School District and the Windsor Community Drug Awareness Group is hosting a heroin/opiate education night at the school. All are invited and encouraged to attend.

**PUBLIC COMMENT:**

(Supervisor Price outlined the guidelines of public comment.)

- Dave Ballard, Dodd Rd: Attended last night's Planning Board meeting regarding the Dollar General which is going to be built on North Rd in Windsor. He is in favor of growth, but was surprised to find out that the Town of Windsor has no regulations on what the building should look like.
- Jim Rosar, Shedd Rd: Thanked the Town Board for working with him, and read a letter to the Town Board, wondering if the Town can have the bid for demolition be on the agenda for the March Board Meeting.
- Scott Clarke, Dodd Rd: Had a suggestion of recognizing Eileen Ruggieri for her 28 years of reporting for The Windsor Standard.
- John Youngs, Bearhouse Rd: Distributed handout on Auctions International advertisement regarding the crusher that he had bid on. Discussion followed.
- Janet Zapata, Shedd Rd: Thanked the Board for allowing them the extra time to sift through what remained after the fire at their home. She brought in her baby album, which was found beneath the rubble, showing the Board that it survived not only the fire, but also ten months of weathering.

**APPROVAL OF MINUTES:**

**Motion By: Deputy Supervisor McIntyre      Sec. By: Councilman Bates**

To approve the minutes of the December 17, 2014 Regular Meeting, as submitted.

Vote of the Board:

Supervisor Price – AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

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

To approve the minutes of the December 30, 2014 Special Meeting, as submitted.

Vote of the Board:

Supervisor Price – AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

**FINANCIAL REPORT:**

- Supervisor Price explained that the December Financial Report will be distributed at the next meeting.

**Motion By: Deputy Supervisor McIntyre      Sec. By: Councilwoman Hawk-Shuler**

To approve bills for payment:

- General Fund Vouchers (2014) #611 through #618, totaling \$7,077.71;
- General Fund Vouchers (2015) #1 through #33, totaling \$11,843.61 (adjusting #18 and #20, not paying the tax portion);
- Sewer Operating Vouchers (2014) #90 through #92, totaling \$406.07;
- Sewer Operating Voucher (2015) #1, totaling \$358.39;
- Highway Fund Vouchers (2014) #452 through #486, totaling \$27,974.07;
- Highway Fund Vouchers (2015) #1 through #5, totaling \$29,206.34;
- Trust and Agency Voucher #1, totaling \$759.82.

Vote of the Board:

Supervisor Price – AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

**COMMITTEE REPORTS:**

**ASSESSOR:** Report submitted.

**DOG CONTROL:** None.

**HIGHWAY:** None.

**HISTORY:** Next meeting 1-28-15 at 7:00pm at the Town Hall.

**NATURAL GAS:**

\* Supervisor Price mentioned the letter from Joseph P. Shields, President, Millennium Pipeline Company, LLC to Kathleen Burgess, Secretary, New York State Public Service Commission, Filed December 11, 2014, for Case #13-T-0538;

\* Supervisor Price read aloud the DEC's Response to Public Comment on mercaptan: It is our understanding that the PSC requires mercaptan to be added to the natural gas as it is piped into New York State. The purpose of adding odorant is to allow the detection of natural gas leaks. Mercaptan can be detected at very low concentrations, on the order of 2 parts per billion, well below the level that would cause "coma or death." The CDC estimates an IDLH concentration (IDLH stands for immediate dangerous to life and health) for methyl mercaptan of 400 parts per million.

<http://www.cdc.gov/niosh/idlh/74931.html>. Given that this gas is used by consumers with odorant added, it is very, very unlikely that any adverse mercaptan health affect would result from occasionally smelling the odor. The odorant is added to the gas for safety reasons. "

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

**TOWN HALL:** None.

**WASTEWATER TREATMENT PLANT:** None.

**YOUTH & RECREATION:** Report submitted.

**ZONING, PLANNING & CODE ENFORCEMENT:**

- ZBA minutes from 11-19-2014 Regular Meeting submitted.

- Memo, dated 1-14-2015, from Planning Board to Town Board submitted.
- Code Enforcement Monthly Report submitted.

**Motion By: Deputy Supervisor McIntyre      Sec. By: Councilman Bates**

To approve advertising for Public Hearing for the Construction of a Dollar General Store at 29 North Rd, Windsor, NY. Public Hearing to be held at 7:00pm at the 2-11-2015 Town Board Meeting.

Vote of the Board:

- Supervisor Price – AYE
- Deputy Supervisor McIntyre - AYE
- Councilman Hupman - AYE
- Councilman Bates - AYE
- Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

**UNFINISHED BUSINESS:**

Attorney Sacco did the SEQRA regarding Resolution #33-2014. Attorney Sacco also reviewed options. Adopted Resolution #33-2014 (Confirming the Order Removing A Structure Owned By James D. Rosar).

**Motion By: Deputy Supervisor McIntyre      Sec. By: Councilman Bates**

To go out for Competative Bid – demolition/clean-up/restoration, with a return-of-bids date of 3-6-2015.

Vote of the Board:

- Supervisor Price – AYE
- Deputy Supervisor McIntyre - AYE
- Councilman Hupman - AYE
- Councilman Bates - AYE
- Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

**Motion By: Deputy Supervisor McIntyre      Sec. By: Councilman Hupman**

To bring back discussion of the process to amend the 2006 Comprehensive Plan, with a Work Session on 2-4-2015, at 7:00pm, at the Town Hall.

Vote of the Board:

- Supervisor Price – AYE
- Deputy Supervisor McIntyre - AYE
- Councilman Hupman - AYE
- Councilman Bates - AYE
- Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

Supervisor Price assigned the following sections to be critiqued by each corresponding Board Member:

- \* Introduction - Supervisor Price;
- \* History - Councilwoman Hawk-Shuler;
- \* Demographics-Deputy Supervisor McIntyre;
- \* Institutions – Councilman Bates;
- \* Land Use – Attorney Sacco;
- \* Environment – Deputy Supervisor McIntyre;
- \* Ordinances/Local Laws – Councilman Hupman;
- \* Goals/Recommendations – Supervisor Price;
- \* Action Plan - Councilwoman Hawk-Shuler;
- \* Maps – Councilman Hupman.

Supervisor Price added that, as each is going through his/her assigned section, please be mindful if there is anything that needs to be amended to allow for the extraction of natural gas and oil (as a follow-up to the survey).

**At 8:28pm-**

**Motion By: Deputy Supervisor McIntyre      Sec. By: Councilman Bates**

To go into Executive Session Pursuant to Public Officer’s Law Section 1051F regarding the Appointment of a particular person or persons.

Vote of the Board:

- Supervisor Price – AYE
- Deputy Supervisor McIntyre - AYE
- Councilman Hupman - AYE
- Councilman Bates - AYE
- Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

At 8:57pm-

Motion By: Councilman Bates

Sec. By: Councilwoman Hawk-Shuler

To come out of Executive Session.

Vote of the Board:

Supervisor Price – AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Motion Approved.

**NEW BUSINESS:**

**TOWN OF WINDSOR GOVERNMENT FOR 2015**  
**2015 SUPERVISOR APPOINTMENTS**

**TOWN BOARD COMMITTEES:**

COUNCIL OF GOVERNMENT	ALL BOARD MEMBERS
BANKING	SUPERVISOR PRICE & COUNCILMAN BATES
DOG CONTROL	COUNCILWOMAN HAWK-SHULER & COUNCILMAN HUPMAN
HIGHWAY	COUNCILMAN BATES & COUNCILMAN MCINTYRE
HISTORY & CEMETERY	COUNCILWOMAN HAWK-SHULER & COUNCILMAN HUPMAN
INSURANCE	COUNCILMAN MCINTYRE & COUNCILMAN HUPMAN
NATURAL GAS	SUPERVISOR PRICE & COUNCILWOMAN HAWK-SHULER
PERSONNEL	SUPERVISOR PRICE & COUNCILMAN MCINTYRE
SEWER	SUPERVISOR PRICE & COUNCILMAN BATES
TOWN HALL	SUPERVISOR PRICE & COUNCILMAN MCINTYRE
YOUTH & RECREATION	COUNCILMAN BATES & COUNCILWOMAN HAWK-SHULER
ZONING/PLANNING/CODE ENF.	COUNCILMAN MCINTYRE & COUNCILMAN HUPMAN
ECONOMIC DEVELOPMENT	SUPERVISOR PRICE & COUNCILMAN HUPMAN

**APPOINTMENTS:**

DEPUTY TOWN SUPERVISOR	WILLIAM J. MCINTYRE
HISTORIAN	LUELLA ENGLISH
REGISTRAR OF VITAL STATISTICS	BARBARA MILLER
DOG CONTROL OFFICER	FLOYD BRONSON
DEPUTY DOG CONTROL OFFICER	DAVID BROWN
BINGO INSPECTOR	DAVID BROWN
YOUTH DIRECTOR	BOB CROWLEY
BASEBALL / SOFTBALL	KARL HOWARD
TOWN HALL CUSTODIAN	JAMES ANDERSON
UPSTATE NEW YORK TOWNS ASSOCIATION	ALL BOARD MEMBERS
BANK - THE TOWN OF WINDSOR IS AUTHORIZED TO UTILIZE THE BANKING SERVICES FROM ANY BANK AUTHORIZED TO DO BUSINESS IN AND HAVING OFFICES IN THE STATE OF NY (Reso.1995-3)	
NEWSPAPER - THE WINDSOR STANDARD	
REGULAR MONTHLY MEETING - THE SECOND WEDNESDAY OF THE MONTH AT 7:00PM	
SPECIAL MEETINGS - AS NEEDED WITH NOTICE IN THE WINDSOR STANDARD.	
MILEAGE - \$.50	
GAMES OF CHANCE, MULTIPLE RESIDENCE INSPECTOR & ZONING ENFORCEMENT OFFICER	
	DAVID BROWN
ATTORNEY FOR THE TOWN	CHERYL SACCO
ENGINEER FOR THE TOWN	RONALD LAKE

**BOARD APPOINTMENTS:**

<i>ZONING BOARD OF APPEALS -</i>	MAHLON GUERNSEY (CHAIR)	4 YEARS
	HEATHER GORDON	3 YEARS
	DOUGLAS FULLER	5 YEARS
	DAVID KOHLBACH	2 YEARS
	LISA GOETZ	1 YEAR
<i>PLANNING BOARD -</i>	SHELLY JOHNSON BENNETT (CHAIR)	4 YEARS
	BRUCE CAMERON	1 YEAR
	BRIDGETT VAN NORMAN	5 YEARS
	FRANCIS M. STONE	4 YEARS
	EVE NEUREUTER	3 YEARS
ALTERNATES	DOUG SAUNDERS	1 YEAR APPOINTMENT
	CARLETON GORDON	1 YEAR APPOINTMENT

Motion By: Deputy Supervisor McIntyre

Sec. By: Councilman Hupman

To accept the above 2015 Supervisor's Appointments.

Vote of the Board:

Supervisor Price – AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Motion Approved.

**SETTING DATE, TIME AND PLACE FOR NEXT MEETINGS:**

- Work Session Meeting: 2-4-2015 at 7:00pm, in the Town Hall.
- Regular Meeting: 2-11-2015 at 7:00pm, in the Town Hall.

**PUBLIC COMMENTS:**

- Marcella Crawford, Bennett Rd: Requested for the Planning Board and the Town Board to have a joint meeting regarding the review of the Comprehensive Plan.
- Jerry Henehan, Dunbar Rd: mentioned that yesterday he spoke with Jim Austin, who said that Williams is out of compliance regarding the sound survey that was done.
- Floyd Bronson, Thompson Rd: stated that he lives very close to the compressor station, and that as a taxpayer, he feels that there is too much time on this matter. He also stated that he feels Williams is a good neighbor.
- Mark Lippolis, Dunbar Rd: inquired about the status of the “as-built” plans for the compressor station. Supervisor Price responded that the Town of Windsor does not have the plans; the State does, and that Windsor has not heard back from the State. Mr. Lippolis mentioned that he believes they would be at the compressor station, as stamped by Alexander M. Urda.
- Scott Clarke, Dodd Rd: If the compressor is, in fact, out of compliance on the sound, what does the Town intend to do? He believes they have never been in compliance, which would mean the fines should have added up to quite a bit of money. Supervisor Price will follow up with Jim Austin.
- Marcella Crawford: If you’re keeping the budget under the cap, why is the tax rate going up? Simple answer that you need to look at, and try to figure out ways to try to compensate for that.

**At 9:12pm-**

**Motion By: Councilwoman Hawk-Shuler**

**Sec. By: Councilman Bates**

To recess for legal advice.

Vote of the Board:

Supervisor Price - AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

**At 9:28pm-**

**Motion By: Deputy Supervisor McIntyre**

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

To return from legal advice.

Vote of the Board:

Supervisor Price - AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

**ADJOURNMENT:**

**Motion By: Deputy Supervisor McIntyre**

**Sec. By: Councilman Bates**

To adjourn the meeting at 9:28pm.

Vote of the Board:

Supervisor Price – AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

Respectfully Submitted,

Barbara Rajner Miller, Windsor Town Clerk