

**Regular Meeting of the Town Board  
October 12, 2016 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  
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  
Town Clerk Barbara Rajner Miller: Present

Also present were: Jerry Henehan, Jerry Launt, Elizabeth Einstein, Don Einstein, Jeff Salasny, Scott Baker, Jason Andrews, Stefanie Olbrys, Luvenna Dutcher, Kaelynn Bush, and Code Enforcement Officer Dave Brown.

**RECOGNITION:** The Town Board recognized The Windsor Central School District, who was recently named a P21 Exemplar District.

Supervisor Price recognized County Legislator Scott Baker.

**PUBLIC COMMENT:**

(Supervisor Price outlined the guidelines of public comment.)

- Scott Baker, Colpitts Dr: wondered if stop-bars could be put on both sides of Liberty Hwy (at the end of Riley Rd) and by North Rd.

**APPROVAL OF MINUTES:**

**Motion By: Councilman Bates      Sec. By: Councilman Hupman**

To approve the minutes of the September 14, 2016 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: Councilwoman Hawk-Shuler      Sec. By: Councilman Bates**

To approve the minutes of the September 28, 2016 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.**

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

To approve the minutes of the October 6, 2016 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:**

**Motion By: Councilman Bates**

**Sec. By: Councilman Hupman**

To approve bills for payment:

- General Fund Vouchers #418 through #462, totaling \$12,645.84;
- Sewer O&M Vouchers #45 through #48, totaling \$3,055.08;
- Highway Fund Vouchers #305 through #341, totaling \$141,810.23;
- Trust and Agency Vouchers #53 and #54, totaling \$1,672.60.

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 reviewed the Tentative 2017 Budget, which will become the Preliminary 2017 Budget.

**COMMITTEE REPORTS:**

**ASSESSOR:** Report submitted.

**DOG CONTROL:** Municipal Shelter Inspection Report Completed September 13, 2016.

**ECONOMIC DEVELOPMENT:** Report on Meeting with Greater Binghamton Chamber of Commerce, September 27, 2016.

**ENERGY:**

- Filing of letter to NYS Public Service Commission by Bluestone Wind, LLC, October 4, 2016, Case #16-F-0559.
- Public Involvement Plan Filed with NYS Public Service Commission by Bluestone Wind, LLC, October 4, 2016, Case #16-F-0559.

**HIGHWAY:** Blatchley Rd is done.

**HISTORY:** Presentation on the Dairyman’s League at the Town Hall, November 17, 2016 at 7:00pm.

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

**TOWN HALL:** Deputy Supervisor McIntyre mentioned that new motion detector lighting was installed on the outside of the Town Hall building. Also, new LED lighting will be put into each office for better lighting and cutting the electric bill.

**WASTEWATER TREATMENT PLANT:** None.

**YOUTH & RECREATION:** None.

**ZONING, PLANNING & CODE ENFORCEMENT:**

- Code Enforcement Monthly Report submitted.

**Motion By: Deputy Supervisor McIntyre**

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

To advertise for Assessor’s Board of Review.

Vote of the Board:

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

**Motion Approved.**

Since this was not on the Agenda, Supervisor Price opened it up to the public for comment. There were none.

**UNFINISHED BUSINESS:**

None.

**NEW BUSINESS:**

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

**RESOLUTION RATIFYING THE FILING OF AN APPLICATION UNDER THE BRIDGE NEW YORK PROGRAM**

**Resolution #20-2016**

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

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the **12<sup>th</sup> day of October, 2016**, the following resolution was

**OFFERED BY: Deputy Supervisor McIntyre**

**SECONDED BY: Councilman Hupman**

**WHEREAS,** the Town Board is aware that culvert and bridge work is an ongoing requirement for safe travel

and general maintenance of the Town's infrastructure; and

**WHEREAS**, the Town Board is aware of financial stressors, and budget limitations on the Town and is always trying to seek alternative sources of revenue; and

**WHEREAS**, monies are available for culvert and bridge work through the Bridge New York Program, and an application seeking those funds needs to be filed by Griffiths Engineering, if the Town desires to apply for such funds; and

**WHEREAS**, based upon Department of Transportation inspections, logs and projections, the Town has a need and should be eligible for such funds; and

**WHEREAS**, more specifically, the culverts on Dodd Road and Liberty Highway; and the Bridges on McNair Road and Barton Road meet the qualifications/requirements; and

**WHEREAS**, based upon those factors listed above and in opinion of the Town's engineers, the amount of the grant application need not exceed \$1,140,000; and

**WHEREAS**, the Grant does require a five (5) percent local contribution from the Town for the Bridge work portion; which will be an amount not to exceed \$35,000; and

**WHEREAS**, filing this Application is a Type II action under 6 NYCRR 617.5(21); and no further action is necessary under the State Environmental Quality Review Act; and

**NOW, THEREFORE**, this 12<sup>th</sup> day of October, 2016 **BE IT RESOLVED** by the Town Board of the Town of Windsor, as follows:

**RESOLVED**, that the Supervisor is expressly authorized to take whatever reasonable actions are necessary with the application; and

**RESOLVED**, that the Town Board ratifies those actions taken by the town's engineers; and

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

**Vote of the Board:**

Supervisor Carolyn W. Price - AYE

Deputy Supervisor William J. McIntyre - AYE

Councilman Timothy J. Bates - AYE

Councilwoman Lesa Hawk-Shuler - AYE

Councilman Gary M. Hupman - AYE

Motion Approved.

**Resolution Adopted: October 12, 2016**

**Town of Windsor, County of Broome, State of New York  
APPROVAL OF THE TOWN OF WINDSOR, JUSTICE COURT, TO  
APPLY FOR GRANT AID THROUGH "THE JUSTICE COURT  
ASSISTANCE PROGRAM"  
Resolution #21-2016**

**Present:** Supervisor Carolyn W. Price  
Deputy Supervisor William J. McIntyre  
Councilman Timothy J. Bates  
Councilwoman Lesa Hawk-Shuler  
Councilman Gary M. Hupman

**Offered By:** Councilwoman Hawk-Shuler

**Sec. By:** Deputy Supervisor McIntyre

**IT IS HEREBY RESOLVED**, by the Town Board of the Town of Windsor, Broome County, New York that the Town Justice, of the Town of Windsor are hereby authorized to complete a "Justice Court Assistance Program Grant Application", and

**IT IS RESOLVED**, that if funding is forthcoming as a result of this grant application, the funds are to be used as outlined in "Part 138. JUSTICE COURT ASSISTANCE PROGRAM", subsection § 138.2, and

**IT IS RESOLVED**, that if the funding is forthcoming, no funds shall be used for painting, and

**IT IS FURTHER RESOLVED**, that this funding will not be used to compensate justices or non-judicial court staff, nor shall it be used as a means of reducing funding provided by the Town of Windsor to its Justice Court.

**Vote of the Board:**

Carolyn W. Price, Supervisor - AYE

William J. McIntyre, Deputy Supervisor - AYE

Timothy J. Bates, Councilman - AYE

Lesla Hawk-Shuler, Councilwoman - AYE

Gary M. Hupman, Councilman - AYE

Motion Approved.

**Resolution Adopted: October 12, 2016**

**UPCOMING MEETINGS:**

- Regular Meeting: 11-2-2016 at 7:00pm, at the Windsor Town Hall.

**PUBLIC COMMENTS:**

- None.

**At 7:47pm:**

**Motion By: Councilman Bates**

**Sec. By: Deputy Supervisor McIntyre**

To enter into Executive Session to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

Vote of the Board:

Supervisor Price – AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

**At 7:57pm:**

**Motion By: Deputy Supervisor McIntyre**

**Sec. By: Councilman Bates**

To return from 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.**

**Town of Windsor, County of Broome, State of New York  
RESOLUTION APPROVING NOTICE OF DISCIPLINE AGAINST AN EMPLOYEE**

**Resolution #19-2016**

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

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the **12<sup>TH</sup> day of October, 2016**, the following resolution was

**OFFERED BY: Councilwoman Hawk-Shuler**

**SECONDED BY: Deputy Supervisor McIntyre**

Whereas, the Town Board (the "Board") of the Town of Windsor, Broome County, New York (the "Town") has received information from an investigation that an employee has done certain actions that under the Collective Bargaining Agreement (Section 13.2.1) and the Town of Windsor Employment Practices Compliance Manual that constitute just and sufficient cause for discipline, and

Whereas, the Collective Bargaining Agreement sets forth the only procedure for resolving challenges to disciplinary action and wholly replaces the statutory provision set forth in Section 75 and Section 76 of the New York State Civil Service law.

NOW, THEREFORE, be it resolved by the Town Board of the Town of Windsor in regular session duly convened, as follows:

1. The attached Notice of Discipline; which contains the charges, specifications and the penalty are hereby adopted and preferred against that employee. Such Notice of Discipline will be provided to the employee and the Union business Agent.
2. This resolution shall take effect immediately.

**Vote of the Board:**

Supervisor Carolyn W. Price - AYE

Deputy Supervisor William J. McIntyre - AYE

Councilperson Timothy Bates - AYE

Councilperson Lesa Hawk-Shuler - AYE

Councilperson Gary M. Hupman - AYE

Motion Approved.

**Resolution Adopted: October 12, 2016**

**ADJOURNMENT:**

**Motion By: Councilman Bates**

**Sec. By: Councilman Hupman**

To adjourn the meeting at 7:58pm.

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

