

**Regular Meeting of the Town Board  
Town of Windsor, New York  
April 1, 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 Timothy J. Bates: Present  
Councilwoman Lesa Hawk-Shuler: Present  
Councilman Gary M. Hupman: Present  
Highway Superintendent Rocky Kohlbach: Present  
Attorney Cheryl Sacco: Present  
Engineer Ron Lake: Present  
Town Clerk Barbara Rajner Miller: Present

Also present were: Nancy Dutcher, Tom Eveges, Craig Terrell, Rebecca Reed, Jerry Henehan, Linda Pierson, Tom Skinner, Jerry Launt, Don Einstein, Elizabeth Einstein, County Legislator Scott Baker, Katie Legg, Kevin Rollo, Bob Firmstone, Ron Rambo, Sr., Sue Rambo, Brad Wood, Misty Wood, Code Enforcement Officer Dave Brown, and one other.

Supervisor Price recognized the presence of County Legislator Scott Baker.

**RECOGNITION:**

The Town Board recognized the Little Lady Knights 9-10 Competition Cheer Squad for their outstanding performance and taking first place at the National Jam Fest Competition held in Pittsburgh, Pennsylvania.

**PUBLIC COMMENT:**

(Supervisor Price outlined the guidelines of public comment.)

- Jerry Henehan, Dunbar Rd – Posed a question, regarding secession, at the last meeting. It was pointed out at that meeting that the Councilmembers do not have to respond to that. Mr. Henehan submitted, for the record, a copy of an article from the Los Angeles Times, entitled *In New York State, fracking ban fuels secession talk*, highlighting Carolyn Price supporting the activity. Mr. Henehan stated that he does still feel that it is a mistake, and that it will adversely impact the Southern Tier's attempt to secure funding and money for activities from Albany. Mr. Henehan concluded by saying that he feels like it is a mistake, at a critical time like this, to be jabbing your finger in the Governor's eye.

**APPROVAL OF MINUTES:**

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

To approve the minutes of the March 11, 2015 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 Bates Sec. By: Councilwoman Hawk-Shuler**

To approve the minutes of the March 26, 2015 Work Session, 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: Deputy Supervisor McIntyre**

**Sec. By: Councilman Bates**

To approve bills for payment:

- General Fund Vouchers #142 through #184, totaling \$55,312.82;
- Sewer Operating Vouchers #14 through #19, totaling \$9,085.81;
- Highway Fund Vouchers #76 through #99, totaling \$44,410.32;
- Trust and Agency Vouchers #15 through #19, totaling \$24,062.68.

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 distributed the Annual Financial Report for the Fiscal Year Ended 12/31/14. She explained that this is the format that all municipalities in NYS must use to report their financial information. She would like the Board to read through it, as it will be back on the Agenda for the May, 2015 meeting.

**Town of Windsor, County of Broome, State of New York**  
**Resolution Authorizing the Supervisor**  
**to Execute a Third Party Custodian Agreement,**  
**Subject to Approval by Legal Counsel**  
**Resolution #8-2015**

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

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 1<sup>st</sup> day of April, 2015, the following resolution was

**OFFERED BY: Deputy Supervisor McIntyre**

**SECONDED BY: Councilperson Hupman**

**WHEREAS**, the Town of Windsor maintains public deposits with First Niagara Bank, N.A.,

**WHEREAS**, the bank agreed to act as a depository for those funds and to provide security therefore as required by General Municipal Law, banking law and other applicable laws, rules and regulations;

**WHEREAS**, a third party custodian agreement is necessary, and the custodian- Federal Home Loan Bank of New York- agrees to provide safekeeping services and to hold any securities pledged by the bank in a custodial account established for the benefit of the Town as a secured party; and

**NOW THEREFORE, BE IT RESOLVED**, that Windsor Town Board, after due deliberation, finds it in the best interest of the Town to authorize the supervisor to execute a Third Party Custodian Agreement, subject to approval by legal counsel.

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

**Vote of the Board:**

Supervisor Carolyn W. Price

Deputy Supervisor William McIntyre

Councilperson Gary Hupman

Councilperson Timothy Bates

Councilperson Lesa Hawk-Shuler

Motion Approved.

**Resolution Adopted: April 1, 2015**

The above Resolution, #8-2015, was approved, subject to legal review.

\* March 2015 Financial Report was distributed.

**COMMITTEE REPORTS:**

**ASSESSOR:** No report submitted.

**DOG CONTROL:** Report submitted.

**ECONOMIC DEVELOPMENT:** Supervisor Price mentioned that there will be a meeting at the County Office Building on April 16, 2015 regarding the consolidated funding application process.

**HIGHWAY:**

\* Hwy Superintendent Kohlbach mentioned that the loader is due for trade-in. He'll bring the information for the next meeting.

**Motion By: Deputy Supervisor Mc Intyre      Sec. By: Councilman Bates**

To advertise the LED Solar Portable Traffic Signal Unit (2 pieces) on Auctions International, with a minimum bid of \$25,000.

Vote of the Board:

Supervisor Price - AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Since this motion was not on the Agenda, Supervisor Price asked if there was anyone who wanted to speak to this matter. There was not.

**Motion Approved.**

**HISTORY:** Councilwoman Hawk-Shuler gave an update. Tour of the History room and the bowling lanes was given at the last meeting. Working with Mayor Harting on possible tour of the Community House and the train station. Deputy Supervisor McIntyre thanked Tim Dodd and Ron Rambo for moving filing cabinets from the History room to the basement.

**NATURAL GAS:**

Supervisor Price talked about:

- \* Letter Dated March 13, 2015 from New York State Public Service Commission (PSC) Regarding PSC Asserting Lead Agency Status in Review of Leatherstocking Gas Company, LLC Project Pursuant to the State Environmental Quality Review Act
- \* Letter Dated March 18, 2015 from PSC Regarding Deficiencies in Petition from Leatherstocking Gas Company, LLC Project. Supervisor Price talked to the PSC about this. The PSC said that the deficiencies noted were very common first time around, receiving an application.

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

**TOWN HALL:** None.

**WASTEWATER TREATMENT PLANT:** The Town was notified of the grant approval 12-18-2014. Supervisor Price has called twice for the Incentive Proposal; response was that they were overloaded with work, and that it would still be a while before it comes out.

**YOUTH & RECREATION:** Report submitted.

**ZONING, PLANNING & CODE ENFORCEMENT:**

- Minutes from 2-25-15 Regular Meeting were submitted.
- Minutes from 3-25-15 Regular Meeting were submitted.
- Code Enforcement Monthly Report submitted.

**UNFINISHED BUSINESS:**

- Supervisor Price gave a report on amending the 2006 Comprehensive Plan. The Town Board, Planning Board and Code Enforcement Officer met in a Work Session on 3-26-15, to follow up on matters from the 2-19-15 Work Session, and to review the Planning Board's work of 2-25-15 on amending the 2006 Comprehensive Plan.

**NEW BUSINESS:**

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK  
Municipal Clean-Up Day  
RESOLUTION # 7-2015**

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

**Offered By: Deputy Supervisor McIntyre**

**Sec. By: Councilman Hupman**

**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 9<sup>th</sup> 2015, 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 without freon
2. Tires (\$3.00 per tire)
3. Furniture
4. Electronics

**Vote of the Board:**

Supervisor Price- AYE

Deputy Supervisor McIntyre- AYE

Councilman Bates- AYE

Councilwoman Hawk-Shuler – AYE

Councilman Hupman - AYE

Motion Approved.

Supervisor Price mentioned the New York State Unified Solar Permit. She asked the Boardmembers to review this, and see if there is interest to look into adopting this in the future. Attorney spoke regarding the process involved.

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

To appoint *The Partners* as Insurance Broker for Package, Auto, Inland Marine, and Umbrella Policies, effective 4-15-2015.

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 made the Board aware that the Town of Windsor's current Disaster Emergency Preparedness Plan is being given to them tonight. Some updates were highlighted. Boardmembers are to review/make updates and come prepared to discuss at next meeting.

When the weather gets better, Supervisor Price would like to work with Hwy Superintendent Kohlbach and the Operators at the West Windsor Waste Water Treatment Plant to do a practice run, hooking the generators to the truck, making sure all runs smoothly.

Intrastate Mutual Aid Program – Every local government is a participant in the program, unless it chooses to opt out. It allows mutual aid during a locally-declared disaster without the need to enter into individual intergovernmental agreements or Memoranda of Understanding, prior to, or during an event, and also provides for reimbursement. Attorney Sacco will review this. It will be on the Agenda for the May meeting.

**UPCOMING MEETINGS:**

**Motion By: Deputy Supervisor Mc Intyre      Sec. By: Councilman Hupman**

To hold a Work Session on May 14, 2015, at 7:00pm, with the Planning Board and Code Enforcement Officer, at the Town Hall, regarding the Comprehensive Plan.

Vote of the Board:

Supervisor Price - AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

- Regular Meeting: Wednesday, May 13, 2015, at 7:00pm, at the West Windsor Fire Hall.

**PUBLIC COMMENTS:**

Supervisor Price read the guidelines for Public Comments.

\* Peter Ruggieri, Dire Rd: What is the turnaround time of the minutes from this meeting, and are they posted on the website? The Town Clerk responded that the minutes are posted on the Town's website after they are approved at the following Town Board Meeting. Mr. Ruggieri said he looked into Open Meeting's Law, and said that minutes of a meeting need to be posted at two weeks. Attorney Sacco interjected, saying that they need to be available for FOIL, not put on the website at the two-week mark. Attorney Sacco read Public Officer's Law: "Minutes of meetings of all public bodies shall be available to the public (doesn't say website), in accordance with provisions of the freedom of information law, within two weeks of the date."

**At 7:52pm-**

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

To enter into Executive Session to discuss Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law and for Matters Leading to the Appointment, Employment, Promotion 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 8:21pm-**

**Motion 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.**

**Sec. By: Councilman Hupman**

**ADJOURNMENT:**

**Motion By: Councilwoman Hawk-Shuler**

To adjourn the meeting at 8:22pm.

Vote of the Board:

Supervisor Price - AYE

Deputy Supervisor McIntyre - AYE

Councilman Hupman - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

**Motion Approved.**

**Sec. By: Councilman Bates**

Respectfully Submitted,

Barbara Rajner Miller, Windsor Town Clerk