

**Regular Meeting
of the Windsor Town Board
January 4, 2012**

Present were: Supervisor Randy J. Williams, Councilmen West, Bates, & Olin, and Colwell, Attorney Cheryl Sacco, Code Enforcement Officer Dave Brown, Town Clerk Barbara Rajner Miller and the following guests: Eileen Ruggieri, Sue Rambo, Ron Rambo, Sr., Fred Stapleton, Jim Verboys (NY RailTrail), Bruce Cameron, Bill Wallick, Diane Wallick, Sue Kohlbach, David Bagg, Mahlon Guernsey, Tony Stracuzzi, Jeanne Stracuzzi, Susan Dart with Colleen Sherwood (Catholic Charities Disaster Case Management), Heather Gordon, Carlton Gordon, and Tom Skinner.

Supervisor Williams called the meeting to order at 7:30pm.

Opened Road Sand Bids:

- F.S. Lopke - Price by *ton picked up* at bidder's pit: \$8.85 per ton.
Price by *ton delivered to Windsor's Highway Garage*: \$13.80 per ton.
- Alfred Gorick – Price by *yard picked up* at bidder's pit: \$3.45.
Price by *yard delivered to Windsor's Highway Garage*: \$8.95.
- **Boland's Excavating – Price by *yard picked up at bidder's pit*: \$3.90 per cy.
Price by *yard delivered to Windsor's Highway Garage*: \$5.70 per cy.**

Motion By: Councilman LeWayne H. Colwell Sec. By: Councilman George B. West
To accept Boland's bid, either way – delivered or picked up.

Vote of the Board:

Supervisor Williams - AYE
Councilman Colwell - AYE
Councilman Bates - AYE
Councilman West - AYE
Councilman Olin - AYE

Motion Approved.

We'll be using up the piles of sand we have first, before buying more.

PUBLIC COMMENT:

* Susan Dart, of Seward Rd, Windsor, spoke of the erosion which continues to eat away at her property, pleading to the Town Board for any assistance. FEMA has rejected any pleas for help, claiming not cost effective. Still waiting for Soil & Water's response for help. Ron Lake will contact Chip for some answers. Hwy Superintendent will provide measurements (from Ben Cabot) to Ms. Dart. Cabot's phone number and fax number were read aloud for Ms. Dart.

* Bruce Cameron, Secretary of the Planning Board, and Mahlon Guernsey, Chairman of the ZBA, spoke on the necessity for their Boards to have the Town Code Books to be in paper format versus online only. Updated new code books will be distributed.

* Tony Stracuzzi mentioned that he had asked for a copy of the 2012 budget at the last Town Board meeting, but has not yet received it. Supervisor Williams responded that he would have to fill out a FOIL, which is how to obtain a public record. He mentioned that he would like it in electronic form, if possible.

* David Bagg had assessment questions. Supervisor Williams told Bagg that a parcel is assessed when the building is complete.

* Tom Skinner wondered what the decision was regarding eminent domain on the railroad property next to the Hwy garage. Supervisor Williams told him that no decision has been made thusfar. A proposal has been made, which is under consideration.

HIGHWAY:

* There have been instances of stealing of steel from the Highway Garage and other places in the Town of Windsor. Hwy Superintendent Kohlbach contacted the scrap yards.

OLD BUSINESS:

Motion By: Councilman Jeff Olin Sec. By: Councilman Timothy J. Bates
To approve the minutes of the 12/7/2011 Public Hearing & Regular Meeting as submitted.

Vote of the Board:

Supervisor Williams - AYE
Councilman Colwell - AYE
Councilman Bates - AYE
Councilman West - AYE
Councilman Olin - AYE

Motion Approved.

Motion By: Councilman LeWayne H. Colwell

Sec. By: Councilman George B. West

To approve the minutes of the 12/12/2011 Public Hearing Meeting as submitted.

Vote of the Board:

Supervisor Williams - AYE

Councilman Colwell - AYE

Councilman Bates - AYE

Councilman West - AYE

Councilman Olin - AYE

Motion Approved.

NEW BUSINESS:

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

**AUTHORIZING THE SUPERVISOR TO EXECUTE A RETAINER AGREEMENT
AND THE HIRING OF LEGAL COUNSEL.**

Resolution #1-2012

PRESENT: Supervisor Randy J. Williams
Councilman LeWayne H. Colwell
Councilman Timothy Bates
Councilman Jeffrey Olin
Councilman George B. West.

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 4th day of January, 2012, the following resolution was

OFFERED BY: Councilman George B. West

SECONDED BY: Councilman LeWayne H. Colwell

WHEREAS, the Town Board has determined that it wishes to retain Coughlin & Gerhart LLP to provide its general legal services; and

WHEREAS, a proposed retainer agreement was received by the Town Board; in which the proposed services and fee structure are outlined; and

WHEREAS, the Town Board deems it necessary to secure legal counsel;

NOW, THEREFORE, this 4th day of January, 2012, **BE IT RESOLVED** by the Town Board of the Town of Windsor, as follows:

RESOLVED, that Coughlin & Gerhart, LLP, is hereby retained effective

January 1, 2012 for a term ending on December 31, 2012 and that Supervisor is authorized to execute the retainer agreement.

RESOLVED, this resolution shall take effect immediately.

Vote of the Board:

Supervisor Randy J. Williams – AYE

Councilman LeWayne H. Colwell – AYE

Councilman Timothy Bates – AYE

Councilman Jeffrey Olin – AYE

Councilman George B. West – AYE

Motion Approved.

Resolution Adopted: January 4, 2012

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

**THE HIRING OF LEGAL COUNSEL TO HANDLE A SPECIFIC LITIGATION
MATTER.**

Resolution #2-2012

PRESENT: Supervisor Randy J. Williams
Councilman LeWayne H. Colwell
Councilman Timothy Bates
Councilman Jeffrey Olin
Councilman George B. West.

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 4th day of January, 2012, the following resolution was

OFFERED BY: Councilman George B. West

SECONDED BY: Councilman Jeff Olin

WHEREAS, the Town Board has retained Coughlin & Gerhart LLP to provide its general legal services; and
WHEREAS, a retainer agreement was executed, pursuant to authorization by the Town Board; in which the proposed services and fee structure are outlined; and

WHEREAS, Coughlin & Gerhart LLP has a conflict with the defendant in a specific litigation matter, and as such cannot represent either party to the matter;

WHEREAS, the Town Board deems it necessary to secure other legal counsel in a litigation matter,;

NOW, THEREFORE, this 4th day of January 2012, **BE IT RESOLVED** by the Town Board of the Town of Windsor, as follows:

RESOLVED, that Alan Pope, Esq., is hereby retained effective immediately to defend the matter captioned _

Stephen P. Feehan vs. Zoning Board of Appeals Town of Windsor, Index number 2011-2348.

RESOLVED, that the hourly rate on this matter is \$165.
RESOLVED, this resolution shall take effect immediately.

Vote of the Board:

Supervisor Randy J. Williams - AYE
Councilman LeWayne H. Colwell - AYE
Councilman Timothy Bates - AYE
Councilman Jeffrey Olin - AYE
Councilman George B. West - AYE

Motion Approved.

Resolution Adopted: January 4, 2012

Motion By: Councilman Jeff Olin

Sec. By: Councilman Timothy J. Bates

To approve the application of Samantha Smalley, as a Jr. Fireman, for the West Windsor Fire Co.

Vote of the Board:

Supervisor Williams - AYE
Councilman Colwell - AYE
Councilman Bates - AYE
Councilman West - AYE
Councilman Olin - AYE

Motion Approved.

Supervisor Williams announced the

TOWN OF WINDSOR GOVERNMENT FOR 2012
2012 SUPERVISOR APPOINTMENTS

TOWN BOARD COMMITTEES:

HIGHWAY	CHAIRMAN COLWELL & BATES
ZONING & PLANNING	CHAIRMAN WEST & OLIN
INSURANCE	CHAIRMAN WEST & BATES
PERSONNEL	CHAIRMAN WEST & COLWELL
CODE ENFORCEMENT	CHAIRMAN COLWELL & WEST
BANKING	CHAIRMAN WILLIAMS & COLWELL
TOWN HALL	CHAIRMAN COLWELL & OLIN
YOUTH & RECREATION	CHAIRMAN OLIN & BATES
CEMETERY	CHAIRMAN BATES & OLIN
DOG CONTROL	CHAIRMAN WEST & OLIN
SEWER	CHAIRMAN WILLIAMS & BATES
HISTORY	CHAIRMAN BATES & OLIN
GAS	CHAIRMAN WEST & COLWELL
COUNCIL OF GOVERNMENT	ALL BOARD MEMBERS

APPOINTMENTS:

DEPUTY TOWN SUPERVISOR	LEWAYNE COLWELL
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
FOOTBALL	MARK MORGAN
SOCCER	NICOLE THELEMAN

TOWN HALL CUSTODIAN	JAMES ANDERSON
ASSOCIATION OF TOWNS	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 NEW YORK. (Resolution 1995-3)

NEWSPAPER - THE WINDSOR STANDARD

REGULAR MONTHLY MEETING - THE FIRST WEDNESDAY OF THE MONTH AT 7:30 PM.

SPECIAL MEETINGS - AS NEEDED WITH NOTICE IN THE WINDSOR STANDARD.
MILEAGE - \$.50

ASSESSOR	BECKY OTTENS
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:

ZONING BOARD OF APPEALS -

CHAIRMAN

MAHLON GUERNSEY	2 YEARS
HEATHER GORDON	1 YEAR
DOUGLAS FULLER	3 YEARS
DAVID KOHLBACH	5 YEARS
LISA GOETZ	4 YEARS

PLANNING BOARD

CHAIRMAN

SHELLY JOHNSON BENNETT	2 YEARS
BRUCE CAMERON	4 YEARS
BRIDGETT VAN NORMAN	3 YEARS
FRANCIS M. STONE	2 YEARS
EVE NEUREUTER	1 YEARS

ALTERNATES

DOUG SAUNDERS	1 YEAR APPOINTMENT
DAVID BROWN	1 YEAR APPOINTMENT

ASSESSORS BOARD OF REVIEW

CHAIRMAN

MAHLON GUERNSEY	9-30-2008	5 YEARS
BRIAN MORRIS	9-30-2011	5 YEARS
DOUGLAS TUCKER	10-1-2011	5 YEARS

Motion By: Councilman LeWayne H. Colwell

Sec. By: Councilman Jeff Olin

To approve the above 2012 Appointments and Committees.

Vote of the Board:

- Supervisor Williams - AYE
- Councilman Colwell - AYE
- Councilman West - AYE
- Councilman Bates - AYE
- Councilman Olin - AYE

Motion Approved

Supervisor Williams requests a report from each committee monthly:

- **Highway-** none.
- **Zoning/Planning-** none.
- **Code Enforcement-** none.
- **Town Hall-** Dave Brown is handling the lighting situation with Baker. Still waiting on word from NYS on phone system.
- **Youth/Recreation-** none.
- **Cemetery-** none.
- **Dog Control-** none.
- **Sewer-** none.
- **Historical-** Meeting to be held tomorrow night. Working on the history of agriculture in the area. Meeting with Colesville Historian regarding history of the valley, starting in Bainbridge.
- **Natural Gas-Drilling, Pipeline, etc.-** none.

Councilman Bates:

- * found it to be helpful for the Agenda to be e-mailed prior to the meeting.
- * wondered if holding tanks should be brought in WW Sewer plant. Will probably need health department and DEC approval/involvement. Ron Lake to look into this.

At 8:35pm:

Motion By: Councilman LeWayne H. Colwell

Sec. By: Councilman Jeff Olin

To enter into Executive Session, regarding legal matters.

Vote of the Board:

- Supervisor Williams - AYE
- Councilman Colwell - AYE
- Councilman West - AYE
- Councilman Bates - AYE
- Councilman Olin - AYE

Motion Approved

Returned from Executive Session: 9:20pm.

Motion By: Councilman Jeff Olin

Sec. By: Councilman George B. West

To pay: * General Fund Vouchers #590 through #593, totaling \$13,627.81; and

- * General Fund Vouchers #594 through #632, totaling \$11,287.47; and
- * General Fund Vouchers #1 through #10, totaling \$52,102.69; and
- * Highway Fund Vouchers #467 through #470, totaling \$72,491.65; and
- * Highway Fund Vouchers #471 through #504, totaling \$19,811.93; and
- * Highway Fund Vouchers #1 through #4, totaling \$84,891.75; and
- * Sewer Operating Fund Voucher #71, totaling \$66.83; and
- * Sewer Operating Fund Vouchers #72 through #80, totaling \$4,751.40; and
- * Sewer Operating Fund Vouchers #1 through #2, totaling \$2,542.48; and
- * Sewer Capital Vouchers # through #, totaling \$; and
- * Trust and Agency Vouchers #79 through #83, totaling \$42,193.14.

Vote of the Board:

Supervisor Williams - AYE
 Councilman Colwell - AYE
 Councilman West - AYE
 Councilman Bates - AYE
 Councilman Olin - AYE
Motion Approved

Motion By: Councilman LeWayne H. Colwell

Sec. By: Councilman Jeff Olin

To have a Work Session/Special Meeting with Bob McKertich on January 10, 2012 at 7:00pm, regarding gas franchise with Mirabito/Corning.

Vote of the Board:

Supervisor Williams - AYE
 Councilman Colwell - AYE
 Councilman West - AYE
 Councilman Bates - AYE
 Councilman Olin - AYE
Motion Approved

Motion By: Councilman LeWayne H. Colwell

Sec. By: Councilman Jeff Olin

To adjourn the meeting at 9:25pm.

Vote of the Board:

Supervisor Williams - AYE
 Councilman Colwell - AYE
 Councilman West - AYE
 Councilman Bates - AYE
 Councilman Olin - AYE
Motion Approved

Respectfully Submitted,
 Barbara Rajner Miller, Windsor Town Clerk