

**Regular Meeting of the Town Board
Town of Windsor, New York
March 6, 2013 7:00pm
Town of Windsor, Town Hall
124 Main Street, Windsor, NY 13865**

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: Present
Councilman Timothy J. Bates: Present
Councilwoman Lesa Hawk-Shuler: Present
Councilman William J. McIntyre: Present
Highway Superintendent Rocky Kohlbach: (Not Present)
Attorney Cheryl Sacco: Present
Engineer Ron Lake: Present
Town Clerk Barbara Rajner Miller: Present

Also present were: Barton Wolford, Michele Blythe, Georgia Woodmansee, Daniel R. Price, Larry Sanford, Kathy Urda, Fran Stone, Tom Skinner, LeWayne H. Colwell, Bev Foster-Bills, Floyd Bronson, Eileen Ruggieri, Scott Baker, Fred Stapleton, Dave & Kim Kohlbach, Ron & Sue Rambo, Hazel Brandt, Alice Stone, Rita Morgan, Karen Halaquist, Sally Forbidussi, and Dale Wayman.

Supervisor Price acknowledged the presence of County Legislator Scott Baker.

PUBLIC COMMENT:

(Supervisor Price outlined the guidelines of public comment.)

- Sally Forbidussi, Cresson Hill Rd, addressed the Board regarding a 5K race to be held in Windsor on Saturday, May 18, 2013, in an effort to bring awareness to Huntington's Disease. Race route will begin and end at Klumpp Park. Supervisor Price mentioned that the Board will be cooperative in order to help make this a success.
- Sue Rambo, Director of Window-On-The-Arts, announced that this year the festival will be Saturday, September 14, 2013, from 10am-5pm, at Klumpp Park. Supervisor Price reminded Rambo that there is \$500 designated in this year's Town Budget for this event.

RECOGNITION:

Supervisor Price and the Councilmembers recognized/thanked the Windsor Human Development for their outstanding service to feed and clothe families in Windsor. Larry Sanford accepted the framed certificate on behalf of Human Development. Mr. Sanford mentioned that donations are always welcomed and appreciated. Boxes for donations for the food pantry are located at the First Niagara Bank and at the Human Development building.

APPROVAL OF MINUTES:

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

To approve the minutes of the 2/6/2013 Regular Meeting as submitted.

Vote of the Board:

Supervisor Price - AYE
Councilman West - AYE
Councilman Bates - AYE
Councilwoman Hawk-Shuler - AYE
Councilman McIntyre - AYE

Motion Approved.

FINANCIAL REPORT:

* Supervisor Price mentioned to the Board that they all must be vigilant of any line items in the budget whose expenditures appear like they might overrun. Regarding the West Windsor Sewer District, there is a line item of \$10,000 Contractual, with an unencumbered balance of \$3,204.37. Expenses which will be coming out of that amount were analyzed, and with just the lab work and expenses at the pump station, we are going to exceed that. There is a contingency account of \$5,000. The overruns might take all or most of that. To try to counter that, we're trying to control some of the expenses. As a result of changing propane companies, there's been a considerable amount of money saved. Also discovered, was that sales tax had been paid on the electric bills, for which we are applying for a refund.

Motion By: Councilman McIntyre Sec. By: Councilman West

To pay: * General Fund Vouchers #68 through #116, totaling \$19,283.95 (Voucher #110 is being crossed off, as it is a duplicate of Voucher #78); and

* Highway Fund Vouchers #41 through #83, totaling \$47,974.53; and

- * Sewer Operating Fund Voucher #12 through #20 totaling \$5,672.46 and
- * Trust and Agency Vouchers #11 through #15, totaling \$37,171.64. (Voucher #16 for \$446,584.79 and Voucher #17 for \$415,999.02 were pulled by the Bookkeeper prior to this board meeting for further review.)

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

Vehicle Purchase for Code Enforcement Officer and Assessor: Reviewed recommended quote for light-duty pickup, State Contract. Councilman McIntyre read the specs aloud. There is \$4,800 in the budget. Would probably have to come up with \$16,000. Supervisor Price will explore the option of using fund equity, within our own funds, for the remainder needed, and there would be a loan that would need to be paid back. Discussion followed.

COMMITTEE/DEPARTMENT HEAD REPORTS:

ASSESSOR: Report submitted.

DOG CONTROL:

DCO Floyd Bronson announced that with Springtime coming, it is important for us all to remember that as we walk our dogs, they must be leashed. Also, rabies clinics are underway in local Towns. Complete listing is on the Town Clerk's counter.

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK
Resolution to Close the Dog Control Reserve Account
RESOLUTION #13-2013**

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

Offered By: Councilman West
Second By: Councilwoman Hawk-Shuler

WHEREAS, the Town has a Dog Control Reserve; and

IT IS HEREBY RESOLVED by the Town Board of the Town of Windsor, that the Dog Control Reserve monies be moved to cover expenses due to the New York State Department of Agriculture & Markets, through the following entries:

Appropriate Dog Control Reserve A872	\$3,400.00
Increase 2013 Budget	
A3510.4 Dog Control Contractual	\$3,400.00
A2771 Revenue – Miscellaneous Local Sources, Spay/Neuter Program	\$3,400.00

AND BE IT FURTHER RESOLVED, that the Dog Control Reserve A872 be closed.

Vote of the Board:

- AYE - Supervisor Price
- AYE - Councilman West
- AYE - Councilman Bates
- AYE - Councilwoman Hawk-Shuler
- AYE - Councilman McIntyre

Motion Approved.

Resolution Adopted: March 6, 2013

HIGHWAY: Councilman McIntyre spoke on behalf of Hwy Superintendent Kohlbach (who was absent from this meeting): Kohlbach would like the Board to consider purchasing sand again. We're in the last year of a 2-year contract with Boland's, and Kohlbach's wanting to lift the moratorium. Discussion followed. Supervisor Price called for a roll-call vote on: Whether the Board should set how many loads/yards should be purchased (prior to purchasing):

- Supervisor Price: AYE
- Councilman West: AYE
- Councilman McIntyre: OBSTAIN
- Councilman Bates: OBSTAIN
- Councilwoman Hawk-Shuler: AYE

Will discuss more at next Board meeting.

HISTORY: Paid off the cost of re-binding the *Historical Essays of Windsor* books. Any additional monies will go toward the Charles English Railroad Museum fund.

Councilman William McIntyre

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 6th day of March, 2013, the following resolution was

OFFERED BY: Councilman McIntyre

SECONDED BY: Councilman West

The Town Board (hereinafter "Town Board") of the Town of Windsor (hereinafter "Town"), duly convened in regular session, does hereby resolve as follows:

Section 1. The Town Board of the Town of Windsor hereby authorizes the Supervisor of the Town to retain Hawkins Delafield & Wood LLP to act as outside bond counsel and to prepare a borrowing resolution, borrowing documents and all other required and ancillary documents necessary to borrow an amount not to exceed Four Hundred Thousand Dollars (\$400,000.00), for the road stabilization project near 113 Seward Road in Windsor New York.

Section 2. This Resolution shall take effect immediately.

Vote of the Board:

Supervisor Carolyn W. Price - AYE

Councilman George B. West - AYE

Councilman Timothy Bates - AYE

Councilman Lesa Hawk-Shuler - AYE

Councilman William McIntyre - AYE

Motion Approved.

Resolution Adopted: March 6, 2013

Meeting of the Town Board of the

Town of Windsor, in the

County of Broome, New York

March 6, 2013

* * *

A regular meeting of the Town Board of the Town of Windsor, in the County of Broome, New York, was held at the Town Hall, 124 Main Street, Windsor, New York, on March 6, 2013.

There were present: Hon. Carolyn Price, Supervisor; and

Boardmembers: Councilman George B. West

Councilman William J. McIntyre

Councilman Timothy J. Bates

Councilwoman Lesa Hawk-Shuler

There were absent: none

Also present: Barbara Rajner Miller, Town Clerk

* * *

Resolution #15-2013

Councilman George B. West offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF WINDSOR, NEW YORK,
ADOPTED MARCH 6, 2013, AUTHORIZING THE CONSTRUCTION OF

CAPITAL IMPROVEMENTS IN CONNECTION WITH A ROAD STABILIZATION PROJECT NEAR 113 SEWARD ROAD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS NOT TO EXCEED \$400,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$400,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF WINDSOR, IN THE COUNTY OF BROOME, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Windsor, in the County of Broome, New York (herein called the “Town”), is hereby authorized to construct capital improvements in connection with a road stabilization project near 113 Seward Road, in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is not to exceed \$400,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of not to exceed \$400,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of not to exceed \$400,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper of the Town.

* * *

The adoption of the foregoing resolution was seconded by Councilman Timothy J. Bates, and duly put to a vote on roll call, which resulted as follows:

AYES: Supervisor Carolyn W. Price

Councilman George B. West
Councilman Timothy J. Bates
Councilman William J. McIntyre
Councilwoman Lesa Hawk-Shuler

NOES: None.

The resolution was declared adopted.

The Mine: A meeting with the other two parties is set for Monday 3/11/13, to show maps.

Motion By: Councilman West

Sec. By: Councilman McIntyre

To authorize the Supervisor to execute any necessary applications for renewal of mine application permit.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

NEW BUSINESS:

* **Annual Review of Disaster Emergency Preparedness Plan:** Discussion regarding responsibilities took place. Updates to *Town of Windsor Disaster Emergency Preparedness Plan* are as follows:

Pg 6. Town Supervisor Carolyn Price: Declare emergency, Oversee and coordinate operations. Inform media.

Deputy Supervisor George West: Relieve Supervisor as necessary, Operate Command Center, Assess road damage, Assist in hazard removal, Transportation.

Board Member William McIntyre: Human Services, Housing, Food.

Board Member Lesa Hawk-Shuler: Coordinate Communications Center, Radio and telephone, Alert public of disaster and evacuation.

Further discussion will take place at a Special Meeting.

Motion By: Councilman McIntyre

Sec. By: Councilwoman Hawk-Shuler

To advertise for a Special Meeting on March 27, 2013, at 7:00pm, to discuss Disaster Emergency Preparedness Plan.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

* **Clean Up Day:** May 11, 2013. Discussion on tire charge/cost of taking collected tires to the landfill.

Motion By: Councilman West

Sec. By: Councilman McIntyre

To charge \$2.00 per tire.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

* **Insurance Broker and Proposals:** Current broker is The Partners, insured through Reciprocal. We are looking for proposals from the current as well as The Conrad Agency and Acclaim Insurance Agency.

Motion By: Councilman West

Sec. By: Councilman Bates

To accept the application of Jonathan T. Launt for membership in the West Windsor Fire Company, Inc.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

UPCOMING MEETINGS:

- **Special Meeting: March 27, 2013 at 7:00pm, regarding Disaster Emergency Preparedness Plan, here at the Town Hall**
- **Regular Meeting: April 3, 2013 at 7:00pm**

PUBLIC COMMENTS:

(Supervisor Price read guidelines for public comment.)

- Code Enforcement Officer Dave Brown mentioned that the shelving in the justice's room in the basement is complete.
- Supervisor Price recognized Councilman McIntyre for assisting with recent heating issues at the Town Hall. Councilman McIntyre mentioned that there is further work which needs to be done on the heating system (breaking the loops up), and that he and Roger Peet will do all the labor at no cost to the Town. They will wait until the weather is better before getting started. Supervisor Price reminded Councilman McIntyre that Leatherstocking will be coming through soon with natural gas, and to consider planning ahead with any changes.
- Councilman McIntyre mentioned that he would like to look into having a Wall of Honor Plaque for the back room honoring retired highway workers.

Motion By: Supervisor Price Sec. By: Councilwoman Hawk-Shuler

To look into the cost of a Wall of Honor Plaque which would hold the names of retired hwy workers.

Vote of the Board:

Supervisor Price - AYE

Councilman West - OBSTAIN

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - OBSTAIN

Motion Approved.

ADJOURNMENT:

Motion By: Councilwoman Hawk-Shuler

Sec. By: Councilman Bates

To adjourn the meeting at 8:38pm.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE

Councilman Bates - AYE

Councilwoman Hawk-Shuler - AYE

Councilman McIntyre - AYE

Motion Approved.

Respectfully Submitted,

Barbara Rajner Miller, Windsor Town Clerk