

Councilman Bates - AYE
Councilwoman Hawk-Shuler - AYE
Councilman McIntyre - AYE

Motion Approved.

Supervisor Price distributed the financing schedule for the Seward Road Project. Price mentioned that the Bond Anticipation Note for this project will be sold tomorrow at 11:00am. It's being done through Fiscal Advisors. The delivery of the Note's proceeds will be on April 15th. Price wants to make the Board aware that the Town is in the process of checking with all local banks on the amount of interest on the checking and savings accounts.

From the last Board Meeting, Supervisor Price was to look into whether the Town can borrow from ourselves (to purchase the vehicle for Code Enforcement Officer/Assessor). She spoke with the external auditor, and that is not allowed, per NYS law. Options are: the use of *fund balance*, and then try to build it back up, or to borrow the money. Besides this vehicle, the Town is looking for a used vehicle for the Dog Control Officer. When we add the two together, the Town should probably look at borrowing. Discussion was had. Consensus was with the option of borrowing the money. DCO Bronson and Councilman McIntyre are going to line up the DCO vehicle, and the Code/Assessor vehicle is on State Bid.

COMMITTEE/DEPARTMENT HEAD REPORTS:

ASSESSOR: Report submitted.

DOG CONTROL: None.

HIGHWAY: Hwy Superintendent Kohlbach reported that the Town will be getting another \$60,000 for CHIPS. The loader can go out for bid next month, which is on State Contract. We'll get a price to swap it. The new one will come in July.

HISTORY: Next Tuesday, our History group will meet with the historians from Colesville and Afton regarding an idea for a pamphlet that will trace the history of the towns along the Susquehanna River, from Afton down to the PA border. For the Window on the Arts Festival this year, the History group is going to focus on early artifacts from the Upper Susquehanna River Valley. There will be a meeting tomorrow at the Community House.

TOWN CLERK/TAX COLLECTOR/REGISTRAR: Report submitted.

TOWN HALL: Councilman McIntyre asked if the History Group could mark which file cabinets are to be removed and taken to "Clean-Up Day." The drawers on these do not open. Ms. Ruggieri will mark them.

WASTEWATER TREATMENT PLANT: Councilman Bates mentioned that several "neighbors" expressed interest in being on the West Windsor Wastewater Treatment Plant Advisory Group. The Advisory Group will meet at the Town Hall on April 22, 2013, at 7:00pm to give an overview of what that group will be doing.

Supervisor Price distributed a Task Authorization analysis packet from Upstate Laboratories, Inc, which shows that the treatment plant is not meeting the influent/effluent limits set by DEC. We need to correct these. The next step might be fines. Supervisor Price reviewed the initial consultation packet with the Board.

Motion By: Supervisor Price

Sec. By: Councilwoman Hawk-Shuler

To approve the contract, pending legal counsel, with a maximum of 16 hours at the stated rate, with direct costs and zero percent markup.

Vote of the Board:

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

Motion Approved.

YOUTH & RECREATION: Councilwoman Hawk-Shuler read the report which was submitted.

Councilman McIntyre - NAY

Motion Approved.

- * Supervisor Price reminded the applicants that this position is an elected position. The person that the Board appoints (to fill the remainder of Bowman's term, until 12/31/13) will have to run at the next election, for a four-year term. The training for the new Justice will be next week, in Albany, for six days.
- * Code Enforcement Officer Brown escorted the three applicants to another room in the Town Hall. Supervisor Price explained that the applicants drew numbers for the order of placement for individual interviews for the open justice position. Order of interviews:
 1. Thomas M. Skinner
 2. William P. Tully
 3. Frederick R. Xlander
- * Supervisor Price asked the public not to interject at the time of interviews.
- * Supervisor Price explained that each of the Boardmembers is going to ask each applicant one question.

At 8:33pm:

Motion By: Councilman West

Sec. By: Councilman McIntyre

To go into Executive Session regarding the appointment of the Town of Windsor Justice.

Vote of the Board:

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

Motion Approved.

Attorney Sacco mentioned that the three applicants will not be going into Executive Session.

At 8:51pm:

Motion By: Councilman Bates

Sec. By: Councilwoman Hawk-Shuler

To come out of Executive Session.

Vote of the Board:

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

Motion Approved.

- * Resignation of Justice Jon Bowman, effective at the close of business on April 7, 2013.

Motion By: Supervisor Price

Sec. By: Councilman McIntyre

To accept the resignation, with regret.

Vote of the Board:

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

Motion Approved.

- * Councilman West stated: "Mr. Bowman really brought our court back to life...I hate to see the man leave."

Motion By: Supervisor Price

Sec. By: Councilman McIntyre

To add Justice Bowman's name to the plaque in the courtroom.

Vote of the Board:

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

Motion Approved.

Motion By: Councilman West

Sec. By: Councilman McIntyre

To accept William P. Tully as Justice, effective April 8, 2013.

Vote of the Board:

Supervisor Price - AYE

Councilman West - AYE
 Councilman Bates - NAY
 Councilwoman Hawk-Shuler - NAY
 Councilman McIntyre - AYE

Motion Approved.

- * Supervisor Price congratulated Mr. Tully.
- * William P. Tully took the Oath of Office for position of Town of Windsor Justice, as administered by Town Clerk Barbara Rajner Miller.
- * The Board thanked the other two applicants.

Motion By: Councilwoman Hawk-Shuler

Sec. By: Councilman Bates

To accept the application of Brandon L. Andrews, for membership into the West Windsor Fire Company.

Vote of the Board:

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

Motion Approved.

**TOWN OF WINDSOR, COUNTY OF BROOME, STATE OF NEW YORK
 STANDARD WORK DAY & REPORTING RESOLUTION
 RESOLUTION #17-2013**

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

OFFERED BY: Councilman West

SEC. BY: Councilman McIntyre

Standard Work Day and Reporting Resolution

BE IT RESOLVED, THAT THE Town of Windsor hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

<u>TITLE</u>	<u>NAME</u>	<u>REG #</u>	<u>Standard WORK DAY</u>	<u>Term</u>	<u>Participates in Time Card System</u>	<u>Total HRS</u>	<u>DAYS/ MTH</u>	<u># Of Months</u>	<u>HRS/MT H</u>
HIGHWAY SUPER.	RICHARD KOHLBACH	356490 29	8	01/01/13- 12/31/14	N	489	20.38	3	163
COUNCILMAN	TIMOTHY BATES	503103 90	6	01/01/11- 12/31/14	N	54	3	3	18
TOWN CLERK	BARBARA R. MILLER	426329 84	6	01/01/13- 12/31/14	N	359	19.95	3	119.67
CODE ENFORCER	DAVID E. BROWN	431457 70	6	01/01/13- 12/31/13	N	365	20.28	3	121.67
COUNCILWOMAN	LESA HAWK- SHULER	* *	6	01/01/13- 12/31/16	N	96.5	5.36	3	32.17

* in process of joining.

Vote of the Board: Supervisor Carolyn W. Price - AYE
 Councilman George B. West - AYE
 Councilwoman Lesa Hawk-Shuler - OBSTAIN
 Councilman Timothy J. Bates - OBSTAIN
 Councilman William J. McIntyre - AYE

Motion Approved.
 Resolution Adopted: April 3,
 2013

Town of Windsor, County of Broome, State of New York
RESOLUTION AUTHORIZING THE SETTLEMENT
OF CERTAIN LITIGATION

Resolution #18-2013

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

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 3rd day of April, 2013, the following resolution was

OFFERED BY: Councilwoman Hawk-Shuler

SECONDED BY: Councilman George B. West

WHEREAS, the Town of Windsor was the party to a litigation ("In the Matter of the Application of Verizon of New York Inc., (formerly, New York Telephone Company), vs. The Assessor, Board of Assessment Review and the Town of Windsor, New York") with an Index Number of 2012- 1568,

WHEREAS, a settlement of the matter was proposed, as per the attached consent order and stipulation;

NOW THEREFORE, BE IT RESOLVED that upon the recommendation of the Assessor and the Attorney for the Town, that the Windsor Town Board, after due deliberation, finds it in the best interest of the Town to proceed with the attached agreement.

RESOLVED, that the Attorney for the Town is expressly authorized to execute the attached.

RESOLVED, 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: April 3, 2013

Town of Windsor, County of Broome, State of New York
RESOLUTION AUTHORIZING THE FILING OF A CERTIFICATE WITH THE SECRETARY OF
STATE, DESIGNATING THE SECRETARY OF STATE AS AGENT FOR SERVICE OF A NOTICE OF
CLAIM

Resolution #19-2013

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

Offered By: Councilman Bates Secoded By: Councilman McIntyre

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

WHEREAS, the New York State Senate has passed, and the New York State Governor has signed into effect, the Uniform Notice of Claim Act (hereinafter the "Act").

WHEREAS, Section Six (§6) of the Act amends the General Municipal Law by adding a new Section Fifty-Three (§53), effective June 15, 2013.

WHEREAS, New York General Municipal Law Section Fifty-Three, Subsection Two (§53(2)) requires that all public corporations, who are entitled to service of notice of claim as a condition precedent to commencement of an action or proceeding shall, file a certificate with the Secretary of State designating the Secretary as agent for service of a notice of claim.

WHEREAS, the Town of Windsor must file such certificate with the Secretary of State no later than thirty (30) days of the date upon which General Municipal Law, Section Fifty-Three (53) took effect.

NOW, THEREFORE, the Town Board of the Town of Windsor duly convened in regular session, does hereby resolve as follows:

Section 1. The Town Clerk of the Town of Windsor be and he/she hereby is directed and empowered to forward to the New York State Secretary of State a Certificate, pursuant to General Municipal Law section fifty-three (GML §53), designating the Secretary of State as agent for service of a notice of claim where a notice of claim is required by law as a condition precedent to the commencement of an action or special proceeding against the Town of Windsor, or any officer, appointee or employee.

Section 2. This Resolution shall take effect immediately.

Resolution Adopted: April 3, 2013

**CERTIFICATE
DESIGNATION OF THE NEW YORK STATE SECRETARY OF STATE AS OF AGENT FOR NOTICE
OF CLAIM**

The Town Board of the Town of Windsor hereby designates the New York State Secretary of State as an agent for service of a notice of claim, pursuant to New York General Municipal Law Section Fifty-Three, Subsection Two (§53(2)).

In any case founded upon tort where a notice of claim is required by law as a condition precedent to the commencement of an action or special proceeding against the Town of Windsor, or any officer, appointee or employee thereof, the notice of claim shall comply with and be served in accordance with the provisions of General Municipal Law Section fifty-e (§50-e) within ninety days after the claim arises; except that in wrongful death actions, the ninety days shall run from the appointment of a representative of the decedent's estate.

All notices of claim received by the Secretary of State, as agent for service upon our public corporation, shall be transmitted to the **Windsor Town Clerk** as officer, person, designee, nominee, or other agent-in-fact for the Town of Windsor, located at 124 Main St., Windsor, NY 13865.

UPCOMING MEETINGS:

The next meeting is on May 1, 2013, at the West Windsor Fire Station at 7:00pm, preceeded by a tour of the West Windsor Wastewater Treatment Plant at 5:45pm.

PUBLIC COMMENTS:

(Supervisor Price read guidelines for public comment.)

Sue Rambo wished Supervisor Price a Happy Birthday.

ADJOURNMENT:

Motion By: Councilman West

Sec. By: Councilman McIntyre

To adjourn the meeting at 9:04pm.

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