

**MEETING MINUTES
of the Village of Windsor, N.Y.
107 Main Street
Windsor, NY 13865
March 5, 2019**

Present:	Mayor:	Ronald G. Harting
	Trustee	James W. Miller
		Eileen Shelp-Olmstead
		Thomas M. Skinner
		Robert E. West
	Clerk/Treasurer:	Patricia L. Harting
	Streets & Water Suptdnt:	David M. Decker
	Code Enforcement:	Gary Post
	Grant Writer:	Steven Contento
	Attendees:	4

Call to Order: **Time:** 7:00 P.M.
 By: Mayor Ronald G. Harting

Pledge of Allegiance

Welcome

Public Comment - Village residents RuthAnn Seward and Joan Bobier were present. Chris Zacharias from EBES was present and resident/garage owner Steven English were present.

7:05 P.M. - Public Hearing for Local Law #1-2019 - Resident Joan Bobier was present to ask questions on what this law is about. RuthAnn asked who is responsible for a violation sent, the tenant or the homeowner. Gary stated both.

Resolution #9-2019

RESOLUTION NO.9-2019

**VILLAGE OF WINDSOR
A RESOLUTION APPROVING LOCAL LAW NO.1-2019**

At a regular meeting of the Village Board of the Village of Windsor, held at the Community House, 107 Main Street, Windsor, New York on the 5th day of March, 2019, the following resolution was offered and seconded:

WHEREAS, the Village of Windsor scheduled a public hearing for March 5, 2019 at 7:05 p.m. for Local Law No.1 of the Year 2019 entitled "A LOCAL LAW AMENDING CHAPTER 107 REGARDING FEES FOR VIOLATIONS OF THE GARBAGE, RUBBISH, REFUSE AND RECYCLABLES REGULATIONS"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk's signboard; and

WHEREAS, said public hearing was duly held at the Community House, 107 Main Street, Windsor, New York on the 5th day of March, 2019 at 7:05 p.m. and all parties in attendance were permitted opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Village Board that adoption of the proposed Local Laws constitutes a Type II Action as defined under 6 NYCRR ;617.5(26) and (33); and

WHEREAS, the Village Board, after due deliberation, finds it is in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Windsor hereby adopts Local Law No.1-2019 entitled “A LOCAL LAW AMENDING CHAPTER 107 REGARDING FEES FOR VIOLATIONS OF THE GARBAGE, RUBBISH, REFUSE AND RECYCLABLES REGULATIONS”, a copy of which is attached hereto and made a part hereof; and it is further

RESOLVED that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting, to give due notice of the adoption of said Local Law to the Secretary of State, and to publish notice of the adoption of this Local Law; and it is further

RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

Offered by: Eileen Shelp-Olmstead
2nd by: James W. Miller
Vote: **AYE** - Mayor Ronald G. Harting
AYE - Trustee James W. Miller
AYE - Trustee Eileen Shelp-Olmstead
AYE - Trustee Thomas M. Skinner
AYE - Trustee Robert E. West

Resolution effective March 5, 2019

LOCAL LAW NO.1 OF THE YEAR 2019

A LOCAL LAW AMENDING CHAPTER 107 REGARDING FEES FOR VIOLATIONS OF THE GARBAGE, RUBBISH, REFUSE AND RECYCLABLES REGULATIONS

Be it enacted by the Board of Trustees of the village of Windsor as follows:

Section 1. Amendment to Chapter 107 of the Village of Windsor Code

Chapter 107 of the Village Code of the Village of Windsor shall hereby be amended by inserting a new section as follows:

§107-12. Inspection Fees for Repeat Offenders.

- A. This section applies to any person, firm or corporation receiving multiple notices of violation or orders to remedy in a twelve-month period for a violation of this chapter.
- B. Any person, firm or corporation receiving multiple notices of violation or orders to remedy within a twelve-month period shall be subject to an inspection fee as set forth in the fee schedule below:
 - (1) First notice of violation or order to remedy received: no charge.
 - (2) Second notice of violation or order to remedy received: inspection fee of \$100
 - (3) Third notice of violation or order to remedy received: inspection fee of \$150
 - (4) Fourth notice of violation or order to remedy received: inspection fee of \$200.
 - (5) Fifth or more notice of violation or order to remedy received: inspection fee of \$500.
- C. The inspection fees prescribed above shall be billed directly to the tenant or owner, as the case may be, and a copy mailed to the owner and/or contact person/agent of the property. Inspection fees shall be increased 25% when not paid within 30 days after

initial billing, to cover administrative costs. This subsection shall not be considered the exclusive method of collecting inspection fees and shall not preclude collection by other lawful methods. If unpaid after 30 days, the costs may be added to and collected in the same manner as real property taxes.

- D. Every notice of violation or order to remedy shall contain a clear and conspicuous explanation of the policy in this section requiring fees for inspections or a copy of this section.
- E. The Village Board may waive an inspection fee in case of error, mistake, injustice or other good cause.

7:10 P.M. - Public Hearing for Local Law #2-2019 – No comments

Resolution #10-2019

RESOLUTION NO.10-2019

**VILLAGE OF WINDSOR
A RESOLUTION APPROVEING LOCAL LAW NO.2-2019**

At a regular meeting of the Village Board of the Village of Windsor, held at the Community House, 107 Main Street, Windsor, New York on the 5th day of March, 2019, the following resolution was offered and seconded:

WHEREAS, the Village of Windsor scheduled a public hearing for March 5, 2019 at 7:05 p.m. for Local Law No.2 of the Year 2019 entitled “A LOCAL LAW AMENDING CHAPTER 197 REGARDING VIOLATIONS AND FEES FOR VIOLATIONS OF THE WEEDS, GRASS AND OBJECTIONABLE VEGETATION REGULATIONS”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk’s signboard; and

WHEREAS, said public hearing was duly held at the Community House, 107 Main Street, Windsor, New York on the 5th day of March, 2019 at 7:10 p.m. and all parties in attendance were permitted opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act, it has been determined by the Village Board that adoption of the proposed Local Laws constitutes a Type II Action as defined under 6 NYCRR 617.5(26) and (33); and

WHEREAS, the Village Board, after due deliberation, finds it is in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Windsor hereby adopts Local Law No.1-2019 entitled “A LOCAL LAW AMENDING CHAPTER 197 REGARDING VIOLATIONS AND FEES FOR VIOLATIONS OF THE WEEDS, GREASS AND OBJECTIONABLE VEGETATION REGULATIONS”, a copy of which is attached hereto and made a part hereof; and it is further

RESOLVED that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting, to give due notice of the adoption of said Local Law to the Secretary of State, and to publish notice of the adoption of this Local Law; and it is further

RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

Offered by: Eileen Shelp-Olmstead
2nd by: James W. Miller
Vote: **AYE** - Mayor Ronald G. Harting
AYE - Trustee James W. Miller
AYE - Trustee Eileen Shelp-Olmstead
AYE - Trustee Thomas M. Skinner

Resolution effective March 5, 2019

LOCAL LAW NO.2 OF THE YEAR 2019

**A LOCAL LAW AMENDING CHAPTER 197 REGARDING
VIOLATIONS AND FEES FOR VIOLATIONS OF THE WEEDS,
GRASS AND OBJECTIONABLE VEGETATION REGULATIONS**

Be it enacted by the Board of Trustees of the village of Windsor as follows:

Section 1. Amendment to Chapter 197-3 of the Village of Windsor Code

Chapter 197 of the Village Code of the Village of Windsor shall hereby be amended by deleting Section 197-3 and replacing it with the following:

§197-3. Penalties for Offenses

Any person committing an offense against any provision of this chapter shall be guilty of a violation punishable as follows: by imprisonment for a term not exceeding 15 days, by a fine not exceeding \$250, by a sentence of community service or restitution or by a combination thereof. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

Section 2. Amendment to Chapter 197 of the Village of Windsor Code

Chapter 197 of the Village Code of the Village of Windsor shall hereby be amended by inserting a new Section 197-4 as follows:

§197-4. Inspection Fees for Repeat Offenders.

- A. This section applies to any person, firm or corporation receiving multiple notices of violation or orders to remedy in a twelve-month period for a violation of this chapter.
- B. Any person, firm or corporation receiving multiple notices of violation or orders to remedy within a twelve-month period shall be subject to an inspection fee as set forth in the fee schedule below:
 - (1) First notice of violation or order to remedy received: no charge.
 - (2) Second notice of violation or order to remedy received: inspection fee of \$100
 - (3) Third notice of violation or order to remedy received: inspection fee of \$150
 - (4) Fourth notice of violation or order to remedy received: inspection fee of \$200.
 - (5) Fifth or more notice of violation or order to remedy received: inspection fee of \$500.
- C. The inspection fees prescribed above shall be billed directly to the tenant or owner, as the case may be, and a copy mailed to the owner and/or contact person/agent of the property. Inspection fees shall be increased 25% when not paid within 30 days after initial billing, to cover administrative costs. This subsection shall not be considered the exclusive method of collecting inspection fees and shall not preclude collection by other lawful methods. If unpaid after 30 days, the costs may be added to and collected in the same manner as real property taxes.
- D. Every notice of violation or order to remedy shall contain a clear and conspicuous explanation of the policy in this section requiring fees for inspections or a copy of this section.
- E. The Village Board may waive an inspection fee in case of error, mistake, injustice or other good cause.

EMS President Chris Zacharias was present. Chris sent us a report for February. There were 91 calls. 6 calls were in the Village, 30 were in the Town of Windsor, 15 in the Village of Deposit, 8 in the Town of Deposit, 7 in the Town of Sanford and 25 mutual aid given in Afton, City of Binghamton, Colesville, Conklin, Fenton, Kirkwood and Susquehanna. There were 74 responses, 12 no responses and 5 cancelled. For the last contract year, the Village had 72 calls and an additional 9 calls they were not able to answer for a total of 81 in the Village of Windsor. Chris stated that they have had a lot of vehicle expenses. They may have to get a used one to get them through this time until they can get the grant. Steve has been working on that and right now the grant is in Albany. Chris stated that moving forward, they need to get the Town of Windsor to contribute. The ambulance sits in Windsor almost all the time and yet the Town of Deposit and Sanford pay most in their contract. Chris stated that most calls are in the Town of Windsor and they don't contribute. Chris stated that he will be asking for help from the contributing municipalities to speak with the Town of Windsor to get them on board. Chris stated that the state is cutting back some of their funding

Code Enforcement Report, Gary Post present - 1) All the State and County reports have been filed for the year. Thank God. 2) The deli is coming along nice. They are doing a phenomenal job. 3) We went out the violations for house maintenance. We haven't heard back from them yet. 4) We need to speak to the attorney for the Planning and Zoning Board training. The mayor will get in touch with our attorney.

Grant Writer Report, Steve Contento present - 1) Steve is still working on the ambulance grant. 2) Steve will be calling the USDA regarding the E-account that is now set up. 2) He met with the Community Foundation for a grant for the roof at the museum. 3) He's working with Diane on a grant for the library for the purchase of books. 4) Steve suggested that he and Chris Zacharias work together on a letter to go the town asking for them to contribute for the ambulance service.

Attorney's Report - A report was submitted. 1) Trustee Jim asked if we have heard back from the factory in the park. No. The mayor said we may want to follow up with another letter.

Motion: to accept the Attorney's report

By: Robert E. West
2nd: James W. Miller
Vote: AYE - All

Streets Report, David Decker present - 1) We are a little over our minimum for salt. 2) We will be meeting with Broome Bituminous for streets that need paving. David did a listing of streets that are eligible for paving with the ones he felt should be considered to be paved this year. Lower Chestnut and lower Kent should be done. Edwards Street is getting rough also. He will have them give prices on the ones highlighted. 3) United Construction may be here at the end of March to paint, weather depending. 4) The spinner bearing seized up last storm. We had to order a whole new assembly. It is in and works great. 5) We had to put a new transmission pan on the dump truck. The whole bottom was rusted and leaking. 6) The furnace blower motor broke at the pumphouse. It has been replaced.

Water Report, David Decker present - 1) Don Colpitts' meter was sent out to be tested. Clerk Patti will send a letter to him regarding the payment. 2) A handful of residents had leaks internally this summer. 3) David had to take a class to get enough credits to renew his water license as he missed a class when they were running the water line for the Town Highway Department. 4) The SRBC is moving forward. It should be approved this month. We need to replace the master meter at our shop every 5 years. 5) Evans is coming tomorrow to look at the vault.

Treasurer’s Report, Patricia Harting present - A report was presented.

Motion: to accept the Treasurer’s Report

By: Thomas M. Skinner
2nd: Eileen Shelp-Olmstead
Vote: AYE - All

Accept Meeting Minutes of February 5, 2019

By: James W. Miller
2nd: Robert E. West
Vote: Aye - All

Resolution #8-2019

**RESOLUTION NO.8-2019
RESOLUTION AMENDING ANNUAL
VILLAGE BUDGET FOR 2018/2019**

WHEREAS, the Village Board entered into an agreement with Windsor Emergency Services; and

WHEREAS, the Windsor Emergency Services will be purchasing diesel for their vehicles from the Village Streets Department at State Bid price; and

WHEREAS, Windsor Emergency Services is billed monthly for diesel purchased by the village; and

WHEREAS, the Village Street Superintendent keeps record of all diesel pumped electronically and the clerk sends them a bill on or about the 1st of each month;

AND WHEREAS, the following payments were made to the Village for diesel in October for \$1289.72, in November for \$1202.80, in December \$1005.22 and in January \$1074.02 for a total of \$4571.76;

THEREFORE, monies spent from streets need to be reimbursed from the monies paid

Estimated Revenues	A510	\$ 4,571.76	
Subsidiary Account		A2188-Ambulance diesel	\$ 4,571.767
Estimated Appropriations	A960	\$ 4,571.76	
Subsidiary Account		A5110.4-Streets Dept.	\$ 4,571.76

NOW, THEREFORE, BE IT RESOLVED, that said budget as amended, is hereby adopted and established as the amended annual budget for this Village for the fiscal year beginning March 1, 2018.

Offered by: Thomas M. Skinner
2nd by: Robert E. West
Vote: **AYE** - Mayor Ronald G. Harting
AYE - Trustee James W. Miller
AYE - Trustee Eileen Shelp-Olmstead
AYE - Trustee Thomas M. Skinner
AYE - Trustee Robert E. West

Resolution effective March 5, 2019

Reports of Committees:
Code Enforcement Committee - No report

Community House Committee - No report
Fire Company Committee - No report
Parks Committee - No report
Pool Committee - No report
Streets & Water Committee - No report

JF AUTO - Steve English from JF Auto was present to discuss a violation that was sent to him regarding the vehicles in his repair shop. Steve stated that the blue truck and the white car owner is removing them. He has 2 vehicle that are unlicensed and he will not get rid of them until they are paid. DEC has been there twice and they have no issues that are a problem. There are a lot of personal issues that are surrounding this matter. Steve will take care of the vehicles he can but he will have to deal with some of the issues personally. Mayor Ron stated that we sent the neighbor a response stating that we cannot be the police for an auto repair shop.

Motion: to pay bills as authorized by vouchers signed by board members

By: James W. Miller
2nd: Eileen Shelp-Olmstead
Vote: Aye – All

Motion: to adjourn at 8:32 P.M.

By: James W. Miller
2nd: Eileen Shelp-Olmstead
Vote: Aye - All

Respectfully Submitted,

Patricia L. Harting, Village Clerk / Treasurer