

**MEETING MINUTES
of the Village of Windsor, N.Y.
107 Main Street
Windsor, NY 13865
July 5, 2016**

Present: Mayor: Ronald G. Harting
Trustee Robert Bennett
Eileen Shelp-Olmstead, absent
Thomas M. Skinner
Robert E. West
Clerk/Treasurer: Patricia L. Harting
Streets & Water Suptdnt: David M. Decker
Code Enforcement: Gary Post
Attendees: 3

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

Pledge of Allegiance

Welcome

Public Comment - Elaine Card, Jerry Redmond and Sue Rambo were present to discuss the Partnership's Fun Day at the Park. They wanted to know if they could have the concession open so they could get water and also to use the bathrooms from 8am to 3pm. They were instructed to get in touch with either Rhea Deyo or Lisa Goetz. They discussed all the activities that will be going on such as a chicken barbeque by the Windsor Fire Company, a 5K run, carnival games and a duck race.

Resolution #18-2016

**RESOLUTION NO.18-2016
RESOLUTION APPROVING LOCAL LAW NO.1-2016**

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 July, 2016, the following resolution was offered and seconded:

WHEREAS, the Village of Windsor scheduled a public hearing for July 5, 2016 at 7:15 p.m. for Local Law No. 1 of the Year 2016 entitled "A ZONING LOCAL LAW FOR THE REGULATION OF SIGNS"; and

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

WHEREAS, said public hearing was duly held at the Community House, 107 Main Street, Windsor, New York on the 5th day of July, 2016 at 7:15 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Village Board referred the Local Law to the Broome County Planning Board for review, and they provided their comments and recommendations; and

WHEREAS, the Village Board referred the Local Law to the local Planning Board for review, and they have recommended approval of the same; and

WHEREAS, that pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Windsor that adoption of the proposed Local Law constitutes an Unlisted Action, as defined under said regulations. The Village Board has considered the possible environmental impacts of the Local Law. The adoption of said Local Law will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the Local Law; and

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

NOW, THEREFORE, BE IT RESOLVED that the Village Board hereby adopts said Local Law as Local Law No. 1-2016 entitled “A ZONING LOCAL LAW FOR THE REGULATION OF SIGNS”, a copy of which is attached hereto and made a part hereof; and

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

RESOLVED that this resolution will take effect immediately.

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

Resolution effective July 5, 2016

VILLAGE OF WINDSOR LOCAL LAW NO.2 OF THE YEAR 2016

A LOCAL LAW FOR THE REGULATION OF SIGNS

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

Section 1. Repeal of Chapter 159 of the Village of Windsor Code

The Village Code of the Village of Windsor shall hereby be amended by deleting Chapter 159 in its entirety.

Section 2. Amendment to Section 200-2 of the Village of Windsor Zoning Code

The Zoning Code of the Village of Windsor shall hereby be amended by inserting the following definitions:

SIGN – Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or project images. “Sign” does not include the flag of any nation, organization of nations, state or city, or fraternal, religious or civic organizations. “Sign” does not include merchandise, pictures or models of products or services incorporated in a window display; works of art which in no way identify a product; or scoreboards located on athletic fields. It is understood that a sign may have multiple designations such that, for example, a sign may qualify as both a “Business Sign” and a “Ground Sign” depending upon the circumstance.

SIGN, ADVERTISING – A sign which directs attention to a business, industry, profession, commodity, service or entertainment not sold or offered upon the same premises where the sign is located.

SIGN, BUSINESS – A sign which directs attention to a business, industry, profession, commodity, service or entertainment sold or offered upon the premises where the sign is located.

SIGN, DIRECTIONAL OR INFORMATIONAL – A sign which is non-illuminated and may be used for the purpose of stating the name or location of public buildings, hospital, community center, church or school or the name or place of meeting of an official or civic organization. No advertising or business matter shall be contained on signs of this type.

SIGN, GROUND – Any sign not attached to a building or other structure.

SIGN, POLITICAL – Any temporary sign which displays the name and/or picture of any individual seeking election or appointment to a public office, or pertaining to a forthcoming public election or referendum, or pertaining to or advocating political views or policies.

SIGN, PROJECTING – A sign which is attached to the wall of a building or structure and which extends beyond the surface of such wall a distance greater than 12 inches. Projecting signs shall include marquees.

SIGN, ROOF – A sign constructed or supported upon the roof of a building or structure.

SIGN, SPECIAL EVENT – A nonpermanent sign used to direct attention to private events, such as bingo games, a fair, parade, carnival, garage sale or similar events.

SIGN, WALL – A sign which is attached to or painted on the wall of a building or structure and which does not extend beyond the surface of such wall a distance greater than 12 inches.

SIGN, WINDOW – A permanent sign affixed to a window surface or in front of or behind a window in such a manner that the window acts as its frame or background.

Section 3. The Addition of Article XIII to the Village of Windsor Zoning Code

The Zoning Code of the Village of Windsor shall hereby be amended by adding Article XIII as follows:

**ARTICLE XIII
Signs**

No Sign shall be permitted in any zoning district except as set forth in this Article.

§200-57 Sign Permits.

A. No Sign shall be erected, constructed, enlarged, altered or relocated unless a sign permit has first been issued by the Code Enforcement Officer.

B. All applicants for sign permits shall submit the following information:

- 1) The name, address and telephone number of the applicant and a letter of permission to erect the Sign from the owner of the premises on which the Sign will be located if other than the applicant.
- 2) A description of the type, size, height, location and proposed setbacks of the Sign.
- 3) A description of the method of construction and/or placement of the Sign.
- 4) A drawing of the plans and specifications for the Sign.
- 5) The name, address and telephone number of any person, firm, corporation or association who will erect the Sign.
- 6) Any electrical permit required and issued for the Sign.
- 7) At the discretion of the Code Enforcement Officer, a copy of stress sheets and calculations showing that the Sign structure is designed for load and wind pressure.
- 8) Such other information that the Code Enforcement Officer may reasonably require to demonstrate compliance with this Article.

C. Notwithstanding the requirements of subsection A of this section, no sign permit or fee shall be required for the erection, construction, enlargement, alteration or relocation of the following Signs:

- 1) Special Event Signs, provided that such Special Event Signs are no more than 12 square feet in area, are placed on the property holding the event or in a commercial or industrial zoning district. Special Event Signs may be erected no more than 14 days before the event commences and must be removed no more than 3 days after the event ends. Special Event Signs shall conform to the height, setback and size requirements detailed in this Article.
- 2) Political Signs, provided that such Political Signs comply with the requirements of Section 200-62 of this Article.

§ 200-58 Sign Permit Fees.

The Village Board of Trustees shall, by Resolution, set and establish the fee for a permit for the erection, construction, enlargement, alteration or relocation of Signs.

§200-59 Signs in the RA and RB Districts.

Signs shall not be allowed in the RA and RB districts, except as provided in this Section.

A. Business Signs. The Code Enforcement Officer may issue a sign permit for a Business Sign in the RA and RB districts only as follows:

- 1) One Business Sign, not to exceed 2 square feet in area, erected in conjunction with a Customary Home Occupation.
- 2) One Business Sign, not to exceed 6 square feet in area, to announce for sale or rent real property upon which said Business Sign is located. Such Business Sign shall be removed within 7 days after the sale, closing, rental or leasing of the property.
- 3) One Business Sign, not to exceed 12 square feet in area, for each hotel, motel, bed-and breakfast establishment or Multiple Dwelling Unit with 6 or more units.
- 4) One Business Sign, not to exceed 16 square feet in area, for each church or similar place of worship, cemetery, private school, hospital, library, philanthropic or eleemosynary institution, trailer park, or public park, playground or recreation area.
- 5) One Business Sign, not to exceed 36 square feet in area, serving as a temporary real estate development sign, directing attention to the opening of a new subdivision of 3 or more lots. A Sign Permit issued for such purpose shall not exceed 6 months in duration and may be renewed upon application.
- 6) One Business Sign for each professional office. Such Business Sign shall not exceed 24 square feet in area or 6 square feet per 4,000 square feet of lot area, whichever is less.

B. Advertising Signs. No Advertising Signs shall be allowed in the RA and RB districts.

C. Directional or Informational Signs. The Code Enforcement Officer may issue a sign permit for a Directional or Informational Sign in the RA and RB districts, not to exceed 2 square feet in area.

D. Special Event Signs. Special Event Signs in the RA and RB districts shall not exceed 2 square feet in area.

E. Political Signs. Political Signs shall be allowed in the RA and RB districts as set forth in Section 200-62 of this Article.

F. Specifications. Any Sign, except for Political Signs, permitted in a RA or RB district shall conform to the following specifications:

- 1) No more than one Sign shall be allowed per building lot.

- 2) No Sign shall be allowed closer than 8 feet to any lot line.
- 3) No Ground Sign shall be constructed to a height greater than 8 feet.
- 4) No Window Sign shall exceed more than 15% of the window area.
- 5) Wall Signs and Projecting Signs placed in the vertical space between windows may not exceed in height more than two-thirds of the distance between the top of a window and the sill of the window above or major architectural details related thereto. If a building consists of two or more stories, Wall Signs and Projecting Signs may not extend above the second story. A Wall Sign or Projecting Sign shall not extend over the roof line.
- 6) No Roof Signs shall be allowed.
- 7) No flashing or illuminated Sign shall be allowed.
- 8) All Signs shall be located so as not to be in the line of vision of traffic control signals.

§200-60 Signs in the RA/C, C, D and I Districts.

Signs shall not be allowed in the RA/C, C, D and I districts, except as provided in this Section.

- A. Business Signs. The Code Enforcement Officer may issue a Sign Permit for a Business Sign in the RA/C, C, D and I districts only as follows:

- 1) No more than 3 Business Signs shall be allowed on a lot.
- 2) No more than 1 Wall Sign or Projecting Sign shall be allowed per principal building on a lot. However, if the lot is a corner lot and the principal building faces the frontage of two streets, no more than 2 Wall Signs or Projecting Signs shall be allowed on such corner lot. The maximum size of a Wall Sign shall neither exceed 25% of the wall area nor be greater than 72 square feet in area. Unused area from one side of a building may not be added to another side of the building. The maximum size of a Projecting Sign shall not exceed 8 square feet in area. Wall Signs or Projecting Signs placed in the vertical space between windows may not exceed in height more than two-thirds of the distance between the top of a window and the sill of the window above or major architectural details related thereto. If a building consists of two or more stories, Wall Signs and Projecting Signs may not extend above the second story. A Wall Sign or Projecting Sign shall not extend over the roof line.
- 3) No more than 1 Ground Sign shall be allowed on a lot. The Ground Sign shall not exceed 72 square feet in area in a RA/C, C or D district and 300 square feet in area in an I district. Notwithstanding the foregoing, if the Ground Sign is erected in connection with a shopping center, the total area of the Ground Sign shall be as follows:
 - (a.) For a shopping center of 5 stores or fewer, the Grounds Sign shall not exceed 80 square feet in area.
 - (b.) For a shopping center of between 6 and 20 stores, the Ground Sign shall not exceed 150 square feet in area.
 - (c.) For a shopping center of 21 or more stores, the Ground Sign shall not exceed 300 square feet in area.
- 4) No Sign affixed to a canopy or awning may exceed 8 square feet in area.
- 5) No more than one sandwich board sign shall be allowed for each business use. Such sign shall not exceed 6 square feet in area and it must be removed at the close of each business day. Such sign shall not be located on a public right-of-way or public property and must be located on the property on which the business is located.

- B. Advertising Signs. The Code Enforcement Officer may issue a Sign Permit for an Advertising Sign in the RA/C, C, D and I districts only as follows:

- 1) No more than 1 Advertising Sign shall be allowed per lot.
 - 2) Advertising Signs shall not be allowed on vacant structures or on structures or lots where 75% or more of the total floor area is residential in use.
 - 3) The maximum size of a Wall Sign shall neither exceed 25% of the wall area nor be greater than 72 square feet in area. Unused area from one side of a building may not be added to another side of the building. The maximum size of a Projecting Sign shall not exceed 8 square feet in area. Wall Signs and Projecting Signs placed in the vertical space between windows may not exceed in height more than two-thirds of the distance between the top of a window and the sill of the window above or major architectural details related thereto. If a building consists of two or more stories, Wall Signs and Projecting Signs may not extend above the second story. A Wall Sign or Projecting Sign shall not extend over the roof line.
 - 4) A Ground Sign shall not exceed 72 square feet in area.
 - 5) No Advertising Sign fronting on a public way shall be closer than 100 feet from another Advertising Sign facing the same direction, nor within 100 feet of any property within a residential district, nor within 200 feet of any public or parochial school, library, church, hospital or similar institutional use fronting on the same street.
- C. Directional or Informational Signs. The Code Enforcement Officer may issue a sign permit for a Directional or Informational Sign in the RA/C, C, D and I districts, not to exceed 2 square feet in area.
- D. Special Event Signs. Special Event Signs in the RA/C, C, D and I districts shall not exceed 2 square feet in area.
- E. Political Signs. Political Signs shall be allowed in the RA/C, C, D and I districts as set forth in Section 200-62 of this Article.
- F. Specifications. Any Sign, except for Political Signs, permitted in a RA/C, C, D and I district shall conform to the following specifications:
- 1) No Sign shall be allowed closer than 8 feet to any lot line.
 - 2) No Window Sign shall exceed more than 25% of the window area.
 - 3) No Ground Sign shall be constructed to a height greater than 25 feet.
 - 4) No Roof Signs shall be allowed.
 - 5) All Signs shall be located so as not to be in the line of vision of traffic control signals.
 - 6) The illumination of any Sign shall be nonflashing, indirect or diffused, and shall be arranged so that direct rays of light do not shine or reflect into residential districts.

§200-61 Sign Regulations Applicable in All Zoning Districts.

- A. All V-type Projecting Signs shall be double-faced and the angle at the vertex of such Sign shall not exceed five degrees. When determining the total permissible display area for such Signs, only the dimensions of one face or surface shall be used in computing area. The dimension of the larger surface shall be used for said purpose.
- B. Signs consisting of freestanding letters, numerals or other representation shall be considered Wall Signs or Roof Signs, whichever is applicable. The Sign area shall include the area of the freestanding letters, numerals or other representation and any intervening spaces.
- C. All Signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot.
- D. No Sign shall be erected, constructed, enlarged, altered or relocated so as to prevent free ingress to or egress from any door, window or fire escape. No Sign shall be attached to a fire escape.

- E. No Sign shall be erected, constructed, enlarged, altered or relocated at the intersection of any street or road in such a manner as to obstruct free and clear vision or at any location where, by reason of the position, shape or color, it may interface with, obstruct the view of or be confused with any authorized traffic sign, signal or device by making use of the words “stop,” “look” or “danger” or any other word, phrase, symbol or character or red, green or amber illumination or reflection in such manner as to interfere with, mislead or confuse traffic.
- F. The owner of property containing a Business Sign shall, at his or her own cost and expense, remove such Business Sign within 60 days of the date that the business associated with the Sign ceases operations at that location. If the Business Sign is not removed within the time period required herein, the Village Code Enforcement Officer shall send the property owner notice, by certified mail return receipt requested and by posting said notice on the property, stating that the Sign shall be removed within 10 days of the date of the notice. The notice shall inform the property owner that failure to remove the Sign shall be deemed a violation of this Chapter.

§200-62 Political Signs.

Political Signs are permitted in any district for a period not to exceed 90 days, provided that the standards specified below are complied with:

- 1) The Political Sign(s) permitted hereby shall be of a temporary nature, be constructed of a material so as to withstand the elements and shall not exceed 16 square feet in area.
- 2) The Political Sign(s) shall be placed in a location so as not to be a nuisance to the public nor endanger the health, safety or general welfare of the community.
- 3) Political Signs in excess of three square feet in area shall be subject to the following setback and height restrictions: No part of any such Political Sign shall be located closer than 10 feet from any street or highway right-of-way or any lot line nor exceed a height of 8 feet.

§200-63 Nonconforming Signs.

Any Sign lawfully existing on the effective date of this Article which does not comply with all the applicable standards and regulations of this Article may continue as a nonconforming sign. However, such a nonconforming sign shall only be reconstructed, enlarged, expanded, altered or relocated in compliance with the applicable standards and regulations of this Article or any amendment thereto. Any repainting or cleaning of a Sign shall not result in the loss of its nonconforming status.

Section 4. Remainder

Except as hereinabove amended, the remainder of the Code of the Village of Windsor shall remain in full force and effect.

Section 5. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 6. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLUTION NO.19-2016

RESOLUTION INTRODUCED BY THE VILLAGE BOARD OF WINDSOR, NY SUPPORTING A CONSOLIDATED FUNDING APPLICATION (CFA) BY WINDSOR COMMUNITY REVITALIZATION ORGANIZATION (WCRO) FOR UP TO \$500,000 THROUGH THE NEW YORK MAIN STREET (NYMS) DOWNTOWN ANCHOR GRANT PROGRAM FOR THE REHABILITATION OF 123 MAIN STREET TO CREATE A CULTURAL, BUSINESS AND RESIDENTIAL ANCHOR ON MAIN STREET, WINDSOR, NY

WHEREAS, the WCRO has purchased 123 Main Street for the purpose of undertaking a substantial renovation of this prominent Downtown building in order to transform it from a dilapidated and unsightly building into an important cultural, business and residential anchor for Downtown Windsor; and

WHEREAS, based upon a “Windsor Inn Project – Feasibility and Business Plan” prepared for WCRO by Shepstone Management Company dated May 2016, the feasibility of the project would require substantial public investment; and

WHEREAS, the revitalization of this building would have a positive impact on adjoining properties and the entire Downtown business district.

NOW, THEREFORE, BE IT RESOLVED, the Village Board of Windsor does hereby support the application by WCRO for up to \$500,000 in NYMS funds to undertake the rehabilitation of 123 Main Street to create a cultural, business and residential anchor on Main Street, Windsor, NY

- Offered by: Robert J. Bennett
- 2nd by: Robert E. West
- Vote: AYE - Mayor Ronald G. Harting
- AYE - Trustee Robert J. Bennett
- ABSENT - Trustee Eileen Shelp-Olmstead
- AYE - Trustee Thomas M. Skinner
- AYE - Trustee Robert E. West

Resolution effective July 5, 2016

Code Enforcement Report, Gary Post present - A report was presented. 1) Gary worked with the attorney on the sign law. 2) The Dollar Store is moving along quickly. We need to have a ZBA meeting to close out the SEQRE paperwork. Spoke with the developer and also with SHPO regarding the Dollar Store. 3) Had a ZBA & Planning Board meeting on the 23rd in regard to the Bed & Breakfast. 4) Several meetings for the Main Street Grant.

Attorney’s Report - A report was submitted. No comments.

Streets Report, David Decker present - 1) Broome Bituminous has not been down yet to look at our streets to give us a price. 2) We had to purchase a new lawnmower. The old one broke. 3) We will be doing hot patch at the end of the month.

Water Report, David Decker present - 1) We haven’t had the reservoir cleaned and inspected in 10 years. It is required by the Health Department. We got a price from Underwater Solutions of \$4,550.00.

Motion: to have Underwater Solutions clean and inspect the reservoir tank

- By: Robert J. Bennett
- 2nd: Robert E. West
- Vote: AYE - All present

- 2) We hooked Marcy Allen at 12 Grove Street up to village water. She was having issues with her pump and well. 3) We will be flushing dead ends next Monday. We're a week behind because of the holiday. 4) The school is tearing down the district building. They will be taking out 3 meters, 2 from the concession and one from maintenance. They are moving the tennis courts and putting in more playgrounds and parking. 5) Mayor Ron asked David if he's heard anything about the blow-offs. David stated no. Mayor asked him look at other places to get them.

Treasurer's Report, Patricia Harting present - 1) A report was presented. No comments.

Motion: to accept the Treasurer's Report

By: Robert E. West
2nd: Thomas M. Skinner
Vote: AYE - All present

Motion: to accept the Meeting Minutes of June 7, 2016

By: Robert E. West
2nd: Robert J. Bennett
Vote: AYE - All

Reports of Committees:

Code Enforcement Committee - No report
Community House Committee - No report
Fire Co Committee - No report
Parks Committee - No report
Pool Committee - No report
Streets & Water Committee - No report

Mayor's Report - 1) Trustee Skinner asked about putting an alarm system in the museum. David is going to check with United Alarm and Patti will contact Adams Cable to get internet put over there. Patti also asked if she could have a panic button put in the office for safety. There was much discussion on it but it was agreed that it should be done. 2) Mayor Ron stated he found a company up near Lake George that he is talking to about the slates that need to be replaced on the roof of the fire station. If he can get a match of slate, he may have to go get them or maybe David could.

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

By: Thomas M. Skinner
2nd: Robert E. West
Vote: AYE - All

Motion: to adjourn at 8:28 p.m.

By: Thomas M. Skinner
2nd: Robert J. Bennett
Vote: AYE - All

Respectfully Submitted,

Patricia L. Harting, Village Clerk / Treasurer