

**MEETING MINUTES  
of the Village of Windsor, N.Y.  
107 Main Street  
Windsor, NY 13865  
June 4, 2019**

<b>Present:</b>	Mayor:	Ronald G. Harting
	Trustee	James W. Miller 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
	Grant Writer:	Steve Contento
	Attendees:	9

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

**Pledge of Allegiance**

**Welcome**

**7:05 PM - Public Hearing for Local Law #3-2019 -** There was no public comment.

**RESOLUTION NO.13-2019  
A RESOLUTION APPROVING LOCAL LAW NO.3-2019**

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 4<sup>th</sup> day of June 2019, the following resolution was offered and seconded.

**WHEREAS**, the Village of Windsor scheduled a public hearing for June 4, 2019 at 7:02 p.m. for Local Law No.3 of the Year 2019 entitled “A LOCAL LAW DEDICATING THE VILLAGE GREEN AS PARKLAND”; 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 4<sup>th</sup> day of June, 2019 at 7:02 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**, pursuant to the State Environmental Quality Review Act, it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(c)(39); 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. 3-2019 entitled “A LOCAL LAW DEDICATING THE VILLAGE GREEN AS PARKLAND”, 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, and to give due notice of the adoption of said Local Law to the Secretary of State; and it is further

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

**Motion by:** Thomas M. Skinner

**Seconded by:** Robert E. West, Jr.

**VOTE:** AYE - Mayor Ronald G. Harting  
AYE - Trustee James W. Miller  
ABSENT - Trustee Eileen Shelp-Olmstead  
AYE - Trustee Thomas M. Skinner  
AYE - Trustee Robert E. West, Jr.

**VILLAGE OF WINDSOR LOCAL LAW NO.3 OF THE YEAR 2019  
A LOCAL LAW DEDICATING THE VILLAGE GREEN AS PARKLAND**

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

**Section 1. Finding and Purpose**

This Local Law pertains to the 0.837 acre parcel of land located at 99 Main Street, Windsor, Broome County, New York, being part of Tax Map No.182.11-2-5 and being recorded in the Broome County Clerk's Office at book and page number D2550/447, hereafter referred to as the "Village Green". The Village Green was conveyed to the Village of Windsor as authorized by an order of Hon. Jeffrey A. Tait, Justice of the Supreme Court, dated September 22, 2017 and filed in the Broome County Clerk's Office on October 4, 2017.

For years, the Village Green has been used by the public as a public gathering place, for the holding of community events and for other park purposes. The Village Board of Trustees now finds it in the best interests of the Village of Windsor to formally dedicate the Village Green as parkland and to ensure that the Village Green is afforded all the protections of parkland under New York State law.

**Section 2. Dedication of the Village Green as Parkland**

By order of the Board of Trustees of the Village of Windsor, the Village Green as defined in Section 1 of this Local Law, shall hereby be dedicated as parkland. The Village Green shall be subject to all of the protections afforded to parkland under New York state law, including the restrictions on parkland alienation and the public trust doctrine.

**Section 3. Separability**

The provisions of this Local Law are separable and if any provisions, clause, sentence, subsection, work 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 4. 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.

**Public Comment** - Beth Roberts, a town resident, is here in the village two times a week at the dance studio. Her children have almost been hit twice crossing Main Street. She wants a crosswalk. She spoke with businesses and they would like to have one also. She has been working with the mayor and spoke with the State Department of Transportation. They told her it has to go to the village board and they need to request it from the State D.O.T. The Mayor received a letter from the State D.O.T. stating the village has to pass an ordinance. The mayor stated that he wants to hear from the businesses that they are willing to lose 6 parking spaces on Main Street for the crosswalk. The Mayor stated that the board needs to have a work session meeting to further discuss this. A meeting was set for Tuesday, June 18th at 6:30 p.m.

**Motion:** to have a village work session on Tuesday, June 18, 2019 at 6:30 p.m. to discuss a crosswalk on Main Street

By: Robert E. West  
2<sup>nd</sup>: Ronald G. Harting  
Vote: AYE - All present

The Tobacco Free Broome & Tioga group has come to the village again regarding the 'No Smoking' in the village. They stated that in April, the board voted to move forward with this and it was not put in the meeting minutes. They had a copy of the minutes for the board to look at. The clerk stated that had they done an actual vote, it would have been in the meeting minutes. They may have discussed this and all agreed that they may agree. Trustee Skinner did not remember us voting on this. He stated that he has concerns, which he expressed in April and in May, that this law has no way of being enforced. He still feels this way. Mayor Harting stated that he is in favor of passing this law. Trustee Miller stated that he remembers discussing this but we hit a road block when we got to the enforcement part of the law. They asked if the board has any questions they could answer. The Mayor stated that it is a good idea but again they are stuck at this point. Trustee Skinner stated he did the research needed. He found a law from Massachusetts that he liked but again it comes down to no enforcement. The village would have to give someone the power to enforce this which would probably be the board members. They would have to get a phone call, they'd have to go down to the park and see the person smoking, take a picture, call the police, then have them arrested. The group feels if the village puts up signs, that will be enough. The mayor asked if they have been down to the park to see if people are smoking down there? No, they haven't. They were down there one day last year.

**Code Enforcement Report, Gary Post present** - A report was presented. 1) Gary and David have been writing grass mowing violations up. 2) He spoke with the owner at 53 Main Street and he is going to do a lot of remodeling. They are going to take care of the septic, also. 3) Gary got a call about the smell at the Dollar General. They are having trouble with the septic. The manager asked for Gary's help in getting corporate to help them. Gary sent out a violation to them. He told them the grass also needs to be cut. 4) The owner at 586 Kent Street is going to put up a garage. 5) Gary was asked if a resident mows the front and sides of the yard, do they have to mow the back? Gary told them yes. 6) Gary was asked if the house was being torn down at 23 Maple Avenue. It was stated by several people that they continually burn when they are asked not to by neighbors, the fire chief and the village workers. Gary stated that the complainant needs to call the DEC.

**Grant Writer's Report, Steve Contento present** - 1) Steve spoke with someone from Senator Akshar's Office regarding the DASNY grant. The board was given a copy of the letter from the state where they state it will take three to five months. Steve also has been trying to find out where the grant is for the ambulance. David stated we really need the salt bin. Trustee Miller thought maybe we should go ahead and do it because we are in need of it. 2) Steve has been checking into combination grants and/or low income loans. 3) Steve will be meeting with Lora Zier from Broome Planning to get support for the museum. 4) In the fall he will submit another grant to the Community Foundation for the museum. 5) The DEC has grants out there. The county received one and he will check

with them to see if it was private or public. 6) He is trying to meet up with Chris regarding an ambulance letter to be sent out.

**Attorney's Report** - A report was submitted. It was noted that all charges this month had to do with the Village Green. There were no other comments.

**Streets Report, David Decker present** - 1) The Kubota wiring harness is corroded. It will cost \$2,000 for a new one but we are going to fab something up if we can. 2) I have written up 9 or 10 lawn violations up this week. 3) The mulching is done. 4) They tore off the siding of the community house by the propane tank. The wood was rotted and it was full of termites. They sprayed the wood. The mayor told him to call a professional to come take care of that. They may very well be in to the whole building. 5) The painters have not been in contact with us. He asked if we can get out of that contract. The mayor will take it to the attorney to have him look at it. 6) The mayor asked about the hole at the corner of Academy and Maple Ave. David stated that he would like to fill it with some item 4, that way it will continue to drain and run down to Pine Street. 7) Trustee Miller asked who owned the fence near New Street. The State DOT does. It was noted that it looks terrible. David said all they can do is paint it. 8) Roger Peet is going to pave his cul-do-sac. Our part of it would cost \$5,020. This may happen within the next week or two.

**Water Report, David Decker present** - 1) The well #2 motor failed. Evans brought out a crane today and we installed it. It will be fully up and running tomorrow after we finish working the air out. 2) All but our desks have been replaced as far as equipment from the broken pipe. 3) We still need to replace the ceiling and insulation in the chlorine room, either in house or hire it out.

**Treasurer's Report, Patricia Harting present** - 1) A report was presented. She brought to their attention that we had received insurance money for the damage at the pumphouse. A resolution was done up to move that money back into water, where all the damage/replacement costs were taken out of.

**Motion:** to accept the Treasurer's Report

**By:** Thomas M. Skinner

**2<sup>nd</sup>:** Robert E. West, Jr.

**Vote:** AYE - All

**Motion:** to accept the Meeting Minutes of May 7, 2019

**By:** Robert E. West

**2<sup>nd</sup>:** James W. Miller

**Vote** - All

## **Resolution #14-2019**

### **RESOLUTION NO.14-2019 RESOLUTION AMENDING ANNUAL VILLAGE BUDGET FOR 2019/2020**

**WHEREAS**, the Village Streets & Water Department Building had a water line break on May 3, 2019; and

**WHEREAS**, Ulster Insurance was contacted for a claim; and

**WHEREAS**, upon inspection a claim was filed with Selective;

**AND WHEREAS**, Selective sent the Village three (3) checks in the amount of \$5,000.00; \$3,000.00; and \$2,242.37.

**THEREFORE**, monies need to be reimbursed to the expenses in which they occurred.

Estimated Revenues	A510	\$ 10,242.37	
Subsidiary Account		A2680-Insurance Recoveries	\$ 10,242.37
Estimated Appropriations	A960	\$ 10,242.37	
Subsidiary Account		A8350.4-Water Contractual	\$ 10,242.37

**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, 2019

**Offered by:** Thomas M. Skinner

**Seconded by:** James W. Miller

**Vote:** AYE - Mayor Ronald G. Harting

    AYE - Trustee James W. Miller

    ABSENT - Trustee Eileen Shelp-Olmstead

    AYE - Trustee Thomas M. Skinner

    AYE - Trustee Robert E. West, Jr.

**Resolution effective June 4, 2019**

**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) The Town Dog Control Officer was called regarding a dog on Academy Street. There was some discrepancy as to who pays for this matter to be taken care of as far as monetary. After much discussion with the attorney, it was noted that the town takes care of this issue. 2) There was an email from the county regarding getting a jersey barrier for Chestnut Street.

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

**By:** Thomas M. Skinner

**2<sup>nd</sup>:** Robert E. West, Jr.

**Vote:** AYE - All

**Motion:** to adjourn at 8:45 p.m.

**By:** Thomas M. Skinner

**2<sup>nd</sup>:** James W. Miller

**Vote:** AYE - All

**Respectfully Submitted,**

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**Patricia L. Harting, Village Clerk / Treasurer**