

**MEETING MINUTES
of the Village of Windsor, N.Y.
107 Main Street
Windsor, NY 13865
July 7, 2020**

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

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

Pledge of Allegiance

Welcome

Public Comment - Via Zoom was village residents Diane Wallick, Megan & Mike Saxby and guest Elizabeth Einstein. There were technical difficulties in getting started with Zoom due to wi-fi. The meeting was moved to the village office.

7:05 Public Hearing for Local Law#2-2020 - This law is in regard to water meter readings. Megan Saxby asked what this law was about. It was explained that not all residents read their meters. The state performed an audit of the village's water billing. They read many meters and found a few discrepancies with the readings which were done by averaging. Their suggestion to find a way to get the meters read more accurately. This law allows for that. It states that if the resident does not send in a water reading for two (2) consecutive readings, they will be given a notice of 15 days to send us a reading and after 15 days, their water will be shut off. They will have to pay a fee of \$50 to have the water turned back on.

Reso#14-2020

**RESOLUTION NO.14-2020
A RESOLUTION APPROVING LOCAL LAW NO.2-2020**

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 7th day of July, 2020, the following resolution was offered and seconded:

WHEREAS, pursuant to an Emergency Order of the Governor of the State of New York, notice was given that the Village Board scheduled a public hearing for July 7, 2020 at 7:05 p.m. via Zoom Video Conference for Local Law No.2 of the Year 2020 entitled " A LOCAL LAW REGARDING WATER METER READINGS"; 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 on the 7th day of July, 2020 at 7:05 p.m. and all parties in attending the video conference 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 NYCRR617.5(c)(26)(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.2-2020 entitled a LOCAL LAW REGARDING WATER METER READINGS”, 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 it is further

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

Offered by: Thomas M. Skinner

Seconded 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, Jr.

Resolution effective on July 7, 2020

**VILLAGE OF WINDSOR
LOCAL LAW NO.2 OF THE YEAR 2020
A LOCAL LAW REGARDING WATER METER READINGS**

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

Section 1. Amendment to Section §194-25 of the Village Code

Section §194-25 of the Village Code of the Village of Windsor shall hereby be amended by deleting that section in its entirety and replacing it with the following:

“The owner of property connected to the Village water system shall submit water meter readings to the Village every six (6) months, or as otherwise directed by the Village. The failure to submit a water meter reading will result in a fee, which will be added to the bill for water service, in an amount set forth in Appendix B. The failure to submit water meter readings two consecutive occasions will result in a water shutoff. If the water is shutoff, a fee shall be assessed to turn the water back on, in accordance with Appendix B. The water will not be turned back on until an updated water meter reading is submitted to the Village.

Section 2. 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 it 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, work 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 3. 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.

Code Enforcement Report - Gary Post was not present.

Grant Writer's Report, Steve Contento present - It's been very frustrating in the world of grants. Steve was asked if the USDA Grant for the truck is still a viable grants. Steve said it is in the pending stages but not looking good. He will try to look for critical grants. One of our biggest problems is that our representatives are of the minority party in Albany which doesn't help. Steve is continually googling and checking for anything. Mayor Ron asked if the Community Foundation still wants to meet at the museum. Steve will check with them. Trustee Skinner stated that he submitted the estimate for the roof of the band pagoda to the Lion's Club. It has to go through many channels before we know if we will get the monies.

Attorney's Report - A report was submitted. The law offices ate still closed. Much of the report was dealing with interpretations of the COVID-19 laws of what is acceptable and not. There was much discussion regarding use of the village green.

Streets Report, David Decker present - 1) David wanted to know if the board was still moving forward with the purchase of a new truck, seeing the USDA Grant is not likely to happen. Trustee Skinner instructed him to continue getting prices and we can discuss it further down the road. 2) There were several reports of burning at 58 Grove Street. It smelled horrible. We need to look at our burn law and possibly tighten it up. 3) They needed to replace the weed eater. It's 5 years old and just died while weed eating. 4) The tree guy will be out this month to give estimates. There are 2 in the lot on Main Street, 1 on Grove Street by McCombs, 2 on Chestnut Street by McKee's and 3 in the park, on the softball field and 2 by the swing set.

Water Report, David Decker present - 1) We had a couple minor service repairs. We will be replacing a shutoff valve on Terrace Drive on Thursday. 2) The class/meetings have been cancelled for continuing education credits. We are going to have to do online trainings which will cost a bit more or go to bigger meetings with more hours that cost more.

Treasurer's Report, Patricia Harting present - A report was presented. The Village Attorney gave the Board of Trustees a procedure for water service shutoffs. The procedure is on file at the village office. These are 5 steps to follow:

- The water cannot be shut off until the bill becomes delinquent, at which time all applicable late fees must be paid in full to avoid shutoff. We must serve the Pre-Hearing Notice of Water Shutoff at least fifteen (15) days prior to the anticipated water shutoff date. The notice must be served by certified mail to the owner(s), account holder or person in charge. Notice must also be posted on the front door of the affect building.
- Owner and tenant of the building have the right to request a hearing before a hearing officer appointed by the Mayor. They must submit a written request to the Village either by dropping off, hand delivered, sent certified mail or regular mail but must be postmarked at least five (5) days prior to the anticipated shutoff. If the necessary or proper party fails to request a pre-shutoff hearing, the Village may proceed with the water shutoff on the date listed.
- If a pre-shutoff hearing is requested, a date must be set within 30 days of the receipt of hearing.
- At the pre-shutoff hearing, the appointed officer will listen to any relevant evidence tending to indicate that water service should not be shut off. After all the evidence is presented, the officer shall issue a decision, orally or in writing. He must provide a new date if the water is to be shut off.

- The post-hearing water shutoff notice should be posted on the premises after the hearing officer decides that the water shutoff should move forward and should contain the new water shutoff date

Motion: to accept this procedure for water service shutoffs

Motioned by: Thomas M. Skinner

Seconded by: James W. Miller

Vote: AYE - All

Resolution #15-2020

RESOLUTION NO.15-2020

A RESOLUTION AMENDING APPENDIX B REGARDING WATER FEES

WHEREAS, the Village of Windsor has set forth a listing of fees and permits in Appendix B of its Village Code, including a "Fees to turn water back on once turned off" listed at \$25.00; and

WHEREAS, the Village Board finds it in the best interests of the Village to increase said fee to \$50.00; and

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Windsor hereby amends Appendix B by increasing the "Fee to turn water back on once turned off" from \$25.00 to \$50.00; and it is further

RESOLVED, that this resolution will take effect immediately.

Offered by: Robert E. West, Jr.

Seconded 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, Jr.

Resolution effective July 7, 2020

Motion: to accept the Treasurer's Report

By: Thomas M. Skinner

2nd: Robert E. West

Vote: AYE - All

Motion: to accept the Meeting Minutes of June 2, 2020

By: Eileen Shelp-Olmstead

2nd: Thomas M. Skinner

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) Kevin Rollo from the Free Methodist Church has enquired about putting up a large canopy/tent and leave it on the village green, possibly a 20x40 or 40x60. It would be too hard to put it up and take it down the same day. After much discussion, the board

didn't feel it should be left up. They can certainly put it up for a 1 or 2 day event but not to leave. They are concerned about vandalism, the mowing around it, other events that may take place on the green, weddings on the green and it would be unattractive long term. 2) Librarian Diane Wallick wanted to know if she could do a pickup at the front door for some ladies at the library to get books. She doesn't want to open it up. The board said she could also set up appointments in time slots if she wanted to. 3) Patti asked when we would be opening up the meeting room as there are people wanting to rent it. The board discussed letting groups into the community house. During the last few weeks, the Garden Club, Sportsmans Club and the Civic Club (they were outside) have used the inside of the building. Trustee Skinner feels that with all the Garden Group and Civic Club do for the community house, they should still be able to use it. The other board members felt that no one should be allowed in the building. We can ask people to clean and disinfect before they leave but will they. It was decided that the Community House will remain closed and the board will revisit it again at the August 4th meeting. 4) We received a letter from Broome County on what may be the projected sales tax for this fiscal year. With their projection, we should end the year without going negative on our anticipated budget revenue for sales tax. 5) The Department of Labor was at the pumphouse back in November. They wrote up several violations. David received the written report on July 10th. On the report are deadlines for each of the violations as to when they have to be fixed. Some of them need to be done as soon as next week. Most of the violations have to do with the worker's safety in regard to the chlorine room such as training, handling and wearing proper equipment. We will have to buy the new masks. A lot of the paperwork they requested was lost from the floods and from the water main break in the building last year. There is also a lot of training that will require someone to come do this. Ramboll gave the village a proposal for a New York State Department of Labor Notice of Violation Abatement Response Activities to provide health and safety compliance consulting services at a cost of \$9,950.00. We also have to put up barrier or posts around the fuel tanks.

Motion: to hire Ramboll to help with these violations at a cost of \$9,950.00

Motioned by: Thomas M. Skinner

Seconded by: James W. Miller

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

AYE - Trustee James W. Miller

AYE - Trustee Eileen Shelp-Olmstead

AYE - Trustee Thomas M. Skinner

AYE - Robert E. West, Jr.

- 6) Chris Zachariah from Eastern Broome Emergency Service sent in several reports.
- For April, there was a decrease in call volume due to COVID-19. There were 4 cases in the Town of Windsor, 1 in Sanford and none for the Village of Windsor and the Village of Deposit. Delaware County isn't as forthcoming with their numbers as Broome is so we don't know the numbers for the Town of Deposit and the Town of Scott. There were 58 emergency calls. They were as follows: 1 in the Village of Windsor, 12 in the Village of Deposit, 3 in the Town of Deposit, 8 in Sanford, 26 in the Town of Windsor, 1 in Scott, 5 in Colesville, 1 in Hancock and 1 in Afton. We answered 63.79% of all calls. The calls they could not cover were handled by a mutual aid agency.
 - For May, the call volume was increasing. On 3 occasions, we had all 3 of our ambulances and our fly car on the road at the same time, responding to calls for service. We assisted the Broome County Office of Emergency Services by relocating some of our resources to the City of Binghamton while they were anticipating a potential for high call volume. There were 75 calls. They were as follows: 5 in the Village of Windsor, 16 in the Village of Deposit, 6 in the Town of Deposit, 11 in Sanford, 30 in the Town of Windsor, 5 in Colesville, 1 in Dickinson and 1 in Vestal. We answered 76.06% of all calls.
 - For June, our call volume is increasing. Our agency provided stand-by for special events coverage, for several graduation events at Deposit Central School and Windsor Central School. There were 88 calls. They were as follows: 10 in the Village of Windsor, 14 in the Village of Deposit, 7 in the Town of Deposit, 15 in Sanford, 34 in the Town of Windsor, 6 in Colesville, 1 in Afton and 1 in Kirkwood. We answered 77.27% of all calls.

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

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

Motion: to adjourn at 8:48 p.m.

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

Respectfully Submitted,

Patricia L. Harting, Village Clerk / Treasurer