

**MEETING MINUTES
of the Village of Windsor, N.Y.
107 Main Street
Windsor, NY 13865
August 1, 2017**

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, absent
Attendees: 3

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

Pledge of Allegiance

7:00 P.M. Public Hearing for Local Law #1-2017 - Resident Tim Martino was present. He agrees with the law and also agrees with no roosters. He feels everyone should be respectful of their neighbors. Christine said we did a great job with the law.

Motion: to pass Local Law #1-2017 to allow chickens in the village

By: Thomas M. Skinner
2nd: Eileen Shelp-Olmstead
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 NO.10-2017
VILLAGE OF WINDSOR
A RESOLUTION APPROVING LOCAL LAW NO.1-2017**

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 1st day of August, 2017, the following resolution was offered and seconded:

WHEREAS, the Village of Windsor scheduled a public hearing for August 1, 2017 at 7:00 p.m. for Local Law No.1 of the Year 2017 entitled "A LOCAL LAW FOR THE REGULATION OF CHICKENS"; 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 1st day of August, 2017 at 7:00 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, 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 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.1-2017 entitled 'A LOCAL LAW FOR THE REGULATION OF CHICKENS', 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.''

**LOCAL LAW NO.1-2017
A LOCAL LAW FOR THE REGULATION OF CHICKENS**

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

Section 1. Amendment to Section 80-1a of the Village of Windsor Code

Section 80-1a of the Village Code of the Village of Windsor shall hereby be amended by adding the following:

CHICKEN: the term chicken shall, for purposes of this section, refer exclusively to domestic hens and shall intentionally exclude roosters.

Section 2. Amendment to Section 80-1b.B and C of the Village of Windsor Code

Section 80-1b of the Village Code of the Village of Windsor shall hereby be amended by re-ordering the paragraphs such that the current paragraph B shall be paragraph C, and the current paragraph C shall be paragraph D.

Section 3. Amendment to Section 80-1b of the Village of Windsor Code

Section 80-1b of the Village Code of the Village of Windsor shall hereby be amended by inserting a new paragraph B as follows:

- B. Notwithstanding the provisions of Paragraph A, the keeping of domestic chickens in the Village of Windsor shall be permitted only under the following conditions:
1. No more than six (6) chickens may be kept on the property at any time. No roosters shall be permitted.
 2. All chickens must be kept in a secure pen or enclosure, constructed and maintained to prevent the chickens from running at large. Only one pen or enclosure shall be permitted on any residential property. All pens or enclosures must be located at least twenty (20) feet from the side and rear lot lines, and at least thirty (30) feet from any neighboring residence. No pen or enclosure shall be permitted in a front yard, meaning that all pens or enclosures must be located to the rear of the rear wall of the primary structure.
 3. All pens or enclosures must be resistant to rodents and predators, and provide chickens with adequate protection from inclement weather. The pen or enclosure must be constructed of materials that are reasonably complimentary to existing structures with the view of the pen or enclosure. The pen or enclosure must be regularly cleaned so as to keep it sanitary and odor free. All feed for chickens

must be kept within a building in rodent-proof containers, and may not be kept outside. The storage of chicken manure shall not be allowed.

4. It shall be unlawful to allow or permit chickens to engage in habitual or unrestrained noise which creates an unreasonable disturbance or nuisance to neighboring properties.
5. The keeping of chickens shall be authorized only upon obtaining a permit from the Code Enforcement Officer. Said permit shall be made upon an application form to be promulgated by the Board of Trustees and upon satisfactory inspection(s) by the Code Enforcement Office to verify compliance with the requirements of this section. The permit fee may be fixed by resolution of the Board of Trustees. Permit applicants shall agree to allow the code Enforcement Officer to enter the premises of the applicant upon reasonable notice during daylight hours to inspect the pen or enclosure to verify compliance with this section.

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.

7:05 P.M. Public Hearing for Local Law #2-2017 – There was no public comment on this.

Motion: to pass Local Law #2-2017 to allow any person serving in the Armed Forces who is deployed or assigned duty outside of the Village to be exempt from the from the provisions of this chapter while he is on assignment.

By: Robert E. West

2nd: 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 NO.11-2017
VILLAGE OF WINDSOR
A RESOLUTION APPROVING LOCAL LAW NO.2-2017**

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 1st day of August, 2017, the following resolution was offered and seconded:

WHEREAS, the Village of Windsor scheduled a public hearing for August 1, 2017 at 7:10 p.m. for Local Law No.2 of the 2017 entitled “A LOCAL LAW AMENDING CHAPTER 190 VEHICLES, INOPERATIVE”; and

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

WHEREAS, said public hearing was duly held at the Community House, 107 Main Street, Windsor, New York on the 1st day of August, 2017 at 7:05 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, 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 regulation. 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 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.2-2017 entitled “A LOCAL LAW AMENDING CHAPTER 190 VEHICLES, INOPERATIVE”, 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.

**LOCAL LAW NO.2 OF THE YEAR 2017
A LOCAL LAW AMENDING CHAPTER 190 VEHICLES, INOPERATIVE**

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

Section 1. Amendment to Section 190-3 of the Village of Windsor Code

Section 190-3 of the Village Code of the Village of Windsor shall hereby be amended by adding the following after the last sentence of the existing paragraph:

“Any person serving in the United States Armed Forces who is deployed or otherwise assigned to duty outside of the Village of Windsor shall be exempt from the provisions of this chapter for the period of such deployment or assignment”.

Section 2. Remainder

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

Section 3. 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 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.

7:10 P.M. Public Hearing Local Law #3-2017 - There was no public comment.

Motion: to pass Local Law #3-2017 to amend fines for water violations

By: Robert E. West

2nd: 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 NO.12-2017
VILLAGE OF WINDSOR
A RESOLUTION APPROVING LOCAL LAW NO.3-2017**

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 1st day of August, 2017, the following resolution was offered and seconded:

WHEREAS, the Village of Windsor scheduled a public hearing for August 1, 2017 at 7:10 p.m. for Local Law No.3 of the Year 2017 entitled “A LOCAL LAW AMENDING CHAPTER 194 REGARDING FINES FOR VIOLATIONS OF THE WATER 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 1st day of August, 2017 at 7:10 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, 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 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.3-2017 entitled “A LOCAL LAW AMENDING CHAPTER 194 REGARDING FINES FOR VIOLATIONS OF THE WATER REGULATIONS”, 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.

**LOCAL LAW NO.3 OF THE YEAR 2017
A LOCAL LAW AMENDING CHAPTER 194 REGARDING FINES
FOR VIOLATIONS OF THE WATER REGULATIONS**

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

Section 1. Amendment to Section 194-2 of the Village of Windsor Code

Section 194-2 of the Village Code of the Village of Windsor shall hereby be amended by inserting the phrase “for each day of violation as” between the word “penalty” and “set forth.”

Section 2. Amendment to Section 194-29 of the Village of Windsor Code

Section 194-29.B. of the Village Code of the Village of Windsor shall hereby be amended by inserting the phrase “for each day of violation as” between the term “fine” and “set forth.”

Section 3. Amendment to Section 194-30 of the Village of Windsor Code

Section 194-30.A. of the Village Code of the Village of Windsor shall hereby be amended by inserting the phrase “for each day of violation as” between the term “fine” and “set forth.”

Section 4. Remainder

Except as hereinabove amended, the remainder of the Village 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 #13-2017

**RESOLUTION NO.13-2017
WINDSOR EMERGENCY SERVICES**

WHEREAS, the Village of Windsor wishes to have ambulance service;

THEREFORE, BE IT RESOLVED that Windsor Emergency Services, Inc. be designated as the primary emergency ambulance service for the Village of Windsor, and that it be dispatched to all calls for emergency ambulance response in the Village, subject to its availability at the time of each such call, and that this designation continue until such time as it is changed by further resolution of this Board.

By: Thomas M. Skinner
2nd: Eileen Shelp-Olmstead
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 August 1, 2017

Resolution #14-2017

**RESOLUTION NO.14-2017
VILLAGE OF WINDSOR**

**A RESOLUTION AMENDING THE FEE SCHEDULES IN
APPENDIX B OF THE VILLAGE CODE**

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 1st of August, 2017, the following resolution was offered and seconded.

WHEREAS, Local Law No.4 of 2001 reads ‘the fee schedule may be amended by resolution of the Village Board of Trustees from time to time’; and

THEREFORE, the Village Board desires to amend APPENDIX B as follows:

Under Chapter 80, Article I Farm Animals, the Village Board adds the fee amount of \$25.00 permit fee for having chickens.

Offered by: James W. Miller
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 August 1, 2017

Public Comment - Residents Tim Martino, Kristine Hayes and Rob Leonard were present. They had no other public comments other than the chickens.

Code Enforcement Report, Gary Post was present - 1) A Certificate of Compliance was issued for 120 Main Street. 2) Gary had to put in a bit of time in with the Main Street Grant. Bids are coming in rather slowly because we put the bids out too late and it’s a busy summer for contractors. 3) He came down for a complaint on Academy Street. It started as a disagreement between the landlord and tenant and things escalated where code was brought in for some issues that needed to be taken care of. During that evening, there were State Police at 116 Main Street for a domestic abuse. 4) Water was turned off at Chestnut Street. Gary sent a violation. 5) Gary asked if we could send out letters to the households that we know have chickens right now. He has an application that he is working on that should be ready soon.

Attorney’s Report - A report was submitted. There were no comments.

Streets Report, David Decker present - 1) Colwell Construction showed up to put in the septic for 117 Main Street. While they were doing that, it was discovered there was a septic put

in recently. There needs to be some fabric above the creek items and below the fill because of the drainage onto College Avenue. It will cost approximately \$14,000. We may want to consider putting fill in up to Dewey Road. We have to talk to the neighbors to be able to get on their property in order to do the correct grade. Everything will be pitched toward College Ave. The neighbors, Kristine & Rob were present so it was discussed with them what we will be doing. Broome Bituminous will pave the parking lot as soon as it is ready and they haven't forgotten about our streets. They are backlogged because of the rain but will come in as David explained we are at risk of losing the grant money. 2) Met with the painter. He hasn't submitted a price yet. We painted the porch but still need a 2nd coat on the decking. Hopefully this week. 3) We got gas tank prices at \$9705 for diesel, another \$1525 to hook gas up and bring up to code. Trustee Jim asked if we should have a cover over it. David stated that he wants to put in a concrete pad and clean up the area where it will be.

Motion: to set up a meeting if the Attorney gives the okay for the village to be able to sell diesel to the ambulance and possibly the fire company.

By: Ronald G. Harting
2nd: James W. Miller
Vote: AYE - All

Water Report, David Decker present - 1) There is a meeting with the Susquehanna River Basin Commission (SRBC) on September 6th at the village. 2) We have been supplying water for the Tuscarora Trailer Park. 3) We fixed a leak in the new sidewalk. We will have to replace that block when we do another project. 4) We repaired Brian Smith's curb box that was apparently hit years ago while the county highway was ditching. 5) Repaired Lawrence Hurd's shutoff and his mother decided she didn't want the water off. David had asked for the police to be present at the time they did the work. 6) Had a leak today that was on an abandoned line, probably has been leaking for years and it finally surfaced this week. We had no way of knowing it was there. We gained 2# of pressure after fixing the leak.

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

Motion: to accept the Treasurer's Report

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

Motion: to accept the Meeting Minutes of July 6, 2017

By: Robert E. West
2nd: James W. Miller
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) The mayor met with Town of Deposit, Village of Deposit, Town of Colesville, State EMS, County EMS and County Officials. There is discussion on the Windsor EMS. There are some clarifications that need to be done before the village can

be part of this, such as workers' comp, diesel use and monetary costs. Talks will continue and research will be done until all the questions have been answered.

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

By: Thomas M. Skinner

2nd: James W. Miller

Vote: AYE - All

Motion: to adjourn at 9:05 p.m.

By: Eileen Shelp-Olmstead

2nd: James W. Miller

Vote: AYE - All

Respectfully Submitted,

Patricia L. Harting, Village Clerk / Treasurer