

**MEETING MINUTES
of the Village of Windsor, N.Y.
107 Main Street
Windsor, NY 13865
November 5, 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
	Attendees:	3

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

Pledge of Allegiance

Welcome

7:03 -Public Hearing for Local Law #3-2020 - There was no public comment on this. The board briefly discussed this law and everyone was in agreement.

**RESOLUTION NO.21-2020
A RESOLUTION APPROVING LOCAL LAW NO.3-2020**

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 5th day of November, 2020, the following resolution was offered and seconded:

WHEREAS, the Village of Windsor scheduled a public hearing for November 5, 2020 at 7:03 p.m. for the Local Law No.3 of the Year 2020 entitled "A LOCAL LAW TO EXPAND THE RESIDENCY REQUIREMENT FOR THE POSITION OF DEPUTY CLERK-TREASURER OF THE VILLAGE OF WINDSOR"; 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 November, 2020 at 7:03 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)(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.3 of 2020 entitled "A LOCAL LAW TO EXPAND THE RESIDENCY REQUIREMENT FOR THE POSITION OF DEPUTY CLERK-TREASURER OF THE VILLAGE OF WINDSOR", 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.

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.

LOCAL LAW NO.3 OF THE YEAR 2020

A LOCAL LAW TO EXPAND THE RESIDENCY REQUIREMENT FOR THE POSITION OF DEPUTY CLERK-TREASURER OF THE VILLAGE OF WINDSOR

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

Section 1. Legislative Intent

It is the intent of this Local Law to extend the residency requirement of the Office of Deputy Clerk-Treasurer of the Village of Windsor so that an individual who is not a resident of the Village, but is a resident of Broome County, may serve in such Office.

Section 2. Authority

This local law is adopted pursuant to Village Law § 3-300 and Municipal Home Rule Law § 10.

Section 3. Expansion of the Residency Requirement

The residency requirement for the Office of Deputy Clerk-Treasurer is hereby expanded such that a person serving in the Office shall, at the time of his or her appointment and at all times during the continuance of service in said Office, reside either:

A. Inside the corporate limits of the Village of Windsor; or

B. At a location outside the corporate limits of the Village which is within the corporate limits of Broome County.

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. Repealer

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 7. 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 - Residents Mr & Mrs Vincent Ciminera were present to discuss their water issues. They have no pressure and the water is dirty. David stated that their pressure is higher than the state standard but they seem to have more of an issue with it since the school garage down the street put in new and bigger water lines. This has been a problem for many years. As far as being dirty, the hydrants were flushed the last three days. The homeowners brought in their filter and it was black and they have to replace it all too often. Their water line is at a dead end. The village does have an automatic blowoff that could be put there. It could be programmed to open the valve at a certain time every so often and blow the pipes out. David said he wouldn't be able to get to it this year because of the scheduling with Colwell Brothers. The mayor suggested to the owners to let the water run for a little time everyday until the blowoff is put in. The clerk was instructed to adjust their usage at billing time to the minimum, which is what they use now.

Motion: to have the homeowners run water in the morning everyday and their water bill will be adjusted to the minimum.

By: James W. Miller

2nd: Eileen Shelp-Olmstead

Vote: AYE - All

Bill Wallick, Energy Consultant - Our current price with Constellation is up for renewal in January. This is a good company. They will lock in the price per agreement and won't add any additional fees on as some companies do when the price goes up. There is a term for 12 months, 24 months and 36 months. The best price is 24 months.

Motion: to have Bill set us up with Constellation again this year for a 24 month contract.

By: Robert E. West, Jr.

2nd: Eileen Shelp-Olmstead

Vote: AYE - All

Attorney's Report - A report was submitted. Bob was busy doing research and working with the county in regard to the Civil Service testing.

Code Enforcement Report, Gary Post present - A report was presented. 1) ISO paperwork was finally finished and emailed to them. 2) He gave out a couple permits. 3) Everything looks good the new pizza place. He met with them several times. Right now they are only doing takeout and don't open till 3 because they don't have their credit card machine yet. Once they get that, they will be expanding their hours. 4) He posted the house at 62 Chapel as being uninhabitable because the water is shut off. The office got a call today that someone had bought it and is going to lease it. 5) The end of year reports will be starting soon with the county and state. He will be starting fire inspections also. 6) Trustee Olmstead asked what was going on at 23 Academy Street. Gary stated nothing that he knows of. There's been no activity. 7) The village may want to move forward with 140 Main Street. No one is living there and all the violations keep coming back unanswered so we may want to start a water shutoff process. 8) In one of our recent laws regarding water shutoffs, there needs to be a board member or 2 that are willing to sit down with a homeowner if they feel their water has been shutoff in error. Trustees Jim Miller & Bob West will sit on this board.

Streets Report, David Decker present - 1) George is interested in the dump truck. He just needs a price to take to the bank. The mayor read feedback that he had received from the village attorney regarding the issue. It states that if the truck was assessed at \$22,000, the board can set a price that they feel is a fair market value above the \$22,000. It was agreed that a fair cost would be \$25,000. We can either sell it to George or we can advertise it and put it out for sealed bid with a minimum. David stated that he feels we should sell it to George because he has been doing a lot of work for us and with the guys helping out when they can, he has deducted some of the costs, so he has saved us money. But none of this can be done until the new truck is in, which may be here in December.

Motion: to sell the old truck to George Hull at a cost of \$25,000 when the new truck comes in.

By: Robert E. West, Jr.

2nd: James W. Miller

Vote: AYE - All

2) The band pagoda roof is done. There's not enough time left to do the cupola so it will be a winter project. 3) The roof over the mayor's desk will get done Friday or Monday. 4) All the signs for speeding, stopping and parking are all put up. 5) We finished the mowing for the year this week. We will be trading the zero turn in to Chenango Supply so they may take it now and store it for us like they did last year. 6) We did all the weed eating across the bridge. There are residents who are blowing their leaves out in the roads. We don't have anything on the books about this. David said he will go blow them back in their yard. 7) This was our last week for leaf pickup but seeing this weekend is going to be nice, we'll do it one more Monday and then we are finished for the year. We will put the plow and the salt spreader on next week. 8) George will get us a price for the bilco doors and the steps for the basement. We want to dig a drainage line for the sump pump in the basement.

Water Report, David Decker present - 1) Meters have been read and water bills sent out. 2) The hydrants were flushed. There were a few calls for discolored water but they were told to just let the cold water run. 3) We replaced 5-6 meters but are still awaiting some new 5/8" meters so we can replace more. 4) The reservoir was sealed and painted. 5) Mike Lasher reached out about the well vault extension and raising the well vaults. Dave will get back to him next week.

Treasurer's Report, Patricia Harting present - A report was presented. 1) A sales tax payment was received. We anticipate one more for the year which will give us a surplus of \$30,000-40,000.

Motion: to accept the Treasurer's Report

By: James W. Miller

2nd: Robert E. West, Jr.

Vote: AYE - All

Motion: to accept the Meeting Minutes of October 6, 2020

By: Robert E. West, Jr.

2nd: Ronald G. Harting

Vote - All

Resolution #22-2020

**RESOLUTION NO.22-2020
A RESOLUTION ADOPTING LGS-1**

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 November, 2020, the following resolution was offered and seconded:

WHEREAS, a new Retention and Disposition Schedule has been prepared for New York Local Government Records (LGS-1) and each municipality is required to adopt said Schedule.

NOW, THEREFORE, BE IT RESOLVED the Village Board of the Village of Windsor hereby adopts the Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records for use by all officers in legally disposing of valueless records listed therein; and

BE IT FURTHER RESOLVED that in accordance with Article 57-A

- (a) Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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 November 5, 2020

Resolution #23-2020

RESOLUTION NO.23-2020 RELEVY OF VILLAGE UNPAID TAXES

WHEREAS, the 2020/2021 Village of Windsor Tax Roll has not been paid in full, and

WHEREAS, the balance is to be re-levied on the 2021 Town and County Tax Roll with an 11% penalty; and

WHEREAS, the attached is a complete list of the properties with unpaid 2020/2021 Village taxes totaling \$ 25,416.25 with a penalty of \$ 2,795.79 for a total of \$ 28,212.04.

THEREFORE, BE IT RESOLVED that the above detailed amount be sent to Broome County Department of Finance for re-levy as stated.

Offered by: Robert E. West, Jr.

Seconded by: 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, Jr.

Resolution effective November 5, 2020

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) There is one burned out light and a failing light under the bridge. They are our lights so we need to replace them. We will need to hire someone with a ladder truck. 2) The painters are almost done. It will be finished tomorrow.

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

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

Motion: to adjourn at 8:01 p.m.

By: Thomas M. Skinner
2nd: James W. Miller
Vote: AYE - All

Respectfully Submitted,

Patricia L. Harting, Village Clerk / Treasurer