

**MEETING MINUTES
of the Village of Windsor, N.Y.
107 Main Street
Windsor, NY 13865
December 5, 2024**

Present:	Mayor:	Ronald G. Harting
	Trustee	Elaine L. Card
		John R. McNulty, Absent
		James W. Miller
		Thomas M. Skinner
	Clerk	Courtney J. Decker
	Treasurer:	Patricia L. Harting
	Streets & Water Supt.:	David M. Decker
	Code Enforcement:	Richard Osborne, Absent
	Grant Writer:	Steve Contento, Absent
	Attendees:	4

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

Pledge of Allegiance

Welcome

Administration of Oath of Office of Mayor

To: Ronald G. Harting
By: Courtney J. Decker, Clerk

Administration of Oath of Office of Trustee

To: Elaine L. Card
By: Courtney J. Decker, Clerk

Administration of Oath of Office of Treasurer

To: Patricia L. Harting
By: Ronald G. Harting, Mayor

Administration of Oath of Office of Trustee

To: Courtney J. Decker
By: Ronald G. Harting, Mayor

7:02 P.M. - Public Hearing for Local Law #3-2024

A public hearing was held for the adoption of Local Law #3-2024 regarding allowing the Village to adopt a budget for the fiscal year commencing March 1, 2025, that requires a real property tax levy limit as defined by General Municipal Law §3-c.

Resolution #17-2024

**RESOLUTION NO.17-2024
ADOPTING LOCAL LAW NO.3 OF 2024**

WHEREAS, a resolution was duly adopted by the Village Board of Trustees of the Village of

Windsor for a public hearing to held by said Board at the Community House, 107 Main Street, Windsor, New York at 7:02 p.m. on Thursday, December 5, 2024, to hear all interested parties on a proposed Local Law No.3 for 2024 authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the Windsor Standard on November 22, 2024; and posted on the Village Clerk’s Sign Board on November 22, 2024; and posted the Village website on November 22, 2024; and

WHEREAS, said public hearing was duly held at the Community House, 107 Main Street, Windsor, NY at 7:02 p.m. on December 5, 2024, 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;

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

NOW, THEREFORE, BE IT RESOLVED by the Village Board of Trustees of the Village of Windsor hereby adopts said Local Law as Local Law No.3 of 2024, a copy of which is attached hereto and made a part hereof, and

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

RESOLVED that the Village Clerk be and she is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Windsor, 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: James W. Miller
2nd by: Thomas M. Skinner
Vote: AYE - Mayor Ronald G. Harting
AYE - Trustee Elaine L. Card
ABSENT - Trustee John R. McNulty
AYE - Trustee James W. Miller
AYE - Trustee Thomas M. Skinner

Resolution effective December 5, 2024

LOCAL LAW #3-2024

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

Section 1. Legislative intent

It is the intent of this local law to allow the Village of Windsor to adopt a budget for the fiscal year commencing March 1, 2025, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §5-3c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60% of said governing board.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Windsor, located in the County of Broome, is hereby authorized to adopt a budget for the fiscal year commencing March 1, 2025, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §5-3c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

Public Comment – Mayor Harting started the meeting by thanking attendee Ed McLean for his service on the Village board. He also, thanked attendee Mark Odell, the current Town Supervisor, for coming to our meeting. Ed McLean did inquire about the old Nyseg poles around the Village and asked what we could do about getting rid of them. Mayor Harting stated that we had to wait for all communication companies to transfer their wires to the new poles.

Grant Writer Report, Steve Contento not present. A report was given. 1.) Steve was not here but did send a report over. He also informed Mayor Harting that he would be moving. He would still like to do some volunteer grant work for the Village, but he does not want any compensation. 2.) The NYS Fire Station Construction Grant will not be moving forward per Fire Chief Terrell. 3.) The SRBC Consumptive Use Mitigation Grant is still ongoing, Application period is open from November until the end of December 2024. Also, may be able to apply for the FEMA Assistance to the Firefighter Grant Program.

Code Enforcement Report, Richard Osborne not present. No report given.

Attorney Report - A report was submitted. There were no comments or discussion had.

Streets Report, David Decker present – 1.) The salt vendor for this year has changed. We will now be using American Rock Salt; not Cargill. The account has been set up and we should be receiving deliveries in the next week. 2.) All the equipment has been outfitted for winter and is working well. We did have to replace three hydraulic lines on the little tractor that we use for walks. 3.) The new decorations are in and up along with all the older ones. We will need to go around and fix some that have wiring issues. 4.) All the heating units have been inspected and cleaned by Mirabito in all our buildings. 5.) The planter box at the end of the parking lot was hit and damaged. We will wait until the spring to either fix/replace or possibly eliminate it. 6.) The ditch work and culvert pipes were installed on Academy Street; we also lined the ditch with stone to help with erosion and appearance.

Water Report, David Decker present – 1.) There was a water leak that we repaired on Chestnut Street. There was a half inch service line leaking and the owner had little pressure. We also repaired the curb box next door that was run over this summer. 2.) Sent out leak detector to be fixed; ended up getting a new. It was cheaper for us to get a new Bluetooth leak detector rather than try to repair the old one with Wi-Fi. 3.) The rail station and the concession stand have been winterized for the year. 4.) The Health Department is scheduled to conduct an inspection at the pump house next Thursday, weather depending.

Treasurer's Report, Patricia Harting present – 1.) A report was presented and Treasurer Harting made note that we did receive the 3rd Quarter Sales Tax.

Motion: to accept the Treasurer's Report

By: James W. Miller
2nd: Elaine L. Card
Vote: AYE – All who were in attendance

Motion: to pay bills of \$74,792.50 as authorized by vouchers signed by board members

By: Thomas M. Skinner
2nd: James W. Miller
Vote: AYE – All who were in attendance

Clerk's Report, Courtney Decker present – 1.) Clerk Decker requested a motion for a public hearing for the 2025/2026 Tentative Budget at our next board meeting on January 2, 2025, at 7:02 p.m.

Motion: to have a public hearing regarding the 25/26 Budget on January 2, 2025, at 7:02 p.m.

By: Ronald G. Harting
2nd: James W. Miller
Vote: AYE – All who were in attendance

2.) Clerk Decker went over all the year-end Resolutions #18-2024 - #24-2024.

Motion: to accept all year-end Resolutions #18-2024 - #24-2024

By: James W. Miller
2nd: Eline L. Card
Vote: AYE – All who were in attendance

Resolution #18-2024

RESOLUTION NO.18-2024

**RESOLUTION TO ESTABLISH DATE, PLACE AND TIME
OF REGULAR VILLAGE OF WINDSOR BOARD MEETINGS**

BE IT RESOLVED, that all regular meetings of the Board of Trustees of the Village of Windsor be held on the first Thursday of every month at 7:00 p.m. in the Windsor Community House located at 107 Main Street Windsor, NY

Offered by: James W. Miller
2nd by: Elaine L. Card
Vote: AYE – All who were in attendance

Resolution effective December 5, 2024

Resolution #19-2024

RESOLUTION NO.19-2024

DESIGNATION OF OFFICIAL NEWSPAPER AND WEBSITE

WHEREAS, the Village Board of Trustees has determined that there needs to be an official newspaper for the Village; and

WHEREAS, the Windsor Standard publishes a weekly newspaper that has a broad distribution of the newspaper within the village; and

WHEREAS, the Village of Windsor has a website and will post all legal notices and public notices on their site; and

THEREFORE, BE IT RESOLVED, the Board of Trustees does designate that the Windsor Standard be the official newspaper and www.villageofwindsor.org be the official website of the Village of Windsor.

Offered by: James W. Miller
2nd by: Eliane L. Card
Vote: AYE – All who were in attendance

Resolution effective December 5, 2024

Resolution #20-2024

RESOLUTION NO.20-2024

RESOLUTION TO PAY MILEAGE

WHEREAS, the Board of Trustees of the Village of Windsor has determined to pay a fixed rate for mileage as reimbursement to such Officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village.

NOW, THEREFORE, BE IT RESOLVED, that the Board of trustees shall approve reimbursement to such Officers and employees at the rate of fifty-five cents (.67¢) per mile.

Offered by: James W. Miller
2nd by: Elaine L. Card
Vote: AYE – All who were in attendance

Resolution effective December 5, 2024

Resolution #21-2024

RESOLUTION NO.21-2024

RESOLUTION TO PERMIT PAYMENT IN ADVANCE OF AUDIT

BE IT RESOLVED, that payment may be made in advance of audit on claims for certain recurring expenses that include, but are limited to, public utility expenses, postage, freight and express charges, and such similar expenses.

Offered by: James W. Miller
2nd by: Elaine L. Card
Vote: AYE – All who were in attendance

Resolution effective December 5, 2024

Resolution #22-2024

RESOLUTION NO.22-2024

DESIGNATION OF AUTHORIZED DEPOSITORIES

WHEREAS, the Village Board of Trustees of the Village of Windsor has determined that the Village Law §4-412(3)(2) requires the designation of banks or trust companies for the deposit of all village monies; and

WHEREAS, Norwich Bank and Trust is located in Norwich, NY.

THEREFORE, BE IT RESOLVED, that the Board of Trustees does designate Norwich Bank and Trust as the depositories of all money received by the Village Treasurer, Clerk and Receiver of Taxes.

Offered by: James W. Miller
2nd by: Elaine L. Card
Vote: AYE – All who were in attendance

Resolution effective December 5, 2024

Resolution #23-2024

RESOLUTION NO.23-2024

EMPLOYEE ATTENDANCE AT CONFERENCES

WHEREAS, there is to be held during the coming official year, training and meetings for municipal officers and employees; and

WHEREAS, it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools, benefits the municipality.

THEREFORE, BE IT RESOLVED, that the following officers and employees are hereby authorized to attend these events:

Mayor Ronald G. Harting
Trustees Elaine L. Card, John R. McNulty, James W. Miller, Thomas M. Skinner
Treasurer Patricia Harting
Clerk Courtney Decker
Streets & Water Superintendent David Decker
Assistant Streets & Water Superintendent Eric Weidner
Other individuals as approved by the Board of Trustees

Offered by: James W. Miller
2nd by: Elaine L. Card
Vote: AYE – All who were in attendance

Resolution effective December 5, 2024

Resolution #24-2024

RESOLUTION NO.24-2024

RESOLUTION TO ADOPT PROCUREMENT POLICY

WHEREAS, section 104-b of the General Municipal Law requires the governing body of every municipality to adopt internal policies and procedures governing all procurement of goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from all officers in the Village of Windsor involved in the procurement process,

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Windsor, in a regular session duly convened that the Village of Windsor does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

PROCUREMENT POLICY FOR THE VILLAGE OF WINDSOR

1.
 - a. Every prospective purchase of goods to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. A purchase contract pertains to purchases of materials, supplies, equipment or apparatus. A public works contract encompasses contracts for services, labor or construction. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year.
 - b. The following items are not subject to competitive bidding pursuant to section 103 of the General Municipal law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; certain municipal hospital purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under state and county contracts, surplus and second-hand purchases from another government entity and Sole Source purchases when the product or service is available from one source only, the product or service is uniquely required in the public interest or if there is no substantial equivalent.
 - c. The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This document may include written or verbal quotes from vendors, a memo from the purchase indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase or any other written documentation that is appropriate.

2. All goods and services not subject to competitive bidding will be secured by use of written requests for proposals (RFPs), written quotations, verbal quotations or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided.

3.
 - a. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated amount of purchase contract</u>	<u>Method</u>
\$250 to \$1,000	Discretion of purchaser
\$1,000 to \$3,000	Oral request for the goods and oral/fax quotes from two vendors.
\$3,000 to \$20,000	A written RFP and written/fax quotes from three vendors
<u>Estimated amount of public works contract</u>	<u>Method</u>
\$500 to \$3,000	Discretion of purchaser
\$3,000 to \$10,000	Written RFP and written/fax proposals from two contractors
\$10,000 to \$35,000	Written RFP and written/fax proposals from three contractors.

b. Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

- c. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to procurement.
 - d. All information gathered in complying with the procedures of this policy shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.
4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the Village of Windsor and its taxpayers to make an award to other than the low proposer. If a proposer is not deemed responsible, facts supporting that judgment shall also be documented and filed with the records supporting the procurement.
 5. Pursuant to General Municipal Law section 104-b(2)(f), the solicitation of alternative proposals or quotations will not be required in the best interest of the municipality in the following circumstances where proper qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures;
 - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth.

In determining whether a service shall fit into this category, the Village Board of Trustees shall take into consideration the following guidelines:

- (I) Whether the services are subject to state licensing or testing requirements;
- (ii) Whether substantial formal education or training is a necessary prerequisite to the performance of the services; and
- (iii) Whether the services require a personal relationship between the individual and municipal officials.

Professional and technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer or architect engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or artwork; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and delay in order to seek alternate proposals may threaten life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Village of Windsor is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- d. Goods under \$250 and public works contracts for less than \$500. The time and documentation required to purchase through this policy may be more costly than the item itself and therefore not be in the best interest of the taxpayer. In addition, it is not likely that such *de minimis* contracts would be awarded based on favoritism.

6. No portion of this resolution shall be construed as preventing the competitive bidding of purchase contracts under \$20,000 or public works projects under \$35,000, if so desired.
7. This policy shall be reviewed annually by the Village Board of Trustees at its organizational meeting or as soon thereafter is reasonably practicable.

Offered by: James W. Miller
2nd by: Elaine L. Card
Vote: AYE – All who were in attendance

Resolution effective December 5, 2024

3.) All the paperwork for reimbursement of the Holiday Decorations for the Community Improvement Grant was submitted. 4.) Clerk Decker requested a motion to approve the Meeting Minutes from the November 7, 2024, meeting.

Motion: to accept the Meeting Minutes of November 7, 2024

By: Ronald G. Harting
2nd: James W. Miller
Vote: AYE - All that were in attendance

Mayor's Report, Ronald G. Harting present – 1.) Mayor Harting requested to go to Executive Session to discuss possible litigation matters.

Motion: to go into Executive Session at 7:48 p.m.

By: Ronald G. Harting
2nd: James W. Miller
Vote: AYE - All that were in attendance

Motion: to leave Executive Session at 8:12 p.m.

By: James W. Miller
2nd: Elaine L. Card
Vote: AYE - All that were in attendance

Motion: to adjourn at 8:15 p.m.

By: James W. Miller
2nd: Elaine L. Card
Vote: AYE - All

Respectfully Submitted,

Courtney J. Decker, Village Clerk