

MEETING MINUTES
of the Village of Windsor, N.Y.
107 Main Street
Windsor, NY 13865
May 5, 2015

Present:	Mayor:	Ronald G. Harting
	Trustee	Robert Bennett
		Eileen Shelp-Olmstead
		Thomas M. Skinner
		Robert E. West
	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 Ron Harting

Pledge of Allegiance

Welcome: to Bill & Diane Wallick and Tom Frye.

Public Comment - 1) Diane asked the village board for more storage racks in the basement of the town hall. We had received some when we got a grant a few years ago with the town. Diane has spoken with Councilman Bates asking if we can have them, but has received no response. So she wanted to know if we could buy some. Tom Frye asked if we were doing anything with 135 Main. Gary stated that they have been doing some cleanup there. He also asked about the tires at the house of 184 Main Street. Gary stated they have been sent a violation and the DEC has been notified. Tom also noticed there is wood and other stuff that needs to be taken care of at 32 Elm Street, right next to the fire station.

Code Enforcement Report, Gary Post present - 1) They have been cleaning up at 135 Main. 2) They went to court for 23 Academy Street. 3) Gary had suggested that when the village acquires the village green, the church take on the address of Chapel Street. That will fulfill the zoning requirements needed. 4) Gary has some legal matters he needs to discuss with the village in executive session.

Attorney's report - An itemized report of their bill was presented to the board. There are several items that need to be discussed in Executive Session.

Streets Report, David Decker present - 1) Met with Broome Bituminous this week. He asked them for a cost of 6 streets. He told David if they want to do south Academy Street to contact Bothar, as they have the state bid for milling down streets. Upper Terrace Drive, Gary Street, south Academy Street and Cresson Hill are the worst. The owner of Village Manor Apartments will be paving his parking lot either next year or the following. It was suggested that we pave Gary Street at the same time. Cresson Hill is in bad shape but we only have 3 residents on there so we have to consider that when we choose which ones. If we do south Academy, it will have to be milled down. 2) Oliver's brought down the new tractor. It's not the one we ordered, but this one is cheaper and they'll try it out for a while. If they like it, they'll keep it. 3) They gave Brian Williams the new sluice pipe on Terrace Drive. 4) The trees on Academy Street that were talked about last month, are not in the village right-of ways. David had a call from James McCombs on Grove Street and Kevin Rollo on Academy Street. The tree at McCombs is in our right-of-way. We have trimmed it in the past. Jim would keep the wood so that will

save us some money is disposal. Kevin's tree is in our right-of-way. David will get a price from Cook Brothers. 6) David spoke with Kevin Rollo and he would like the table that's in the meeting room.

Motion: to sell the table for \$75 to Kevin Rollo

By: Robert J. Bennett
2nd: Thomas M. Skinner
Vote: AYE - All

7) Trustee Bob Bennett asked if we can put some millings on the edge of New Street facing the cemetery. David said he will do that. 8) Trustee Eileen is concerned with some headstones being damaged at the cemetery. Tom stated there is a meeting of the cemetery coming up and she should go to it. Get in touch with Donna Fettinger regarding it.

Water Report, David Decker present - 1) Read the meters and the bills were mailed out. 2) We've been replacing meters. There's a couple more to do, but we have to hook up with the owner. 3) The fluoride grant is all done. 4) Marion's had a new service line put in. 5) The level transmitter in the water reservoir is acting up almost every day. He asked for someone to come out and we should have a price for a new system by next month. 6) Mayor Ron asked if he ordered the new blow-offs. Dave stated no, not yet.

Treasurer's Report, Patricia Harting present - No report. We did get a sales tax check and it was a little above the anticipated.

Motion: to accept the Meeting Minutes of April 7, 2015

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

Resolution #18-2015

RESOLUTION NO.18-2015 A RESOLUTION APPROVING LOCAL LAW NO.2-2015

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 May, 2015, the following resolution was offered and seconded:

WHEREAS, the Village of Windsor scheduled a public hearing for April 7, 2015 at 7:15 p.m. for Local Law No. 2 of the Year 2015 entitled "A LOCAL LAW TO AMEND SECTION 200-42 OF THE VILLAGE CODE OF THE VILLAGE OF WINDSOR CHANGING THE OFF-STREET PARKING REQUIREMENTS"; and

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

WHEREAS, said public hearing was duly held at the Community House, 107 Main Street, Windsor, New York on the 7th day of April, 2015 at 7:15 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, the Village Board referred the Local Law to the County Planning Board and the Village Planning Board, neither of whom recommended disapproval of the law; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act the Village Board determines that adoption of the proposed Local Law constitutes an Unlisted Action; and

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

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, the Village Board has thoroughly considered the possible environmental impacts of the adoption of Local Law 2 of 2015. 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

RESOLVED, the Village Board hereby adopts said Local Law as Local Law 2 of 2015, and a copy of which is attached hereto and made a part hereof; and

THEREFORE, 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.

RESOLVED, that this resolution will take effect immediately.

Offered by: Robert E. West
2nd by: Robert J. Bennett
Vote: **AYE** - Mayor Ronald G. Harting
AYE - Trustee Robert J. Bennett
AYE - Trustee Eileen Shelp-Olmstead
AYE - Trustee Thomas M. Skinner
AYE - Trustee Robert E. West

VILLAGE OF WINDSOR LOCAL LAW NO. 2 OF THE YEAR 2015

**A LOCAL LAW TO AMEND SECTION 200-42 OF THE VILLAGE CODE
OF THE VILLAGE OF WINDSOR CHANGING THE
OFF-STREET PARKING REQUIREMENTS**

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

Section 1.

The Village Code of the Village of Windsor shall hereby be amended by this Local Law by deleting Section 200-42.A in its entirety and replacing it with the following:

A. One (1) automobile parking space, consisting of at least nine by eighteen (9 x 18) feet and not located on a public street or highway and necessary egress from and ingress to said parking space shall be provided for:

- (1) Each dwelling unit.
- (2) Each guest room in boarding- and rooming houses, residential hotels, motels, tourist homes and similar uses.
- (3) Each five (5) seats in churches, theaters and other places of assembly.
- (4) Each three hundred (300) square feet of gross floor area in the main structure of restaurants, tea rooms, dance halls and similar uses.
- (5) Each three hundred (300) square feet of gross floor area in the main structures of business offices, professional offices, banks and similar uses.
- (6) Each five hundred (500) square feet of gross floor area in the main structure or structures used primarily for wholesale trade, storage or warehousing.
- (7) Each three hundred (300) square feet of gross floor area in the main structure of retail business uses.

- (8) Each two hundred (200) square feet of gross floor area of industrial uses.

Section 2.

The Village Code of the Village of Windsor shall hereby be amended by this Local Law by adding a new Section 200-42.C as follows:

C. The parking requirements set forth in Section 200-42.A shall not apply to any use within a structure if the structure was in existence prior to January 1, 2015, provided that said use does not require the modification, alteration or extension of the structure.

Section 3.

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

Section 4.

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 5.

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 #19-2015

**RESOLUTION NO.19-2015
RESOLUTION TO AMEND 2015/2016 BUDGET**

WHEREAS, a check was issued to Coughlin & Gerhart on April 8, 2015 in the amount of \$5,426.19; and

WHEREAS, Coughlin & Gerhart issued a check for overpayment to the village in such check in the amount of \$698.19; and

BE IT RESOLVED, that the amount of \$698.19 be credited back into the Attorney expenditure fund;

BE IT RESOLVED, that said annual budget approved and filed as aforesaid, be amended as follows:

Estimated Revenues	A510	\$ 698.19	
Subsidiary Account	A2770-Miscellaneous		\$ 698.19
Estimated Appropriations	A960	\$ 698.19	
Subsidiary Account	A1420.4-Attorney Exp.		\$ 698.19

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, 2015.

Offered by: Thomas M. Skinner
2nd by: Robert J. Bennett
Vote: **AYE** - Mayor Ronald G. Harting
AYE - Trustee Robert J. Bennett
AYE - Trustee Eileen Shelp-Olmstead
AYE - Trustee Thomas M. Skinner
AYE - Trustee Robert E. West

Resolution effective May 5, 2015

Reports of Committees: No committee reports.

Mayor's Report - 1) We received a contract from Computel. They will examine Adam's Cable franchise agreement for any non-compliance items and determine if any funds may be due for past underpayments. If no items were found, it costs the village nothing. If they determine that the village is owed money, they will pay Computel a one-time fee of forty percent (40%) of all recovered underpayments.

Motion: to authorize the Mayor to sign an agreement with Computel
By: Thomas M. Skinner
2nd: Eileen Shelp-Olmstead
Vote: AYE - All

2) An agreement has been reached an agreement with S.E.P.P. for a PILOT payment schedule. For the year 2015, the PILOT will remain \$15,000; from 2016-2020 - \$16,500; 2021-2025 - \$18,150; 2026-2030 - \$19,965; 2031-2035 - \$21,961.50; 2036-2037 - \$24,157.65.

Motion: to allow the mayor to sign the P.I.L.O.T. agreement

By: Robert J. Bennett
2nd: Robert E. West
Vote: AYE - All

3) Leatherstocking would like us to consider doing a P.I.L.O.T. agreement. The PSC and Leatherstocking will be holding a public hearing on Thursday, May 21st at the High School Auditorium. There will be a formal meeting at the Community House on Friday, May 22nd at 10:00 a.m. 4) There was a meeting with Luella English from the church, Attorney Bob and the mayor to discuss the village green. Things are progressing. 4) The county would like us to sign the road use agreement. The mayor sent it to our attorney for final approval.

County Legislator Scott Baker was present. He had been to a Town of Kirkwood meeting where Debbie Preston was present. She has procured for them a \$750,000 grant to remove blight. He suggested the mayor follow through to see if the village could get some of the monies available.

Motion: to go into Executive Session at 8:18 p.m. to discuss a possible legal matter

By: Ronald G. Harting
2nd: Eileen Shelp-Olmstead
Vote: AYE - All

Motion: to return from Executive Session at 8:43 p.m.

By: Ronald G. Harting
2nd: Robert J. Bennett
Vote: AYE - All

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 8:49 p.m.

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

Respectfully Submitted,

Patricia L. Harting, Village Clerk / Treasurer