

Minutes

Village Board of Trustees

December 5, 2011

The annual **Organizational Meeting** of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Present were:

Village Board and Staff.

Mayor Donald Zeigler	Recr. Dir. Nate Nagle
Trustee Ron Swartz	Code Enf. Off. Bob Young
Trustee George Koliwasky	Deputy Clerk Michelle Accavallo
Trustee Suzanne Peters	Deputy Clerk Donna Hartsock
Trustee Larry Clark	Manager's Asst. Rachel Baer
Village Manager Walt Herbst	Fire Chief Arthur Sullivan
Village Attorney John Groff	Village Justice Bill Driscoll
Clerk-Treasurer Sharron Cunningham	Village Justice Louis Tarantelli
DPW Matt Mustico	

Others Present

Many family members of the Trustees and Mayor

At this time Mayor Zeigler, and Trustees Larry Clark and George Koliwasky were sworn in each for another four-year term by Village Justices Driscoll and Tarantelli.

Trustee Koliwasky - four years later and I'm still excited about what we are doing.

Trustee Clark presented Mayor Zeigler with his own gavel.

Mayor Zeigler - we still have more to do. I sincerely thank my wife Jan and those who support me.

Mayor Zeigler reported on the idea of having a statue of horse in Teal Park. Could be done under a fundraiser. Tribute to military horse, of how Horseheads got its name. Leah Cramer is working on this.

Resolution by Trustee Koliwasky, seconded by Trustee Clark

WHEREAS, the members of the Board of Trustees have each been provided with a copy of the proposed resolutions to be considered for adoption at this meeting, and

WHEREAS, each of the Trustees has reviewed each of the proposed resolutions, and

WHEREAS, it has been suggested that the reading of the resolutions may be waived since each of the Trustees have reviewed each of the proposed resolutions in advance.

NOW THEREFORE BE IT RESOLVED, that the reading of the resolutions for agenda items 'a' through 'k' is waived, and the same are approved and set forth herein below:

a) BE IT RESOLVED, that pursuant to Village Law, the regular monthly meetings of the Village of Horseheads Board of Trustees shall be held on the second and fourth Thursday of each month beginning at 7:00 p.m. at the Village Hall, 202 S. Main St., Horseheads, New York. Special meetings may be called as provided in the Village of Horseheads Board of Trustees Rules of Procedures for Meetings. Nothing to the contrary withstanding there shall be no regular meeting of the Board on the fourth Thursdays for the months of July and August.

b) BE IT RESOLVED, that the Clerk's Office of the Village of Horseheads will be open to the general public between the hours of 8:00 a.m. through 4:00 p.m. Monday through Friday excepting for such holidays as are established by the Village of Horseheads Board of Trustees and such other times and periods as such Board may determine from time to time.

c) BE IT RESOLVED, that the Village Clerk's Office and Village Manager's Office shall be closed on the following legal holidays:

- | | |
|------------------------|----------------------------|
| Christmas Day | Labor Day |
| New Years Day | Columbus Day |
| Martin Luther King Day | Veterans Day |
| Presidents Day | Thanksgiving Day |
| Good Friday | Day After Thanksgiving Day |
| Memorial Day | |
| Independence Day | |

d) BE IT RESOLVED, that the Elmira Star-Gazette be and hereby is designated the official newspaper of the Village of Horseheads, and be it further

RESOLVED, that all official proceedings, notices, resolutions, ordinances, and acts of the Trustees shall be published in the aforementioned newspaper or as otherwise directed by the Board of Trustees.

e) BE IT RESOLVED, that HSBC Bank USA, and Chemung Canal Trust Company, both of Horseheads, New York, The JP Morgan Chase Bank of Elmira, New York, and Five Star Bank, of Bath, NY hereinafter referred to collectively as "Banks" be

and hereby are designated a depository or official bank of this corporation for the official year commencing **December 5, 2011** and are authorized to receive for deposit, at any such office or offices, to the credit of this corporation, or for the collection for the account of this corporation, monies, checks, drafts, notes or other instruments for the payment of money (including electronic fund transfers and wire transfers), whether belonging to this corporation or otherwise, which may now be or hereafter come into their possession, and be it further

RESOLVED, that any two of the following three officials or officers of the Village of Horseheads - Mayor, Deputy Mayor or Clerk-Treasurer - be and they hereby are authorized to make, sign, draw, accept, indorse, execute and deliver any and all checks, drafts, notes, acceptances, evidences of indebtedness, or other instruments for the payment (including electronic fund transfers and wire transfers) of money of this corporation on deposit with the said Banks; and the said Banks be and they hereby are authorized to make payment from funds of this corporation on deposit with them upon and according to the terms of any such instrument when signed as above provided over the official title of such signer, and to receive the same to the credit of or in payment from the payee or any other holder, when so signed, without inquiry as to the circumstance of their issue or the disposition of their proceeds, whether drawn to the individual order of or tendered in payment of the individual obligations of any persons signing the same or of any other officer, agent or signatory of this corporation or otherwise, excepting that withdrawals from savings must be signed by one authorized signature of either the Mayor, Deputy Mayor or Clerk Treasurer, and be it further

RESOLVED, that any check herein authorized to be drawn in the name of this corporation may be signed with the facsimile signature of Mayor Donald Zeigler and the said Banks shall be entitled to charge any such check to this corporation's account regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto if such signature corresponds with the facsimile specimen duly certified to and filed with the said Banks by the Clerk-Treasurer of this corporation, and be it further

RESOLVED, that the Mayor, Deputy Mayor, and Clerk-Treasurer be and hereby are appointed agents of the said corporation, and that any two of such agents shall have access to the safe or safes including safety deposit boxes, in the vaults of the said Banks, and be it further

RESOLVED, that the Clerk-Treasurer of this corporation be and she hereby is authorized and directed to certify to the said Banks the names of all officers of this corporation and other persons authorized to sign for it as herein provided and the offices respectively held by them together with specimens of their signatures, whether facsimile or otherwise, and from time to time thereafter to certify such changes as may be made, and be it further

RESOLVED, that any and all prior resolutions adopted by this corporation authorizing access to safe or safes, or safety deposit box(es), and designating its official Banks and the parties who may draw against and or withdraw its funds are

revoked and canceled the effective date hereof, and be it further

RESOLVED, that the foregoing powers and authority shall continue until written notice of the revocation thereof has been received by said Banks, and be it further

RESOLVED, that the Clerk-Treasurer is hereby authorized, pursuant to Article II of the General Municipal Law, to temporarily invest during the official year **ending the first Monday in December, 2012** monies not required for the immediate expenditures under conditions and with the limitations specifically set forth herein.

- f) WHEREAS, the Village of Horseheads Board of Trustees has adopted a Purchasing Policy governing the acquisition of goods and services and

WHEREAS, such policy is to be reviewed annually and was last revised in May 2011, and

WHEREAS, this Board has reviewed same and found that no amendments are necessary at this time.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Purchasing Policy, **as revised in May 2011**, be adopted. A copy of the policy shall be placed on file with the Village Clerk-Treasurer.

- g) WHEREAS, the Village of Horseheads Board of Trustees has adopted Rules of Procedure governing the conduct of its various board and committee meetings, and

WHEREAS, such policy is to be reviewed annually, and was last revised in December 2010, and

WHEREAS, no amendments to said policy are necessary at this time.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Rules of Procedure, **last revised December 2010**, be adopted. A copy of the policy shall be placed on file with the Village Clerk-Treasurer.

- h) WHEREAS, the Village of Horseheads owns and operates a cemetery known as Maple Grove Cemetery which is regulated by Article 15 of the Village Law and Chapter 113 of the Village Code, and

WHEREAS, the operation of the cemetery is vested in the Board of Cemetery Commissioners.

NOW THEREFORE BE IT RESOLVED, that the Trustees of the Village of

Horseheads shall automatically be Cemetery Commissioners for the duration of their respective terms as said Trustees. The Mayor shall be the Chairperson of the Board of Cemetery Commissioners. Meetings of the Board of Cemetery Commissioners may be held as part of and during regular and special meetings of the Board

- i) WHEREAS, the Village of Horseheads owns and operates a Fire Department generally known as the Horseheads Fire Department, and

WHEREAS, Article 10 of the Village Law provides for a Board of Fire Commissioners and establishes their powers and duties.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby establish a Board of Fire Commissioners vested with all of the powers and duties of such Board as provided in Article 10 of the Village Law. The members of the Fire Commission shall be the members of the Board of Trustees. The Trustees shall automatically be Fire Commissioners for the duration of their respective terms as said Trustees. The Chairperson of the Board of Fire Commissioners shall be the Mayor of the Village. Meetings of the Board of Fire Commissioners may be held as part of and during regular and special meetings of the Board of Trustees.

- j) WHEREAS, the Village of Horseheads owns and operates a Water Department, and

WHEREAS, Article 11 of the Village Law provides for a Board of Water Commissioners and establishes their powers and duties.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby establish a Board of Water Commissioners vested with all of the powers and duties of such Board as provided in Article 11 of the Village Law. The members of the Water Commission shall be the members of the Board of Trustees. The Trustees shall automatically be Water Commissioners for the duration of their respective terms as said Trustees. The Chairperson of the Board of Water Commissioners shall be the Mayor of the Village. Meetings of the Board of Water Commissioners may be held as part of and during regular and special meetings of the Board of Trustees.

- k) WHEREAS, the Village of Horseheads has entered into an intermunicipal cooperation agreement with the Town of Horseheads for the latter to provide Dog Control services, and

WHEREAS, the Town of Horseheads has employed Frank Rosplock, and may hereafter from time to time employ others in the capacity of Dog Control Officer, and

WHEREAS, it is the desire of this Board that the Dog Control Officer of the Town of Horseheads be authorized and empowered to enforce Chapter 80 of the Village Code and such other animal control laws, rules, regulations and ordinances as may be enacted from time to time within the Village of Horseheads and to, among other things, issue appearance tickets in regard thereto.

NOW THEREFORE BE IT RESOLVED, that such individuals as are employed by the Town of Horseheads as Dog Control Officers and assigned, pursuant to the above-noted agreement, to enforcement of Chapter 80 of the Village Code and such other animal control laws, rules, regulations and ordinances as may be enacted from time to time within the Village of Horseheads be and they hereby are designated Dog Control Officers within the Village of Horseheads and are empowered with all of the duties and responsibilities of such position including the power to issue appearance tickets, etc. Pursuant to Village Law Section 3-300 the Dog Control Officer may, in lieu of residing in the Village of Horseheads, reside within Chemung County.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Koliwasky: Aye
Trustee Peters: Aye
Trustee Clark: Aye

Communication from Mayor Zeigler to the Board of Trustees:

I hereby appoint **Ronald Swartz** as **Deputy Mayor** for a term which will expire on the first Monday of December, **2012**.

Resolution by Trustee Clark, seconded by Trustee Peters

BE IT RESOLVED, that the following appointments be made:

- **Lori Spallone**, of Westinghouse Road, be appointed as an **Alternate Member of the Village Planning Board** for a term which will expire the first Monday in December **2013**, and
- **Hank Corp**, of William Lane, be appointed as a **Member of the Zoning Board of Appeals** for a term which will expire on the first Monday in December **2016**.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Koliwasky: Aye

Trustee Peters: Aye
Trustee Clark: Aye

Communication from Village Manager Walter Herbst to the Board of Trustees:

I hereby make the following appointments:

Arthur Sullivan, Miller Street, Horseheads, as **Master Mechanic** of the Horseheads Fire Department;
Robert Young, Mathew Circle, Horseheads as **Fire Inspector and Code Enforcement Officer**;
John Groff, Esq., Silver Oak Drive, Horseheads as **Village Attorney**;
Walter Herbst, S. Main Street, Horseheads as **Budget Officer**;
Donna Hartsock, Greenridge Drive, Horseheads, as Deputy Clerk; and
Michele Accavallo, Easterbrook Drive, Horseheads, as Deputy Treasurer

each for terms which will expire on the first Monday in December, **2012**.

Resolution by Trustee Swartz, seconded by Trustee Clark

BE IT RESOLVED, that the reading of the minutes of Board of Trustees Meetings of November 10, November 15, and November 29, 2011 be dispensed with and the same stand approved as entered by the clerk.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Koliwasky: Aye
Trustee Peters: Aye
Trustee Clark: Aye

Motion by Trustee Koliwasky, seconded by Trustee Clark, that the following item be added to the agenda:

- Probationary Appointment to Fire Department

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Koliwasky: Aye
Trustee Peters: Aye
Trustee Clark: Aye

Resolution by Trustee Clark, seconded by Trustee Koliwasky

BE IT RESOLVED, that this Board hereby approves the one-year probationary appointment of Dale Simons of 201 Thorne Street, to the Village of Horseheads Fire Department.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye
Trustee Clark:	Aye

As there was nothing further to come before the Board, the Organizational Meeting was closed at 7:21 p.m.

/rmb