

# Minutes

## Village Board of Trustees

December 7, 2015

An **Organizational Meeting** of the Village of Horseheads Board of Trustees was held on the above date at Noon.

Present were:

### Village Board and Staff

Mayor Louise McIntosh	DPW Matt Mustico
Trustee Mike Skroskznik	Water Dept. Don Gaylord
Trustee Brad Lytle	Water Dept. Chris Lawrick
Trustee Pat Gross	Code Off. Bob Young
Village Atty. John Groff	Parks Dir. Nate Nagle
Clerk-Treasurer Sharron Cunningham	Village Justice Lou Tarantelli
Deputy Treasurer Donna Hartsock	Village Justice Dave Brockway
Deputy Clerk Kendra Griswold	Court Clerk Kristen Hurd
Manager's Asst. Rachel Baer	Village Police Officers

### Others Present

Georgia Reynolds, Hibbard Ave.	M. J. Austin, Breesport
Dave Padgett, W. Franklin St.	Marcia Tinker, Shappee St.
Michael Maloney ,Westlake St.	Jean Quinn, Gardner Rd.
Dave Reynolds, Matthews Cir.	Wayne Brubaker, Gardner Rd.
Debi Lytle, Grand Central Ave.	Craig Banfield, Hhds.
Betty Phelps, Grand Central Ave.	Dave Ruhmel, Hhds.
Janet, Joe Ruhmel, Gardner Rd.	Laura Peck, Hhds.
Bill, Judi Driscoll, Day St.	Seth Zawko, Hhds.
Ryan Wheeler, Canal St.	Rob Maloney, Hhds.
Barb Skorczewski, W. Franklin St.	Sean Lohmuller, Sayre St.
Jean Zimmer, Matthews Cir.	Mike Mower, W. Broad St.
Debbie Hicks, Gardner Rd.	Ron, Pat Gulich, Marshall St.
Stacy Gardner, Park Terr.	Ken Howland, Hhds.
Allyssa Gardner, W. Franklin St.	Al Edwards, Hhds.
Jackie Sullivan, Spencerport	Jim Lynch, Hhds.
Don Murphy, Shull Lane	News Media

Swearing In of Elected Officials - Village Justice Louis Tarantelli conducted the swearing in ceremony for newly elected Board Members: Mayor Louise McIntosh, Trustee Brad Lytle, and Trustee Patricia Gross.

*Communication from Mayor McIntosh to the Board of Trustees:*

WHEREAS, Trustee Ronald Swartz has resigned his office effective December 7, 2015, and

WHEREAS, Trustee Swartz's term of office doesn't expire until December 2016, leaving a vacancy on the Village Board, and

WHEREAS, vacancies in elective office are generally filled by the Mayor.

NOW I, Louise McIntosh, Mayor of the Village of Horseheads, hereby appoint William J. Goodwin, of Sunset Drive Horseheads, as Village Trustee. Said term to expire the first Monday of December, 2016.

Justice Tarantelli then conducted swearing in for newly appointed Trustee Goodwin.

Resolution by Trustee Gross, seconded by Trustee Skroskznik

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 '3a' through '3j' as set forth below is hereby waived, and the same are approved.

Trustee Lytle - I would vote no for cancelling meetings for July and August.

Trustee Gross - there usually isn't that much going on in the summer. Can call a meeting if necessary.

Mayor McIntosh - I have reviewed this, we can have a second meeting if necessary. It's been a tradition to cancel these for the summer. I also thought it would be good to at least have a few weeks where people can plan their vacations.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	No
Trustee Gross	Aye
Trustee Goodwin	Aye

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 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 Chemung Canal Trust Company and Five Star Bank both of Horseheads, New York, and The JP Morgan Chase Bank of Elmira, New York, 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 7, 2015** 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 Louise McIntosh** 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 2016** monies not required for the immediate expenditures under conditions and with the limitations specifically set forth herein.

- f) Resolution by Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_

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

WHEREAS, this Board has reviewed same and has considered minor amendments.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Rules of Procedure, **with current amendments dated December 2015**, be adopted. A copy of the policy shall be placed on file with the Village Clerk-Treasurer.

- g) 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

- h) 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.

- i) 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.

- j) 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 and may hereafter from time to time employ individuals or agencies 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.

Resolution by Trustee Gross, seconded by Trustee Skroskznik

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 December 2014, and

WHEREAS, this Board and Village Atty. John Groff have reviewed same and found that no amendments are necessary at this time.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Purchasing Policy, last revised December 2014 be reaffirmed. A copy of the policy shall be placed on file with the Village Clerk-Treasurer.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

*Communication from Mayor McIntosh to the Board of Trustees:*

I hereby appoint **Brad Lytle** as **Deputy Mayor** for a term which will expire on the first Monday of December, **2016**.

Resolution by Trustee Lytle, seconded by Trustee Skroskznik

BE IT RESOLVED, that the following appointments by Mayor McIntosh are approved:

PLANNING BOARD

- **Mike Stenpeck**, Grand Central Ave., **Planning Board Member** for a term which will expire the first Monday in **December 2020**. (**Mr. Stenpeck is also the current Chairman**).
- **Tom Rupp**, Tiff Avenue, **Planning Board Member**, for a term which will expire on the first Monday in **December 2017** (filling unexpired term of William Goodwin).
- **Donald Murphy**, Shull Lane, **Planning Board Alternate**, for a term which will expire on the first Monday in **December 2016**.

ZONING BOARD OF APPEALS

- **Dave Radin**, South Main St., **ZBA Member** for a term which will expire the first Monday in **December 2020**. (Mr. Radin is also the current Chairman)
- **Dave Reynolds**, Matthews Circle, **ZBA Member**, for a term which will expire on the first Monday in **December 2018** (filling unexpired term of Louise McIntosh).
- **Jennifer Driscoll**, Hatfield St., **ZBA Alternate**, for a term which will expire on the first Monday in **December 2016**.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

*Communication from Acting Village Manager Louise McIntosh to the Board of Trustees:*

I hereby make the following appointments as Acting Village Manager:

**Arthur Sullivan**, Miller Street, as **Master Mechanic** of the Horseheads Fire Department;  
**Robert Young**, Center Street, as **Fire Inspector and Code Enforcement Officer**;  
**John Groff**, Esq., Silver Oak Drive, as **Village Attorney**;  
**Donna Hartsock**, Greenridge Drive, as **Deputy Treasurer**; and  
**Kendra Griswold**, Sage Street, as **Deputy Clerk**

each for terms which will expire on the first Monday in **December 2016**.

Resolution by Trustee Skroskznik, seconded by Trustee Gross

BE IT RESOLVED, that the regularly scheduled Village Board Meeting of Thursday, December 10<sup>th</sup> is hereby cancelled and rescheduled to Thursday, December 17<sup>th</sup> at 7:00 p.m.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Skroskznik, seconded by Trustee Gross

WHEREAS, the law enforcement function is a critical and necessary governmental service, and

WHEREAS, all municipal departments including police departments benefit from strong leadership, management and training to maintain consistently high standards of performance, and

WHEREAS, Civil Service Law Section 58 and Village Law Section 8-800 require, under certain circumstances, the maintenance of the office of Chief of Police, which in the Village of Horseheads is not a law enforcement function but rather an administrative and supervisory function, and

WHEREAS, this Board has determined that the Village of Horseheads Police Department will be very adequately supervised, managed and administered by a part-time Police Chief, and

WHEREAS, this Board has extensively researched and considered the needs of the Village of Horseheads Police Department for administration, supervision and management provided by the office of Police Chief, and further has examined the professional skills, ability, training, experience and qualifications of Thomas J. Stickler to serve as part-time Police Chief of the Village Police Department.

NOW THEREFORE BE IT RESOLVED, that Mayor Louise McIntosh is authorized and directed to execute an employment agreement with Thomas J. Stickler as part-time Police Chief of the Village of Horseheads effective immediately at an annual salary of \$29,999.00. Said position to not exceed 20 hrs. per week on average. A copy of said agreement shall be placed on file with the Village Clerk.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Mayor McIntosh then conducted the swearing in of Police Chief Tom Stickler.

Audience Participation - None.

As there was nothing further to come before the Board, on a motion by Trustee Lytle, seconded by Trustee Skroskznik, the Organizational Meeting was adjourned at 12:20 p.m.

/rmb