

Minutes

Village Board of Trustees

March 8, 2012

A meeting of the Village of Horse heads Board of Trustees was held on the above date at 7:00 p.m. Present were:

Village Board and Staff

Deputy Mayor George Koliwasky
Trustee Larry Clark
Trustee Suzanne Peters
Village Attorney John Groff

Clerk-Treasurer Sharron Cunningham
Deputy Clerk Donna Hartsock
Manager's Asst. Rachel Baer
Fire Chief Arthur Sullivan
Code Enf. Officer Bob Young
Parks Dir. Nate Nagle
PB Member Mike Stenpeck

Absent

Mayor Don Zeigler
Trustee Ron Swartz
Village Manager Walt Herbst

Others Present

Wayne Brubaker, Gardner Rd.
Dave Padgett, W. Franklin St.
Matty Princiotto, Sunset Dr.
Howard Miller, Sunset Dr.
Louise McIntosh, Renwick Lane
Sal Princiotto, Vargo Rd.

Jim Loonan, Hunt Circle
Dot Gebhart, Biltmore Dr.
Susan Multer, Watkins Rd.
Mike Swasta, Watkins Rd.
Bonnie Chollet, Latta Brook Rd.

Deputy Mayor Koliwasky reported a Communication from Mayor Zeigler, appointing Trustee Koliwasky as Deputy Mayor during the absence of Trustee Swartz.

Resolution by Trustee Peters, seconded by Trustee Clark

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of February 23, 2012 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Trustee Clark	Aye
Trustee Peters	Aye
Deputy Mayor Koliwasky	Aye

Resolution by Trustee Clark, seconded by Trustee Peters

BE IT RESOLVED, that the audit of bills as listed below be received and approved for payment when in funds:

General -	\$ 113,191.49
Water -	\$ 34,951.78
Trust/Agency -	\$ 937.14

Roll Call Vote:

Trustee Clark	Aye
Trustee Peters	Aye
Deputy Mayor Koliwasky	Aye

Resolution by Trustee Peters, seconded by Trustee Clark

BE IT RESOLVED, that the minutes of the Planning Board Meeting of February 28, 2012 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Trustee Clark	Aye
Trustee Peters	Aye
Deputy Mayor Koliwasky	Aye

Resolution by Trustee Peters, seconded by Trustee Clark

BE IT RESOLVED, that the applications of Miracle Inn, LLC for 1) Rezoning of 2671 Corning Road from M-1 to C-3; and 2) an Area Variance for a 4-story hotel structure are hereby received, and same are to be forwarded to the Village, Town and County Planning Boards for their review and comment.

Roll Call Vote:

Trustee Clark	Aye
Trustee Peters	Aye
Deputy Mayor Koliwasky	Aye

The Financial Report was tabled due to the absence of the Village Manager.

7:05 p.m. - Public Hearing: Application from Church of Christ, Miller St., for a Special Sign Permit. Atty. Groff declared open the public hearing. As nobody came forward to speak, Atty. Groff declared the public hearing closed.

SEQR Review - Board to Complete Part 2 - The Board read and completed the questions on Part 2 of the SEQR from regarding the application from the Elmira Church of Christ, answering No to each question and finding there to be no significant environmental impact.

Resolution by Trustee Clark, seconded by Trustee Peters

WHEREAS, Elmira Church of Christ (“Applicant”) is the owner of lands at 165 Miller St. in the Village of Horseheads, commonly known as Tax Map Parcel Number 48.20-5-13, and located in an R1 Residential Zone, and

WHEREAS, Applicant has applied to the Village of Horseheads for a Special Sign Permit to install a 2.5’ x 4’ ground sign at said location, and

WHEREAS, a public hearing was held on the application before the Village Board of Trustees on March 8, 2012 at which time all involved or interested parties were afforded an opportunity to comment, and

WHEREAS, the project has been reviewed by the Village Traffic Commission for traffic impact assessment, such review resulting in no safety concerns relative to traffic; as well as the Village, Town and County Planning Boards, all of whom recommend approval of the application or returned for local determination, and

WHEREAS, said application is subject to SEQR and has been classified as an Unlisted Action pursuant to SEQR regulations, and

WHEREAS, the Village of Horseheads Board of Trustees is informed and believes that it is the only involved agency relative to SEQR, and

WHEREAS, the Applicant has submitted a Short Environmental Assessment Form, Part 2 of which has been reviewed by this Board, and this Board has found that the project will have no significant environmental impact.

NOW THEREFORE BE IT RESOLVED, that Mayor Donald Zeigler is hereby authorized and directed to execute the SEQR form for this project determining that the action will not have any significant adverse environmental impacts, and be it further

RESOLVED, that this Board does hereby approve the application of the Elmira Church of Christ for a Special Sign Permit for the construction of a 2.5’ x 4’ ground sign to be located at 165 Miller St. per the site plan and application submitted.

Roll Call Vote:

Trustee Clark	Aye
Trustee Peters	Aye
Deputy Mayor Koliwasky	Aye

Fire Chief Arthur Sullivan - events for St. Patricks Day weekend - shamrock chalk drawing on Saturday afternoon, parade on Sunday.

Deputy Mayor Koliwasky - Norfolk Southern is currently working on cross arms on N. Main St. Bob Young noted that it should take 3 weeks.

Deputy Mayor Koliwasky - NYSDEC has contacted the Village Manager regarding composting project.

Audience Participation

Deputy Mayor Koliwasky noted that audience participation is for comments only - it is not a question and answer session.

Susan Multer, Watkins Rd. - I sent a letter to public officials asking to add to something to tonight's agenda regarding noise study for Schlumberger. Bob Young said he'd seen report and it lacked detail. I hoped someone would report tonight to us any follow up on that noise report. Because it was a lengthy discussion last time, I figured you'd have wanted to put this on tonight's agenda. Also I had hoped you'd have frack sand transport storage on for tonight too. My question is where is the info regarding that new frack sand facility.

Mike Swasta, Watkins Rd. - I also expected a follow up report regarding Bergmann noise report, and nuisance lighting complaint, as well as update as to whether prelim plans have been filed for new sand transport facility. My other concern is the rail crossings. Will there be follow up on other rail crossings.

Dot Gephart, Biltmore Dr. - in the last 5 or 6 meetings it seems like these issues are just swept under the rug. I don't understand why this never appears on the agenda. You put Well 5 on the agenda, but you ignore these problems.

Susan Multer again - I agree with what has just been said. Why doesn't Village enforce noise ordinance. Also, I think it would be good for Trustees to think about if they lived where we do because of the noise would they be satisfied with what this board has done about it?

Mike Swasta - Village Code has performance standards regarding industrial uses - noise, lighting, etc. are addressed. I've been making this complaint for years.

Bonnie Chollet, Latta Brook Rd. - no questions answered? How does a citizen address this with the Board?

Deputy Mayor Koliwasky - The Village Manager is in the office everyday, so is Code Enforcement, and Board members are available via telephone, etc.

As there was nothing further to come before the Board, the meeting was closed at 7:20 p.m.

/rmb