

Minutes

Village Board of Trustees

May 8, 2014

A 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
Trustee Ron Swartz
Trustee George Koliwasky
Trustee Mike Skroskznik
Trustee Caitlin McGurgan
Village Manager Walt Herbst
Village Atty. John Groff

Clerk-Treasurer Sharron Cunningham
Don Gaylord, DPW

Others

Denis Kingsley, Steuben St.
Wayne Brubaker, Gardner Rd.
Norm Stull, Marshall St.
Jean Quinn, Gardner Rd.
Mike Swasta, Watkins Rd.

Keith Krug, Wendell Energy Services
Brian Sibiga, Wendell Energy
Services

Presentation: Wendell - Energy Performance Contract

Representatives from Wendell Energy made a presentation to update the Board on the status of Wendell's Energy Performance Project for the Village.

Resolution by Trustee Koliwasky, seconded by Trustee Skroskznik

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of April 10 and April 24, 2014 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 Skroskznik	Aye
Trustee McGurgan	Aye

Audience Participation

Denis Kingsley, Steuben St. - Many sidewalks in the Village are in bad disrepair, some are non-existent. When it rains it causes flooding. Can the Village address this.

Mike Swasta, Watkins Road - With the new ECode for the Village codebook, the zoning map is not on there. When will it again be available for public access. Also, Bob Young has been appointed to Planning Board. I question the appropriateness of appointing the Code Enforcement Officer to serve on the Planning Board.

Financial Reports

Walt - we have not yet received the \$58K tax due from Schlumberger. Should have it in 7-10 days. In expenses they are up over last year due to two items - one was the new roof, and the second was the spend down of health insurance. The county required us to do a pay out over three months to protect medical expenses incurred by the group. Those two items represent the increase in our expenses for this year over the same time last year. Otherwise we are doing quite well and holding the line on expenses. In Water, we are running about \$1,700 behind in receipts, but we will start to gain with the increase in water rates. Expenses are down.

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that in response to an Order and Stipulation from the Chemung County Supreme Court dated April 14th, 2014 reducing the original taxable assessment of property owned by Pepsi Bottling Group #1928, located at 140 Wygant Road from \$2,131,200 to \$1,500,000 for years 2009 through 2013, Village Clerk-Treasurer Sharron Cunningham is hereby directed to refund the excess amount paid for taxes in said years, totaling \$15,848.14 (2009 - \$3,091.58; 2010 - \$3,149.69; 2011 - \$3,149.69; 2012 - \$3,212.81; and 2013 - \$3,244.37) per instructions stated in said Order, no later than May 14, 2014.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	Aye
Trustee McGurgan	Aye

Manager Herbst - Town of Horseheads does our assessing. They don't fight any of these challenges. Also, the Consortium has the whole question of assessing on our agenda to take a hard look at it. He added that the School District and County will fight challenges.

Discussion ensued regarding whether the School District has to pay back for school taxes.

Resolution by Trustee Swartz, seconded by Trustee McGurgan

BE IT RESOLVED, that the Planning Board Minutes of March 25th and April 29th, and the Traffic Commission Minutes of April 14th be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	Aye
Trustee McGurgan	Aye

Trustee Swartz asked if the Board is supposed to approve the parade application of the American Legion. Atty. Groff stated that the authority for approval of those applications is with the Village Manager, not the Board.

Manager Herbst added that the Legion included with this year's application a request for funding assistance. The Village currently spends upwards of \$1,800 for the parade for police overtime, DPW sweeping, staff time, etc. We did respond to their request.

Resolution by Trustee Swartz, seconded by Trustee Skroskznik

WHEREAS, the Village of Horseheads Board of Trustees reviewed and adopted a budget for the Village for fiscal year 2014-2015, and

WHEREAS, due to circumstances beyond the Village's control and after the adoption of said budget, Village staff learned that the total assessed valuation of real property in the Village changed due to a litigated assessment reduction for Pepsi Bottling Group (located at 140 Wygant Road) in the amount of \$631,200; and an increase in the assessed value of lands of Belden, Inc. (located in the Center at Horseheads, 224 N. Main St., Bldg. "K") in the amount of \$7,656,110 due to expiration of a Payment In Lieu Of Tax agreement, resulting in an adjusted total current assessed valuation of \$341,275,227.00, and

WHEREAS, said change enables the Village to maintain the real property tax levy as fixed by the heretofore adopted budget for 2014-2015 by reducing the monies appropriated from the Village's fund balance as fixed by said budget from \$472,000 to \$435,330.

NOW THEREFORE BE IT RESOLVED, that Manager Walt Herbst and Clerk-Treasurer Sharron Cunningham are authorized and directed to amend and adjust the adopted Village Budget for 2014-2015 as follows:

- a) Increasing the total current assessed valuation to \$341,275,227
- b) Reducing the monies appropriated from Fund Balance to \$435,330

AND ARE FURTHER authorized and directed to take any and all steps and measures necessary to effectuate this resolution.

Manager Herbst - in this past assessment year Belden left town, at the same time as their Payment In Lieu of Tax Agreement expired. So what happened was the County forgot to add in that assessed valuation for tax purposes, so the effect is it doesn't change our tax rate, but it did increase our revenue by approximately \$36,000, and it allowed us to reduce the \$472,000 that we had in appropriated fund balance down to \$435,000. Just making a change to account for the additional revenue generated.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	Aye
Trustee McGurgan	Aye

Trustee Skroskznik asked the status of getting weekly reports. Manager Herbst stated that we've had a lot of trouble with Outlook and changing over to Office 365. That was part of the problem. The other frankly is me being involved in many things at the moment - Well 5, union negotiations, etc. Haven't really leaned on the staff too much on these reports. But as a way of making up for it I've been giving more extensive manager reports at our Board meetings. But we will continue doing weekly reports.

Trustee Skroskznik - was approached by the American Legion about a letter they sent requesting funding for the parade. Was addressed to the Mayor and Board back in March. He added that the Legion indicated it was received at our front office and stamped. Mike added that he is requesting that if there is anything addressed to the Board or Mayor I think it should be given to us so we can review the letter.

Mayor Zeigler - I think it was given to the Traffic Commission, I didn't see the letter either.

Trustee Skroskznik stated he was unable to answer the Legion's question since he didn't see the letter.

Manager Herbst - just pick up the phone and call me.

Trustee McGurgan asked the protocol for Board Members mail. Manager Herbst stated it goes in your mailbox.

Mayor Zeigler said he has told Rachel to go through his mail since so much of it really needs to go to the Manager. That may be what happened, that the letter went with the parade application and went straight to Traffic Commission.

Trustee Koliwasky - regarding the break in the Newtown Creek dike, I had a meeting with JJ Carl this past Monday, and he looked at the levy. He was not troubled but did have questions. He looked at our wells and the elevations and had some different ideas. He will get back to us.

Manager Herbst advised that the workshop with Rick McNeilly regarding reserve funds is set for Tuesday, May 13th at 4:00 p.m. That is the only date Rick is available.

Trustee Koliwasky noted that the ornamental trees which were planted in the Square took a big hit over the winter and are dead. In our budget we have \$1,800 for shade tree expense. Can we use that to replace these trees.

Manager Herbst - absolutely. I will talk to Matt Mustico. DPW will be going around shortly and trimming trees.

Manager Herbst reported on the following items:

- Next newsletter goes out June 1st. Need articles by May 15th.
- New DPW trucks are in and getting set up
- Bid opening on Friday for blacktop
- Tour of Well #5 soon with ribbon cutting
- K9 officer was recertified for 3 more years
- Office 365 migration continues
- On May 21st the Dept. of Labor will revisit to verify that all items found on the violation order was remedied, which they were.

Trustee Koliwasky - any word on new sweeper.

Manager Herbst - I will call them tomorrow.

Trustee Skroskznik - what date is the grand opening for Well 5.

Manager Herbst - not sure yet about Department of Health. They have to do a 72-hour test first.

Trustee McGurgan - completed the last NYCOM webinar for new municipal officials. Very helpful and informative. At the April 10th Board Meeting, Mr. Rupp asked about the SRO officer at the school. Trustee Swartz and I heard from Supt. Marino last week and he said it was going very well, and that they are very satisfied.

Mayor Zeigler - regarding sidewalks - in some areas the problems are due to trees owned by the Village pushing up the sidewalk. Manager Herbst is going to address this issue whether its removal or cut roots, etc. The sidewalk program we used to have was a 50/50 program. But now our new program the Village removes the sidewalk and then the resident can hire a contractor to put in the new one. Saves them and us a lot of money. Code Enf. will be contacting people where trouble spots are.

As there was nothing further to come before the Board, the meeting was adjourned at 8:00 p.m.

/rmb