

Minutes

Village Board of Trustees

September 8, 2011

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
Deputy Mayor Ronald Swartz
Trustee George Koliwasky
Trustee Suzanne Peters
Trustee Larry Clark
Village Manager Walt Herbst
Village Attorney John Groff

Clerk-Treasurer Sharron Cunningham
Police Chief Mike Barton
Court Clerk Jan Zeigler
Manager's Assistant Rachel Baer
Deputy Clerk Donna Hartsock

Others Present:

(see back page)

Resolution by Trustee Koliwasky, seconded by Trustee Peters

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of August 11th, 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

Resolution by Trustee Koliwasky, 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: \$229,395.05
Water: \$31,541.48
T/A: \$1,041.67

AND BE IT FURTHER RESOLVED, that \$2,950.00 be transferred from the Capital Reserve Fund for: Admin Service for Bond - \$850.00, and Pool Assessment Costs - \$2,100.00

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 Swartz

BE IT RESOLVED, that the minutes from the following meetings be received and placed on file in the Village Clerk's Office:

- Zoning Board of Appeals Mtg. - 8/16/11
- Traffic Commission Mtg. - 8/19/11

Roll Call Vote:

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

7:05 p.m. - At this time, Atty. Groff declared open a public hearing regarding the application of the Horseheads Moose Club for a Special Use Permit to establish a fraternal organization at 416 W. Franklin St.

Mike Swasta, Watkins Rd., submitted a letter regarding several items of concern he had regarding the proposed site plan.

As nobody else came forward to speak, Atty. Groff declared the public hearing closed. Atty. Groff added that we need to have another public hearing on this application, so that all property owners within 200 ft. can be notified.

Resolution by Trustee Clark, seconded by Trustee Koliwasky

BE IT RESOLVED, that a public hearing regarding the application of the Horseheads Moose Club for a Special Use Permit for 416 W. Franklin St. be scheduled for Thursday, September 22, 2011 at 7:05 p.m., and be it further

RESOLVED, that all property owners within 200 ft. be notified of this hearing.

Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Peters

BE IT RESOLVED, that the following employee training requests are hereby authorized with all expenses paid as are allowed under Section 77B of the General Municipal Law:

Village Manager, Manager's Assistant, Clerk-Treasurer, Village Trustee	NYCOM Fall Training School 9/19/11 - 9/22/11, Albany, NY
Court Clerk	NYS Association of Magistrates' Court Clerk Annual Conference 9/25/11 - 9/28/11, Niagara Falls, NY
Recreation Director	National Recreation and Parks Association Annual Exposition, 10/31/11 - 11/3/11 Atlanta, GA

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

WHEREAS, the Village of Horseheads and other potentially responsible parties entered into an Administrative Settlement Agreement and Order on Consent (AOC), which provided in part for a Remedial Investigation and Feasibility Study (RI/FS) of an area generally known as Koppers Pond, southerly of Blostein Blvd., and

WHEREAS, in accordance with and to comply with the AOC, the potentially responsible parties entered into an agreement with Leo Brausch as Environmental Consultant to facilitate the goals and objectives of the RI/FS, and

WHEREAS, it is anticipated that the Village of Horseheads and others will be called upon from time to time to fund the RI/FS and to enter into various agreements for the implementation of the RI/FS, and

WHEREAS, this Board has approved eight past assessments as the Village's share of a Group fund for administration of the project.

February 8, 2007 -	\$11,000
September 13, 2007 -	\$11,000
February 14, 2008	\$11,000
July 10, 2008	\$22,000
August 28, 2008	\$22,000
February 12, 2009	\$22,000
January 28, 2010	\$20,000

and

WHEREAS, those funds together with funds of other members of the Group have been largely expended on project administration, and

WHEREAS, members of the Group did recently approve the assessment of an *ninth* contribution from all members of the Group in the amount of \$10,000 each to be used for project costs and administration.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby approve an *ninth* assessment of \$10,000 to be contributed to the Koppers Pond Potentially Responsible Parties operating account when such funds are in hand.

Roll Call Vote:

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

Resolution by Trustee Peters, seconded by Trustee Swartz

BE IT RESOLVED, that the Village Board hereby received a Draft Local Law Modifying the Boundaries of the Professional Office Overlay Zone, and be it further

RESOLVED, that said draft law be forwarded to the Village, Town and County Planning Boards for their review and comment.

Roll Call Vote:

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

Audience Participation

Several Village residents and non-residents voiced their opinions regarding Village Police overtime and Police Department staffing concerns.

A resident from Watkins Road voiced a concern about noise from Schlumberger - pounding on dumpsters. She stated that Ian Rossi told me someone was going to talk to them about this. Also horn honking.

Scott Smith, West Ave. - Koppers pond issue - I grew up there. There was a dump there at one time. Hardinge was dumping stuff out there..

Susan Multer, Watkins Road - DEC came out with revised EIC regarding fracking. We have 90 days to comment. Its 1,500 pages long. Two weeks from tonight in Elmira, two experts will be speaking about this. I'm giving you announcement of the meeting.

Mike Swasta, Watkins Road - regarding the recent flooding, how safe is our drinking water. Is it being tested and monitored. The well on Old Ithaca Road, is not part of annual report.

Mary Mower, Kinley Place - train traffic on Watkins Road: August 25th, 11:30 pm - 101 cars; August 18th, - 10pm, 96 cars, etc.

As there was nothing further to come before the Board, the meeting was adjourned at 8:05 p.m.

/rmb

Others Present

Ray Pease, Windsor Rd.
Elton & Nancy Shaw, Libert St.
Glenn & Sue Hostettler, W. Broad St.
David Padgett, W. Franklin St.
Tess Banfield, Catalpa Dr.
Jean Quinn, Gardner Rd.
Martha Hauser, W. Broad St.
Penny & George Kastenhuber, John St.
Pat Gross, W. Broad St.
Terri Bolt, Lee Ave.
Ed VanKirk, Gardner Rd.
Theresa & Brian Pratt, South Ave.
Lois Murray, Lee Ave.
Dave Murray, Lee Ave.
Lew VanDuzer, W. Broad St.
Wayne Bennett, Hickory Grove Rd.
Mary Lazoration, Leisure Lane
Maureen Crawford, Elmira
Jack Brooks, Third St.
Peggy Dieffenbach, Erin
Tim Radford, Valley Dr.
Beth Smith, West Ave.
Scott Smith, West Ave.
Barb Skorzewski, W. Franklin St.

Mary Mower, Kinley Place
Tom Rupp, Tifft Ave.
Sean Murray, W. Broad St.
Jim Lynch, W. Mill St.
Valeri Rohver, Ridge Rd.
Mike Swasta, Watkins Rd.
Mindy Hungerford, Owens St.
Karen Kearan, Erin
David Davie, Erin
Jen & Tom Stickler, Kennedy Dr.
Joe & Janet Ruhmel, Gardner Rd.
Wayne Brubaker, Gardner Rd.
Deb Lynch Kuklis, Fletcher St.
Rick and Jeanette Kruern, Hemlock St.
Judy Pierce, Eleanor St.
Scott & Jessica McGrain, Gardner Rd.
Seth & Sheila Zawko, Winding Way
Barbara Clark, Sayre St.
Mark Fitzgerald, Aster Dr.
Kathryn Bristol, Aster Drive
Joe Reyman, Pine City
William Goodwin, Elmira
Steph Cooper, Elmira