

**Minutes**

**Village Board of Trustees**

**April 9, 2009**

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 6:00 p.m.

Present were:

**Village Board and Staff:**

Mayor Donald Zeigler  
Deputy Mayor Ronald Swartz  
Trustee Walter Herbst  
Trustee George Koliwasky (late)  
Trustee Suzanne Peters  
Village Manager Marc Whitney  
Village Attorney John Groff

DPW Chris Lawrick  
Clerk-Treasurer Sharron Cunningham  
Parks Dir. Nate Nagle  
Deputy Clerk Michele Accavallo  
Recreation Dir. Nate Nagle

**Others:**

Martha Hauser, 407 W. Broad St.  
Elton & Nancy Shaw, 218 Liberty St.  
Tess Banfield, 134 Catalpa Dr.  
Bernie Weigle, 111 Boorum Pl.  
Patricia Gross, 632 W. Broad St.  
Suzanne Driscoll, 114 S. Main St.  
Don Quinn, 555 Gardner Rd.  
Marcia Tinker, 708B S. Main St.  
Sue Frost  
Frank Stranzyl  
Beth Grannis

Howard Miller, 122 Sunset Dr.  
Donna & Wayne Greene, 2197 Grand Central  
Barb Skorzewski, 109 W. Franklin St.  
Joe Romanick, 725 Westlake St.  
Ryan Wheeler, 112 Canal St.  
Penny & George Kastenhuber, John St.  
Elliott Blauvelt, Fletcher St.  
Danny Young, 125 Miller St.  
Jim Sands, South Ave.  
News Media

Resolution by Trustee Swartz, seconded by Trustee Peters

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of March 26, 2009 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Zeigler:       Aye  
Trustee Swartz:       Aye  
Trustee Herbst:       Aye  
Trustee Peters:       Aye

Resolution by Trustee Herbst, 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 -	\$303,142.22
Water -	\$108,314.41
Trust & Agency -	\$ 6,345.47

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Herbst:	Aye
Trustee Peters:	Aye

Resolution by Trustee Herbst, seconded by Trustee Swartz

BE IT RESOLVED, that the minutes from the Planning Board Meeting of March 24<sup>th</sup>, and the Zoning Board of Appeals Meeting of March 31<sup>st</sup> be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Herbst:	Aye
Trustee Peters:	Aye

Resolution by Trustee Herbst, seconded by Trustee Peters

WHEREAS, the Village of Horseheads is interested in applying under the Restore NY Communities Initiative for the Village-owned LRC building located at 901 South Avenue. Said project will utilize Restore NY grant funds to demolish the property.

NOW THEREFORE BE IT RESOLVED, that a public hearing regarding this application will be held on April 23, 2009 at 6:05p.m. in Village Hall, 202 S. Main Street, Horseheads, NY.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Herbst:	Aye
Trustee Peters:	Aye

At this time, Atty. Groff declared open a Public Hearing on the Tentative 2009-2010 Village Budget:

Pat Gross, 632 W. Broad St. - I have questions regarding 4% increase for employees. This is hard to swallow after lay offs already, you need to rethink it and not pass. Code Enforcement is tip of the iceberg.

Tess Banfield, Catalpa Dr. - why are expenditures for budget only through November 2008.

Penny Kastenhuber, John St. - Manager's budget has overtime, why. School District not getting raises where she works.

Elliott Blauvelt, Fletcher St. - start budget back to zero. Village cannot afford any tax increases based on the economy - live without a raise.

Don Quinn, Gardner Rd. - budget setting wrong example - should decrease things. Budget should be less complicated to read. I respectively ask that the Board meetings be put back to 7:00 p.m. because many cannot leave work by 6:00.

As there were no more public comments, Atty. Groff declared the public hearing closed.

Resolution by Trustee Swartz, seconded by Trustee Peters

WHEREAS, Village Budget Officer Marc Whitney has prepared and submitted a proposed budget for the fiscal year 2009-2010, and

WHEREAS, this budget has been reviewed and critiqued by the Board of Trustees, and

WHEREAS, a public hearing was held on April 9, 2009 relative to the proposed budget.

NOW THEREFORE BE IT RESOLVED, that the proposed 2009-2010 budget prepared by the Budget Officer which establishes anticipated revenues in the amount of \$5,106,700 and appropriations in the amount of \$5,106,700 with the schedule of salaries and wages and other appropriate schedules required by law is hereby adopted as the final budget for the Village of Horseheads for the fiscal year June 1, 2009 through May 31, 2010 containing a tax levy of \$4.89 per thousand dollars of assessed valuation.

Trustee Peters - our income has gone down. Compared to last year the expenses were reduced \$229,000, now we have the addition of the Code Enforcement. We also have Koppers Pond, liability insurance, etc. If we did not give the raises we still need a small tax increase to build up reserve. One thing brought up at the recent leadership training was that the NYS Pension Fund will be doubled due to Wall Street losses. I would like to see another workshop before this budget is passed.

Trustee Swartz - I agree. We have had several workshop and no one has attended.

Mayor Zeigler - Code Enforcement was done by Town of Horseheads. The cost of permits, fire inspections used to go to the Town. And they wanted \$40,000 a year to continue their service. As far as our meeting times, we chose 6:00 to make it easier to have workshops. We will consider changing it.

Motion by Trustee Peters, seconded by Trustee Swartz, that the adoption of the 2009-2010 Village Budget be tabled.

Roll Call Vote:

Mayor Zeigler: Aye  
Trustee Swartz: Aye  
Trustee Herbst: Aye  
Trustee Peters: Aye

Resolution by Trustee Swartz, seconded by Trustee Herbst

WHEREAS, GML Section 104-b requires the governing body of every municipality to adopt internal policies and procedures regarding procurement of goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from all officers of the Village of Horseheads involved in the procurement process, and

WHEREAS, this Board annually reviews the Village's Purchasing Policy, and

WHEREAS, Village Manager Marc Whitney has recommended modifications to the policy for various reasons, and

WHEREAS, this Board has reviewed such policy.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby adopt the proposed Purchasing Policy which is intended to apply to all goods and services which are not required by law to be publicly bid. Said policy shall be attached to these minutes and placed on file with the Village Clerk, and further it may be amended from time to time as this Board deems fit.

Trustee Herbst - I feel that professional service providers interested doing business with the Village should be held to the same standard. Gives Village opportunity for businesses to compete and bid on projects. Avoids criticisms about favoritism to any one party. We should have a workshop regarding this matter.

Motion by Trustee Herbst, seconded by Trustee Peters, that the Amended Purchasing Policy be tabled until we can have a workshop.

Roll Call Vote:

Mayor Zeigler: Aye  
Trustee Swartz: Aye  
Trustee Herbst: Aye  
Trustee Peters: Aye

Trustee Koliwasky arrived at the meeting - 6:25 p.m.

Communication by Mayor Zeigler:

I hereby temporarily suspend the current Deputy Mayor appointment, and appoint Trustee George Koliwasky as Alternate Deputy Mayor effective immediately, to serve until 12:01a.m. on Monday, April 20<sup>th</sup>, 2009.

Village Manager Whitney stated that he attended the leadership workshop, learned about housing supports and loans for Village Residents - in conjunction with CDBG.

Chris Lawrick - Village was denied grant for Grand Central Avenue. We will still repave in June - from highway to Pudgies Pizza.

Trustee Herbst - continued review code enforcement software which will be a savings to Village in personnel.

Audience Participation:

Martha Hauser, W. Broad St. - have made several code complaints about house next to me. Industrial parking next to me. Haven't seen any improvements in taking care of my complaints yet. Sidewalks are horrible

Mayor Zeigler - the Village Manager will contact you about this. We are currently changing our sidewalk program.

Marcia Tinker - how will paving of Grand Central effect median and flower beds.

Pat Gross, W. Broad St. - Village refused to water medians last year, made Garden Club remove flowers. Who is maintaining this?

Village Manager Whitney - I will contact Garden Club and advise about what will be done about plantings.

Mayor Zeigler - the height of the flowers became a liability. We will have a landscaping company come in.

Village Manager Whitney - we did not have staffing to continue watering the flowers.

Tess Banfield, Catalpa Dr. - what are we doing about Chief Barton.

Atty. Groff - that is a pending matter. It is not resolved and the Board is not free to discuss or give you an answer at this time.

Tess Banfield - position and job of Village Manager has destroyed the integrity of the police department and the median on Grand Central Ave. We have had the worst ice and snow removal ever. You have to reinstate Mike Barton now before you go to Japan. Take money for raises and hire a water boy.

Danny Young, Miller St. - I know you can't say anything. Not just talking about Mike but family. Make sure you take a long look and include ethics and morals.

Pat Gross, W. Broad St. - how much is the lawyer costing for Barton. You have an obligation to look at his past record.

Jim Sands, South Ave. - LRC facility is not maintained - does not get mowed properly. It has not been touched in five years. What do we need to do to get this maintained. You ask residents to maintain properties but you don't take care of your own property. LRC looks like a dump.

Mayor Zeigler - I did talk to you about this and will take care of it.

Donna Greene, Grand Central Ave. - if you have another workshop will it be public and will you take public comment.

Atty. Groff - you can make written comments prior to the workshop.

Elliott Blauvelt, Fletcher St. - you should make workshops more available for people that work.

Penny Kastenhuber, John St. - when will you finish work on John St.

Chris Lawrick - need to have blacktop plants open. If we caused problem with your yard we will fix it.

Bernie Weigle, Boorum Pl. - Mike Barton issue needs to be handled quickly. Get something done.

Joe Romanick, Westlake St. - everyone knows what is going on and every Thursday more people show up. We probably know more than you think. There is a lot of support for Mike. What you are doing is wrong - we will be here at every meeting until its settled.

Don Quinn, Gardner Rd. - anything regarding extending water line to my house. I would like to have Village water. What would it take for it to happen.

George Kastenhuber, John St. - I never had a problem with Barton. My concerns is about his reputation and paying when he is on leave. Whatever the issue is, it needs to be resolved asap.

As there was nothing further to come before the Board, the meeting was adjourned at 7:10 p.m.

/rmb