

Minutes

Village Board of Trustees

April 9, 2015

A meeting 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 Swartz
Trustee George Koliwasky
Trustee Mike Skroskznik
Trustee Brad Lytle
Village Manager Walt Herbst
Village Attorney John Groff

Clerk-Treasurer Sharron Cunningham
Fire Chief Arthur Sullivan
Code Enf. Bob Young
Water Don Gaylord
Parks Dir. Nate Nagle
PB Chair Mike Stenpeck

Others

Deb Lytle, Grand Central Ave.
Tom Rupp, Tiff Ave.
Joshua Baker, Steuben St.
Suze Wallen, Lititz, PA
Pat Gross, W. Broad St.
Rob, Michael Maloney, Westlake St.

Stacey White, Renwick Lane
Jack, Cameron Murray, Fairfield Dr.
David Reynolds, Matthews Cir.
Debbie Hicks, Gardner Rd.
Wayne Brubaker, Gardner Rd.
Jean Quinn, Gardner Rd.

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of March 26, 2015 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 Lytle	Aye

Presentation by Sister City Committee

Manager Herbst introduced Jack Murray and Cameron Murray. Jack and his wife Kelly are co-chairs of the Sister City Committee, and Cameron is their daughter.

Jack and Cameron Murray made a brief presentation on the recent sister city visit to Horseheads, and noted that this year marks the 25th anniversary of having a sister city relationship. He added that this November there may be another visit from Nakagawa, just adults, to mark this anniversary. Also, Cameron and her friends will be sponsoring a 5K run in May to help raise money for kids who want to visit our sister city. She said it will be held on May 30th from 9 to Noon. The application fee will be \$15.00, and they will be selling t-shirts.

7:10 p.m. - Public Hearing: Tentative 2015-2016 Village Budget - Atty. Groff declared open a public hearing regarding the tentative Village Budget for 2015-2016.

Debbie Hicks, 325 Gardner Rd. - reviewed budget. Made comments regarding:

- raises pay for Village Manager plus continues insurance buyout
- not sensitive to needs of community
- shouldn't use tax dollars to increase manager's salary
- dollars should be used on infrastructure
- Village residents are on fixed incomes
- crime incidents impact public safety, but Village can't afford its own police chief

Nobody else came forward, public hearing closed.

Audience Participation

Pat Gross, 632 W. Broad St. - commented that the Mayor has accused her of leaving the office with no paperwork. I took no paperwork from the office, and Mayor Zeigler could have asked the other BOT members, department heads, or the Manager's Assistant for any information he needed. She also commented that Mayor Zeigler has stated that she left the Village with no money when she left as Mayor. The State would have come down here to investigate if this were actually true.

Nobody else came forward. Audience Participation closed.

Discussion and Possible Action: Tentative 2015-2016 Village Budget

Manager Herbst noted that the proposed budget represents a 1.5% tax increase. The overall expenses for the year are down from the current fiscal year by approximately \$150K-\$155K. Current year is down about \$250K. Budget is good, maintains services.

Trustee Skroskznik commented that he had made a suggestion in the workshop that wasn't done. This budget reflects a 2% salary increase for the Manager, which is a concern of the residents. The Budget Officer/Manager is a contracted employee, so shouldn't his salary be handled through his contract which expires in December. I make a motion that we rescind the 2% increase for the Manager's salary.

Atty. Groff noted that the Manager's position is a contracted position based on local law and the Village Code. The motion on the floor is to amend the draft budget, which requires a second, then a vote.

Discussion ensued regarding the difference between workshops, where no action is usually taken, and actual Board meetings.

Trustee Lytle added that he had several questions on the budget process, and noticed some

discrepancies. Specifically for the tax cap, and when we actually needed to pass a resolution to exceed. I thought workshop was chance to ask budget officer questions.

Atty. Groff - budget officer has discretion to change budget based on input from workshop. If budget is not modified you as a board have that opportunity now.

The motion on the floor is to amend the budget to call for a continuation of the Manager's salary at its current contracted rate, and any excess funds that as a result be put into contingency fund so that the bottom line of the budget is not modified.

Trustee Lytle seconded the motion to amend the budget.

Atty. Groff noted that if his contract is renegotiated and results in a wage increase the money is there in contingency. At any time the Board can initiate contract negotiations with the Manager.

Trustee Koliwasky pointed out that for many years the Manager's position received the same salary increase as the other employees received.

Further discussion ensued among the Board Members regarding this issue, centering around the following points:

- Not a personal issue - but regarding the position of Budget Officer setting his own salary
- Should address this matter as Manager's contract gets close to expiring
- Part Time Manager cannot do this job completely.
- Trying to save taxpayers some money
- Many projects and initiatives have occurred as a result of the Manager

Roll Call Vote on Motion to Amend the Budget removing the salary increase for the Manager:

Mayor Zeigler	No
Trustee Swartz	No
Trustee Koliwasky	No
Trustee Skroskznik	Aye
Trustee Lytle	Aye

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

WHEREAS, Village Budget Officer Walt Herbst has prepared and submitted a proposed budget for the fiscal year 2015-2016, and

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

WHEREAS, a public hearing was held on April 9th, 2015 relative to the proposed budget.

NOW THEREFORE BE IT RESOLVED, that the proposed 2015-2016 budget prepared by the Budget Officer which establishes anticipated revenues and appropriations in the amount of \$5,936,326 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, 2015 through May 31, 2016, containing a tax levy of \$5.29 per thousand dollars of assessed valuation, representation a 1.5% increase in property taxes.

Trustee Lytle noted that in the workshop that there is \$20,000 under Police Chief line for overtime. We don't have a Police Chief now.

Manager Herbst commented that it's a place holder, in case we do need to pay then it's in the budget. If not then it can go into overtime, or any other line item for the PD.

Trustee Lytle noted that the County assured us they would not charge us for two years for the police chief services. Not sure why we need to have money in there.

Discussion ensued.

Motion by Trustee Lytle to move the \$20,000 from the Police Chief Line to the Overtime line.

Trustee Skroskznik said he will abstain.

Nobody seconded motion.

Motion dies.

Roll Call Vote on Original Motion Approving the Tentative Budget:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	No
Trustee Lytle	No

Financial Reports

Manager reported that our recent revised health insurance plan has saved \$98,000, and we also put in a health reimbursement account which has saved the Village \$53,000. The intent is to put that into a fund to continue keeping the health insurance premiums down. YTD up in receipts 58K vs. last year. Expenses to date down 270K over last year. Water Fund receipts are down slightly 7,800. We had 60K in insurance revenue claim last year, without that we would be ahead on water revenue. Expenses in water up 33K because we added a new employee from DPW into Water, plus equipment we purchases. Staff is to be commended on their attention to budget expenses.

Discussion: Request for Sale of Property on Ithaca Road

Manager Herbst reported that he received a casual inquiry from the owner of the U Store It on Ithaca Road. He has asked several times over the years to purchase that strip of land. In discussing with our attorney, because it was an inquiry we wanted to know your thoughts on selling this property. We talked to several department heads regarding this. Their concerns were over access. That strip of land gives us access to the 34 acres that we own including well 5. It could possibly be developed. Real question was what we would gain. I recommend that we politely decline selling this. There is a flood plain on part of this property. But most of it is not.

Atty. Groff noted that we have a permanent easement of part of Alex Drive for ingress and egress that is also shared by UPS. You have access to your property utilizing that road.

Discussion ensued among the Board Members regarding maintenance of the road. There is no agreement over who is responsible for maintenance and repair. UPS uses Alex Drive more than

anybody. Atty. Groff noted that eventually there could be a discussion between everyone about the concept of upgrading and maintaining it. Sharing costs, etc. He added that no official dollar amount was offered.

The Board agreed that we should not pursue this further, and to decline the offer.

Motion by Trustee Koliwasky, seconded by Trustee Skroskznik, that an item regarding Fire Department Elections be added to the agenda.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye

Resolution by Trustee Skroskznik , seconded by Trustee Koliwasky

WHEREAS, at a General Convention of the Village of Horseheads Fire Department on April 7, 2015, the members of same held an election at which time the following individuals received the most votes for nomination for appointment to the respective offices:

<u>Office</u>	<u>Nominee for Appointment</u>
CHIEF	Arthur F. Sullivan
FIRST DEPUTY CHIEF	Thomas Margeson
SECOND DEPUTY CHIEF	Robert Young
THIRD DEPUTY CHIEF	Ryan Wheeler

and WHEREAS, the by-laws of the Department empower the Board of Fire Commissioners to consider the nominations and appoint such persons to the offices to which they are nominated, and

WHEREAS, this Board has considered the nominees and the offices they are nominated to fill.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees, acting as Fire Commissioners of the Horseheads Fire Department does hereby appoint the above-mentioned individuals as officers of the Department to hold the office noted for a term of one year or until a successor is appointed or a vacancy otherwise occurs in such office.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye

Trustee Skroskznik congratulated the officers of the Fire Department. He also noted that he has done some research on other municipalities in NY that have Village Managers, relative to the issue of reducing the Village Manager's job to part time, as was brought up during our budget workshop. After looking at the 42 Villages, we are the only one that has a full time Village Manager. I would like to continue the discussion of this issue. Perhaps at a workshop.

After brief discussion, the Board Members agreed to having a workshop to discuss this. Trustee Skroskznik said he would email everyone a spreadsheet of his research. Trustee Lytle said he would forward information he has gathered also.

Trustee Koliwasky asked the status of body cameras for our officers. Manager Herbst said that this is an item we have discussed with the County, the possibility of a group purchase.

Trustee Koliwasky - new street sweeper is doing a great job. Now that we have our own equipment our guys are doing a great job cleaning up the streets.

Trustee Koliwasky asked the status of the Koppers Pond matter, specifically that the water level is dropping. Atty. Groff explained that Westinghouse had to pump water to clean out contamination on their property. Discharged clean water to the creek. Flowed by Chemung County property on Chemung St. into Koppers Pond. Last fall the EPA allowed them to discontinue the use of that air stripper, so they were no longer pumping water to waste. So the water level in the pond dropped. EPA and the Koppers Pond group were fully aware of this. We will discuss further with EPA as it might affect any remediation plan.

Trustee Koliwasky also commented on people who don't clean up after their dogs, especially in and around Hanover Square. He hopes more business owners and others will remind dog walkers to clean up.

Trustee Swartz asked about the parking issues in the Square, we had discussed this previously. Trustee Koliwasky said that business owners were pretty much against it.

Trustee Swartz commented on the new computer program Facility Dude. Nate Nagle showed it to me, and it is very easy to use.

Trustee Lytle commented that where the old Dunkin Donuts was, I have noticed a lot of car sales going on in the empty lot. It is unsightly and creates a lot of traffic. Don't they need a license for that.

Manager Herbst said he did check into this. Their license with the state allows them to do this. If people choose to purchase from them its free enterprise basically. The biggest concern might be future service of vehicles, etc. But we have looked at this, Bob Young has investigated, etc. It is a permitted use. The lot is owned by Mary Jo Yunis. Walt added that he suggested to Simmons Rockwell, who called with concerns, that he get together with other dealers and buy the lot and sell their own cars there. They didn't like that option.

Trustee Lytle stated that the contract with the County for the Village Police Chief, where do we stand with that.

Atty. Groff stated that drafts of the contract have been exchanged, and we continue to have a dialogue with the County and Civil Service. Tremendous effort has been made to keep it as consistent with what has already been presented to the Board. There are state compliance issues

we have to recognize too. Another issue is insurance.

Trustee Lytle stated he would still like to see a finished product before it is signed. He asked if the person we are getting would be Undersheriff Schrom. Atty. Groff said yes. One of the issues in the agreement is any future changes in personnel, etc. We want to deal with this potential as well.

Walt added that Nate is preparing for new fee schedules to present. Our newsletter is also coming out soon.

Nate Nagle said he will discuss the proposed fee structures at the next Board Meeting.

Mayor Zeigler made the following comments:

- DPW repairing drywells, but NYSEG sometimes comes through and does their own repair afterwards.
- Road repair list to come out soon. More streets to be done this year.
- Need info on railroad crossings. Still having near misses at some crosses. Train is almost at the intersection before lights come on.
- NYS pension money has been very successful in growing their funds. It would be nice to be able to take some of our fund balance and invest it, but we are not allowed to do that. I've asked the Manager to reach out to the Comptroller about this issue.

As there was nothing further to come before the Board, the meeting was adjourned at 8:25 p.m.

/rmb