

Minutes

Village Board of Trustees

January 9, 2014

A regular 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 Ron Swartz
Trustee George Koliwasky
Trustee Larry Clark
Trustee Mike Skroskznik
Village Manager Walt Herbst

Clerk-Treasurer Sharron Cunningham
Village Atty. John Groff
Code Enf. Bob Young
Parks Dir. Nate Nagle
DPW Matt Mustico
Fire Chief Arthur Sullivan

Others Present

Dave Padgett, W. Franklin St.
Tom Rupp, Tiff Ave.
Ruth Young, Sayre St.
Deb Lynch, W. Broad St.

Wayne Brubaker, Gardner Rd.
Rob, Kelley Maloney, Westlake St.
Brad Lytle, Grand Central Ave.
Pat Gross, W. Broad St.

Resolution by Trustee Swartz, seconded by Trustee Skroskznik

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of December 12th and December 20th, 2013 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 Clark	Aye
Trustee Skroskznik	Aye

Audience Participation

Ruth Young, Sayre St. - read a FOIL request for the All Hazards Mitigation Plans for the Schlumberger facility, and other facilities in the holding point.

Brad Lytle, Grand Central Ave. - commented about proposed low income housing project on Gardner Rd. Asked if the Town has asked the Village's opinion about this project. We already have vacant apartments, and now we will get 50 low income apartments.

Atty. Groff stated that the Town is not required to. We are speculating that the reason they didn't is because the project didn't require any special approvals, or rezoning, etc. There is a section of law that requires that if a project is within 500 ft. of a municipal boundary and it needs special permits, etc., it must be referred for review and comment. But it would be merely a referral and merely comment. So it may have already been zoned for apartments, and would simply require building permits and comply with the Town's laws.

Tom Rupp - Sign on Tiff Avenue and Hibbard now says "Lee Street". One way is Tiff and one way is Lee Avenue. I don't know if there is an actual Lee Street, there is a Lee Avenue. I mentioned this several months ago.

End of audience participation.

Financial Report - Manager stated our staff is holding the lines on expenses. CHIPS money has come in so our receipts are up. Still in good shape overall. On water side, receipts are in and we are currently up about \$30K. Expenses are good. About \$52K lower in expenses as compared to last year.

Resolution by Trustee Clark, seconded by Trustee Koliwasky

BE IT RESOLVED, that the Justice Reports for December 2013 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 Clark	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Clark, seconded by Trustee

WHEREAS, the Village has had a custom of providing health benefits, including forms of medical health insurance with dental and vision coverages, for its long term non-bargaining unit employees and the employee's spouse when the employee retires and is under the age of 65, in general the practice being to follow the provisions of the CSEA collective bargaining agreements, which agreements themselves distinguish such custom based upon the employee's hire date of before or after June 1, 1990, and

WHEREAS, these health benefits have been provided by the Village through its participation in a health benefit program created for Chemung County, and

WHEREAS, recently the Village was informed by Chemung County that the Village's retirees and spouses, whether under 65 or not, would no longer be permitted to participate in the County's plan effective January 1, 2014, and

WHEREAS, The Village has engaged Brown & Brown Empire State as its health benefits insurance broker and consultant which worked extensively with Trustee Larry Clark and Village Manager Walt

Herbst toward securing alternative sources of health benefit providers or plans which would substantially replicate or improve upon the health benefits currently provided, and

WHEREAS, this Board on November 14, 2013 elected to enroll in a health benefits program comprised of Excellus Blue Cross Blue Shield SimplyBlue Plus Silver 4 High Deductible Plan with deductible being fully paid for by the Village through a Health Reimbursement Account, and a dental benefits plan provided by SunLife, and a vision benefits plan provided by Davis Vision.

NOW THEREFORE BE IT RESOLVED that the Village of Horseheads shall provide the following health benefits to those individuals who are current non-bargaining unit retired employees of the Village AND who are under the age of 65 and their spouses:

- a) If the retiree was **hired before June 1, 1990**, enrollment in the Excellus Blue Cross/Blue Shield SimplyBlue Plus Silver 4 High Deductible Health Plan, a dental benefits plan provided by Sun Life, and a vision benefits plan provided by Davis Vision for the retiree and spouse/family, as the case may be. The Village shall fully fund the deductible specified in the Plus Silver 4 Plan (currently single \$2,200/family \$4,400). The retiree shall contribute \$50 per month for the calendar year 2014 for participation in the health benefits plan. Commencing 2015 the contribution shall be 3% of the annual cost of providing such health benefits. Commencing 2016 through 2019 the annual contribution shall increase an additional 3% annually cumulatively such that for the calendar year 2019 and thereafter the annual contribution of a retiree shall be 15%. The aforesaid retiree contributions shall be paid to the Village in advance, not less than 5 days prior to the month for which benefits shall be provided. The Village shall pay the balance of the cost of such health benefits for the retiree and retiree's spouse/family, excepting the annual contribution noted above. Upon the death of the retiree, the Village shall pay 50% of the cost for such health benefits for the retiree's surviving spouse, if any. Upon the retiree and/or retiree's spouse attaining the age or other qualifications of Medicare eligibility the above-noted health benefits shall be converted to such Medicare supplement health benefits program as the Village shall be maintaining (which shall not include dental or vision benefits).
- b) This resolution supersedes and supplants a resolution of this Board regarding this subject adopted December 12, 2013.

BE IT FURTHER RESOLVED, that Village Manager Herbst is authorized and directed to take any and all actions and to execute any and all documents as are necessary to implement this resolution

Trustee Skroskznik asked what changes have been made.

Atty. Groff - one was to specify when the payments were due from the retiree so that it was clear the retiree's funds need to be received in advance of the premium due date. Also, language was inserted to clarify that for a spouse of deceased retiree the Village is paying a portion of the insurance benefit, not the entire benefit. And that the spouse of the retiree is responsible for the portion that is not being paid by the Village, 50%.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Motion by Trustee Koliwasky, seconded by Trustee Swartz, that the following items be added to the agenda:

- Agreement with Town of Horseheads - Recreation Services
- Unemployment Insurance

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Clark, seconded by Trustee Skroskznik

WHEREAS, the Village of Horseheads and Town of Horseheads have had a practice for many years of coordinating the operation and maintenance of their various recreational facilities and staff, in particular the Director Recreation for the Village of Horseheads, and

WHEREAS, the Town and Village desire to continue the agreement whereby the Director of Recreation will oversee aspects of the Town's recreational programs and facilities.

NOW THEREFORE BE IT RESOLVED, that Village Manager Walter Herbst is authorized and directed to execute an agreement with the Town of Horseheads for the provision of oversight of the Town's recreational facilities and programs by the Director of Recreation for a term commencing December 1, 2013 and ending November 30, 2015 for the sum of \$30,000 annually. Said agreement shall be placed on file with the Village Clerk. Further this Board affirms the retroactivity of this agreement.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Clark, seconded by Trustee Skroskznik

WHEREAS, certain personnel of the Village of Horseheads are covered by NYS Labor Law Article 18,

Unemployment Insurance Law, and

WHEREAS, Title 5 of Article 18 allows for certain agencies, including governmental entities, to become liable for payments to the Unemployment Insurance Fund through a benefit reimbursement option in lieu of paying on a contribution basis, and

WHEREAS, the Village of Horseheads elected to use the benefit reimbursement option afforded to governmental entities under Labor Law Section 565 many years ago.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees hereby reaffirms and continues the election to use the benefit reimbursement option in lieu of paying on a contribution basis to the Unemployment Insurance Fund.

Manager Herbst explained that this is necessary for the new health insurance plans. One of the questions that came up was why we don't pay unemployment tax. They use that to verify the employment or unemployment of employees. State law says that municipalities to choose to be self-insured for unemployment. They didn't understand that. That is why we needed a Board resolution on this matter.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Trustee Swartz - what is status on our roof. Village Mgr. Herbst said they have all the matl's here. We ran into bad weather. There is snow on the roof, but is almost melted. They are reorganizing to get the work crews here. Bid and award requires them to work during acceptable weather conditions which we haven't had. They are well aware of this. We've talked to them about insurance for some of the damage inside. Also the underside of the roofdeck is an issue with possible mold. This is already in front of their insurance company.

Trustee Skroskznik said he looks forward to having Board workshops for the upcoming budget.

Trustee Koliwasky said our DPW did a great job during the last snow storm.

Village Manager Herbst reported on the following items:

- Health insurance issues still being ironed out. All insurance carriers are very busy.
- Rec'd a request for an MOU with the CSEA. Will be working with Jim Roemer on this.
- St. Patricks Day Parade on March 15th.
- March 16th our Sister City will be visiting.
- FD started OSHA training. They also received the FEMA grant.
- Code Enf. Continuing to do fire inspections.
- Cameron Mfg. is planning to put an addition on their facility.
- Best Western hotel going in where Landmark was.

- Governor rep will be discussing state budget. Property tax initiative will be discussed.
- Well #5 is moving along very well. Most of the cement pours have been done.
- Blostein Blvd. composting info - If we built entirely would be \$52K. No cost for gravel or berm because DPW has deal with Narde for street gravel. Looking at a permit for residents to use. The Chemung county landfill is \$29.00 min. per trip. We are looking at \$50/year or \$100/yr. Plus some commercial permits. Revenue on this project could be \$71,000 first year. \$5,000 for maintenance annually.

Trustee Skroskznik - would this eliminate the leaf pickup. Walt - we can decide that later.

Motion by Trustee Koliwasky, seconded by Trustee Swartz, that this Board move into Executive Session, along with the Village Atty., Village Manager to discuss the status of collective bargaining negotiations.

Trustee Skroskznik stated that he will recuse himself from this Exec. Sess.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye

At 7:48 p.m. the Board, Village Atty., and Village Manager moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 8:04 p.m. the Board reconvened back into its regular meeting of this date.

As there was nothing further to come before the Board, the meeting was adjourned at 8:04 p.m.

/rmb

**Village Board of Trustees
EXECUTIVE SESSION
January 9, 2014**

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 7:48 p.m. in Village Hall. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, George Koliwasky, and Larry Clark, Village Attorney John Groff, and Village Manager Walt Herbst at which time they discussed the status of collective bargaining negotiations.

At 8:03 p.m. a motion was made by Trustee Koliwasky, seconded by Trustee Swartz, that the executive session be adjourned, and the Board reconvene back into its regular meeting of this date.

Roll Call Vote:

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