

June 9, 2005

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Present were Mayor Patricia Gross, Trustees Howard Miller, Ronald Swartz, and Kevin Sullivan, Village Manager Vincent Azzarelli, Village Attorney John Groff, DPW Chris Lawrick, Police Chief David Kole, Clerk-Treasurer Sharron Cunningham, Deputy Clerks Michele Accavallo and Donna Hartsock, Planning Board Member Mike Stenpeck. Also present were: Elton and Nancy Shaw, 218 Liberty St.; Andy Bodewes, Conifer Realty; George Koliwasky, 303 Eleanor St.; Mike Stenpeck, 2202 Grand Central Ave.; Carl Lewis, 304 Eisenhart Pl.; Michael Edwards, 134 Monroe Dr.; Bob Skebey, 415 Watkins Road; Jean Quinn, 555 Gardner Road; Martha Hauser, 407 W. Broad St.; Ray Zeigler, 417 Shelbourne St.; Penny and George Kastenhuber, 519 John St.

Resolution by Trustee Miller, seconded by Trustee Sullivan

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of May 26th, 2005 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

Resolution by Trustee Sullivan, seconded by Trustee Swartz

BE IT RESOLVED, that the audit of bills as listed below be received and approved for payment when in funds:

<u>FINAL MAY BILLS-</u>	<u>JUNE BILLS</u>
General - \$26,080.74	General - \$82,293.52
Water - \$ 6,303.59	Water - \$20,061.60
	Trust & Agency - \$3,488.63

Roll Call Vote:

Mayor Gross:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

Resolution by Trustee Miller, seconded by Trustee Swartz

BE IT RESOLVED, that the Justice reports for May 2005 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

Resolution by Trustee Swartz, seconded by Trustee Miller

BE IT RESOLVED, that the minutes of the Planning Board Meeting of May 24, 2005 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

At this time, Atty. Groff declared open a public hearing regarding the application for a Special Sign Permit by Conifer Realty.

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Andy Bodewes, from Conifer Realty - Our situation is a bit of an anomaly, it is a residential parcel. I have a color rendition of the sign to show the board.

As there was nobody else who came forward to speak, Atty. Groff declared the public hearing closed.

At this time, the Board complete Part 2 of the short form SEQR Review regarding the Conifer Application, finding there to be no significant negative environmental impacts, and authorizing a negative declaration.

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, Conifer Horseheads, LLC is the owner of real property located on Grand Central and Roosevelt Avenues in the Village of Horseheads, NY identified as Tax Map Parcel #59.18-1-4,1, and

WHEREAS, said property is situate in a Residential District in the Village, and

WHEREAS, said applicant seeks approval of the installation of a new sign exceeding the square foot limit requiring the issuance of a Special Sign Permit, and

WHEREAS, the application is subject to SEQR, being an Unlisted Action, pursuant to SEQR regulations, and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form, and

WHEREAS, the Village of Horseheads Board of Trustees is informed and believes that the Village is the only involved agency with respect to the SEQR review of this action, and

WHEREAS, this Board of Trustees has conducted a thorough review of the application, the Short Environmental Assessment Form and all of the environmental consequences of same as more specifically delineated on that portion of the form to be completed by the Board as Lead Agency, and finds that the Action will not have a significant environmental impact, and

WHEREAS, a public hearing was held on June 9, 2005 regarding the application for the special sign permit at which time all interested or affected parties were afforded an opportunity to present their views regarding the application, and

WHEREAS, this application has been reviewed by the Planning Board of the Village of Horseheads, and Town of Horseheads, such Boards having recommended the approval of same, and

WHEREAS, this application has been thoroughly reviewed and given thoughtful consideration by this Board.

NOW THEREFORE BE IT RESOLVED, that 1) a public hearing on the environmental aspects of this action is waived; 2) Mayor Gross is authorized and directed to sign the Short Environmental Assessment Form finding there to be no significant environmental impact; and 3) the application of Conifer Horseheads LLC for a Special Sign Permit at their apartment complex on Grand Central Avenue be and the same hereby is approved.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, the Village of Horseheads' current comprehensive insurance coverage for Village activities and property including liability coverage, personal injury, property damage, and umbrella liability, and insuring Village property including apparatus of the Fire Department, expire on June 11, 2005 and,

WHEREAS, Village Manager Vincent Azzarelli has recommended acceptance of the proposal of Perry & Carroll, Inc. of Elmira, NY, as agent for Selective Insurance Company providing coverage to the Village of Horseheads for the period June 11, 2005 through June 11, 2006 at a premium not

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to exceed \$93,287 for municipal and fire department coverages.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby accept such proposal and does further authorize and direct Village Manager Azzarelli to secure such insurance and coverages as noted above, and be it further

RESOLVED, that Clerk-Treasurer Cunningham is authorized and directed to pay the premium for such insurance in the ordinary course.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

Trustee Swartz - did that go up?

Village Manager - yes it did. The increase was 4% and this reflects new assessments for the Village Garage, increase in coverage for employee dishonesty from 10k to 50k.

Trustee Sullivan - where is the bath house

Village Manager - the bath house is the pool house.

Trustee Sullivan - so it is good for one year, can we lock them in for one year or two years?

Village Manager - we can extend this policy as long as it is a good rate. We put a proposal out due to NYMIR's large increase.

Clerk-Treasurer Cunningham - been very busy collecting water bills, taxes and fielding phone calls from storm damage.

Trustee Sullivan - how has it been with the water bill increase.

Michelle Accavallo - the questions have not been bad at all. Most of the phone calls are on brush.

Village Manager Azzarelli - I'd like to request that the Board move into an executive session.

Trustee Swartz - I would like to comment on an outstanding job by the Street Dept. and the Police after the storm.

Trustee Miller - I second that, all my brush is gone.

Trustee Sullivan - anything on catherine valley trail.

Mayor Gross - It has gone back to committee, they've spent a lot of time on this project.

Mayor - we should not only be proud of the police and DPW but also the fire department.

Chief Kole - I'd like to thank the fire dept. and DPW, after the storm a transformer blew, fire and DPW helped tremendously.

Chris Lawrick - we have made it ½ way through the Village picking up limbs, there were a tremendous amount of limbs in teal park. Also have had a tree company help. Windsor Gardens was worst hit. Piles are larger, some are complete trees. We had 65 phone calls on that day. Police did a fantastic job, fire dept, everyone.

Mayor - also the residents have done a fantastic job.

Mike Stenpeck - thank you for working on the Grand Central median.

Mayor Gross - Horseheads youth bureau did a great job on that.

Mike Edwards, Town Supervisor - Passed out copies of water bill increase 41%. Utility tax is high. I looked at your fund balance, its near 1 million. 1% NYSEG tax, and phone bills, and we currently have our 5% franchise fee on cable. We have a fund balance in the Town, we are using it and I'm

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sure you are too. I personally feel my hang up about a utility tax, NYSEG will increase their rates sooner or later and you guys get an automatic increase. Fund balances are no longer a necessity, they are a thing of the past, we have to use them now. You can borrow money if necessary. Taxes from 1988 to 2005 the assessment did not change from one year to the next. The Village taxes have tripled over these years.. We have added a 1% problem to getting new business to come to the area. I want the Board to look at repealing the utility tax and property tax increases.

Penny Kastenhuber, 119 John St. - Sidewalk repair, I talked to DPW in May and I want to know how it stands.

Chris Lawrick - can not get to it now, especially with storm clean up. Had to wait to the first of June for budget reasons.

Ray Zeigler - I got a letter about my carport, I think I am being harassed. A few weeks ago, I spoke about the utility tax. Few days later, I spoke to Skebey and Coats. This carport has been up since 1992. Residential area I live in where they enclose garages and make living spaces. I had asked the Village Manager (Lawrick) and was told I did not need a permit, it was to code. Last year they came over and measured my carport and said that they never knew it was even there. I feel that I am being harassed because I spoke up. I am going to ignore this letter, I feel this should be grandfathered as I have had it since 1992. I guess my name shouldn't be Zeigler.

George Kastenhuber - is there a noise ordinance in the Village. I can hear motors, motorcycles off Broad Street especially down that short shoot on Franklin St. Dog starts to bark, neighbors yell at me.

Mayor Gross - are we working on this?

Atty. Groff - yes we are working on noise in general. Based upon reasonable man standard, person-standard. Enforcement is difficult unless police is sitting right there when they go.

Martha Hauser - Regarding the empty Arbor Manor building next to me, woodchucks are having a ball. Woodchuck was in a towel in my yard and hissed at me. I suspect that if I am seeing 4 regularly, how many of them are there. A woodchuck hissing is unusual, afraid they are possibly rabid.

Motion by Trustee Miller, seconded by Trustee Swartz, that this Board and Atty. Groff and the Village Manager move into an executive session to discuss a personnel matter of a particular person.

At this time, the Board moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 8:03 pm, the Board reconvened its regular meeting of this date.

As there was nothing further to bring before the Board, the meeting was adjourned.

Respectfully submitted,

Sharron Cunningham
Clerk-Treasurer

/rmb

Executive Session

Village Board of Trustees

June 9, 2005

An Executive Session of the Village Board was held on the above date at 7:49 p.m. Present were the Board, Village Attorney, and Village Manager. After discussion, on a motion by Mayor Gross, seconded by Trustee Miller, the Board reconvened back into its regular meeting of this date.

/rmb