

February 10, 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 Earle Catlin, Ronald Swartz, Howard Miller, and Kevin Sullivan, Village Manager Vincent Azzarelli, Village Attorney John Groff, Clerk-Treasurer Sharron Cunningham, Police Chief David Kole, Fire Chief Dick Sullivan, DPW Chris Lawrick, and Manager's Assistant Rachel Baer. Also present were: Jamie Johnson and George Miner from STEG; Jean Quinn, 555 Gardner Rd.; Martha Hauser, 407 W. Broad St.; Carol Sullivan, 544 Hatfield St.; Pete Seese, 129 Miller St.; and the news media.

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of January 27, 2005 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Sullivan

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

General -	\$145,924.33
Water -	\$ 42,627.68
Trust and Agency -	\$ 5,269.81

Roll Call Vote:

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

Resolution by Trustee Sullivan, seconded by Trustee Miller

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

Roll Call Vote:

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

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that a public hearing will be held by the Village of Horseheads Board of Trustees on Thursday, February 24th, 2005 at 7:05 p.m. regarding the adoption of a proposed resolution of the Village which would amend the boundaries of the Empire Zone, and be it further

RESOLVED, that said amendments will be included as part of 25% acreage allowed per Chapter 84 of the Laws of 2002 regulating the New York State Empire Zones program. Any resident of the Village of Horseheads is entitled to be heard upon said proposed amendment at such public hearing. Copies of said proposed amendments are available for review at the Village Hall.

February 10, 2005 (cont'd)

Roll Call Vote:

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

At this time, Atty. Groff declared open a Public Hearing on Transfer of \$300,000 from Contingency and Tax Stabilization Fund to a Proposed Retirement Reserve Account. As nobody came forward, Atty. Groff declared the public hearing closed.

Village Manager Azzarelli - with the increased costs of retirement funds, it is smart to move some money to a reserve fund so that if we have a shortfall we will have money set aside for it. In the last few years the annual amount for retirement has increased dramatically. Because that bill comes in the middle of our budget year, we often have a short fall. Auditors have advised we do this.

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, the New York State session laws for 2004 provide for, among other things, modifications to the Retirement and Social Security Law, and General Municipal Law, and

WHEREAS, such changes allow in pertinent part for a) change of the due date of the employer's payment to the NYS and Local Employees Retirement System from December 15th to February 1st; 2) the establishment of a capital reserve fund to finance cost of retirement contributions; and 3) transfer of funds from a contingency and tax stabilization reserve fund to a retirement contribution reserve fund, and

WHEREAS, a public hearing was held on this date to consider the transfer of contingency and tax stabilization reserve fund monies to a retirement contribution reserve fund to be established.

NOW THEREFORE BE IT RESOLVED, that in accordance with Section 6-r of the General Municipal Law, the Village Board of Trustees does hereby establish a Capital Reserve Fund to finance the cost of retirement contributions, and be it further

RESOLVED, that the Clerk-Treasurer is hereby directed to transfer \$300,000.00 from the Contingency and Tax Stabilization Fund to the new reserve fund to be known as the Retirement Contribution Reserve Fund. The Clerk-Treasurer is authorized to invest monies in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law and consistent with the adopted Investment Policy, and be it further

RESOLVED, that no expenditure shall be made from this reserve fund without approval of the governing board and any interest or capital gain earned on monies shall accrue and become part of the reserve fund.

Roll Call Vote:

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

Discussion and Possible Action on Recommendation for Water Rate Increase (tabled from 1/27/05)
Village Manager - we discussed this at the last meeting. I received a recommendation from DPW Director Chris Lawrick to increase our rates. I strongly support this. Have not been increased in 5 years. We've lost a big customer from MT closing. This will maintain our revenue source to a certain degree. I don't expect we'd raise rates for several more years with this increase.

Resolution by Trustee Miller, seconded by Trustee Catlin

WHEREAS, the budget for the Village of Horseheads Water Department has reflected an eroding income base and significant increases in expenditures, and

WHEREAS, the costs of operation of the Water Department are projected to continue to sustain moderate increases in the future, and

February 10, 2005 (cont'd)

WHEREAS, Village Manager Vincent Azzarelli and Director of Public Works Chris Lawrick have recommended that the water rates for the sale and consumption of water, both inside and outside the Village of Horseheads, be increased as is reflected in a memo from the Village Manager to the Board of Trustees dated January 11, 2005, and an attachment from the Director of Public Works Chris Lawrick entitled Impact on Water Rates by MT Picture Display Shutdown, and

WHEREAS, water rates have not been adjusted since March 1999.

NOW THEREFORE BE IT RESOLVED, by the Village of Horseheads Board of Trustees, acting as Water Commissioners of the Village Water Department, as follows:

1. The attached schedule of water rates identified as Quarterly Rate Schedule Dated January 27, 2005" is hereby adopted.
2. This water rate increase shall be effective commencing with water bills dated May 15, 2005 and due June 15, 2005, and continuing thereafter until amended or revised by subsequent action of this Board, and be it further

RESOLVED, that the Village Clerk-Treasurer is authorized and directed to prepare and insert a message on the water bills mailed February 15, 2005 and having a due date of March 15, 2005 advising water customers of the rate increase.

Roll Call Vote:

Mayor Gross:	No
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	Aye

Discussion on Planning Board Recommendations - Professional Office Overlay Zones (tabled from January 27, 2005) - Atty. Groff to report on parking issues: Atty. Groff said he did research on this issue. Cannot park in front yards unless it is in established driveway. This was info the Board wanted to have regarding professional office overlay zones.

Mayor Gross - I think we should have a joint meeting for PB and ZBA on porches, and we should add this topic to it.

Discussion - ask both Boards to set up a date.

Motion by Trustee Miller, seconded by Trustee Sullivan, that items on 2005 STOP DWI Program Contract, and Authorize Engineering Study for 901 South Avenue be added to the agenda.

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

Resolution by Trustee Sullivan, seconded by Trustee Catlin

WHEREAS, Chemung County has implemented a special traffic operations program known as STOP DWI, and

WHEREAS, the County has offered to reimburse the Village for certain overtime costs associated with police personnel overtime committed to implement the program in an amount not to exceed \$20,000, and

WHEREAS, Village Manager Vincent Azzarelli and Police Chief David Kole have recommended that the Village enter into this agreement in order to afford increased DWI enforcement procedures.

NOW THEREFORE BE IT RESOLVED, that Mayor Patricia Gross is authorized and directed to enter into the agreement on behalf of the Village. A copy of same shall be filed with the Village Clerk.

February 10, 2005 (cont'd)

Roll Call Vote:

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

Resolution by Trustee Miller, seconded by Trustee Catlin

WHEREAS, the Village is the owner of a vacant manufacturing facility located at 901 South Avenue, and

WHEREAS, this Board is desirous of an engineering survey to evaluate the site's possible use, including but not limited to municipal and other offices, and

WHEREAS, a proposal for such engineering services has been submitted by Hunt Engineers, dated November 3, 2004, and

WHEREAS, Village Manager Azzarelli has recommended acceptance of the proposal as part of the process of evaluating the site's potential.

NOW THEREFORE BE IT RESOLVED, that Village Manager Vincent Azzarelli is hereby authorized and directed to enter to execute a contract with Hunt Engineers for architectural and engineering surveys of the existing building at 901 South Avenue for its possible use. Said contract is not to exceed \$12,580.00.

Roll Call Vote:

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

(Mayor Gross left the meeting)

Presentation by Fire Department - Thermal Imaging Camera
Chief Sullivan - we applied for and received a grant for a thermal imaging camera. The camera will see heat from a person's body in a fire. Can tell which section fire is in upon arrival. At a car accident, if your not sure how many people were in the car, or there is a baby seat in the car, it can check the seats for body heat. Can also trace footprints of a lost person.

Chief Sullivan passed around the camera for everyone to see.

Presentation by STEG - George Miner
Mr. Miner - Empire Zone boundary amendment - not a big change. We are allocated a certain amount of acreage, 2 square miles. We are using approx. 1000 of those acres. What we are doing is not taking any land out of the zone, just adding some parcels. In the Village we are adding 901 South Ave. and the Leprino building to hopefully finalize the deal on Northland Process Piping. With the old LRC building, this will make it more marketable to potential users. We recently met with some people at Cutler Hammer, to see how they are doing now that MT is gone. They make a vacuum circuit interrupter - circuit breaker - goes into transformers. Lots of exporting. They are doing very well. They have more business than they can keep up with. Discouraging part is they are in a 900,000 sq ft. building and only using 160,000 of it. Infrastructure issues there now. We are in dialogue with Viacomm (owner of the MT building). They have listed the property with a company in Phila. Doing a sewer distribution system survey in Center at Horseheads to evaluate the sewer capacity. Need to find out capacity to tell prospects.

Mr. Miner added that STEG could help pay for engineering study for LRC building, if your thinking of putting it back into manuf.

Village Manager Azzarelli - The Village is starting to attract small businesses. What's STEG's philosophy on that.

Mr. Miner - Appalachin Regional Commission doing a business strategy survey for 7 counties. We

February 10, 2005 (cont'd)

need to find out what small businesses we have, who their customers are, who their suppliers are, find out if we can assist them in some way.

Deputy Mayor Sullivan thanked STEG for their presentation.

Village Manager - In your packets is a letter from St. Mary's church regarding their vacant building. Forwarding to Plan. Bd. and ZBA to take a look at. There is also a copy of what Hunt Engineering will be doing to the LRC building in your packets.

Trustee Miller - I spoke to chairperson of Republican Party on changing our caucus system to a primary, and moving our March election to the general election in November. It is also possible to stagger terms of Trustees. I'd ask our Manager and Atty. to look into this, possibly need a resolution.

Atty. Groff - looked at this briefly last year. Would like to dig back into it and report back to the Board.

Atty. Groff - Been working on local laws - one is for using credit cards as form of payment. Also working on updating dog law and animal control law.

Chief Kole - report on pedestrian safety. We've handed out 4000 brochures so far. Very positive comments from pedestrians and motorists. Weather has made it hard to have officers in plain clothes, walking back and forth, but we will be doing it. Whole idea is to educate. Now if they violate we will ticket. With the recent tragedy of 2 young teenagers, our SRO Officer McGrain has been doing an awesome job, meeting with students and teachers throughout the county, not just in the Village. Important that you know he's done an outstanding job.

Chris Lawrick - tearing out ceiling and lighting fixtures in this room in the next couple of weeks.

Went through some training on the new generator system.

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

Respectfully submitted,

Sharron Cunningham
Clerk-Treasurer

/rmb

February 10, 2005 (cont'd)

**VILLAGE OF HORSEHEADS
QUARTERLY WATER RATE SCHEDULE**

* Effective Water bills
mailed 5/15/2005
and due 6/15/2005

Inside Village Boundaries:

First	6,000 Gallons -	3.40 /1000 gal.=	20.41 Minimum
Next	4,000 Gallons -	2.35 /1000 gal.=	9.41 Minimum
Next	10,000 Gallons -	1.76 /1000 gal.=	17.64 Minimum
Next	30,000 Gallons -	1.39 /1000 gal.=	41.58 Minimum
Next	150,000 Gallons -	1.11 /1000 gal.=	165.90 Minimum

Outside Village Boundaries:

(150% of In-Village Rates)

First	6,000 Gallons -	5.10 /1000 gal.=	30.58 Minimum
Next	4,000 Gallons -	3.53 /1000 gal.=	14.11 Minimum
Next	10,000 Gallons -	2.65 /1000 gal.=	26.46 Minimum
Next	30,000 Gallons -	2.07 /1000 gal.=	62.16 Minimum
Next	150,000 Gallons -	1.65 /1000 gal.=	247.80 Minimum

**A ten percent (10%) penalty of the total bill will be added to the water account
if it is not paid 30 days after the bill is rendered.**

Water Rates for Construction Purposes or Misc. Sales

Shall be billed in increments of 1,000 gallons and any portion thereof at the rate of:
\$14 per 1,000 gallons.

Fire Protection Service

In addition to the usage charge specified above, an annual Fire Protection Service Charge based on the size of the service main to the particular premises will be added to the water bill quarterly as follows:

<u>Inside Village Fire Charge</u>			<u>Outside Village Fire Charge</u>		
Size of Service	Monthly Charge	Annual Charge	Size of Service	Monthly Charge	Annual Charge
3"	14.53	58.13	3"	29.06	116.26
4"	26.38	105.50	4"	52.75	211.01
6"	38.16	152.66	6"	76.34	305.37
8"	50.86	203.45	8"	101.75	407.01
10"	63.62	254.46	10"	127.22	508.87
12"	75.40	301.62	12"	150.81	603.23

Hydrant Charge - Outside Village

<u>Service</u>	<u>Annual Charge</u>
6"	213.44
8"	284.59
10"	355.74
12"	421.90