

Minutes

Village Board of Trustees

April 11, 2013

A 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
Village Attorney John Groff

Clerk-Treasurer Sharron Cunningham
Manager's Asst. Rachel Baer
Code Enf. Officer Bob Young
Deputy Clerk Donna Hartsock
Village Justice Bill Driscoll

Others Present

Elton Shaw, Liberty St.
Wayne Brubaker, Gardner Rd.
Scott McGrain, HPD
Dave Ruhmel, HPD
James Kane, Elmira Heights
Mary Lou and David Romer, Scenic Dr.
Brand and Debi Lytle, Grand Central Ave.
Carol and Paul Aldrich, Watkins Road
Dennis Trate, Day St.
Bill Davis, Town of Catlin
Pat Gross, W. Broad St.
Yvonne and David Sadler, Breesport, Rd.

Jean Quinn, Gardner Rd.
Robert, Teena Finch, Grand Central Ave.
Kate Finch, Grand Central Ave.
Tracy Howard, Corning
Don Thompson, Acorn Dr.
Ira Hale, Bath
Elliott Blauvelt, Jr., Fletcher St.
Jodi Skrosniak, Center St.
News Media

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

BE IT RESOLVED, that the reading of the minutes of the March 28th and April 5th, 2013 Village Board Meetings be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

Resolution by Trustee Clark, seconded by Trustee Skroskznik

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

General:	\$ 131,670.38
Water:	\$ 41,723.79
Trust/Agency:	\$ 809.43

AND, that \$27.12 be transferred from the Capital Reserve Fund for pool improvements.

Roll Call Vote:

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

Financial Report: Manager Herbst reported that YTD receipts a little slow. This is typical in March of each year when we receive a county tax relevy. Didn't get that until April 2 so it didn't get into the journal. Also still waiting for PILOT tax receipts which were due in January. On the Water Fund we are down. More shut offs than normal plus slow payers. Expenses up just a little bit.

Resolution by Trustee Koliwasky, seconded by Trustee Skroskznik

BE IT RESOLVED, that the minutes of the Planning Board Meeting of March 26th and the Traffic Commission Meeting of March 26th be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

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

Resolution by Trustee Clark, seconded by Trustee Swartz

BE IT RESOLVED, that a Special Board of Trustees Meeting is hereby scheduled for Tuesday, April 23rd, 2013 at 2:00 p.m., for the purpose of going into Executive Session to discuss the status of collective bargaining negotiations.

Roll Call Vote:

Trustee Swartz	Aye
Trustee Skroskznik	Aye
Trustee Clark	Aye

Trustee Koliwasky	Aye
Mayor Zeigler	Aye

At this time, Mayor Zeigler advised the Board that he issued a Proclamation declaring April 21-27, 2013 as Volunteer Week. Deputy Clerk Hartsock read the Proclamation.

Motion by Trustee Skroskznik, seconded by Trustee Swartz, that an item regarding a Probationary Appointment to the Fire Department be added to the agenda:

Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that this Board hereby approves the one-year probationary appointment of Jacqueline Beach, 224 Winding Way, Horseheads, to the Village of Horseheads Fire Department.

Roll Call Vote:

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

Public Hearing - Tentative Budget: At this time Atty. Groff declared open a public hearing regarding the Tentative 2013-2014 Village Budget which calls for a 1% tax increase.

Brad Lytle, Grand Central Ave. - commended Board and Manager for a budget at 1%.
As nobody else came forward to speak, Atty. Groff declared the public hearing closed.

Resolution by Trustee Koliwasky, seconded by Trustee Clark

WHEREAS, Village Budget Officer Walt Herbst has prepared and submitted a proposed budget for the fiscal year 2013-2014, and

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

WHEREAS, a public hearing was held on April 11th, 2013 relative to the proposed budget.

NOW THEREFORE BE IT RESOLVED, that the proposed 2013-2014 budget prepared by the Budget Officer which establishes anticipated revenues and appropriations in the amount of

\$5,985,902 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, 2013 through May 31, 2014 containing a tax levy of \$5.14 per thousand dollars of assessed valuation, representation a 1% increase in property taxes.

Trustee Skroskznik - NYS law was violated in the drafting of this budget, the Board never met collectively. There was no transparency. Laws were not met. Therefore I do not favor this budget. My vote is No.

Roll Call Vote:

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

Special Sign Permit - Church of Christ - Tabled from 3/28/13

Trustee Clark - in reviewing our sign law there is nothing to give us guidelines as to how we approve signs. We are facing rapid changing technology in signs. I am concerned about not having guidelines. We have nothing in our law about digital signs, setbacks, size limitations. We need to look at all these things. I think we need to come up with guidelines that we can use for any signs requested in a Residential district. We should table this again to give the Board time to review this sign law and to come up with a set of guidelines to maintain.

Motion by Trustee Clark , seconded by Trustee Koliwasky, that this item be tabled indefinitely, and that we ask the Village Manager to develop a process on signs. Code Enforcement Officer should also be involved.

Atty. Groff advised that you can't table indefinitely.

Trustee Clark amended his motion to say it should be tabled until October 1, 2013. Trustee Swartz seconded.

Trustee Skroskznik - Churches are great organizations with outreach to the public. I understand concern but Planning Board recommended approval. So did Traffic Commission. I think us trying to look it over again would be a waste of time and money. So I vote no.

Trustee Clark - interest to the community should come first.

Roll Call on Amending the Motion:

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

Roll Call on Entire Resolution as Amended:

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

Special Sign Permit - First Baptist Church - Tabled from 3/28/13

Trustee Clark - I make the same motion - table to October 1st - for review of sign law. Seconded by Trustee Koliwasky.

Trustee Skroskznik - I send my kids to this church school. I have talked to Atty. Groff, I have no conflict of interest. I have no stake at this church, I just use them as a school for my kids. There is no appearance of impropriety. I vote no.

Roll Call Vote:

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

Discussion - Review of Sign Law: Village Manager Herbst stated that he will have the review completed by October 1st.

Resolution by Trustee Swartz, seconded by Trustee Skroskznik

WHEREAS, at a General Convention of the Village of Horseheads Fire Department on April 2, 2013, 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	<i>No Nominations</i>

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:

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

Manager Herbst: Regarding the School Resource Officer - this program was funded by the federal government, funding then went away in 2006. We have struggled to keep this program going. Over the last year I have talked to several towns regarding % of students from their communities, that we could continue to have an SRO if they contributed per their pro rata share. (read letter from town of Hhds). Town of Horseheads said they would not pay. This created more rumors, etc. To settle all the rumors we have met with the school and have worked out an arrangement where we will continue SRO for the next six months. They have a Plan B after that point, but we were amicably able to resolve the issue such that we will be able to continue for a few more months. I seek a board motion to this effect to continue until December 31, 2013.

Motion by Trustee Clark, seconded by Trustee Koliwasky, that the Village continue its agreement with the Horseheads School District regarding the School Resource Officer until December 31, 2013 per the terms and conditions of the existing contract.

Horseheads Police Officer Scott McGrain, current SRO, asked to speak. 1400 students are at the high school. We are responsible for everyone that goes through the Village. The school could say we are not going to have an SRO, then the HPD would be called there. They supplied an out for you and gave you a lot of money. Nobody ever comes to the school to find out what this program is all about. Its very disappointing that you would make this motion before finding out about the program. Talk to other people . Six months does not resolve this issue. The Horseheads School District is behind this program. For us to just do it for 6 months is a slap in their face. We figured out the actual cost. It costs the each 44 cents per day for this program. We would like the Village to reconsider and go to a year, not six months.

Trustee Skroskznik - I go back to the budget, there was no revenue from the school. This is why its important to follow the budget deadlines and talk about things as a Board. This is what happens is when you rush something. Here we are discussing modification of a contract with the school. We want to modify after it was known that there is no funding. This is causing confusion and embarrassment. As a municipality we are responsible for public safety. I vote no for remodification of the contract, but I would like to see more funding.

Manager Herbst - there will be an SRO in the school. I talked to Ralph Marino personally. He was very pleased with this deal. The only question among his staff is who the SRO will be. They are working with the Sheriff's Department. This would open it up to go to all the other schools. The very nature of that original grant anticipated that when the funding went away so would the position. But we've kept it going over the last few years. Then we reached a point when we couldn't and we couldn't get other communities

to participate either.

Officer McGrain - I do go to other schools. The district wants us to stay. They do not want to go to the Sheriffs Department. But they have no other choice now.

Roll Call Vote:

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

Horseheads Police Officer Dave Ruhmel - as a loyal employee I must tell you that the morale is at the lowest for the employees. There is a complete lack of communication. It is not a healthy work environment.

Paul Aldrich, First Baptist Church - I am disappointed that our sign application was tabled again. The First Baptist Church was established in 1840. It is also a school. We employ 17 people. We bring conferences and events to the area. We also support Village events, using our parking lots. The youth bureau across the street, patrons use our parking lot, sometimes to our frustration. But we do not ask them to leave. We have a playground that we let the local children use. We do not lock the gate. During the school days we open our building to teens. Our whole basement is dedicated to teens - games, etc., plus our gymnasium. Its not just for our students. Horseheads school buses use our parking lots to transfer students back and forth. Our desire is to be a good neighbor. As far as our proposed sign, we will turn sign off at night. We love Horseheads and we want to continue to be a part of this community.

Jodi Skrosnik, Center St. - The high school has a digital sign. Howcome theirs went up with no problem.

Atty. Groff - school are exempt from regulations on signs. We don't get to review them at all.

Jim Kane - Horseheads Christian School. There has always been a sign at First Baptist Church. Dr. Patterson's office is right across from us. I asked him if he would consider coming tonight, but he couldn't. He did send a letter of support. (Mr. Kane read letter.)

Don Thompson, Acorn Drive - First Baptist Church. Churches are lifeblood of communities. Planning Board and Traffic Commission already said it meets all the requirements. I ask you to reconsider delaying this.

Robert Finch - Pastor of First Baptist - You have to consider what you have in your code right now and make a decision. You have a responsibility to act on those that have been properly presented. Your tabling is unfair.

Ira Hale - Bath, NY - I've been to First Baptist Church. This is a wonderful church. It has brought so much to your community. All they want is a sign so people know where their church is.

Pat Gross, W. Broad St. - on the Village budget, there was never a meeting as a Board to talk to department heads. There is a responsibility for all of you to talk to each other. Also, the SRO -

in the beginning it was a grant. There is still a need for this position. I would like to know how the school was notified, and when, about this SRO position. Did you ever get a response from Big Flats, Veteran, Erin?

Elliott Blauvelt, Fletcher St. - Very disturbed how you can change a process that has already gone through reviews on short notice, without using the proper way. It seems like there is a hidden agenda. You should reopen the sign applications and vote on them tonight.

Sue McCarty, Willow Dr. - I have a child at the high school. I really appreciate having the SRO there. It is so important.

Tracy Howard, teacher at Horseheads Christian School - People often ask me where I teach because they have no idea where it is. We have no good signage. We are providing a service to the community and people don't know where we are.

Trustee Clark - This tabling is not about churches. Its about the future of what we want our Village to look like. If we don't take care of it right now, we will regret it. All I'm asking for is some patience so we can finish the process. Its not that its never going to happen.

Motion by Trustee Skroskznik to reopen the discussion on the special sign permits for both churches. Trustee Swartz seconded the motion.

Roll Call Vote:

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

Chief Barton thanked Sharron and the staff for the preparation of the budget. Regarding the SRO, you should understand the complexity of that position. A lot of trust has been built up with the students and the staff over there by having a Village officer as the SRO. Not to say that the Sherriff's Department couldn't do a great job as well. As we move forward I hope you can look creatively at a way that we can keep our own staff over there. We really do have a relationship that is unique. He provides a physical safety presence, but when students are vulnerable ages, what we deal with aren't just enforcement issues. We built relationships, mentoring, etc. There is an open door policy. We can 't measure that. Its not I can tell you how many incidents we prevented, how many suicides we prevented, etc. I hope the Board considers this as one of the factors in whether we can go beyond the six month agreement.

Mayor Zeigler - also commend the staff on the budget. Regarding the Fire Department, has there been anymore consideration on putting safety equipment in your personal cars, so you can get right to the incident, instead of going to the station first. I've discussed this before. He asked Bob Young to bring this up for discussion at the Fire Department.

Meeting adjourned at 8:15 p.m.

/rmb

