

December 11, 2014

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 Ronald Swartz
Trustee George Koliwasky
Trustee Mike Skroskznik
Trustee Brad Lytle

Clerk-Treasurer Sharron Cunningham
Village Manager Walt Herbst
Village Atty. John Groff

Others

Wayne Brubaker, Gardner Rd.
Debbie Hicks, Gardner Rd.

Resolution by Trustee Skroskznik, seconded by Trustee Swartz

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of November 13 and December 1, 2014 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

Audience Participation

None

Financial Report

Receipts YTD are up about 220K. Expenses are also up about 90K. On Water Fund up about 31K, expenses too up 96K. For both General and Water Fund the reason for the increase in expenses is we paid the retirement fund at the end of November. Whereas last year we paid it in December. In addition we paid our major insurance bill, liability, auto, etc. We're doing that in semi-annual installments.

Resolution by Trustee Skroskznik, seconded by Trustee Swartz

BE IT RESOLVED, that the minutes of the Planning Board Meeting of November 18, 2014 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 Skroskznik	Aye
Trustee Lytle	Aye

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

BE IT RESOLVED, that the Justice Reports for November 2014 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 Skroskznik	Aye
Trustee Lytle	Aye

Mayor Zeigler noted how little of the fines collected in the Justice office actually goes to the Village.

Resolution by Trustee Skroskznik, seconded by Trustee Koliwasky

WHEREAS, Barrington Associates has offered to dedicate the water distribution system built as part of the construction of Barrington Estates West Subdivision - Phase 2D-1, servicing Lots 75R, 76, 77, 78, 89 and 90, as depicted on a map of Weiler Associates dated September 18, 2014, Job No. 15127-01, Map title Barrington West Phase 2D-1 Utility As-Built, and

WHEREAS, the Chemung County Health Department has reviewed water pressure and disinfection tests for said lines and found the same to be adequate, and

WHEREAS, Don Gaylord, on behalf of the Village of Horseheads, inspected the water distribution system constructed as part of this phase and has found same to be adequate and satisfactory and has recommended the acceptance and dedication of same, and

WHEREAS, Village Manager Walt Herbst has reviewed the reports and recommendations of the various different involved agencies and has recommended acceptance of same, and

WHEREAS, the developers have provided evidence of lien releases relevant to the construction and installation of the water distribution system, and

WHEREAS, the developer has submitted a proposed deed transferring ownership of the water system improvements free and clear of liens and encumbrances, and

WHEREAS, Village Attorney John Groff has reviewed the title to the water system improvements.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby authorize Village Manager Herbst to accept the dedication of the water system improvements to Barrington West Subdivision Phase 2D-1, Lots 75R, 76, 77, 78, 89 and 90, as depicted on a map of Weiler Associates dated September 18, 2014, Map title Barrington West Phase 2D-1 Utility As Built, and be it further

RESOLVED, that recording of the deed subsequent to the adoption of this resolution will be adequate proof of same.

Trustee Lytle asked the process of receiving water lines from developers.

Atty. Groff - the Village has a permissive service area for water. Its customary for Village to require a developer to construct the utilities at their expense, then the infrastructure is dedicated to the Village. Then we become the owner of the system and have the responsibility to maintain it going forward. The service lines to the residences become metered as well.

Roll Call Vote:

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

Trustee Skroskznik - There is a residence on Center St., across from First Baptist Church, their carport is not attached to the house. Seems to be filled with household items. Been like that for a couple of weeks. Seems to be a code violation.

Atty. Groff - Village has its own regulations on these structures. Should be forwarded to Bob Young to investigation.

Trustee Skroskznik - where are we in relation to the Police Chief position.

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Manager Herbst - we are still gathering information, and talking to Jim Roemer.

Trustee Skroskznik - I see ZBA approved the cell tower. Do we have any discussion as a Board?

Atty. Groff - the Zoning Board of Appeals has final approval over that since it was a variance application. It's not a Board of Trustees jurisdictional matter. Our PB does give a recommendation. ZBA conducted a SEQR review, and did approve the project with conditions.

Trustee Swartz - with all the events in the news regarding police officers, etc., should we be proactive and look into body cameras for our police.

Manager Herbst - we have gotten some preliminary cost estimates. There are pros and cons. The Mayor sent me a link for the federal DOJ for grants.

Trustee Swartz - can you give us an overview on this at the next Board Meeting.

Manager Herbst - yes, there are many options. The prices run from about \$200 to \$1100. The ideal one seems to be around \$800.

Trustee Lytle - asked about where we stand on the Police Chief position. Was a preliminary offer made to one of the Sergeants? Do we still have an Acting Chief?

Manager Herbst - we had exploratory discussions. That was going along about two or three weeks ago. Sgt. Zelko said he really isn't interested. I hope to be able to do something in the near future. He would really like us to figure something out by January.

Trustee Lytle - I'd like to comment the Manager on the financial reports he submits. I really like them, but I would like to have them a day or two ahead of the Board meetings.

Manager Herbst - we have moved our bill paying to every two weeks, instead of monthly. So we can do that.

Manager Herbst reported on the following items:

- Bonds are completed for energy performance. We rec'd an A1 bond rating. Sale of bonds will be Dec. 18th.
- Wendel is finalizing contracts for the energy performance project. Once all contracts are done they will send us a contract which guarantees the savings. John will go over those when they come in.
- Susquehanna River Basin Commission came by to inspect our wells. They were pleased with what they saw.
- Our CGI Community Showcase is underway. They'll be doing the programming and production scheduling. They've already started talking to people in the community.
- Cell tower was approved with conditions by the ZBA.
- PBA has filed for arbitration. We in turn filed an improper practice charge against the PBA on the scope of arbitration.
- We had the ribbon cutting for the filtration plan at Well 5. The engineers were there. They were pleased to announce that we had won from the NYS Association of Engineers the Platinum Award. There will be a presentation in March in NYC. Quite an accomplishment.

Atty. Groff reported on the following items:

- We received a FOIL request from a law firm representing NYSEG. Their seeking a great deal of information regarding every excavation the Village has ever done. They have been ordered by the PSC to conduct an investigation of the safety of their gas distribution system, part of this is due to the two explosions in recent years.

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Walt - when we changed insurance companies to Travelers, there is a sentence in our new policy which brings them into that claim, even though it happened before they insured us. Like a continuation of a claim. We have two insurances then - Selective and Travelers.

- Monica Pierce v. Village lawsuit, unreasonable search and seizure lawsuit. Asserts our police officers intruded upon her home without authorization. It's a civil rights claim against the Village. It's been going on for a few years. Our attorneys through our insurance have been pursuing the lawsuit and have been trying to conduct depositions of the claimant without success. They hope to have one by March of 2015.

- Koppers Pond - we do have a charge that will be due in January regarding EPA's costs. If anyone has questions please let me know.

Mayor Zeigler - attended the ribbon cutting at Well 5. Don Gaylord was present at every part of this instruction. We rec'd letter from Lindsay Brown from the Health Dept. He couldn't attend the ribbon cutting, but he wanted us to know that getting the plant built was an awesome demonstration of administrative competence.

As there was nothing further to come before the Board, the meeting was adjourned at 7:40 p.m.

/rmb

Respectfully submitted,

Sharron Cunningham
Clerk-Treasurer