

Minutes

Village Board of Trustees

February 11, 2016

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 Louise McIntosh
Trustee Mike Skroskznik
Trustee Brad Lytle
Trustee Pat Gross
Trustee Bill Goodwin
Village Attorney John Groff
Clerk-Treasurer Sharron Cunningham

Manager's Asst. Rachel Baer
DPW - Matt Mustico
Parks Dir. Nate Nagle

Others Present

Steve McIntosh, Renwick Lane
Stacey White, Renwick Lane
Wayne Brubaker, Gardner Rd.
David Padgett, W. Franklin St.
Mike Swasta, Watkins Rd.

Debbie Hicks, Gardner Rd.
Andrew Stamp, Bowers Dr.
Fred White, Watkins Rd.
Elliott Blauvelt, Fletcher St.

Resolution by Trustee Skroskznik, seconded by Trustee Gross

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of January 28, 2016 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Financial Reports

Clerk-Treasurer Sharron Cunningham gave a summary of the financial report:

- Current year expenses a little less than last year.
- Revenue is less due to sales tax.
- Water expenses was a little less due to well utilities.
- Water revenue was less due to reduced water sales. Also Town hydrants we bill for would have shown last month. Haven't rec'd that yet.
- Currently we have a surplus
- Sales tax - we budgeted \$1,237,731 rec'd \$863,705. Balance yet to receive \$374,025.

Discussion on building permit revenue.

Trustee Skroskznik - do you think we're on track to make sales tax budgeted revenue. There was a large fall in January sales receipts. Is that number final.

Mayor McIntosh - we pursued that. Met with the county. Steve Hoover explained it, that is what we are getting. It's not something we have any control over.

Trustee Lytle - is there a list of what is taken by the county;

Trustee Skroskznik - state doesn't give record to county. Just give them a number.

Discussion on contacting our legislators about this.

Motion by Trustee Lytle, seconded by Trustee Skroskznik, that Atty. Groff draft a letter to Senator O'Mara and Assemblyman Friend regarding state sales tax received from the County and why there is no breakdown.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Trustee Skroskznik - on the revenue - all we need is \$93,500 per month to meet what we budgeted.

Sharron - correct. Won't know till we get check on 2/25.

Resolution by Trustee Gross, seconded by Trustee Skroskznik

BE IT RESOLVED, that the Clerk-Treasurer is hereby authorized to transfer the funds indicated on the attached sheet.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Skroskznik, seconded by Trustee Goodwin

BE IT RESOLVED, that the minutes of the Traffic Commission Meeting of January 28, 2016 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

D&A: Request by Beef's for Special Alcohol Permit

Atty. Groff - March 12 is the parade. Also rec'd application for the use of parking lot by Beefs for a Community event which includes alcohol consumption in the lot. The alcohol would be purchased inside. Will also have live music, and dancers, etc. Village has a law that prohibits consumption of alcohol on Village property. Applicant is asking for special permission. Resolution offered to you for that. They need a permit from the state liquor authority. Also our normal practice is to require insurance and indemnification, security personnel, etc. Plus village police officers too.

Resolution by Trustee Goodwin, seconded by Trustee Skroskznik

WHEREAS, the Village of Horseheads Fire Department ("Department") has applied to the Village of Horseheads, and received permission, for the use of certain streets in the Village and the Hanover Square area for the conduct of an event known as the St. Patrick's Day Parade on Saturday, March 12, 2016, and

WHEREAS, in connection with but separate from the Department's application, Rundall LLC, d/b/a Beefeater Tavern ("Applicant") has applied to the Village for the use of a parking lot at 2307 Grand Central Avenue, Horseheads, NY, and a portion of Grand Central Avenue, for a community gathering, and has also requested that the Village Board grant special permission to allow the sale, possession and consumption of alcoholic beverages in said parking lot from 3:00 p.m. to 5:30 p.m. on March 12, 2016, and later amended same to be for strictly possession and consumption, and

WHEREAS, Village Code Chapter 76 regulates possession and consumption of alcoholic beverages in open containers on Village property.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby grant to Applicant special permission, waiving the prohibitions of Village Code Chapter 76 as to possession and consumption of alcoholic beverages only as follows:

1. Rundall LLC, the approved vendor of alcoholic beverages for the event, shall provide the Village with an Indemnification Agreement in a form approved

by the Village Manager and shall cause the Village of Horseheads to be named as an additional insured on its public liability insurance policy in an amount not less than \$1,000,000.

2. The waiver of the application of Chapter 76 shall apply only to the parking lot at the corner of W. Franklin St. and Grand Central.
3. This permission is contingent upon Applicant filing with the Village proof of its authorization from the NYS Alcoholic Beverage Control Board, to sell alcoholic beverages for off-premises possession and consumption.
4. This special permission is granted for March 12, 2016 from 3:00pm - 5:30pm.
5. The permission granted herein may be revoked at any time by the Village Manager, without prior notice, in the Manager's sole discretion.
6. This permission is contingent upon Applicant agreeing that the Village shall provide two police officers from 3:00pm - 6:00pm to police this event, for law enforcement purposes, and that Applicant shall pay, in advance of the event, \$330.00 to the Village for such services.
7. Applicant shall erect and maintain a temporary fence at least 4 ft. high to enclose the parking lot for the event without penetrating the hard surfaces, shall provide Porto John's and private security as noted in its application dated 1/22/16.

Atty. Groff - the parking lot will be fenced in. Street will be barricaded at Broad and John St. No drinking in the street, just the parking lot. They have their own security people, and the Village is providing two officers.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

D&A: Employee Manual Amendment - Overtime

Mayor McIntosh - this was tabled from last meeting. When the employee manual was voted on, there was mention that things may come up that need changing.

Resolution by Trustee Gross, seconded by Trustee Lytle

WHEREAS, this Board adopted the Employee Handbook for the Village of Horseheads on October 8, 2015, and provided for the publication and distribution of same, and

WHEREAS, since such adoption it has become apparent that certain aspects of Overtime/Compensatory Time (Section 702) were unclear with respect to how overtime is earned, and

WHEREAS, Acting Village Manager Louise McIntosh has overseen the drafting of clarifying verbiage which has been provided to this Board.

NOW THEREFORE BE IT RESOLVED, that Section 702-Overtime/Compensatory Time of the Employee Handbook is amended as provided in the attachment, retroactive to January 18, 2016.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Gross, seconded by Trustee Goodwin

BE IT RESOLVED, that Proposed Local Law #1 of 2016 - Tax Cap Override - is hereby received, and a public hearing regarding same is scheduled for Thursday, February 25th, 2015 at 7:10 p.m.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Ongoing Items:

- **Blostein Blvd.**

Mayor McIntosh - board did field trip to the site. We had quite a few questions come up. So after thinking hard about all of this I asked Trustee Gross if she would be willing to work with Matt Mustico to come up with a plan on how we can move forward.

Questions that have been raised:

- Berm - will people be able to come over it
- How can we police what is dumped
- What will hours of operation be
- Will we need to keep Thorne St. open too
- Should there be someone manning the gate
- What about signage on the road and on the gate as well
- Do we include the town residents
- Security issues

Trustee Gross - biggest concern I had was road behind this. In the past we had problems with that area with illegal drugs and parties back in there. We don't own that road. I thought Chief Stickler was going to look into who owned it.

Trustee Skroskznik - need to find a happy medium that it will be safe, not a burden on

taxpayers, yet help out residents. Right now there are so many unanswered questions. Large vacant lot. Lots can go on there. Lot of money wrapped up into it now. I'm not too sure if we are ready to spend additional money when we have so many questions.

Trustee Lytle - I believe there was a lot of haste in this whole process. Never quite understood why we needed this. I'm not prepared to make money off the residents. I think there was so much hurry to get this done by the last board. Need to get all those questions answered. No urgency about this. I urge this board to put this on hold.

Trustee Goodwin - my concern is illegal dumping and the costs to remove. Definitely should be an employee or volunteer there. Plus the fee bothers me. Right now we can dump for free at Thorne St. Why should we charge residents. The keypad - reason was to allow 24/7 access. Not sure we need that. Could have similar hours to what we have now, maybe extend more on Saturday or something. I'd be willing to volunteer to sit over there to see how many people go there after hours. Eventually we could move the whole Village garages over to this site. I drove by our current place on Thorne St, its an eyesore. Dump trucks, snow plows. Should think about moving our whole garage area over to the Blostein site. I agree we should put all this on hold.

Mayor McIntosh - so if Pat and Matt can take a look at all of these questions and come back with a plan - in six weeks. We won't put on ongoing items until you're ready.

- **Walking Path - Broad St. to Thorne St.**

Trustee Goodwin - Mayor asked me to look into this. It appears that it is a 16x90 stretch, owned by the village. We will have our Village Atty. look at this. Tom Skebey, assessor's office, and a surveyor helped me. I also walked the path and took pics. Gave my report to the Village Manager this week. This is a deeded piece of land that the Village owns.

Mayor McIntosh - so this is still an ongoing item.

- **Koppers Pond**

No municipal meeting set up yet. John to get back to us on this.

- **Schedule Budget Workshops**

Clerk-Treasurer Cunningham - Dept. Heads have until Feb. 25th to submit. Once those are rec'd then we can set up some times. I'm not sure who is going to be meeting with dept heads.

Trustee Lytle - I assume you and the acting village manager, then you can submit a proposed budget.

After brief discussion the Board agreed to have a Budget Workshop on **Wednesday, March 16th at 3:30 p.m.** It will be just the Board and the Clerk-Treasurer. Then questions will go back to the Dept. Heads.

Audience Participation - None.

BOT, Department Head Updates

Trustee Gross:

- Complaints about dogs. Particularly in the Cemetery, and it is posted to have no dogs there. Gary says that its on the weekends. So I talked to Chief Stickler to see if the officers can take a look. Not much more we can do. Dogs also using second baseball field at Little League on Thorne St. and dogs are running in there too. One gentlemen said that he rec'd permission. We don't know where he got his permission. But it is open. In a few weeks kids will be playing in there.

Trustee Lytle - perhaps we can gate the entrance to the dugouts.

Mayor McIntosh - Trustee Skroskznik is liaison for Parks and Rec. He should discuss with Nate and come back to us with an idea.

- Crosswalk complaint near library on S. Main. I talked to DPW and also Chief Stickler. Maybe the two of them can get together. It is a bad crossing. Elmira college and Hilliard's both use lighted pedestrian signs. How do we get people to know this is dangerous.

Trustee Lytle - we talked about painting something

Matt Mustico - we did that over by Purple Iris on S. Main.

Disc on pedestrian signage.

- There was a municipal restructuring webinar. I did talk to Nate about this. Nate did see the one today.
- There is a grants workshop on March 28, 29. Should we send somebody to this.
- Working on amending comprehensive plan.
- Regarding the recent \$500 Million the Southern Tier received for development - what did last administration include in that. Some for Hanover Square?

Trustee Lytle - \$110,000 is going to Louie's, but that was not part of that 500M.

Discussion ensued regarding the different between this \$500M for the Southern Tier, the MainStreet Grant received by Julie Chevalier, and the work STEG is doing. Mayor McIntosh said she will research this.

- On the Code Enforcement Dept., I thought we were open on this. We have had no input into what we think code enf should be.

Mayor McIntosh - right now I'm only fact finding. Then I'll bring it to the Board.

Trustee Gross - so you don't want our input on code

Mayor McIntosh - I won't make a decision without the Board. Right now I'm gathering information. We've had two separate discussions.

Trustee Skroskznik:

- On the dogs in public parks, it is my experience and opinion that signs are only as good as they look. If we don't have a law we should. To send a message to dog owners.

Atty. Groff - its already prohibited.

Trustee Skroskznik - the next step is to enforce it.

- Concerned about traffic driving north on South Main. Traffic commission should look at this.
- Meeting with FD to look at a junior firefighter program. Would be great for the village. And give us an opportunity to put a new generation of firefighters to come.

Trustee Lytle:

- Sat in on a meeting with Brown and Brown on our liability insurance. Instructive learning experience. They will get back to us with some questions. Most insurances will remain the same this year. We could get a 2-3% discount. Just so rest of board knows I don't foresee big changes in insurance for next year.
- Police report from chief. Rundown on what's been going on in the village. Then a chart of what kind of violations, etc. Will forward this to everyone else.
- Neighborhood watch program is being done again. Dave Reynolds will assist with this. Ad going in the shopper for this.

Trustee Goodwin:

- On code enf. - we are only on a fact finding mission right now. We will definitely be bringing it to the table.
- Attended youth court induction ceremony.

Atty. Groff:

- Countywide shared service agmt - 5 or 10 years old. Working on this with Matt.
Trustee Lytle - orig agmt with Town of Elmira for Matt excluded anything to do with water. Should we have someone look at this. John - yes.
- Fire Dept. rec'd materials on an educational program on public fire depts.. I will give them to Trustee Skroskznik if he wants to attend that.
- Our Water Rules - will become necessary to update them. New meters allow you to meter water on a per gallon basis. Right now rate structure is in 1000 gall increments.
- Traffic commission looked at application of Pathways for rezoning of Broad St. school to a PUD. We identified some concerns that we had relating to traffic conditions. Will be asking applicant for addit'l information.

Parks Dir. Nate Nagle:

- I did listen to webinar. Its really about consolidation of departments with other municipalities. Like fire, police, etc. They actually used Chemung County as an example. It's also there for school district as well. I'll listen to the session on the 18th. It's a 60 page applic process. It's a reimbursed grant. So we would have to put money up front.
- On the dog issue, we have a local law on dogs. But we have to see dogs doing it before they can be cited. By police or code enf.

Mayor McIntosh - people should just say something when they see this happening.

Disc. on dog owners, etc.

Nate - in the last 8 years I have not rec'd any phone calls from little league complaining about dog poop. It happens but it's a situation where we can stop and talk to the people. Then talk about a dog park. Once we get to that stage, then we'll have a design for an off-leash area. And dogs wouldn't be allowed in any other facilities.

DPW Dir. Matt Mustico:

- On Blostein Blvd., can DPW keep using that. We're bringing mulch and leaves, etc. So instead of dumping it at well 5.
Trustee Lytle - Blostein is only closed to the public - not to DPW staff.
- Nate's program with the girls cheerleading is a huge success. I have two granddaughters in that - came in first place in Niagara falls.

Mayor McIntosh:

- Chief Sullivan gave me a letter on how proud he is of the FD on the warehouse fire in the Heights last week. Worked all night long. We only lost one hose. FDs all worked very well together. Plus all the time they donate for keeping equipment up to date, and training, etc. And these are volunteers.
- Thanked the board for positions as liaisons for departments. If you have a concern regarding a department please go to the liaison first or the Acting Manager, and not the dept heads. I want to make sure they aren't getting direction from all of us. This is the process we set up here. I will promise to do my best that on Friday I send out a weekly report.

As there was nothing further to come before the Board, the meeting was adjourned at 8:20 p.m.

/rmb

TRANSFER LIST - 2/11/16**GENERAL**

<u>AMOUNT</u>	<u>FROM</u>		<u>TO</u>	<u>DESCRIPTION</u>
\$3,692.34	1010.111	PAST TRUSTEE	1010.100	NEW TRUSTEE
\$3,692.34	1010.147	PAST TRUSTEE	1010.150	NEW TRUSTEE
\$1,000.00	1110.144	PAST PT CLERK	1110.109	PT COURT CLERK
\$1,000.00	1110.144	PAST PT CLERK	1111.109	PT COURT CLERK
\$400.00	1111.453	COURT TRAVEL	1111.452	COURT TRAINING
\$4,292.34	1210.148	PAST MAYOR	1210.151	NEW MAYOR
\$1,068.75	1230.451	NYCOM TRAINING	1320.440	AUDITOR DEPUTY
\$5,000.00	1325.112	PAST DEP.CLERK	1325.109	CLERK
\$1,200.00	1620.440	VIL.HALL CON.SERV	1325.411	CLERK OFF.SUP.
\$9,000.00	1619.142	PT CODE OFF.	1619.151	COM.SERV.OFF. CODE
\$500.00	1619.440	CODE CONT.SERV	1619.452	TRAINING
\$1,000.00	1620.440	VIL.HALL CON.SERV	1621.459	ANIMAL CONTROL
\$150.00	1622.429	GARAGE UTILITIES	1622.425	PARKS UTILITIES
\$800.00	1622.429	GARAGE UTILITIES	1622.426	RECREATION UTILITIES
\$200.00	1622.429	GARAGE UTILITIES	1622.487	BLOSTEIN UTILITIES
\$8,434.80	1619.142	PT CODE OFF.	1623.460	CODE SOFTWARE
\$500.00	1623.464	FIRE SOFTWARE	1623.462	CLERK SOFTWARE
\$3,500.00	1990.477	CONTINGENCY	1623.465	VILLAGE SOFTWARE
\$12,944.73	1990.477	CONTINGENCY	1910.472	LIABILITY INSURANCE
\$1,868.35	1990.477	CONTINGENCY	1989.475	RITE AID TAX REFUND
\$6,268.88	9015.820	NYS POLICE RET.	3120.117	POLICE-RETRO
\$5,179.57	9015.820	NYS POLICE RET.	3120.118	POLICE-RETRO
\$6,241.80	9015.820	NYS POLICE RET.	3120.119	POLICE-RETRO
\$6,386.84	9015.820	NYS POLICE RET.	3120.120	POLICE-RETRO
\$5,502.56	9015.820	NYS POLICE RET.	3120.121	POLICE-RETRO

\$5,518.03	9015.820	NYS POLICE RET.	3120.125	POLICE-RETRO
\$6,681.75	9015.820	NYS POLICE RET.	3120.126	POLICE-RETRO
\$998.10	9015.820	NYS POLICE RET.	3120.128	POLICE-RETRO
\$5,440.70	9015.820	NYS POLICE RET.	3120.133	POLICE-RETRO
\$5,793.68	9015.820	NYS POLICE RET.	3120.134	POLICE-RETRO
\$5,719.94	9010.810	NYS RETIREMENT	3120.135	POLICE-RETRO
\$1,478.07	9015.820	NYS POLICE RET.	3120.138	POLICE-RETRO
				DPW
\$1,000.00	5110.410	DPW MAT./SUP.	5110.413	CLOTHING
\$5,000.00	5110.440	DPW CONT.SERV.	5110.443	DPW REPAIRS
\$656.43	7310.410	POOL MAT/SUP.	7310.443	POOL REPAIRS
\$300.00	8810.410	CEMETERY MAT/SUP	8810.440	CEM.CONT.SERV
\$1,077.82	8810.410	CEMETERY MAT/SUP	8810.443	CEM.REPAIRS
\$200.00	9060.860	HEALTH INSURANCE	9060.867	INS.BUY OUT-HURD
\$129,687.82				
 <u>WATER</u>				
\$3,508.40	1623.462	CLERK SOFTWARE	1623.467	NETWORK ADMIN.
\$7,500.00	1910.477	CONTINGENCY	8340.160	WATER OVERTIME
\$5,000.00	8340.410	WATER MAT./SUP.	8340.440	WATER CONT.SERV.
\$16,008.40				