

March 11, 2004

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, Howard Miller, Ronald Swartz and Kevin Sullivan, Village Manager Vincent Azzarelli, Village Attorney John Groff, Clerk-Treasurer Sharron Cunningham, Police Chief Dave Kole, Public Works Supt. Chris Lawrick, Planning Board Chairman Bob Skebey, and Manager's Assistant Rachel Johnson. Also present were: Bernie Wiegler, 111 Boorum Pl.; Tess Banfield, 134 Catalpa Dr.; Bob Fischer, 209 Normandy Pl.; Mike Stenpeck, 2202 Grand Central Ave.; Ryan Wheeler, 112 Canal St.; Tom Sweet, 807 Center St.; Ray and Delores Cass, 22 Redwing Lane; Bob Emmick, 709 Taylor Rd.; Jean Quinn, 555 Gardner Rd.; Addie Kelley, 115 Myers Dr.; Marth Hauser, 407 W. Broad St.; Eileen Patocka, 3136 Watkins Rd.; Gerald Pease, 309 Steuben St.; Donna Hartsock, 148 Greenridge Dr.; Jerry Kosty, 213 W. Broad St.; Gail Murray, 1021 Hulett St.

Resolution by Trustee Miller, seconded by Trustee Swartz

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of February 26, 2004 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 Fund - \$117,921.57
Water Fund - \$24,566.91
Trust & Agency - \$2,959.10

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 February and the Police Reports for January and February, 2004 are hereby 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

At this time, Atty. Groff declared open a Public Hearing on Proposed Local Law on Porches and Decks. He stated that this law modifies the existing law providing further explanation on permitted additions to existing structures.

Addie Kelly - I assume if its not attached, then that means its not part of the building.

Atty. Groff - this is for comments only. But they are interested in hearing your concerns. You may have a response to it later.

As nobody else came forward, Atty. Groff declared the public hearing closed.

Resolution by Trustee Miller, seconded by Trustee Catlin

WHEREAS, the Village is considering a local law to amend the Village Code relative to porches, entryways and decks, and

WHEREAS, this proposed local law was presented to this Board on February 20, 2004, and notice

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of a public hearing regarding this matter was published in the official newspaper of the Village and a public hearing regarding same was held on March 11, 2004, and

WHEREAS, this Village Board of Trustees has given this matter due consideration.

NOW THEREFORE BE IT RESOLVED, that said Local Law Amending the Village Code Relative to Porches, Entryways and Decks is hereby adopted and the Village Clerk-Treasurer is directed to file same with the Secretary of State as required by law.

Atty. Groff - Responding to inquiry from before, if your talking about a structure that would not be attached to residence, that is ancillary and has different setback requirements. This law deals with fixtures attached to existing structure or one that is under construction. Regarding enclosing it - the purpose behind that is to require these items to be used for porch or entryway. If they are enclosed, they are treated as an addition to the house and must meet additional requirements. regarding roof, railings, etc. But if you are enclosing it, this law does not deal with that concept at all.

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 the proposed 2004-2005 Village Budget. As nobody came forward to speak, Atty. Groff declared the public hearing closed.

Resolution by Trustee Sullivan, seconded by Trustee Miller

WHEREAS, Village Manager Vincent Azzarelli, Budget Officer for the Village, has prepared and submitted a proposed budget for the fiscal year 2004-2005, and

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

WHEREAS, the public hearing was held on this date relative to the proposed budget, and

NOW THEREFORE BE IT RESOLVED, that the proposed 2004-2005 budget prepared by the Budget Officer which establishes anticipated revenues in the amount of \$4,381,871 and appropriations in the amount of \$4,381,871 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, 2004 through May 31, 2005 containing a tax levy of \$4.06 per thousand dollars of assessed valuation.

Trustee Miller - I move we table this action for further review. Trustee Sullivan seconded the motion.

Roll Call Vote, on tabling adoption of the budget.

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

Resolution by Trustee Sullivan, seconded by Trustee Swartz

BE IT RESOLVED, that the minutes of the Zoning Board of Appeals Meeting of March 3, 2004 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

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Resolution by Trustee Miller, seconded by Trustee Swartz

BE IT RESOLVED, that a proposed local law Amending Chapter 245 of the Village Code, Adding Funeral Homes as a Special Use in R-2 Residential Zones, is hereby received, and a public hearing regarding same is hereby scheduled for Thursday, March 25, 2004 at 7:05 p.m.

Roll Call Vote:

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

Trustee Sullivan - I feel that due to the nature of this business, I'd like to recuse myself from voting.

Mayor Gross - do the residents get a letter notifying them of the special use permit. Atty. Groff - no, the law does not require that they be notified.

Resolution by Trustee Sullivan, seconded by Trustee Catlin

WHEREAS, the Village Manager has investigated the merit of implementing a flexible benefit program for employees of the Village of Horseheads, and

WHEREAS, potential administrators of such a plan have been interviewed by appropriate Village staff, and

WHEREAS, such a plan can be implemented with minimal cost to the Village, and

WHEREAS, a flexible benefit plan will be of benefit to Village employees in that it will enable such employees to pay certain medical and other expenses with pre-tax dollars, and

WHEREAS, Village administration has determined that there is sufficient interest in adoption of this plan by the employees of the Village of Horseheads to warrant doing so.

NOW THEREFORE BE IT RESOLVED, that Village Manager Vincent Azzarelli is authorized and directed to enter into a flexible benefit plan with the administration of same to be provided by SIEBA, Ltd. pursuant to an Administrative Service Agreement in a form recommended by the Village Attorney, and be it further

RESOLVED, that Village Manager Azzarelli and Clerk-Treasurer Sharron Cunningham are authorized and directed to establish appropriate budget accounts for the implementation of the plan.

Roll Call Vote:

At this time John Patton, Horseheads Tax Assessor, made a brief presentation to the Board on the upcoming reassessment program. Full market value taxation is recommended by the state, but not mandatory. Some places its only 2-3%. That really messes up when you have a school district, then one town does 100% of full value, and the other does 3%. So the state came up with an equalization rate. They developed this in an attempt to equalize values so when they apply those values to the budgets, then similar properties will pay a similar tax. Horseheads is the only one that has 100% equalization rate. (John distributed materials....reviewed them with the Board.) We only have 3 people in the office, so the reassessment we did in 1993 cost the town over \$360,000. The update in 2001 cost under \$200,000. Neither job was good. Both were really bad. In the process of all this the state developed a modified system which was a form of statistical analysis by which we monitor every month all sales that take place. With this we are comparing all homes, and each neighborhood. At the end of the year, we coordinate all this information. Some areas go up at different rates in value each year. At the end of the cycle, we have a picture telling us how much each neighborhood went up as a whole, and within that how much each style home went up. From that we can determine what we need to do with assessments in that neighborhood. In a few weeks, we'll be sending out notices to everyone on change of assessment. Horseheads is the only town at 100% full value. If you lived in Big Flats and had a ranch and you were in a similar economic neighborhood in Hhds., wouldn't you expect almost the same tax. (John reviewed more handouts). We need to protect leverage with other towns. Big flats hired a company and will be at 100% next year. As we are getting prepared for this, right now we are in the process of cleaning things up with additions and changes to parcels. Pretty soon we'll all be faced with an increase in assessment. What's important is when you are called regarding this, remember that if assessment increases, liability doesn't go up at same rate. One neighborhood might go up, another might not, another might go up a lot. We also have to have an effective building permit system to stay on top of additions to homes. Anything that has an effect on value of house, you have to get a permit. This

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makes a difference. Valuations have to be reflective of what properties are really worth.

Trustee Miller - why doesn't every town go to 100%. John - its an incredible amount of work. A lot of small towns have part time assessors who aren't completely trained.

John Patton - the State will reimburse us \$5/parcel for this job. But I do have to get extra help. Have to also pay the state for some of the work they do. In general, what we spend will come in less than \$5/parcel. Letters will accompany new assessment. Hopefully will go out in mid-April.

Mayor Gross thanked John for this presentation.

Clerk-Treasurer Cunningham - flex spending program, enrollment cut off on March 19th.

Chemung Co. Legislator Tom Sweet - meeting on the 18th regarding the STAR program.

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

Respectfully submitted,

Sharron Cunningham
Clerk-Treasurer

/rmj