

Minutes

Village Board of Trustees

October 11, 2007

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 Walter Herbst, Village Attorney John Groff, Clerk-Treasurer Sharron Cunningham, Deputy Clerk Donna Hartsock, Fire Chief Arthur Sullivan, Police Chief Mike Barton, DPW Chris Lawrick, Planning Board Member Mike Stenpeck, Recreation Director Nate Nagle, and Manager's Assistant Rachel Baer. Also present were: Kristi Ferrara, 218 Weller Ave.; Linda Morone, 411 W. 4th St.; Nancy LaForce, 440 Breesport Rd.; George Koliwasky, 303 Eleanor 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 September 27, 2007 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 Herbst: | Aye |

Resolution by Trustee Swartz, seconded by Trustee Herbst

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

| | |
|------------------|--------------|
| General - | \$346,565.35 |
| Water - | \$120,860.45 |
| Trust & Agency - | \$910.86 |

and be it further

RESOLVED, that \$49,779.68 be appropriated from the Capital Reserve Fund for the following items:

| | | |
|---|-----------------------------|-------------|
| - | Flex Net System | \$41,779.68 |
| - | Police Rifles | \$ 4,034.30 |
| - | Prior Year Capital Closeout | \$ 4,345.38 |

Roll Call Vote:

| | |
|-----------------|-----|
| Mayor Gross: | Aye |
| Trustee Catlin: | Aye |
| Trustee Swartz: | Aye |
| Trustee Miller: | Aye |
| Trustee Herbst: | Aye |

Resolution by Trustee Herbst, seconded by Trustee Miller

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

Roll Call Vote:

| | |
|-----------------|-----|
| Mayor Gross: | Aye |
| Trustee Catlin: | Aye |
| Trustee Swartz: | Aye |
| Trustee Miller: | Aye |
| Trustee Herbst: | Aye |

Resolution by Trustee Herbst, seconded by Trustee Catlin

BE IT RESOLVED, that the Justice Reports for September 2007 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 Herbst: | Aye |

Koppers Pond - Community Involvement Plan

Atty. Groff - recently we responded to inquiries by the consultant for the Group. Directed at local impacts of the Koppers Pond area. Consultant took information from the Village and other members of Group and developed a community involvement plan. This is required by EPA. They endorsed the plan. I wanted to bring it to your attention that your comments said that you would increase police activity relative to dirt bikes, atv's, etc. that are being observed in this area. Also you could put up signage to deter general public from going in that area. I wanted to remind you that these elements have been incorporated into the plan - should take steps to follow up on this commitment.

Trustee Swartz - is this something we could share with County Sheriff for more policing.

Chief Barton - we need someone to call in to report trespassing. There are some bordering properties. Last report was vague as to where the people were. There needs to be a clear understanding of where boundaries are - clear markings on what we are responsible for. If its

outside that area, we can contact other agencies.

Mayor Gross - Chris and I looked at this. Same complaint from Cameron Fabrication that often on weekends they see trailers unload with dirt bikes down there. Do Not Trespass signs would be good. Also, Cameron Fabrication is in the Village. But another entrance is in the Town. We would have to start working with the Town.

Atty. Groff - Town is a member of the Group anyway. They could be consulted and these issues could be addressed.

It was agreed that Atty. Groff is to set up a meeting with the Village, Mike Edwards, and John Mustico to go over these issues. And also the State Police.

Chris Lawrick - already purchased signs and posts. I looked over the area, there are a number of access points. Pretty wide open down there.

Atty. Groff reported on the following items:

- Receive correspondence from Department of Labor re: Chris Robbins.
- LaBerge recommendation on agreement for sharing of GIS datasets. Before we subscribe, I sent letter to Weiler Mapping. They do the GIS mapping for the Village. We may have agreements already which could be in conflict. I'm waiting to hear back from Weiler.
- I'm scheduled for a deposition on 10/22 re: Judy Sawyer matter. Vincent Azzarelli is also scheduled for deposition on that day.
- I attended a seminar on abandoned buildings. Materials in your packets.

Atty. Groff - STEG Loan Committee member - one name was submitted already - Tom Mailey.

Trustee Miller suggested Tim Branigan from HSBC.

Trustee Herbst - Nate and I met with the Town. Very productive. Continuing to develop policies for Recreation Department. Went to Comp. Planning meeting. Comments were excellent. Expect to resume CSEA negotiations in the next couple of weeks. Made contacts to PBA and CSEA to start Labor Mgmt. Committee.

Trustee Miller - on the background checks. Had a resolution on June 28, 2007. Unclear as to what needs to be done further on this.

Mayor Gross - need to develop policy. Not everyone will get same background check. Clerk-Treasurer's position should get extensive check, like the Manager.

Discussion ensued. Trustee Herbst said we need a process for particular positions.

Trustee Swartz - suggested that a letter be sent to Debbie Gessick for her work as the farmers market manager. Rachel to write letter.

Trustee Swartz reported that he has a call into Eileen Patocka regarding tree grant.

Mike Stenpeck - next Comp. Planning meeting will be at the Wesleyan church, 10/22 at 7pm. Hope we have good turn out.

Chris Lawrick - We had a surprise Health Dept. inspection. Everything went very well.

Nate Nagle - working on Holly Days event . New clerk started this week. Working on basketball program.

Chief Sullivan - Fire Department open house is tomorrow night. We received two new applicants this week. Last weekend we attended the National Firefighter Memorial event. President Bush was a surprise guest, got to meet and talk with him.

Kristi Ferrara - Weller Ave - made a presentation regarding her neighbor. She sent in a letter to the Village regarding this. The problem has existed for some time. Talked to Skebey year ago about this. Was told others don't have to live like you do. Ms. Ferrara went on to say she got a settlement because neighbor's temporary garage blew onto her house. They also raise dogs. I hears rats in the walls and they are coming from neighbor's house. Had exterminator come in. Neighbor keeps garbage in garage for weeks. Then they put huge piles at the curb. Dogs are also loose. He cleaned garage after I called code enf. Other neighbors saw this. He was shoveling dog droppings out of garage into back of truck. They keeps dogs locked in garage when they are gone during the day. They are in there with the trash. We have a rat problem based on huge amounts of garbage and dog feces. I've been talking to neighbors. I have also talked to attorney. I have a petition from neighbors (submitted petition). We are concerned about the serious health issue in our neighborhood. The petition is to have property inspected. We also came up with a list of recommendations on changes to the Village Code. (Gave copies to everyone). She said she has pictures if anyone wants to see. These people have 5 dogs. Village should reinstate the kennel law.

Ms. Ferrara noted that there may have been some Code Enf. people there recently, but that Mr. Skebey himself has never been there. Dog Control has been there regarding the dogs. I have complained several times about these issues over the past year. Other neighbors have too.

Trustee Herbst - did rats come from neighbors or from garbage hauler that used to be at the end of the street.

Ms. Ferrara - initially may have been from Dave's garbage trucks. After he moved I had the initial effect of it. They were disbursing.

Atty. Groff - in response to the letter I met with Don Coats. We discussed the situation as he knew it. He indicated that the Allens had maintained garbage in their garage for a period of time, however that practice was discontinued several months ago when the refuse hauler down the street was no longer available. He used to come every few weeks and take it away. Supposedly Code Enf.

personnel have observed on a regular basis, Thursday nights, that trash containers are placed on the curb. I don't know that they were particularly observing this house, but it seems that one of the officers have family that live in that area. He visits regularly. So he's been able to observe this. I asked Don Coats to see if Mr. Allen would allow them onto the property voluntarily. The initial effort was to see if Allen would allow them onto the property to inspect. Otherwise they cannot go onto property and inspect without permission of property owner, unless they get an Administrative Search Warrant.

Ms. Ferrara - bags are put at curb not in containers, and only because I called the Dog Control Officer.

After further discussion, Mayor Gross stated that we will talk to Code Enforcement in the morning and see where we are on this.

As there was nothing further to come before the Board, the meeting was adjourned at 7:50pm.

/rmb

TRANSFER LIST
- 10/11/2007

GENERAL

| <u>AMOUNT</u> | <u>FROM</u> | <u>TO</u> | <u>DESCRIPTION</u> |
|----------------------|--------------------|------------------|---------------------------|
| \$1,808.88 | 1990.477 | 1325.109 | CLERK-PT EMPLOYEE |
| \$1,925.00 | 1990.477 | 1620.200 | VILLAGE HALL-AIR COND. |
| \$7,175.00 | 1230.102 | 1625.440 | LABERGE-COMP PLANNING |
| \$2,717.54 | 1990.477 | 1910.472 | LIABILITY INSURANCE |
| \$6,221.98 | 1990.477 | 3120.139 | POLICE-SICK TIME CASH OUT |
| \$752.15 | 1990.477 | 7110.418 | HORSEHEADS IN BLOOM |
| \$24.64 | 7140.440 | 7140.160 | RECREATION-OT |
| \$1,181.74 | 7140.100 | 7141.100 | CONCESSION STAND |
| | | | PERSONNEL |
| \$1,500.00 | 7310.101 | 7310.110 | LIFEGUARDS |
| \$3,430.78 | 7140.100 | 7310.110 | LIFEGUARDS |
| \$1,100.00 | 1990.477 | 7550.100 | FARMER'S MARKET MANAGER |
| <u>\$500.00</u> | 1990.477 | 9060.864 | DISABILITY INSURANCE |
| \$28,337.71 | TOTAL | | |

WATER

| | | | |
|-------------------|--------------|----------|--------------------|
| \$1,175.00 | 1990.477 | 1620.200 | VILLAGE HALL EQUIP |
| <u>\$1,722.00</u> | 8340.440 | 8320.440 | WELLS CONT. SERV. |
| \$2,897.00 | TOTAL | | |