

Minutes

Village Board of Trustees

August 12, 2010

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
Trustee Ronald Swartz
Trustee George Koliwasky
Trustee Suzanne Peters
Trustee Larry Clark

Village Attorney John Groff
Clerk-Treasurer Sharron Cunningham
Deputy Clerk Michele Accavallo
Code Enf. Officer Bob Young
Police Chief Mike Barton
Mike Stenpeck, Planning Board

Others

Barb Skorczewski, W. Franklin St.
Tess Banfield, Catalpa Dr.
Mike Swasta, Watkins Rd.
Pat Gross, W. Broad St.
Earl Schnautz, Taylor Rd.
Jean Bilson, Taylor Rd.
Mark & Teresa McDermott, W. Broad St.
Glenn & Susan Hostettler, W. Broad St.
Jeff Gray, Taylor Rd.
Karen Harter, W. Franklin St.
Elizabeth Newbury, Taylor Rd.

Royce & Joan Green, Gardner Rd.
Dale Edwards, Broad St.
Rick Bacmanski, Lilac Dr.
Rose Brown, Gardner Rd.
Sylvia & Keith Hathaway, Taylor Rd.
Lisa & Geoff Hartigan, Gardner Rd.
Thomas Rankin, Gardner Rd.
Tara Edwards, W. Broad St.
Dave Radin, S. Main St.
News media

Resolution by Trustee Swartz, seconded by Trustee Peters

BE IT RESOLVED, that the reading of the minutes of the July 22, 2010 Board of Trustees Meeting 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 Peters: Aye
Trustee Clark: Aye

Resolution by Trustee Koliwasky , seconded by Trustee Peters

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

GENERAL	457,813.63
WATER	70,005.07
T/A	41,957.81

AND BE IT FURTHER RESOLVED, that \$294.21 be transferred from the Capital Reserve Fund for the purchase of security cameras.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye
Trustee Clark:	Aye

Resolution by Trustee Clark, seconded by Trustee Koliwasky

BE IT RESOLVED, that the minutes of the Traffic Commission Meeting of July 20, 2010 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 Peters:	Aye
Trustee Clark:	Aye

Resolution by Trustee Clark, seconded by Trustee Peters

BE IT RESOLVED, that the minutes of the Planning Board Meeting of July 27, 2010 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 Peters: Aye
Trustee Clark: Aye

7:05 p.m. - Public Hearing: Application of Tara Edwards for Rezoning of 714-718 W. Broad St. from R1 to P.U.D.

At this time, Atty. Groff declared open the public hearing.

Rose Brown, Co. of Gardner Rd. and W. Broad - presented a petition with a list of people who have problems with this request. Speeders a big problem on this road.

Susan Hostettler, 902 W. Broad - taking residential property and making it commercial. Poor planning.

Teresa McDermott, W. Broad St. - another place in Horseheads would be a better location.

Royce Green, 105 Gardner Road - a lot of work has gone in to keep residential property - don't change to PUD.

Tom Rankin, 113 Gardner Rd. How is this going to effect my property.

Keith Hathaway, 717 Taylor Road - The rezoning is not a good idea. If restaurant goes out something else will come in. Keep it residential.

Tara Edwards - I feel people need more information before the audience comments. She reviewed the highlights of her proposal. The property is owned by my parents. She produced a map to show the audience. It is 3.1 acres. Traffic is already an issue. The property is unique - proposes restaurant close to road with parking in the front. It will have some outside seating - focus on children and elderly. First floor restaurant and second floor would be her home. The restaurant will serve breakfast and lunch, and will close at 4pm. Main goal is to be involved with the community. I feel it will be a benefit and not disruptive to neighborhood. It will have seating for 50 people, and have 6-8 employees. It will be a small quaint café.

Mike Swasta, Watkins Rd. - I am in favor of Tara Edwards proposal changing to PUD. There is a school, multi-family housing and a cemetery on same street. PUD does require a process and believes that a successful project can be developed on this site. Second floor will be occupied by Tara Edwards. I do not believe traffic during hours it will be open will effect traffic. Information is available at Village if anyone took time to pick up information.

Pat Gross, W. Broad St. - I cannot get out of my driveway now. I am concerned about traffic which is heavy when school lets out.

Dave Radin, S. Main St. - we are trying to preserve neighborhoods. To put a commercial business in middle of residential area, not a good idea. Approx 90% of new restaurants close shortly after opened. If this one failed it will be a commercial property. Traffic issue - for delivery trucks to this restaurant - large trucks will park on W. Broad St. effecting traffic.

As there was nobody else who came forward to speak, Atty. Groff declared the public hearing closed at 7:26 p.m.

Resolution by Trustee Clark, seconded by Trustee Koliwasky

BE IT RESOLVED, that a public hearing is hereby scheduled for Thursday, August 26, 2010 at 7:05 p.m. regarding the application of Kayden Industries for a Special Sign Permit for their building in the Holding Point.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Koliwasky: Aye
Trustee Peters: Aye
Trustee Clark: Aye

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that Parks & Recreation Director Nate Nagle is authorized to attend the 2010 National Recreation and Parks Congress, October 24-29, 2010, in Minneapolis, MN with all expenses paid as are allowed under Section 77B of the General Municipal Law. Said conference to include the Certified Playground Safety Inspectors Course and Exam.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Koliwasky: Aye
Trustee Peters: Aye
Trustee Clark: Aye

Resolution by Trustee Koliwasky, seconded by Trustee Clark

BE IT RESOLVED, that this Board hereby approves the one-year probationary appointment of Peter L. Bradstreet, of 2106 Grand Central Avenue, Horseheads, to the Village of Horseheads Fire Department.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Koliwasky: Aye

Trustee Peters: Aye
Trustee Clark: Aye

Resolution by Trustee Koliwasky, seconded by Trustee Peters

BE IT RESOLVED, that a Festival Permit is hereby issued to the Horseheads Library for Friday, August 13, 2010 from 1:30 p.m. to 5:30pm, and be it further

RESOLVED, that the Department of Public Works is hereby directed to close the following street for said festival:

- Eleanor St. from its intersection with E. Orchard St. southerly through the Library Parking Lot

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Koliwasky: Aye
Trustee Peters: Aye
Trustee Clark: Aye

D&A: Retirement Incentive

Atty. Groff - in your material is a draft local law for Part A of NYS Retirement Incentive. It is based on reports provided to the Board from the Manager. Manager also provided cost savings to the Village regarding salary, etc. There is a time constraint regarding enactment. Needs to be in place by August 31st in order for the law to be acted on. A public notice must be published. Public hearing must be held August 26th.

Village Manager Herbst outlined the savings to the Village for the individuals. Will not be replacing individual as full time but a seasonal part time. Second person the savings will exceed requirement.

Atty. Groff read the following resolution on the retirement incentive:

WHEREAS, municipalities are empowered by Chapter 105 of the Laws of 2010 to adopt retirement incentive programs, and

WHEREAS, this Board has directed Village Manager Walt Herbst to review the programs and report his findings to this Board, and

WHEREAS, Village Manager Herbst has recommended enactment of Part A of the program for the Village of Horseheads, and

WHEREAS, a proposed local law has been introduced by a number of this Board and has been presented to this Board.

NOW THEREFORE BE IT RESOLVED, that a public hearing regarding this proposed local law is hereby scheduled for Thursday, August 26, 2010 at 7:10 p.m. before this Board at 2020 S. Main Street, Horseheads, NY at which time the public will be afforded an opportunity to be heard, and be it further

RESOLVED, that Village Clerk-Treasurer Sharron Cunningham is directed to publish a notice of said public hearing as required by law.

Trustee Peters made the motion, seconded by Trustee Koliwasky

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye
Trustee Clark:	Aye

Village Manager Herbst reported on the following items:

- Security program is just about done. Video cameras are in place including Thorne St. Park (due to vandalism) also panic alarms installed which rings in PD and Comp Center. We feel this is important. Also building left unlocked - computerized lock system in place.

- Shared highway services - continue to work with county regarding services/personnel. Moving along. Will update.

- ADP payroll system moving along, which will save manpower and increase efficiency.

- LRC is being demolished - takes 90 days - final thing will be grass area.

Atty. Groff - the Village is taking over the Electric Parkway. The proposed easement is being developed and the County will accept proposal regarding snow removal. Should be finalized in the next week or so.

Jack Nickerson - asked about connector road. Truck traffic is worse. A lot of dust needs to get fixed.

Manager Herbst - we are waiting for grants. Will talk to the Center. There is an application for a variance for Gasfield Specialists to put a barrier fence up.

Mike Swasta, Watkins Rd. - regarding Kayden Industries sign permit, I attended the Planning Board Meeting and they recommend approval. I take exception that granting this setback is not good for the Village. Regarding Gasfield Specialists fencing - this is going to the Zoning Board of Appeals. Would like to have advertised so public can attend.

Motion by Trustee Swartz, seconded by Trustee Clark, that the Board and the Village Attorney move into an Executive Session to discuss the employment history of a particular person.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye
Trustee Clark:	Aye

At 8:00 p.m. the Board and Village Attorney adjourned into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 8:46 p.m. the Board reconvened back into the regular meeting of this date.

As there was nothing further to come before the Board, the meeting was closed.

/rmb

Village Board of Trustees

EXECUTIVE SESSION

August 12, 2010

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 8:00 p.m. in Village Hall. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, George Koliwasky, Suzanne Peters, and Larry Clark, and Village Attorney John G. Groff, at which time they discussed the employment history of a particular person.

At 8:10 p.m. Attorney Groff left the meeting.

At 8:45 p.m., a motion was made by Trustee Swartz, seconded by Trustee Clark, that the executive session be adjourned, and the Board reconvene back into its regular meeting of this date.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye
Trustee Clark:	Aye