

August 13, 2020

Minutes

Village Board of Trustees

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A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. in Village Hall.

Present were:

<u>Village Board and Staff</u>	
Mayor Rob Maloney Trustee Pat Gross Trustee Bill Goodwin Trustee Mike Skroskznik Trustee Mark Cronin	Village Manager Nate Nagle Clerk-Treas. Donna Dawson Manager's Asst. Rachel Baer Manager's Asst. Jessica Molter Attorney John Groff Matt Mustico (DPW) Don Gaylord (Water) Dave Radin (Zoning Board of Appeals) Mike Stenpeck (Planning Board) Chief Tom Stickler
<u>Others Present</u>	
Walt Herbst, S. Main St. Caitlin McGurgan, Hulett St. Don Zeigler, Watkins Rd. Ron Swartz, Renwick Lane Michael Edward, Horseheads Judi Driscoll, Horseheads Melanie Smith, Horseheads Julie McClure, Horseheads Nanette Hatch, Horseheads Colleen McGurgan, Horseheads Eric Herzig, Horseheads Kelly Murray, Horseheads Rick Morea, Horseheads Melissa Donna, Horseheads Kim Seymour, Horseheads Cheryl Brown, Brooks Street Frank Witzel, Horseheads Linda Sedlak, Horseheads	Suze Wallen, Lititz, PA Ryan Wheeler, Canal St. Melanie Smith, South Ave. Linda Sedlak, N. Carroll St. Jeff Lovetle, Horseheads Stu Rankin, Horseheads Roger Wood, Hatfield St. Mark Terpolilli, Horseheads Debra Terpolilli, Horseheads Tyrona Bennett, Horseheads Krista M., Horseheads Beverly M., Horseheads Don Baer, Adams St. Michael Donna, Horseheads Gerald Tompkins, Horseheads Gretchen Watson, Horseheads Jeremiah C., Horseheads

- 1) Trustee Gross: I believe at the last board meeting we had a discussion regarding a possible future discussion for a paid driver for the fire department. I think we all agree is needed; however, it didn't get into the minutes. Rachel, before we approve these minutes can that be added?
 Attorney Groff: It would be appropriate for Rachel to listen to the recording of the minutes and modify them based on the review of the recording and the minutes to be approved at the next meeting if they should be changed.

The subject was tabled.

- 2) Financial/Treasurer Report presented by Clerk-Treasurer Donna Dawson

YTD on target for both general and water

Favorable balance: \$1,612,000 for general and unfavorable of \$159,000 for water. This reflects that we are collecting property taxes now that will last us through the year and we just sent out water bills to be printed and therefore there is no water billing yet on the water side.

If use 8% figure for every month for expenses (2 months June & July 16%): general running 15% of expenses, water is 14% of expenses

Revenue: Sales Tax YTD \$191,000 (last year -21,000 drop in sales tax for this year) budget on target for yearly revenue

NY Class report: shows investments, summarized by funds

General \$3,141,000; water \$1,476,000; capital \$488,000; trust and agency \$615,000; and CBDG \$99,000

This time of year, we are collecting property taxes and the general shows quite high because of those payments.

- 3) The next item was discussion regarding Health Insurance for Village Board Members. Mayor Maloney opened the meeting for public comment regarding this subject.

Audience Participation:

Don Ziegler, Watkins Road: Asked if I would receive any paper comments from the citizens because they are in my store all the time. Only received 1 from Donna Wood: Opposed to this.

Quite a bit of activity on FB being opposed. Used to have health insurance for many years- Board paid little at the time and insurance didn't cost as much.

He spoke multiple times expressing his opposition to the Board receiving health insurance.

Caitlyn McGurgan Hulett Street: want to make something very clear as a tax paying resident of this village and nothing more. You all are employees, elected. I didn't hear from anyone regarding health insurance. Why are you increasing the pay out, at a time people are losing or lost their jobs, income, possibly housing? Some of you saw a gain and it is shameful. It is not my job to come to you as a resident to find out your position when myself and residents behind me are against it.

Mike Edwards, Monroe Drive: I just believe this is a huge rip off by our trustees. I have been involved with government they are definitely part-time; they were elected into government they don't earn what they are paid now. Increase in taxes, health insurance is dead wrong, conflict of interest. Insurance for board members- how can they vote on it? They have a vested interest in it. I think it is absolutely ridiculous.

Nanette Hatch, Center St: We all came here and voted for everyone here believing they would do the right thing. Trying not to be accusatory. The one question is when are the meetings? I wanted to come tonight to understand. Question to each member as understand to receive health insurance but several are indicating they don't need the insurance. Would like a better idea of what is being asked for and budgeted for. Are you covered elsewhere or the ability to be covered by someone else and would you personally be declining the coverage?

Gerald Thompkins, First Street: Been in corporate America most of my life. Temporary employees are used for cost savings for wages and benefits. A lot of residents don't have a lot of money because of fixed income. Believe the word Trustee means trust and we voted you as agents of us to trust you with the money we give you to operate efficiently I believe in my heart you are doing a disservice to the residents of this Village by doing what you are doing.

Mark Terpolilli, Sayre St: I too agree. Much to my dismay you are elected officials, why should I have to pay for your health insurance? I have to pay for mine like everyone else does. I hope you change your mind

Walt Herbst, S Main Street: At the last meeting, I spoke about insurance for officials. Asked how today it is in the interest of village residents Directly contradictory to reason people voted. Legal interest- can they increase in term of office. Yesterday he posted note on NextDoor making note of what's going on

and had received many responses that opposed the health insurance from the following residents: Diane Wood, Rebecca and Roman Kowel, Kristina Roper, Nancy Willette, Chris Schillo, Michelle Johnson, Barbara Clark, Hannah Smith, Kathy Flir, Ashley Crozier, Chrystina Romeo, Amy Flaherty, Sue Warner, Angela Maslar, Thomas Mosher, Dawn Lamb, Robert Baker, Jim and Jean Shumway, Sue Draht, Elli Along-Messner, and Stephanie Thomas. Like many- very angry. Discussion should have stopped at the end of the first utterance. This is not why you were elected. Quote from the Constitution "Government are instituted among men, deriving their just powers from the consent of the governed."

Julie McClure, Center Street: Unemployment is the highest it's been, local businesses struggling and closing doors. It is a shame considering using tax dollars for personal gain. I voted for you to benefit the village and thrive and come back. Express true opposition to this.

Dave Radin, Sunset Drive: Agree with everyone and opposes the Board of Trustees getting health insurance. Suggest public comment before the business meeting be in regard to business that will be handled that night and the rest come at the end. Reconstitute newsletter, put more information in it. Unwritten part of the job always looks out for qualified people to follow, network and not wait until the last minute and scramble. Communication is important.

Ryan Wheeler, Canal Street: He expressed appreciation for Rachel and for the police department. He voiced opposition to the health insurance for Board members.

Mayor Maloney: At this time, I would like to move ahead, and I would like to propose a motion to end all discussion for health benefits for elected officials.

Resolution by Mayor Maloney, seconded by Trustee Goodwin
BE IT RESOLVED, that there will be no further discussion by the Board regarding providing health insurance benefits to elected officials.

Roll Call Vote:
Trustee Gross: Aye
Trustee Goodwin: Aye
Trustee Skrosznik: Aye
Trustee Cronin: Aye
Mayor Maloney: Aye

4) Resolution by Trustee Gross, seconded by Trustee Goodwin
BE IT RESOLVED, that the minutes of the Planning Board Meeting of July 6, 2020 and July 22, 2020 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:
Trustee Pat Gross: Aye
Trustee Bill Goodwin: Aye
Trustee Mark Cronin: Aye
Trustee Mike Skrosznik: Aye
Mayor Maloney: Aye

Mike Stenpeck: Tried to get rid of Sunoco sign. Took advice of counsel- the sign is not worth lawsuit, could only recommend it be taken down.

5) Discussion: Manager's Contract moved to end by Mayor Maloney.

Motion to move the discussion of the Manager's contract to the end of the meeting
Motion by Trustee Gross, seconded by Trustee Cronin

Call Vote:

Trustee Gross: Aye
 Trustee Goodwin: Aye
 Trustee Skroskznik: Aye
 Trustee Cronin: Aye
 Mayor Maloney: Aye

6) Resolution by Trustee Gross, seconded by Trustee Skroskznik

WHEREAS, Chemung County has established the Chemung County Development Fund (CDF) and

WHEREAS, the Village of Horseheads Fire Department is in need of replacing approximately 250 feet of fire hose to enable it to achieve its primary purpose, firefighting, and

WHEREAS, the cost of replacement of the fire hose is approximately \$8,400 and

WHEREAS, the CDF can be used for lawful purposes subject to award by the Chemung County Legislature, and

WHEREAS, the Village of Horseheads has been encouraged to apply to the Chemung County Legislature for a grant of \$3,300 which may be awarded to reimburse the Village for a portion of the cost of the fire hose, and

WHEREAS, Fire Chief Arthur Sullivan and Village Manager Nathan Nagle have reviewed all aspects of the grant reimbursement program and have determined that same would benefit the department, and therefore the Village, immeasurably and Village Manager Nagle has recommended that this Board approve submission of the grant application and

WHEREAS, the Village of Horseheads has a Grant Application and Administration Policy which has been followed by Village Manager Nagle and Fire Chief Arthur Sullivan.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby authorize Village Manager Nathan Nagle, Fire Chief Arthur Sullivan and/or his designee to apply to the Chemung County Legislature for reimbursement of \$3,300 of the cost of fire hose replacement and does further approve commitment of the total budgeted cost of fire hose replacement not to exceed \$8,400.

Roll Call Vote:

Trustee Gross: Aye
 Trustee Goodwin: Aye
 Trustee Cronin: Aye
 Trustee Skroskznik: Aye
 Mayor Maloney: Aye

7) Resolution by Trustee Skroskznik, seconded by Trustee Cronin

WHEREAS, Chapter 245-132 of the Village Code provides for the organization of the Zoning Board of Appeals and further provides that the Mayor may appoint no more than 2 alternate members to such Board, and that such appointment is subject to approval of the Board of Trustees, and

WHEREAS, currently there are no designated alternate members of the Zoning Board of Appeals.

BE IT RESOLVED, that Mayor Robert Maloney's appointment of Melanie Smith as an alternate member of the Zoning Board of Appeals is hereby approved.

BE IT FURTHER RESOLVED, that her term of office shall expire on the first Monday in December 2020.

Roll Call Vote:

Trustee Gross: Aye
 Trustee Goodwin: Aye
 Trustee Cronin: Aye
 Trustee Skroskznik: Aye
 Mayor Maloney: Aye

8) Audience Participation

Multiple residents expressed their gratitude to Rachel regarding her long career with the Village.

Kelly Murray: On 8/5 and 8/8 we marked the 75th anniversary of dropping of atomic bomb on Japan. Sister city exchange program came together to commemorate celebrating 75 years of peace. 60 years ago, Nagasaki & St Paul, MN started the sister city program promising peace. 5 years later Honolulu and Hiroshima became sister cities. Our small Village is part of something amazing. Having our and promoting peace is amazing. 27 years ago, Horseheads signed charter with Nakagawa. Board & Rachel have been amazing and helpful. We rang 2 bells on both days, one will be sent to Nakagawa, Japan and one will be here in the display cabinet. Thank you for the support.

Cheryl Brown, Brook Street (corner S main & Pleasant): Her neighbor is the Red Carpet motel. Garbage in yard, people passed out, there was a big fight last weekend. Could put up No trespassing signs, but what good will it do? Looking for advice- don't want to call police every time, going to install cameras. Police do respond when called and if they need something but what more can be done? In addition, people speed around corner, can they put a stop sign at end of Brook St and Pleasant Street?

Gerald Tompkins: What happened to Neighborhood watch meetings? Because of COVID stopped. Can they be resurrected? Chief Stickler will look into September.

Roger Wood, Hatfield St: Excessive noise calls- has made many phone calls. Have had police come many times. There was a disturbing the peace arraignment that happened 8/12 but was unable to attend.

Mike Donovan, Hatfield St: Intersection of Eisenhart/Hatfield high speed traffic. The No parking signs didn't help. Would like to have the no parking signs taken out as there is a daycare there, etc. Could they put in stop signs. They all speed. Install the stop signs at the end of Hatfield and end of Eisenhart.

Caitlyn McGurgan: Agree with stop signs on Eisenhardt / Hatfield. People are using it as cut through and are flying down through there. Stop sign on Eisenhart and Hatfield.

Julie Center: HS project is great, tractor trailers going over sidewalks because there is no space. Village approved traffic pattern. Any changes? Roads are not built for tractor trailers. Driveway on Fletcher cannot get out because of tractor trailers. No one came to residents to let them know of the effect. Sidewalks getting destroyed. Is there a plan available?

Mark Terpolilli, Sayre St: Traffic concerns- cars are speeding. Can we remove sign covering for the ton limit? Look at traffic on Thorne and Sayre St.

Melanie Smith, South Ave: Empire cable- expects to have network through village soon?
 Melanie (on behalf of her Mother on Gardner road): storm drains filling and not moving. Matt was very nice and helpful. Jessica nice and helpful.

- 9) Manager's Report
Introducing Jessica as the new administrative assistant.

Manager's report:

Jessica and Rachel working on newsletter

Empire access: spoke on Tuesday- residential access working on transmission board being built, access in September or October. Will reach out to them again.

WIIA Grant-this is a grant we were awarded, a water grant to help with our water system and to replace several items. Project is \$5,000,000 and the grant is for \$3,000,000 and is currently on hold right now NYS is not releasing any of the WIIA funds in process however we are still rewarded the grant and have not started the work for it yet and have not finalized the contract with our engineer yet as it is on hold at this time.

Chemung County: meeting regarding sales tax redistribution and Police Reform/Reinvention

Police officers: Josh Cosgrove is a new hire and started the academy this past Tuesday and will be in it for 4 to 5 months

Fire Apparatus (Tahoe): delivered to the company that will be installing the radio and lights

Teal Park band stand: Completely repainted, need to repaint the cricket and frog on the front

Expressed gratitude for Rachel and all she has done for the Village.

- 9) BOT, Department Head Updates

Don Gaylord: Replaced 4 hydrants, 23 services, 8 main breaks, meter work, samples all the time for the health dept, finished Well Test for Susquehanna River Basin so we can get permit to remove water from ground. Working on leak detection and fixing. Software problems at filter plant and hired someone for new software to be entered

Gardner (*insert info from Donnie here*)

Donna Dawson: The clerk's office is receiving taxes, reorganizing personnel files (terminated etc.), help from PT summer staff, residents are participating with wearing masks, cross-training staff with payroll and accounts payable. Answer for Melanie on Empire- they are collecting names when enough requests to join, then they will roll it out.

Chief Stickler: Expressed gratitude for Rachel's support of the police department. In process, the police department is replacing live scan (fingerprinting and mugshot machine) close to getting it in. Drug investigations- cannot tell anyone any details or it will compromise cases and officer safety, aware and doing their best. Complaints and they are arrested- people are going back out. Have to work within civil rights. Today- person was arrested, had heroin and was arraigned because of previous history. They hear your complaints about noise- cannot arraign for even felony drug. The bail reform is frustrating for law enforcement too. They are paying attention. 41 drug related arrests this year. 24 were controlled substance, 17 were marijuana. The department does monitor speeding, run radar details.

Matt Mustico: Expressed gratitude to Rachel and welcome to Jessica. Street projects: Adams Street, N Carroll, E Mill (S Main to creek), Westlake finished. Curbing: Highland is done. For fixing the roads- S Main & Gardner Road- 2-part system (stone now and then a slurry sealer). A new streetlight installed across from Village Hall by tomorrow, all roads done with sidewalks, had to make ADA ramp to sidewalks. Hanover Square crosswalks striped with epoxy paint and reflective chip- should last a lot longer than standard paint. Is the Board still looking into plow truck for DPW (2000, 2007, 2014)

average life is appx 10 years. 2000 needs work, if we lose a plow truck will add 1.5 to 2 hours to routes. Sayre street- reason sign covered is they met with school so they can keep trucks on 1 road because it is a straight route into the garage parking.

Resident: This end of Sayre Street- 2 water wells that are plugged, Matt will look into them.

Trustee Gross: Thank you for coming. Encouraged that the insurance matter is over with. Thank you for your interest in coming out. Expressed gratitude to Rachel for her years of service.

Trustee Goodwin: Thank you for coming and come back. Did attend the bell ringing for sister cities. Thank you, Matt for reflectors on poles. Expressed gratitude to Rachel for her years of service.

Trustee Skroskznik: Thank you for coming out. Expressed gratitude to Rachel for her years of service. Congratulated Melanie on being appointed to the ZBA and welcome Jessica to the Village. Requested Ryan Wheeler to explain the difference between the Fire Department and Fire Company

Ryan Wheeler: Explained the difference between the Fire Dept & Company. Fire Dept- village operated and funded, Fire Company- stuff do they fundraisers for.

Trustee Skroskznik: If insurance passed would take buyout and money would go to Fire Company NOT Fire Department. Roger (dirt bikes) it is not fit for the village of Horseheads. Apologize for 2008 vs 2012 in Facebook post. Invited the residents to come to the budget meetings.

Trustee Cronin: Good attendance. Shows the power of Facebook. Village should be more involved in Social Media even if it is the NextDoor platform. Once posted it goes other places, added plus. Should look into social media for the Village. In terms of issues- nice that people brought the issues today. Stated that if an issued is raised, Village Manager Nagle or the Department Head will take care of the issue as they are able to. Extended congratulations to Rachel and welcomed Jessica.

Attorney Groff: Working on updating Sexual Harassment policy as there were law changes in Albany. George Floyd's Death resulted in police reform laws enacted. Going to become a lot more familiar with the new laws enacted. Study with respect to Police Operations to be completed by April 1, 2021. Planning Board- working on revisions to local law with respect to housing project at Gardner Road (Royal Court).

Rick McNeally has been conducting the audit for finances and Attorney Groff with supply a letter regarding litigation, against the village and any that the Village is pursuing Cyber Security- modified existing law in Albany and the Village needs to modify local law Freedom of Information Law- amended again, Donna is responsible for receiving and processing the requests.

Expressed appreciation for Rachel's assistance and service to the Village of Horseheads.

Mayor Maloney: Thanked the residents for their interest and invited them to come back. Expressed gratitude for Rachel's service to the Village.

Motion by Mayor Maloney, seconded by Trustee Goodwin, that this Board, along with the Village Attorney go into an Executive Session to discuss the employment history of a particular person.

Roll Call Vote:

Trustee Gross:	Aye
Trustee Goodwin:	Aye
Trustee Cronin:	Aye
Trustee Skroskznik:	Aye
Mayor Maloney:	Aye

At 8:50 pm the Village Board and Attorney Groff moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

The Board reconvened into its regular meeting at 10:00 pm. Present was Mayor Maloney, Trustee Gross, Trustee Goodwin, Trustee Skroskznik, Trustee Cronin, and Village Attorney Groff.

Motion was made by Trustee Skroskznik, seconded by Trustee Cronin,

WHEREAS, the Village of Horseheads has employed Nathan Nagle as Village Manager since December 2018, and

WHEREAS, both parties wish to continue Mr. Nagle’s employment in such capacity, and

WHEREAS this Board has reviewed a proposed employment agreement with Mr. Nagle providing the terms and conditions of his continued employment and has fully considered all aspects of same,

NOW THEREFORE BE IT RESOLVED, that Mayor Rob Maloney is authorized to enter into the employment agreement with Mr. Nagle which provides, among other things, for annual compensation in the amount of \$67,000.

Roll Call Vote:

Mayor Maloney:	Aye
Trustee Gross:	Aye
Trustee Goodwin:	Aye
Trustee Skroskznik:	Aye
Trustee Cronin:	Aye

Motion was made by Trustee Goodwin, seconded by Trustee Mike Skroskznik, that the meeting be adjourned.

Roll Call Vote:

Mayor Maloney:	Aye
Trustee Gross:	Aye
Trustee Goodwin:	Aye
Trustee Skroskznik:	Aye
Trustee Cronin:	Aye

As there was nothing further to come before the Board, the meeting was adjourned at 10:06pm.