

# Minutes

## Village Board of Trustees

August 13, 2015

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 Ron Swartz  
Trustee George Koliwasky  
Trustee Mike Skroskznik  
Trustee Brad Lytle  
Village Attorney John Groff  
Village Manager Walt Herbst

Clerk-Treas. Sharron Cunningham  
DPW Matt Mustico

### Others

Jodi Skroskznik, Center St.  
Joshua Baker, Steuben St.  
Tom Rupp, Tiff Ave.  
Wayne Brubaker, Gardner Rd.  
Patty Rathbun, Hatfield St.  
Pat Gross, W. Broad St.  
Debbie Hicks, Gardner Rd.

Barb Skorczewski, W. Franklin St.  
Louise McIntosh, Renwick Lane  
Carl Lewis, Eisenhart Pl.  
Debi Lytle, Grand Central Ave.  
Travis Apgar, Grand Central Ave.  
Dave Radin, S. Main St.  
Tom Sweet, Chemung Co. Legislator

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of June 25, July 8, and July 9, 2015 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 Skroskznik	Aye
Trustee Lytle	Aye

### Audience Participation:

Debbie Hicks, Gardner Rd. - Saw the news about the brush pit on Blostein Blvd. When will the move take place? We've been talking about this for a while. Also, the fee for residents to use this pit. I'd like to know how much that will be and if it will be once time fee or yearly. And what about landscaping

businesses have the same fee. Also how did you come up with the savings of \$7,000.

Pat Gross, W. Broad St. - on the brush pit, will the brush and leaf pickup be abolished. What do the Village revenues anticipate on this. Also, on the police chief agreement. I have a copy of the resolution by the County which shows no \$ involved, but the paper says now its \$17,000. His salary had to be raised I know. For that what are we getting. Also, they said it had a 30 day cancellation, but I heard from you guys that it would be 90 days cancellation notice. I'd like clarification on that. Also, you now have 8 officers, some who can retire. What are your plans for more officers.

Rick Curran - here to ask questions about property at corner of Chemung and Grand Central as a car sales lot. The Town recently voted to not allow these kind of businesses in the Town. Is a permit required from the Village for them to operate? The state recently passed a law for these businesses that they can't go more than 20 miles from their home location. Has anyone from the Village has gone to verify that they have the permit. Are they required to have a certificate of occupancy.

Tom Sweet, Chemung Co. Legislator - I am the legislator of the 3<sup>rd</sup> district of Chemung County. I've received phone calls and talked to people on the shared service agreement for police chief. One of the questions asked was to delay the vote for Monday night thinking that this proposal was not passed by County Leg. That is a done deal. The Co. Legislature on April 13, resolution 15-218, passed to enter into agreement with the Village. Resolution from last Monday was to consider compensation for undersheriff who is going to do that job. In the original resolution there was no compensation in that. After that was passed, the undersheriff decided that he needed more compensation. So it took this long to come up with a resolution to accept money from the Village to pay the undersheriff. That resolution is totally separate than what was passed in April. The resolution is being held because of the political challenge in the Village. There is a lot of logistics to make this resolution into reality and frankly we don't want to do a lot of work and then not have it done. Pending outcome of primary, that resolution is on hold. And will be until we know for sure what will go on. There was a question about term of agreement. Some people think its forever. Its only for 2.5 years. June 1, 2015 to 12 /31/17, then it has to back before legislature to continue. I've heard there is a 90 day cancellation clause, that's not true. Its 30 day. I voted for the resolution.

#### Financial Reports:

Manager Herbst: There's a 88K shortfall in revenue, and 193K in expenses over last year. The issue is that we took 82K from our reserve fund as we resolved to do to pay the bill. Expenses was increased by that pmt. On the other side, on the revenue side, that did not come over so this really is 82K short. The balance of the increased expenses represents our advance payments of 48K in general fund and 48K in water fund for workman's comp and this year we prepaid that for the year in order to save 4k in carrying charges. We also fronted our liability insurance premium payment for the year. We also paid some of our highway expenses - milling, etc. While it seems like a lot, actually it will balance itself out as we move forward. On water side, expenses up a little bit. We haven't completed the transfer into the water fund, and minor increases in equipment, but all well within the budget.

Resolution by Trustee Skroskznik, seconded by Trustee Koliwasky

BE IT RESOLVED, that the Justice Reports for June and July 2015 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 Skroskznik	Aye
Trustee Lytle	Aye

Update - Blostein Blvd. Compost Facility

Summary of discussion on status of facility centered around the following items:

- Paid NYSEG in July for the electric service, still waiting for them to install.
- Cost of maintenance of facility is \$5,000/year.
- Still discussing fees - for Village residents, town residents, landscape contractors, etc. Maybe \$25.00 per year, or \$50.00.
- Possible fee for landscapers - \$300?
- Site saves \$7K in overtime costs hauling debris from pit out to Well 5.
- Brush/Leaf pickups will not be stopped - perhaps just reduced to a couple of weeks rather than a whole months.
- No fee until January of 2016
- If we save 7K on OT, and it costs 5K to maintain, only saving \$2K. Need exact itemized cost list
- A lot of variables. See how it works and go from there.
- Many residents are retired, can't pay someone to haul their stuff.
- Cars enter gate with a pin code.
- Maybe try with Village residents only first. Then add town after we see how it's working.

Mayor Zeigler commented that the details of new police chief's schedule, etc., have yet to be worked out. Manager Herbst stated that he will be fulfilling job description of chief of police as outlined by civil service. Regarding number of hours, there is a lot of technology that comes along with this.

Rick Curren commented on the temporary car sales on Chemung St. Manager Herbst noted that we learned their license covers their operation there. There is no local prohibition of them doing this. Talked to Dick Rockwell, they could also lease that property if they want to.

Mr. Curren said the state legisl recently amended the regulations that as of August 5<sup>th</sup> saying that they can still do this within 20 miles of the home location. If I was to do something like this, the Town of Hhds voted to not allow any type of this operations.

Carl Lewis, Town Council - there is also a safety issue. Balloons, music, etc. I don't think anyone

would have a problem with this if they bought the property, etc. The way other car dealers do.

Code Enf. need to see if a Certificate of Occupancy and a proper permit is in place for this property.

Mayor Zeigler said the Manger and Attorney will look into this.

Trustee Skroskznik said his presentation at the next meeting should only take about 15-20 minutes.

Trustee Lytle - Regarding the police chief issue - giving the manager authority to nego a contract and sign it. I suggested it should come back to us. What's going on now is evidence that we need to be involved with these things. I don't think the public has been served well in this process. Resolution was passed as no cost to the village. Is this resolution still in existence because I consider it null and void. Not the same deal. Should be a new resolution now that there are costs in place. Can I get a ruling on this.

Atty. Groff - it is a valid resolution, but as any resolution it can be superseded by subsequent resolution. If this board chooses to modify it that is the board's prerogative.

Trustee Lytle - the County has to kick in 13K too. So together it will cost county taxpayers \$30K. The terms of the resolution are not the same.

Trustee Lytle - also, what are the plans of this Board to replace police officers as they retire. Eight of our officers could retire within five years.

Trustee Koliwasky - when are they going to retire? Can we say we are going to hire somebody, we don't know if that person is choosing to retire then. Some may work beyond. We don't have a crystal ball. Putting the cart before the horse.

Trustee Lytle - need to train new individuals now.

Trustee Lytle added that the Village's criminal justice reports have not been submitted - it was last filed in November.

Manager Herbst said he will check with Sgt. Zelko on this.

Manager Herbst reported on the following items:

- Made an offer to a new code enforcement officer. Should know in a few days if he takes it.
- The CGI video on Horseheads will be completed soon and up on our website.
- Work on energy performance contract is moving forward.
- The draft of the Employee Handbook will be distributed to the Board in a few days.
- Will need to have a Special Meeting regarding the PBA Arbitration next week.

It was agreed to have a Special Board Meeting on the PBA Arbitration on Tuesday, August 18<sup>th</sup> at 11:00 a.m.

Manager Herbst continued:

- The Energy Bond agreement for the Well 4-5 connection will be signed in a few days.
- Well 5 - Susquehanna River Basin application and proposal should be received soon.

After brief discussion the Board agreed to close today's meeting to continue it and reconvene it on Tuesday, August 18<sup>th</sup>, 2015 at 11:00 a.m., when the Board will go into Executive Session to discuss collective bargaining negotiations with the PBA.

As there was nothing further to come before the Board, the meeting was closed at 8:05 p.m.

**August 18<sup>th</sup>, 2015 - 11:00 a.m.  
Reconvene Board Meeting of August 13<sup>th</sup>, 2015**

**Village Board and Staff**

Mayor Donald Zeigler  
Trustee Ron Swartz  
Trustee George Koliwasky  
Trustee Brad Lytle  
Village Manager Walt Herbst

Resolution by Trustee Koliwasky, seconded by Trustee Swartz - that this Board and the Village Manager move into an Executive Session for the purpose of discussion collective bargaining negotiations.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Lytle	Aye

At this time the Board and Village Manager moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 12:10 p.m. the Executive Session was closed and the Board returned to its meeting of this date.

Discussion ensued regarding the Code Enforcement Officer. Upon motion by Trustee Koliwasky, seconded by Trustee Swartz, the Board and Village Manager went back into another Executive Session to discuss the employment history of a particular person.

At 12:20 p.m. the Board and Manager moved into an Executive Session to discuss the employment history of a particular person, the minutes of which are attached hereto and made a part hereof.

At 12:30 p.m. The Board returned to its meeting of this date.

As there was nothing further to come before the Board, the meeting was adjourned at 12:35 p.m.

/rmb

**Village Board of Trustees  
EXECUTIVE SESSION #1  
August 18, 2015**

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 11:05 a.m. in Village Hall. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, George Koliwasky, and Brad Lytle, and Village Manager Walt Herbst at which time they discussed the status of collective bargaining negotiations pursuant to the Taylor Law.

At 12:10 p.m. a motion was made by Trustee Swartz, seconded by Trustee Koliwasky, 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 Lytle:	Aye

**Village Board of Trustees  
EXECUTIVE SESSION #2  
August 18, 2015**

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 12:20 p.m. in Village Hall. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, George Koliwasky, and Brad Lytle, and Village Manager Walt Herbst at which time they discussed the employment history of a particular person.

At 12:30 p.m. a motion was made by Trustee Swartz, seconded by Trustee Koliwasky, 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 Lytle:	Aye