

Minutes

Village Board of Trustees

July 13, 2006

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 Kevin Sullivan, Village Manager Vincent Azzarelli, Village Attorney John Groff, DPW Chris Lawrick, Fire Chief Art Sullivan, Planning Board Members Mike Stenpeck and Denis Kingsley, Clerk-Treasurer Sharron Cunningham, and Manager's Assistant Rachel Baer. Also present were:

Emma & Winston Tinker, 112 Bentley Place
Marcia & Homer Finley, 518 Bush Ave.
Genevieve & Francis Catlin, 529 Perkins Ave.
Raymond Stewart, 31A Lorraine Blvd.
Ray Sullen, 210 Taber Pl.
Andrea Schumaker, 535 Watkins Rd.
Dean Isaacs, 521 Bush Ave.
Dick & Beverly Moriarty, 505 Highland Ave.
Daniel Brown, 536 Perkins Ave.
Deb & Scott Shaw, Highland Ave.
Carol & Edwin Gonzalez, 408 Bush Ave.
Tom Gigliotti, 535 Highland Ave.
Don Fischer, 306 Bentley Pl.
Laurie Hanlon, 417 Highland Ave.
Penny & George Kastenhuber, 519 John St.
Dick Colegrove, 509 Highland Ave.
Mark Willoby, 211 Kinley Pl.
Carly Hays, 420 Bush Ave.
Glenn Campbell, 414 Highland Ave.
Barbara Skorzewski, 109 W. Franklin S.
Kerri Gush & Family, 539 Highland Ave.

Jack & Grace Davis, 212 Taber Pl.
Alene Chaffee, 534 Perkins Ave.
Jean Quinn, 555 Gardner Road
Matthew & Gail Hicks, 506 Perkins Ave.
Don & Jan Zeigler, 535 Watkins Road
John Holchuk, 303 Normandy Pl.
Mike Swasta, 411 Watkins Rd.
Elliott Blauvelt, Jr., Fletcher St.
Jim & Helen Sullivan, 417 Perkins Ave.
Dave and A. Augustine, 208 Bentley Pl.
Hazel & Pat Schulz, 531 Highland Ave.
Jessica Starbuck, 408 Highland Ave.
Lance & Linda Snyder, 525 Perkins Ave.
Richard Keyser, Esq., Atty. for Ms. Yunis
Mary Jo Yunis, Keuka Properties, Inc.
Brad & Joyce Cole, 403 Bush Ave.
Gary Morellis, 531 Watkins Rd.
Debi Hays, 420 Bush Ave.
Becky Stock, 507 Perkins Ave.
Susan Cantando & Family, 405 Highland Ave.
John Ford, 210 Bentley Pl.

Resolution by Trustee Miller, seconded by Trustee Swartz

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of June 22, 2006 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 Sullivan, seconded by Trustee Catlin

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

General -	\$ 135,318.29
Water -	\$ 36,027.38
Trust & Agency -	\$ 2,048.15

and be it further

RESOLVED, that \$2,048.15 be appropriated from the Capital Reserve Fund for Teal Park Bandstand renovations.

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 June 2006 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

Resolution by Trustee Swartz, seconded by Trustee Catlin

WHEREAS, Horseheads Family Night is an event sponsored by the Village of Horseheads Recreation Department, and

WHEREAS, this event will take place in Thorne Street Park on July 15, 2006, and

WHEREAS, the Recreation Department has requested to sponsor a fireworks display in the evening at Thorne Street Park as part of the event.

NOW THEREFORE BE IT RESOLVED, that 1) the Recreation Department is authorized to apply for a Permit for Public Display of Fireworks, 2) Village Manager Vincent Azzarelli and other Village personnel are authorized to execute the Permit and an agreement with Fireworks Productions, Inc. providing for a fireworks display in Thorne Street Park on July 15, 2006.

Roll Call Vote:

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

Resolution by Trustee Miller, seconded by Trustee Swartz

BE IT RESOLVED, that the minutes of the Planning Board Meeting of June 27, 2006 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

Resolution by Trustee Sullivan, seconded by Trustee Miller

BE IT RESOLVED, that a public hearing is hereby scheduled for Thursday, August 10, 2006 at 7:05 p.m. regarding the application of Keuka Properties, Inc. for Subdivision Approval for a 43-lot single family development on Gardner Road.

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

WHEREAS, the last collective bargaining agreement between the Village and the Horseheads C.S.E.A. Unit expired on May 31, 2006, and

WHEREAS, appointed negotiators on behalf of the Village of Horseheads and the Horseheads C.S.E.A. have engaged in extensive efforts to negotiate a collective bargaining agreement, and

WHEREAS, a draft Memorandum of Agreement (MOA) regarding negotiated changes to the expired Agreement has been prepared and reviewed by the various negotiators who have respectively recommended its adoption and approval to the parties such negotiators represent, and

WHEREAS, this Board is informed that the C.S.E.A. has ratified the MOA having authorized and directed its President to execute same, and

WHEREAS, Village Manager Vincent Azzarelli has recommended to this Board its adoption and ratification of the MOA.

NOW THEREFORE BE IT RESOLVED, that Village Manager Vincent Azzarelli be and hereby is authorized and directed to execute the MOA with the Horseheads C.S.E.A. Unit extending the 2002 - 2006 contract for a term of one (1) year, commencing on and retroactive to June 1, 2006, and be

it further

RESOLVED, that a copy of said agreement shall be placed on file with the Village Clerk, and be it further

RESOLVED, that the appropriate employees of the Village are authorized and directed to take such steps and action as is necessary to effectuate the provisions of the agreement.

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 Catlin

WHEREAS, the Village of Horseheads Board of Trustees did on January 1, 1992 adopt a Purchasing Policy governing the acquisition of goods and services, and

WHEREAS, such policy is to be reviewed annually and was last revised in December, 2005, and

WHEREAS, Village management and staff have recommended amending the Purchase Order limit from its current \$250 to \$1,000.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Purchasing Policy be amended to reflect said change effective immediately. A copy of the policy shall be placed on file with the Village Clerk-Treasurer, and provided to all Department Heads.

Mayor Gross - how come such a dramatic jump.

Village Manager Azzarelli - one of the reasons is that the department heads came to me because of costs rising on many items, things can be bought quicker. I still review all the bills.

Mayor Gross - But your review still doesn't take place until after purchase.

Village Manager - I can still hold the checks. Nobody has done anything that would say it isn't a good decision.

Roll Call Vote:

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

Resolution by Trustee Miller, seconded by Trustee Catlin

WHEREAS, the Village of Horseheads is aware of proposed U.S. House of Representatives Bill 5252, and proposed US Senate Bill 2686 addressing how telephone and cable companies may operate in the future, and

WHEREAS, the Village of Horseheads is aware that such proposed bills, among other things, would allow telephone and cable companies to pick and choose who they serve within a community, would allow cable companies to walk away from present cable franchise agreements with municipalities, and would allow cable companies to restrict or eliminate certain services they now are legally required to provide.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads hereby expresses its opposition to US House of Representatives bill 5252 and US Senate bill 2686, and be it further

RESOLVED, that the Mayor, on behalf of the Village of Horseheads, is authorized and directed to correspond with Senator Charles Schumer, Senator Hillary Clinton and Representative Randy Kuhl, and others, to confirm the Village's opposition to such bills.

Roll Call Vote:

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

Audience Participation:

Harry Schulz, Highland Ave. - Me and my neighbor, Gilotti, our properties border the Keuka subdivision. We were wondering if we could view the plans on the website. So we can know how our property may be affected.

Village Manager - We would need to contact Jamie from Fagan Engineers can digitize the map.

Glen Campbell, 414 Highland Ave. - There is currently a buffer zone between apartments and our neighborhood, and you can still hike through there. Was wondering if Ms. Yunis would consider having a buffer zone so we can still hike, others too.

Mayor Gross - I'm sure she has heard your request.

Don Zeigler, 535 Watkins road - is this the last time we can speak about this issue.

Mayor Gross - no, we set a public hearing tonight to be held August 10th.

Linda Snyder, 525 Perkins Ave. - after pub hearing will there be a vote?

Mayor Gross - usually we vote soon after that, that same evening.

Linda Snyder - I know that you received the letter from the lawyer. This is basically where we feel

we are at. We've come to the table with everything we could. At this point you have signatures from 200 people. You have a developer that still wants plan one, we want plan one. Never got justification for reason for emergency access. Haven't been given enough information regarding this. I think there is enough opposition. We are still packing people into the meetings.

David Augustine, 208 Bentley Place - most frustrating point is that everyone is starving for answers. Publicly we've gotten no answers. Help us. My wife and I moved back to start a family. We moved into the closed neighborhood because it was safe and quiet. Now I have a grandchild. If you want progress, have it over on Gardner Road. We believe that it will eventually become a full road. Please don't do this.

Mayor Gross - when I first ran for Village Board, I could never understand why it took so long to get everything done. Now I know. There is a process and that is what are seeing here. We had a proposal, had input at several meetings, send to traffic commission, planning boards, etc. And now we are back to where we have to have a public hearing.

George Kastenhuber, 519 John St. - I know that a reference has been made to a NYSDOT letter. Its been referred to, and sometimes quoted. Is there a copy?

Mayor Gross - yes, you can get one tomorrow morning.

Glen Campbell, 414 Highland Ave. - rumors are that the Board really doesn't care what we think. Like those apartments. We were never notified that they were going in there. This emergency access, if they should decide next year to not notify us of anything and put the road through there is nothing you can do about it right?

Mayor Gross - when anything like that is done there is a public hearing. Sometimes we notify people in the immediate area, our intent is not to be sneaky.

Carrie Bush, 535 Highland - my daughter would like to talk. End of our driveway would be effected. It would totally have a huge impact on us.

Kayla Gush, 535 Highland Ave. - Don't want road built. Don't want cars on our road.

Dick Colegrove, Highland Ave. - hope the Board doesn't think this is just for children. This effects people all over, elderly, etc. If you come up there you'll see people walking their children, walking animals, etc.

Penny Kastenhuber, 519 John St. - we frequent this neighborhood 3 or 4 times a week. Everyone keeps their house up really nice. Even during the rain there were people out there walking. Very close knit community over there.

April Augustine, 208 Bentley Pl. - would like same opportunities that we had for years. We tolerated a mosquito issue for years. Can't use our property the way we want at night, but we tolerate it because we love the neighborhood. Why does the progress have to be directly on us.

Raymond Stewart, 31A Lorraine Blvd. - youth bureau did great job on the park. Grand Central Ave. looks good too. New part of cemetery seems to have been mowed, but old side hadn't been mowed yet.

Chris Lawrick, DPW - mowing has been difficult with the weather. We mow all sections, but I'll check it out.

Raymond Stewart - code enf. got after my neighbor finally. Fight now is having to put up a fence. Elliott Blauvelt, Jr., Fletcher St. - thank Trustee Miller for stopping up to our amateur radio operations. We appreciate the ones who took the time to stop up. Thank volunteers for work on Grand Central Ave. Need to comment on Bentley Place as a real estate agent. By making it cut through would not increase value of homes in that neighborhood. By keeping it closed will maintain the value of the homes. With reference to the Chili/Chocolate Festival, I have another letter - have the same questions from the last two meetings. Would you like me to read it or shall I just submit it so you can put it in the minutes?

Mayor Gross - you might just as well read it to us.

Elliott Blauvelt, Jr. read the following statement:

Your Honor:

Again, with reference to the Horseheads Village Trustees Meeting on June 8, 2006 and the Star-Gazette news story of June 9, 2006, and the document I left for you and the Board at your last meeting of June 22, 2006, I still have questions that have not been answered from the Trustees meeting of May 25, 2006:

- 1) When will there be a full public disclosure as to the charge and/or charges - plural - that were made against the Village Police Chief?
- 2) Why was it necessary for the three Village Trustees to bring up and support a dismissal motion of these charges? Was it the "good old boys network"?
- 3) And again I ask the same question I have asked now at least twice before, what are you going to do to correct this travesty of justice?
- 4) When are you going to direct the Village Manager to pursue any additional charge or charges against the Village Police Chief and any of the several other Village Officials that were involved in the Chili Cook Off wrong-doings?
- 5) Are there other things that have gone on in this great Village that only the "Good Old Boys" know about, or just what other items or things are being withheld from public knowledge?
- 6) Is this the way that the Village of Horseheads is going to continue to be run? By this small select group of "Good Old Boys" that may not have the best interest of the entire population of the Village at heart?
- 7) I have been bemused by the number of people who have called me, stopped to talk to me, or otherwise, that wonder how well this incident has been swept under the radar screen. I have been even further amazed by the number that were totally unaware of what

has transpired here in the Village. However, the more people that I do talk to, the more that those people tell me that they are aware that a lot of things that go on here in the Village that seem to be in the control of that group known as "The Good Old Boys", and that it is nothing new!

- 8) I know that since you were elected Mayor, many accomplishments have been completed in our fair Village that you deserve a lot of the credit for. You and I may not have always agreed on every single item, (the green strip for example), but we do agree on most of the rest of the items and that they have made our Village a better place to live. If anything, with your ideas, and should there be interested parties in helping with the Village in the future, and I speak of new parties, with new voices and ideas, not re-treads, this Village should prosper and succeed.
- 9) Just so there are no questions as to what questions I have asked, copies of these questions and comments will be provided after the meeting for inclusion in the minutes for you and the others. Thank you.

Mayor Gross - It was a 3-2 vote. Kevin and I wanted to pursue it. The other gentlemen will have to answer those questions. You may want to direct your questions to the other three board members. Maybe they would respond, maybe not. I'd like to discuss it. It was obviously well decided before it was brought to Kevin and I.

Atty. Groff - a prelim draft of proposed moratorium on outdoor wood boilers was sent to you. Various state agencies suggest that actions should be taken to regulate these types of heating devices, some people feel them to be offensive. The moratorium would allow you the opportunity to study the subject. We could place on agenda for August meeting.

Trustee Sullivan thanked Bentley group for speaking your minds.

Chief Sullivan - publicly thank Bob Young and Eric Histed for donating time to assist City of Oneonta and Town of Oneonta in the recent flooding. When they left they knew they might be gone 7 days.

Mayor Gross - was down at concert before I came up here tonight. There is another concert on Saturday night with Joe Cavallaro at Thorne Street Park, fireworks too.

As there was nothing further to bring before the Board, the meeting was adjourned at 7:40 p.m.

/rmb