

Minutes

Village Board of Trustees

November 13, 2008

A **Special** 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
Deputy Mayor Ronald Swartz
Trustee Howard Miller
Trustee Walter Herbst
Trustee George Koliwasky
Village Manager Marc Whitney
Village Attorney John Groff

Fire Chief Arthur Sullivan
DPW Chris Lawrick
Clerk-Treasurer Sharron Cunningham
Parks Dir. Nate Nagle
Manager's Assistant Rachel Baer

Others:

Suzanne Peters, 104 W. Mill St.
Nancy Wixson, 511 W. Broad St.
Charles Short, 2249 Grand Central Ave.

Resolution by Trustee Miller, seconded by Trustee Herbst

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of October 23, 2008 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

Discussion: Cancel Board Meeting on November 20th, Keep Workshop - After a brief discussion the Board agreed to keep the meeting scheduled for November 20th, and the workshop to follow.

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

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

General -	\$ 287,539.81
Water -	\$ 59,618.36
Trust & Agency -	\$ 11,762.58

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

Discussion: Gardner Road LLC, Accept Dedication of Road and Infrastructure - Atty. Groff noted that the applicant is not prepared for us to act until the 20th.

Discussion: PODS Law on Temporary Storage Containers - At this time the Board and Village Attorney went over the draft local law for Portable On-Demand Storage containers (P.O.D.S.) which includes dumpsters. Items that were discussed were:

- Provisions for having one past 90 days. Have not prohibited placement for consecutive periods of time. Possibly say that the it could be placed on site for longer if its accompanied with a demo permit or construction permit.
- Who gets revenue from fees? All agreed it should be the Village.
- Can our CSO's enforce, or does it have to be the Code Enforcement Officer?
- Exception to law if its concealed from view. Lengthy discussion ensued regarding this. Disagreement on whether we should allow one if it isn't visible. CSO Bob Young to talk to the Board at its next meeting regarding this matter.
- Blocking of sidewalks - not always easy to prevent this. Manager has flexibility when deciding permits.

Discussion: Pending Contracts/Agreements with Town of Horseheads - Atty. Groff stated that he met with the Manager and with John Mustico from the Town regarding the Code Enforcement Agreement. There was a memo written by John Mustico addressing some issues. The Manager and I need to discuss these. On the Recreation Contract, I sat down with Nate and the Manager on this. Need to clarify some issues before we can submit to the Town.

Village Manager - Department Heads Budget Issues: Manager Whitney stated that he asked the Department Heads to start reviewing their budgets. They have been busy doing that. Will have more information on the 20th.

Motion by Trustee Miller, seconded by Trustee Swartz, that the following item be added to the agenda:

- Probationary Appointment to Fire Department

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Miller, seconded by Trustee Herbst

BE IT RESOLVED, that this Board hereby approves the one year probationary appointment of Cory J. Rightmire, 220 Robin Road, Horseheads, to the Village of Horseheads Fire Department.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

After brief discussion, the Board agreed to the following workshop and meetings dates:

- Thursday, December 4th, 6pm - Workshop
- Thursday, December 11th, 6pm - Regular Meeting, Workshop to follow agenda

Nancy Wixson, 511 Broad St. - asked the status of the person on Broad Street who wants to put that big piece of equipment in his lot. Village Manager Whitney stated that he has no info from anyone that an application has been made. No way to determine his intentions.

Trustee Miller commended Clerk-Treasurer Cunningham on an excellent audit. Trustee Swartz echoed his comments.

Village Manager Whitney stated that he is in the process of doing the employee evaluations. They should be completed by the end of the month.

Trustee Koliwasky asked about several matters regarding Hanover Square - lighting in the trees, the crosswalk sign, and leaves. Chris Lawrick said the tree lights will be taken care of next week. He had to order another cross walk sign, and that he plans on taking care of sweeping the square before Holly Days.

Trustee Koliwasky asked about the medians on Grand Central Avenue. Village Manager Whitney said that he is still waiting for a response from the Petal Pushers on this issue. Chris Lawrick will end up mowing down what is left. I'm suggesting we leave bulbs for next blooming season. Won't have any renovations in this area if we get the grant until 2010. Don't have staff to remove that many bulbs, but also not confident that Petal Pushers will remove.

Trustee Koliwasky stated he'd like to sit down with them and determine what will happen next year.

Nate Nagle reported that he had good numbers for Super Saturday and youth basketball programs.

Motion by Trustee Herbst, seconded by Trustee Swartz, that this Board move into an Executive Session with the Village Manager and Village Attorney to discuss:

- Real Property
- Employment History of Particular Person
- Collective Bargaining Strategies

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

At 8:02p.m., the Board, Manager, and Attorney moved into an Executive Session, the minutes of which are attached here to and made a part hereof.

At 8:35p.m., the Board reconvened back into the regular meeting of this date.

As there was nothing further to bring before the Board, the meeting was adjourned.

/rmb

Village Board of Trustees

EXECUTIVE SESSION

November 13, 2008

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 8:05 p.m. in Village Hall. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, Howard Miller, Walter Herbst, and George Koliwasky, Village Manager Marc Whitney and Village Attorney John G. Groff, at which time they discussed:

- Real Property
- Employment History of Particular Person
- Collective Bargaining Strategies

At 8:35p.m., upon motion by Trustee Swartz, seconded by Trustee Herbst, the executive session was adjourned, and the Board reconvened back into its regular meeting of this date.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye