

Minutes

Village Board of Trustees

June 14, 2007

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, Howard Miller, Ronald Swartz, and Walt Herbst, Village Atty. John Groff, Police Officers Jamie Burgess and Seth Zawko, Clerk-Treasurer Sharron Cunningham, Deputy Clerk Donna Hartsock, DPW Chris Lawrick, Comprehensive Planning Chairs Dave Radin and Mike Stenpeck, and Manager's Assistant Rachel Baer. Also present were: Jean Quinn, 555 Gardner Rd.; Martha Hauser, 407 W. Broad St.; Mary Jo Yunis, Keuka Properties; George Kastenhuber, 519 John St.; Elliott Blauvelt, Jr., Fletcher St.; Barb Skorczewski, Wade's Jewelry, and the news media.

Resolution by Trustee Miller, seconded by Trustee Herbst

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of May 24th, and June 11th, 2007 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 Herbst:	Aye

Resolution by Trustee Swartz, seconded by Trustee Herbst

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

FINAL MAY BILLS

General - \$74,311.68
Water - \$ 8,220.14
Trust & Agency - \$252.34

JUNE BILLS

General - \$295,365.30
Water - \$117,097.92
Trust & Agency - \$ 614.12

and be it further

RESOLVED, that \$361.45 be appropriated from the FY2006-2007 Capital Reserve Fund for Fire Dept. pagers.

Roll Call Vote:

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

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that the Justice Reports for May 2007 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 Herbst:	Aye

Resolution by Trustee Swartz, seconded by Trustee Herbst

WHEREAS, the Village of Horseheads, through the Village Fire Dept., has a surplus air compressor and cascade system used for filling of air tanks for firefighting purposes, and

WHEREAS, the compressor and system are of nominal salvage/market value, and

WHEREAS, the Breesport Fire Commissioners of Horseheads Fire District #1 have asked that the Village consider donation of the compressor and system to the District, and

WHEREAS, this Board has investigated the merit of same and has learned that conveyance of same to the District would benefit the Village Fire Department in that an additional source of compressed air supply would be readily available in close proximity to the Village in the form of a backup supply source, and has further learned that the Department would also benefit in reduced demand being placed upon the Village's existing compressor and system due to another supply source being available to the firefighting organizations within the vicinity.

NOW THEREFORE BE IT RESOLVED, in consideration of the benefits to the Village from transfer of the surplus air compressor and cascade system as provided above, the Village of Horseheads does hereby convey all of its right, title and interest in and to said system to the Breesport Fire Department.

Roll Call Vote:

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

Resolution by Trustee Herbst, seconded by Trustee Miller

WHEREAS, Keuka Properties LLC is the owner of lands situate on and northerly of Gardner Road in the Village of Horseheads, commonly known as Gardner Road subdivision, and

WHEREAS, Keuka Properties has previously submitted to this Board a proposal for a residential

subdivision of the site, and

WHEREAS, Keuka Properties has submitted construction drawings for Phase 2A of the subdivision, which includes a temporary turnaround northerly of Lots 5 and 14 of the subdivision, and

WHEREAS, this Board is informed and believes that Keuka Properties LLC will convey the lands comprising Phase 2A and the temporary turnaround to a related entity, Gardner Road LLC, for the latter's development of a road and utility infrastructure as well as residential building lot sales, and

WHEREAS, Gardner Road LLC has submitted to this Board an Irrevocable Documentary Letter of Credit dated June 12, 2007 from Elmira Savings Bank in the amount of \$101,358.00 being the projected cost of the road and utility infrastructure which would be offered for dedication to the Village of Horseheads upon completion of this phase, and

WHEREAS, such LOC has been reviewed by DPW Chris Lawrick and Village Attorney John Groff who have recommended acceptance of same to this Board.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby accept the above-noted LOC from the Elmira Savings Bank on behalf of Gardner Road LLC in lieu of a bond for the described improvements.

Atty. Groff stated that this is intended to refer to sidewalks, street lighting, and water system expansion. Letter of Credit gives us assurances that once it starts the improvements will be completed according to plans. One way is to have them construct improvements before project goes forward, another one is for them to provide a bond in case things aren't done in a timely manner. Or this way with a Letter of Credit made available through a bank. The temp. turnaround - not intended as a permanent dead end. Road is being built in phases so its necessary to have a design feature to have emergency equipment be able to turn around. LOC allows for you to draw upon it. You have assurances that will enable you to cause the improvements including the rendering permanent of the temp turnaround if it becomes necessary.

Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, the Village of Horseheads is a potentially responsible party in connection with the Koppers Pond and in particular a member of the Koppers Pond RI/FS group, and

WHEREAS, the group has elected to establish an account or accounts with HSBC Bank USA, and

WHEREAS, said bank requires a resolution from each member regarding the establishment and management of the account.

NOW THEREFORE BE IT RESOLVED, that Mayor Gross is authorized and directed to execute the "Resolution of the Koppers Pond RI/FS Group" regarding designation of an official bank of the group, opening of necessary banking accounts and the utilization of same. This resolution is retroactive to May 15, 2007.

Roll Call Vote:

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

Resolution by Trustee Miller, seconded by Trustee Swartz

WHEREAS, this Board has heretofore approved the establishment of a banking account, in connection with other entities, at HSBC Bank USA for the purpose of disbursing funds of Koppers RI/FS Group to vendors and others, all in connection with Koppers Pond RI/FS, and

WHEREAS, in conjunction with such bank account, it is necessary that a signature card be provided to HSBC Bank USA.

NOW THEREFORE BE IT RESOLVED, that Atty. John Groff is the authorized signator on behalf of the Village with respect to the above-noted bank account, and be it further

RESOLVED, that he is directed to execute the signature card as well. This resolution shall be retroactive to and including May 15, 2007.

Roll Call Vote:

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

Resolution by Trustee Herbst, seconded by Trustee Miller

WHEREAS, the Village of Horseheads is a potentially responsible party in connection with the Koppers Pond environmental study and possible remediation, and in particular is a member with others of the Koppers Pond RI/FS Group, and

WHEREAS, pursuant to an agreement with the US Environmental Protection Agency the group is required from time to time to engage the services of consultants, engineers and other professionals to perform various functions on behalf of the group in connection with the Consent Order with EPA, and

WHEREAS, it has been agreed by the members of the Group that from time to time the Village will be called upon to approve or disapprove the terms and conditions of agreements with consultants,

engineers and other various vendors to the Group, as well as to execute on behalf of the Village various agreements with such consultants, engineers and vendors, and

WHEREAS, Village Attorney John Groff and other Village staff, as well as Village elected officials will review from time to time the aforementioned agreements, and

WHEREAS, it has been suggested that a standing resolution be adopted permitting the Village Manager, and in the absence of the Manager the Mayor to sign such agreements when they are in a standard group pre-approved form, or a form recommended by the Village Attorney and appropriate Village officials for execution.

NOW THEREFORE BE IT RESOLVED, that the Village Manager, and in the absence of the Manager the Mayor are authorized to execute on behalf of the Village, from time to time, various agreements whereby the Koppers Pond RI/FS Group retains the services of consultants, engineers, vendors and others in connection with the Group's performance of its duties and responsibilities pursuant to the Consent Order. This shall be a standing resolution authorizing such action until such time as this resolution is revoked or rescinded by this Board.

Roll Call Vote:

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

Trustee Herbst reported that he met with the Justices on some issues, security, and backup plans in event of absences. And also met with Town officials on shared service agmt.

Trustee Swartz - we had the first Farmers Market. Had 6 vendors, expect more in upcoming weeks. Have put up signage in front of Fire Dept. advertising the market. Going to have some food vendors too. We will continue to get more. Should be a success.

Mayor Gross thanked Rachel for making flyers for farmers market. She reported that sign ups are continuing for the pool permits. She commended Donna Hartsock for her efforts on the new permit system.

Mayor Gross noted that the Board has begun to address issues on new hire procedure, been in touch with NYCOM today. There is no actual procedure from them regarding background checks. But they did give us some suggestions.

Dave Radin distributed a draft proposal from LaBerge Group for comprehensive planning services. He noted that it was supposed to be no more than 40,000, but came in at 43,000. He talked to Ben from LaBerge, told him it can't go over that. We have identified some places where we can lower costs. He added that they are hoping the Board can approve this at their next

Mike stenpeck reported on the latest survey results. He said that they sent out 2,200 surveys. Right now we have 476 paper surveys returned, and 71 on the internet. That is about 24%. This represents extremely high response. You will all see results in the coming months.

Motion by Trustee Herbst, seconded by Trustee Swartz, that this Board, along with the Village Attorney, move into Executive Session to discuss a personnel matter involving a particular person.

Roll Call Vote:

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

At 7:28 p.m., the Board and Village Attorney moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 7:52 p.m. the Board reconvened back into its regular meeting of this date.

As there was nothing further to come before the Board, upon a motion by Trustee Miller, seconded by Trustee Swartz, the meeting was adjourned.

/rmb

Executive Session

June 14, 2007

The Village Board of Trustees entered into an Executive Session on this date at 7:36 p.m. to discuss a personnel matter involving a particular person. Present were Mayor Pat Gross, Trustees Earle Catlin, Howard Miller, Ronald Swartz, and Walt Herbst. Also present in the meeting was Village Attorney John Groff.

The meeting was called to order. Discussion ensued regarding the subject of the meeting. No action was taken.

Motion by Trustee Miller, seconded by Trustee Swartz, that the Executive Session be adjourned.

At 7:51 p.m., the Board reconvened back into its Special meeting of this date.

/rmb