

**Minutes**

**Village Board of Trustees**

**March 14, 2013**

A regular 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 George Koliwasky  
Trustee Larry Clark  
Trustee Mike Skroskznik  
Village Manager Walt Herbst  
Village Attorney John Groff

Clerk-Treasurer Sharron Cunningham  
Deputy Clerk Michelle Accavallo  
Manager's Asst. Rachel Baer  
DPW Matt Mustico  
Code Enf. Bob Young

**Absent:**

Trustee Ron Swartz

**Others Present**

David Padgett, W. Franklin St.  
Elton Shaw, Liberty St.  
Wayne Brubaker, Gardner Rd.  
Martha Hauser, W. Broad St.

Jean Quinn, Gardner Rd.  
Brad & Debi Lytle, Grand Central Ave.  
Barb Skorczewski, W. Franklin St.

Resolution by Trustee Koliwasky, seconded by Trustee Skroskznik

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of February 14, 2013 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Clark, seconded by Trustee Skroskznik

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

General:	\$149,390.19
Water:	\$ 37,859.14

T/A: \$5,137.93

AND BE IT FURTHER RESOLVED, that \$2,966.47 be transferred from the Capital Reserve Fund for the acquisition of an 'omni meter' for the pool.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Financial Report

Manager Herbst - In the General fund, 58K short of last year at this time, but we're 52K behind in PILOT payments that were due in January. Expenses holding the line. Water - revenue is down about 22K so far YTD; billings are outstanding right now. Expenses still in good shape.

Resolution by Trustee Clark, seconded by Trustee Skroskznik

BE IT RESOLVED, that the Justice Reports for February 2013 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Koliwasky, seconded by Trustee Skroskznik

BE IT RESOLVED, that Code Enforcement Officer Bob Young is authorized to attend the following training conferences with all expenses paid as are allowed under Section 77B of the General Municipal Law:

- Finger Lakes Building Officials Educational Conference  
March 17-21, 2013  
Rochester, NY
- NYS Floodplain and Stormwater Managers Association  
April 7-10, 2013  
Buffalo, NY

## Roll Call Vote:

Mayor Zeigler	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Skroskznik, seconded by Trustee Clark

BE IT RESOLVED, that the minutes of the Traffic Commission Meeting of February 26, 2013, and of the Planning Board Meeting of February 26, 2013 be received and placed on file in the Village Clerk's Office.

## Roll Call Vote:

Mayor Zeigler	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Koliwasky, seconded by Trustee Skroskznik

WHEREAS, the NYS Justice Court Assistance Program (JCAP) offers grants to local courts for the purpose of improving the courts' ability to provide suitable and sufficient services to their respective communities. These purposes may include, but shall not be limited to, automation of court operations; provision of appropriate means for the recording of court proceedings; and the improvement or expansion of court facilities, and

WHEREAS, on September 11, 2012, per the newly adopted Village of Horseheads' Grant Administration Policy, this Board approved the request by the Village Justice Court to apply for funds under JCAP, and

WHEREAS, said grant application was for \$18,501.68 to be used for technology, furniture, and light construction, and

WHEREAS, on February 19, 2013 the Village was advised that it had been awarded a grant under the JCAP program in the amount of \$13,809.49, and

WHEREAS, Village Manager Walter Herbst has thoroughly reviewed the award notice and recommends to this Board that the Village accept the grant.

NOW THEREFORE BE IT RESOLVED, that this Board hereby accepts the grant award from the NYS Justice Court Assistance Program as outlined above, and Village Manager Walt Herbst is authorized and directed to execute any and all documents necessary for disbursement of said grant, per the Village's Grant Administration Policy, and be it further

RESOLVED, that the Village Budget for 2012-2013 be amended as follows to receive the grant funds:

Add Revenue Line Item #2612 - Court Grant Admin.	\$13,809.49
Add Expense Line Item #1112.201 - Court Grant Admin.	\$13,809.49

Manager Herbst added that the grant monies are for technology improvements, adding equipment, a shredder, etc. A few items were not awarded. We will be updating SEI court software programs to enable additional recordkeeping, and interface with DMV. We also asked for software for parking ticket management, however JCAP said that was not primarily a court function until the tickets become seriously delinquent.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Motion by Trustee Koliwasky, seconded by Trustee Clark, that the following items be added to the agenda:

- Shared Services Agreement with Elmira Heights - Code Enforcement
- Probationary Appointments to Fire Department

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Clark, seconded by Trustee Koliwasky

WHEREAS, from time to time the services of the Village of Horseheads Code Enforcement Officer are not available due to vacation, illness, etc., and

WHEREAS, similar situations occur with respect to the Village of Elmira Heights and its Code Enforcement Officer, and

WHEREAS, the administrations of the respective municipalities have consulted with each other regarding the feasibility of shared services of their respective Code Enforcement Officers on a limited basis, and have agreed that same would be mutually beneficial and an intermunicipal agreement relative to this subject is warranted, and

WHEREAS, the terms and conditions of such an agreement have been fully discussed and negotiated, and

WHEREAS, Village Manager Walter Herbst has recommended to this Board that it approve the agreement as to form and substance.

NOW THEREFORE BE IT RESOLVED, that Village Manager Herbst is authorized and directed to enter into a municipal agreement regarding shared services of Code Enforcement Officers with

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

RESOLVED, that the Code Enforcement Officer for the Village of Elmira Heights is hereby appointed Deputy Code Enforcement Officer for the Village of Horseheads when performing such services within the Village of Horseheads, and be it further

RESOLVED, that Village Law Section 300 is hereby amended and superseded in its application to the Village of Horseheads to provide that the Code Enforcement Officer (Building Inspector) of the Village of Horseheads at the time of his or her appointment and throughout his/her term of office need not be an elector of the Village of Horseheads so long as he or she is a resident of Chemung County New York.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Clark, seconded by Trustee Skroskznik

BE IT RESOLVED, that this Board hereby approves the one year probationary appointments of Ms. Randi M. Baldwin, Spring Creek Drive; and Mr. Seth A. Zawko, Winding Way, to the Village of Horseheads Fire Department.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Koliwasky	Aye
Trustee Clark	Aye
Trustee Skroskznik	Aye

Audience Participation:

Brad Lytle, 2227 Grand Central Ave. - regarding the parking meters, glad your having a workshop on this. I asked the merchants how they felt about this. Out of 21 merchants, only 1 said yes. They had concerns, problems between merchants, etc. People who live in buildings up above using our parking lots. A lot of them thought there was already laws to care of this. The other comment is the 4pm time for the workshop, not really convenient. I strongly suggest the Board has a meeting with the merchants to get their input as well.

Jean Quinn - can you have a workshop later?

Manager Herbst - we would have a public hearing if necessary.

Jean Quinn - usually by the time the public hearing comes, there is usually a resolution ready. Its too late then.

Manager Herbst - we don't even have all the facts yet.

Mayor Zeigler - after the workshop if we need another workshop with the merchants, we will have that after hours.

Trustee Clark - Village Manager Herbst and I attended a meeting on insurance and the President's health care reform program. It was a real eye opener. Going to cost us a lot of money.

Trustee Clark added that there is a recent page on Facebook that is called Village of Horseheads. It has a lot of nice history. But I don't know how you can take someone's name and use it.

Manager Herbst reported on the following items:

- overdue for articles for the newsletter
- Blostein Blvd. - Matt and Don researched, DEC will not require certified fill. Matt has talked to someone about trading our street millings for fill. One of the other requirements was that it has to be secured with a berm, etc. Discarded guardrails could be used for this.
- Sharron and I met with Fiscal Advisors on bonding. Its 100% reimbursable. This would be for the filtration system for Well 5.
- next week is sister city week. schedule is in your packet.

Bob Young - Gardner Road Auto is getting appearance tickets.

As there was nothing further to come before the Board, the meeting was adjourned at 7:46 p.m.

/rmb