

**Draft Minutes**

**Village Board of Trustees**

**November 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  
Deputy Mayor Ron Swartz  
Trustee George Koliwasky  
Trustee Larry Clark  
Trustee Mike Skroskznik  
Village Manager Walt Herbst

Clerk-Treasurer Sharron Cunningham  
Village Atty. John Groff  
Code Enf. Bob Young  
Parks Dir. Nate Nagle  
Police Chief Mike Barton  
Manager's Asst. Rachel Baer

**Others Present**

Elton Shaw, Liberty St.  
Joe, Janet Ruhmel, Gardner Rd.  
Georgia Reynolds, Hibbard Ave.  
Dave Padgett, W. Franklin St.  
Wayne Brubaker, Gardner Road  
Barb Skorczewski, W. Franklin St.  
Tom Rupp, Tiff Ave.  
Mary Mower, Kinley Place  
Brad, Debi Lytle, Grand Central Ave.

Ken Howland, Briarcliff Dr.  
Pat Gross, W. Broad St.  
Debbie Hicks, Gardner Rd.  
Carl, Mary Sindlinger, S. Pine St.  
Jean Quinn, Gardner Rd.  
Mike Swasta, Watkins Rd.  
F. White, Watkins Rd.  
New Media

Resolution by Trustee Swartz, seconded by Trustee Skroskznik

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of October 24, 2013 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 Clark	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Koliwasky, seconded by Trustee Clark

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

General - \$83,453.41  
 Water - \$321,577.76

Roll Call Vote:

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

7:05 p.m. - Public Hearing: Proposed Local Law Amending the Local Law Establishing the Position of Village Manager and Responsibilities of Other Departments.

Atty. Groff declared open the public hearing for comments.

Mike Swasta, 411 Watkins Rd. - Outlines financial reports that Manager has to provide. This is a good measure. I strongly support that no single trustee can order the manager. However there is language stating that the manager reports to the board. I believe this opens opportunity for board to micro manage and meddle in affairs of the village and day to day operation of the village. That language should be reconsidered.

No other comments. Atty. Groff declared the public hearing closed.

Resolution by Trustee Clark, seconded by Trustee Koliwasky

WHEREAS, the Village is considering a local law entitled Amending the Local Law Establishing the Position of Village Manager and Responsibilities of Other Departments, and

WHEREAS, this proposed local law was presented to this Board on September 25, 2013, and notice of a public hearing regarding this matter was published in the official newspaper of the Village and a public hearing regarding same was held on November 14, 2013, and

WHEREAS, this Village Board of Trustees has given this matter due consideration.

NOW THEREFORE BE IT RESOLVED, that said Local Law Entitled Amending the Local Law Establishing the Position of Village Manager and Responsibilities of Other Departments is hereby adopted as Local Law #4 of 2013, and the Village Clerk-Treasurer is directed to file same with the Secretary of State as required by law.

Trustee Skroskznik noted that the draft in the packets is not the most latest one.

Atty. Groff - that is an error. The one in the packet is draft 3. The one on the agenda for consideration is draft #4. You have received version 4 electronically previously.

## Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Skroskznik

BE IT RESOLVED, that the audited financial reports for the Village of Horseheads and Village of Horseheads Justice Court for the fiscal year ending May 31, 2013, as prepared by Richard McNeilly, CPA, are hereby received and placed on file in the Village Clerk's Office.

## Roll Call Vote:

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

Manager Herbst - we are one of 9 Villages in the state with zero indebtedness. Rick McNeilly found everything to be in very good order.

Resolution by Trustee Clark, seconded by Trustee Koliwasky

WHEREAS, the Village of Horseheads Board of Trustees has adopted Rules of Procedure governing the conduct of its various board and committee meetings, and

WHEREAS, such policy is to be reviewed annually, and was last revised in December 2012, and

WHEREAS, proposed amendments to said policy have been recommended.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Rules of Procedure, **revised November 2013**, be adopted. A copy of the policy shall be placed on file with the Village Clerk-Treasurer.

## Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Skroskznik

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

Roll Call Vote:

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

Request to Harbor Chickens - Mary Sindlinger, 827 S. Pine St.

Trustee Skroskznik - I visited the address, talked with applicant and surrounding neighbors. No opposition. Looked at area measured out. Its not for full size hens. They are smaller. They are purchasing a coop and they are more than willing to keep clean. I find no negative impact on Village.

Trustee Koliwasky - this has come up before, I believe one on S. Main St. I don't believe we have rec'd complaints on that one. A lot of municipalities are encouraging people to do these kind of things, keep small chickens, hydroponic farming, etc. I see no problems myself.

Trustee Swartz - I was concerned because it is right in the middle of the Village. Also, chicken manure does smell. I know they say they will keep clean, but that is a concern.

Trustee Koliwasky - no more so than having a couple of dogs. I know people that bring in cow manure to put on their gardens, etc. I don't think it's a problem, and we can always rescind permit if it becomes a problem.

Manager Herbst - property on S. Main was over an acre, but one of the restrictions you imposed back then was no roosters. You could do that here too.

Mary Sindlinger, 827 S. Pine St., came forward. We will have no roosters. Hens are quiet if they are well cared for. My husband and I want to feed hormone free meat and eggs to our family. We buy organic beef. Want organic eggs too. I've never done this. I'll start with 2 or 3 and then see how it goes. Might be a few more, not sure yet.

Trustee Clark - if we have this law why aren't we enforcing it. How many times are we going to allow this. There was probably a reason this was passed. I'm not in favor of this. More and more people are going to want this. We're setting a precedent.

Trustee Koliwasky - law says you need permission from the Board. Plus the neighbors had positive response.

Discussion ensued.

Mayor Zeigler - needs to be limited. Don't want this to get too large. Needs to be monitored. If complaints come in it will be rescinded.

Atty. Groff - You could say that you would experiment with a lesser amount. Then she could come back and ask for more perhaps. No rooster condition we could impose. You could change the location of the coop.

Trustee Skroskznik - I talked to each neighbor. Applicant does own two lots there. I've seen the location where the coop would be. It will be secluded.

Mrs. Sindlinger - probably not going to do anything until weather is better. Need to get coop built, etc. Would like to start with 3 and see how much they produce.

Trustee Skroskznik - I recommend we limit to 6 and vote tonight. If applicant wants to increase she has to come back.

Atty. Groff offered a resolution:

WHEREAS, Mary Sindlinger of 827 S. Pine St. has applied for approval under the Village's Animal Control Law for permission to harbor "bantam" hens, and

WHEREAS, this Board has reviewed her request and advised the applicant that should it grant approval for the applicant such permission is revocable on circumstances as are outlined in Article 80 and Local Law #6 of 2005, and

WHEREAS, the applicant has indicated that she has no intention and will not harbor roosters or operate a commercial enterprise from that location.

NOW THEREFOER BE IT RESOLVED, that the applicant is granted approval per the following conditions:

- 1) no roosters will be harbored or maintained at the site
- 2) no more than 6 bantam hens shall be harbored or raised at the location
- 3) enterprise shall not be operated as a commercial venture
- 4) coop will be placed on site at the location indicated on the survey provided
- 5) applicant is subject to future review by this Board and permission can be revoked if warranted.

Resolution was moved by Trustee Skroskznik, and seconded by Trustee Koliwasky.

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Clark	No
Trustee Skroskznik	Aye

Discussion: Health Insurance Program

Manager Herbst updated the Board on the status of getting a new health insurance plan:

- In compliance with Affordable Care Act the County is no longer able to offer health insurance to non county employees.
- Working with Brown and Brown our broker. Finally came up with plan that will satisfy all groups. We simply have a couple more issues to resolve.
- The concept that we're going to use is a high deductible plan. The deductible is considerable, and in doing this you save on premiums. We use an HRA card to pay the deductible. That money belongs to Village unless it's used. About 30% actually uses all of the deductible. So the portion not used belongs to Village and comes back and this can be rolled over into the next year, to help create a self-funding operation. This will help offset increases to premium costs year to year.
- There are some adjustments that we need to look at. We know where this will take us in 5 years. We need to project that. Need to be sure before we actually adopt it.

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

- Bid Results - New Roof - Award of Contract

Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Skroskznik

WHEREAS, the Village of Horseheads advertised on October 18, 2013 for the submission of bids for Village Hall Roof Replacement, and

WHEREAS, bids were opened and examined on November 8, 2013, and the following bids were received:

J & B Installations Skaneateles, NY	\$155,300
John Stillor Construction, Inc. Endicott, NY	\$149,990

Apple Roofing Corp. Syracuse, NY	\$112,645
<b>S &amp; L Roofing Voorheesville, NY</b>	<b>\$110,248</b>
Hale Roofing Horseheads, NY	\$165,313
Moisture Barrier Albany, NY	\$157,382
Weather Masker Horseheads, NY	\$144,000
A & B Construction Whitney Point, NY	\$109,000

and

WHEREAS, the Village's engineering consultant, MRB Group, has thoroughly examined and reviewed all bids, and

WHEREAS, MRB has advised that the bid from A & B Construction for \$109,000 is disqualified because that bidder indicated that they could not start work until spring 2014, and

WHEREAS, MRB has also advised that the bid received from S & L Roofing was initially deemed defective in that it did not include the Certificate of Non-Collusion, however it was received shortly thereafter, and that this minor infraction is waived.

WHEREAS, MRB has now submitted their recommendation regarding the awarding of the bid, same recommending award to **S & L Roofing, of Voorheesville, NY, for \$110,248.**

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby accept the bid of S & L Roofing of Voorheesville, NY as noted above, and that Village Manager Walt Herbst is hereby authorized and directed to execute any and all documents with said companies to effectuate this resolution.

Roll Call Vote:

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

Trustee Swartz thanked Clerk-Treasurer Cunningham and her staff on a great audit.

Trustee Skroskznik thanked Trustee Clark and Deputy Clerk Hartsock on their work on health insurance.

Trustees Clark and Koliwasky also congratulated Clerk-Treasurer Cunningham on the audit report.

Village Manager Herbst reported on the following items:

- Tomorrow we're talking to a dealership about propane vehicles
- Meeting with Norfolk So. Railroad regarding safety at crossings. We sent a certif.. letter to vice president regarding lights at crossings.
- NYSEG did a lot of work on Lynhurst. One of their contractors was supposed to put in handicapped ramps at intersections. They didn't do it timely. But have now finally been taken care of.
- Well 1 has been out of commission due to the chlorine gas leak. We made an insurance claim, which was initially rejected. With help of our broker we got them to cover the claim. Will get 50-60K to restore the well.
- Talked to DEC about using Blostein Blvd. parcel for composting. Got clearance today and don't have to do a SWPPP. Will be controlled with swipe card by residents.

As there was nothing further to come before the Board, the meeting was adjourned at 8:07 p.m.

/rmb