

April 22, 2004

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, Police Chief Dave Kole, DPW Supt. Chris Lawrick, Planning Board Chairman Bob Skebey, Clerk-Treasurer Sharron Cunningham, and Manager's Assistant Rachel Johnson. Also present were Tess Banfield, 134 Catalpa Dr.; Bernie Weigle, 111 Boorum Pl.; Michael Stenpeck, 2202 Grand Central Ave.; Martha Hauser, 407 W. Broad St.; Jean Quinn, 555 Gardner Road; James Lynch, 303 W. Mill St.; Tom O'Mara, Esq., Attorney for Mr. Lynch; and George Kastenhuber, John St.

Resolution by Trustee Miller, seconded by Trustee Swartz

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of April 5, 2004 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 listed below be received and approved for payment when in funds:

General -	\$143,053.25
Water -	\$ 24,337.09
Trust & Agency -	\$ 2,959.10

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

BE IT RESOLVED, that the Justice Reports for March 2004 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 Miller, seconded by Trustee Swartz

BE IT RESOLVED, that Mayor Patricia Gross is hereby authorized to execute a Tax Warrant directing the Village Clerk-Treasurer to receive and collect taxes in the amount of \$1,026,266.

Roll Call Vote:

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

April 22, 2004 (cont'd)

Resolution by Trustee Sullivan, seconded by Trustee Miller

WHEREAS, the members of the Village of Horseheads Fire Department at a General Convention thereof did on April 6, 2004 hold an election at which the following individuals received the most votes for nomination for appointment to the respective identified offices:

<u>Office</u>	<u>Nominee for Appointment</u>
CHIEF	Richard Sullivan
FIRST DEPUTY	Arthur F. Sullivan
SECOND DEPUTY	Thomas Margeson
THIRD DEPUTY	Jeffrey Gray

WHEREAS, the by-laws of the Department empower the Board of Fire Commissioners to consider the nominations and appoint such persons to the offices to which they are nominated, and

WHEREAS, this Board has considered the nominees and the offices they are nominated to fill.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees, acting as Fire Commissioners of the Horseheads Fire Department does hereby appoint the following individuals as officers of the Department to hold the office noted for a term of one year or until a successor is appointed or a vacancy otherwise occurs in such office:

<u>Office</u>	<u>Nominee for Appointment</u>
CHIEF	Richard Sullivan
FIRST DEPUTY	Arthur F. Sullivan
SECOND DEPUTY	Thomas Margeson
THIRD DEPUTY	Jeffrey Gray

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 application from James Lynch, for a Special Use Permit to operate a Funeral Home at 318 W. Broad St. be received, and same be forwarded to the Village Planning Board for its review and comment.

Roll Call Vote:

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

Resolution by Trustee Sullivan, seconded by Trustee Miller

BE IT RESOLVED, that the Recreation Director is authorized to attend the NYS Recreation & Park Society, Inc., Annual Conference, April 25-28, 2004 in Tarrytown, NY with all expenses paid as are allowed under Section 77B of the General Municipal Law, said costs to be split equally with the Town of Horseheads.

Roll Call Vote:

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

April 22, 2004 (cont'd)

Resolution by Trustee Swartz, seconded by Trustee Sullivan

WHEREAS, the Village of Horseheads is the owner of improved real property commonly known as 901 South Avenue, Horseheads, New York, and

WHEREAS, this site is the former location of a Thomas and Betts manufacturing facility, and

WHEREAS, the site is no longer needed for public purposes.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby declare the above real property to be surplus. The Village Manager is authorized and directed to sell such property at public auction or negotiated sale as he and his discretion deems appropriate. Said property shall be sold in "as is-where is" condition, same being available for inspection. It shall be the responsibility of any prospective purchaser to investigate and ascertain the condition of the property being sold prior to submission of an offer/bid, unless provided otherwise, and be it further

RESOLVED, that the Village Manager is directed to present any offers received for the purchase of said property to this Board for its review, consideration, acceptance, conditional acceptance, and/or rejection.

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 the owner of 901 South Avenue, Horseheads, NY, formerly LRC Electronics, said premises being improved with a commercial building and facilities, and

WHEREAS, the Village of Horseheads is desirous of developing or selling the property with the objective that same will be returned to the tax rolls, and

WHEREAS, Village Manager Vincent Azzarelli has pursued the listing of the property for sale/lease with various real estate brokers, and

WHEREAS, a proposal has been received from Pyramid Brokerage Company of Binghamton, Inc. for the sale/exchange/lease of the property, said agreement with modifications has been deemed to be satisfactory from the Village's interests.

NOW THEREFORE BE IT RESOLVED, that Village Manager Vincent Azzarelli is authorized and directed to enter into an agreement with Pyramid Brokerage Company for the sale/exchange/lease of the above-noted property, said agreement to expire December 31, 2004.

Trustee Sullivan - Are there any leads yet? Village Manager Azzarelli - we do have one not-for-profit group interested.

Mayor Gross - we had discussed not having another industrial use down there. There is a concern for the neighborhood.

Trustee Sullivan - so we will have a say on that? Village Manager Azzarelli - yes.

Trustee Swartz - what kind of commission do they get? Village Manager Azzarelli - I believe its 6%.

Discussion ensued on acceptance/rejection of bids. It was agreed that the Board would have until April 28th to come up with any specific conditions and/or exclusions to put in the contract with Pyramid Brokerage.

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Roll Call Vote:

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

Mayor Gross read a proclamation honoring all volunteers, as this is National Volunteer Week.

Trustee Swartz - commended DPW employee Sean Lohmuller on the nice article in the paper.

Trustee Miller - I'd like to propose that the Village maintain the lawn around the Horseheads Library, in lieu of helping them further financially.

Village Manager Azzarelli - this could be a nice gesture, since we were unable to increase our monetary donation.

Chris Lawrick - we are already over there when we mow Teal Park.

Discussion ensued.

Atty. Groff - in order to do it you'd have to enter into an agreement with them, stating that they are providing a valuable service, and in return for that we are providing them with this benefit.

Resolution by Trustee Miller, seconded by Trustee Swartz

WHEREAS, the Horseheads Free Library provides a valued service to the Village of Horseheads residents and those in the immediate vicinity by providing in depth library services and a place for meetings and other similar purposes, and

WHEREAS, the Library is operating with a limited budget and has rendered a request to the Village of Horseheads that it consider providing lawn mowing services to that portion of the library grounds, and

WHEREAS, the Village wishes to facilitate the continued provision of library services.

NOW THEREFORE BE IT RESOLVED, that the Village Attorney is authorized and directed to prepare an agreement with the Library for the provision of the above-noted services, and when such agreement is in a form satisfactory to the Village Manager and the Library, same will be executed and become part of the Clerk's records.

Roll Call Vote:

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

Trustee Sullivan - today a gentleman from the Canandaigua Crime Lab did a presentation at the Southport Fire Department regarding meth labs. It was very informative. I'd like to know if Village Officers West and Stewart were going to be doing the same thing.

Chief David Kole - Yes, we are planning full training for our officers, the DPW, Fire Department, etc. in the very near future. We are also planning a presentation to the Board. The Southport event was more of a political thing, which I will not go into tonight.

Chris Lawrick told the Board about their recent Bob the Builder Day at the library, where the DPW brought over all the big equipment for the kids to see and sit on.

Tess Banfield - thanked the Board for doing everything they can for the library.

Jim Lynch - thanked the Board and the Village staff for all their help.

George Kasthuber - expressed displeasure on the upcoming I86 Bypass project. He also thanked everyone at the Village for being very helpful and attainable when he calls from his job at

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WETM.

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

Respectfully submitted,

Sharron Cunningham
Clerk-Treasurer

/rmj