

**Minutes**

**Village Board of Trustees**

**March 22, 2012**

A meeting of the Village of Horse heads 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 Suzanne Peters  
Village Attorney John Groff  
Village Manager Walt Herbst

Clerk-Treasurer Sharron Cunningham  
Deputy Clerk Donna Hartsock  
Code Enf. Officer Bob Young  
Parks Dir. Nate Nagle

**Absent**

Trustee Ron Swartz

**Others Present**

Wayne Brubaker, Gardner Rd.  
Elton Shaw, Liberty St.  
Howard Miller, Sunset Dr.  
Matty Princiotto, Sunset Dr.

Jack Nickerson, Old Ithaca Rd.  
Dot Gebhart, Biltmore Dr.  
Mike Swasta, Watkins Rd.

Resolution by Trustee Koliwasky, seconded by Trustee Peters

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of March 8, 2012 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 Peters:	Aye

Resolution by Trustee Clark, seconded by Trustee Peters

BE IT RESOLVED, that the Clerk-Treasurer is authorized to transfer the funds listed on the attached sheet.

Roll Call Vote:

Mayor Zeigler: Aye  
Trustee Koliwasky: Aye  
Trustee Clark: Aye  
Trustee Peters: Aye

Financial Report - Village Manager Herbst made a brief PowerPoint presentation regarding the status of finances. General Fund - net increase so far this year is about \$301,000.00. Revenue/Expenses matching up well. Water Fund - about where we had hoped to be considering problems with Well 5. Down about \$22,000 with receivables yet to come in.

Resolution by Trustee Koliwasky, seconded by Trustee Peters

BE IT RESOLVED, that a proposed Local Law Providing for the Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code (Amending Chapter 102 of the Village Code) has been received by this Board, and be it further

RESOLVED, the a public hearing regarding said proposed law is hereby scheduled for Thursday, April 12, 2012 at 7:05 p.m.

Roll Call Vote:

Mayor Zeigler: Aye  
Trustee Koliwasky: Aye  
Trustee Clark: Aye  
Trustee Peters: Aye

Trustee Peters - what is the update on rail crossings. Village Manager Herbst - cross arms up on N. Main St., however they cost about \$250,000 with a 3 year lead time. We compete with all other communities for those funds. We've also been after them to increase size and intensity of LED lights on all the crossings and tune up the flashers. I talked to them last week. They are moving forward.

Mayor Zeigler - money for all that comes from NYSDOT and also Norfolk Southern. They were hoping to do Wygant Road next.

Trustee Clark - status of pit.

Manager Herbst - opens April 2<sup>nd</sup>. We will also keep pit open weekdays all year now, through the winter. He added how good the pit looks now, the guys worked very hard cleaning it out.

Trustee Koliwasky - great job on the St. Patricks Day parade. Great turnout. He added that at the last meeting some people may have not liked how we ran the public comment session. The Village isn't trying to hide anything. I said that people should contact the Manager at Village Hall, or Code Enforcement. Nobody has. As far as lights and noise complaints, outside my own home I have many lights shining in my window. It is part of our society. No easy answer. Cars drive by my house in the middle of the night with radios blasting. Dust is a concern. But if we

ended all the sand companies, would that end all the dust? I don't think so. When its windy dust blows off of many areas - ball fields, streets, etc. Our comprehensive plan indicated people wanted expansion of the holding point area, to bring jobs in, etc. Now that we have some of that we aren't going to make everybody happy. I still think Horseheads is a great place to live.

Manager Herbst reported on the following items:

- Comment period, please understand that it is designed for just comment. Never designed to be a Q&A, though sometimes in the past we have answered questions. We are currently looking at other communities' meeting procedures.
- Working on updating building code law, peddler law, code of ethics, property registration law, and workplace violence policy
- John is working with Matt Mustico on highway excavation law.
- Sand - we talked to all the people at the Center, as well as DEC and the Town and County. The County has taken the responsibility for making sure it gets cleaned.
- Noise - is an issue. Schlumberger will be doing some sound absorption panel work around the site. Bob Young has ordered a decibel meter to be used out there for about a week.

Trustee Clark - read latest report from Julie Chevalier on new Merchants Association. They are planning a lot of activities.

Trustee Peters - what about walking trail. Is the Catherine Trail going to connect to that eventually?

Manager Herbst - I'm on that committee. Should be bringing it down to the street for the domes. From their to Wygant is the issue. NYSEG is not willing to cooperate. The rail also has a right-of-way in there. Doesn't look too promising in the near future.

#### Audience Participation:

Jack Nickerson, Old Ithaca Rd. - They ran the sweeper on Ithaca Road the other day, that is good. He presented the Board with a bag of dust he took off his driveway. You say its changing, but it isn't. We can't open our windows. We're not getting the help we need. DEC won't even talk to me anymore.

Ruth Young, People for a Healthy Environment - people have contacted us about the noise and dust. Horns blasting, back up alarms. If you monitor do it at night. Flashing lights also a problem. Silica dust. It blows through the screens of your windows. If you stand where the softball fields are you can see the silica dust in the air. There is a school over there too. Need to enforce the codes or change them so you can fix this.

Mike Swasta, Watkins Road - water quality at my house is different - discolored. Not sure why this is happening. Also - at the February 23<sup>rd</sup> Board meeting, the Board advised that the project at Building H in the Holding Point would not be subject to SEQR, and that it is a permitted use. If the Village has not received a submittal in any form, I don't understand how you can make a

determination on SEQR yet. If the new self-contained system for sand is going there, they will have to cut through the slab, new concrete work. Village needs to consider the proposed building's size. It will be a Type I action because of its size.

Mr. Swasta - I find it unfortunate that Trustee Koliwasky trivializes the comments made by the residents.

Trustee Koliwasky informed Mr. Swasta to direct his comments to the Board as a whole.

Dot Gebhart, Biltmore Dr. - can't understand how the new building H doesn't need further review environmentally.

As there was nothing further to come before the Board, the meeting was closed at 7:45 p.m.

/rmb

<b>TRANSFER LIST - 3/23/2012</b>					
<b>GENERAL</b>					
<b>AMOUNT</b>	<b>FROM</b>	<b>TO</b>		<b>DESCRIPTION</b>	
\$1,800.00	1110.172	1110.411		COURT OFFICE SUPPLIES	
\$100.00	1110.440	1110.452		COURT TRAINING	
\$150.00	1111.440	1111.160		COURT OVERTIME	
\$1,800.00	1111.172	1111.411		COURT OFFICE SUPPLIES	
\$150.00	1111.440	1111.452		COURT TRAINING	
\$6,670.00	9050.850	1230.418		GRANTWRITER	
\$4,100.00	9050.850	1230.440		MGR. CONT. SVCS.	
\$1,000.00	1989.475	1230.440		MGR. CONT. SVCS	
\$700.00	3410.140	1230.451		NYCOM TRAINING	
\$3,000.00	3410.140	1325.109		PT CLERK	
\$500.00	1619.410	1619.200		CODE EQUIPMENT	
\$179.00	1619.410	1620.200		VH EQUIPMENT	
\$1,000.00	1990.477	1620.440		VH CONT. SVCS.	

\$16,000.00		3410.140		1621.442		SHARED SVC. GAS/OIL		
\$406.50		1623.464		1623.461		COURT NETWORK		
\$5,200.00		3410.140		1623.467		NETWORK ADMIN.		
\$3,000.00		1620.414		1623.467		NETWORK ADMIN		
\$540.00		9015.820		1650.471		COMMUNICATIONS		
\$1,360.00		1620.417		1650.471		COMMUNICATIONS		
\$3.00		1950.474		1920.473		MUNICIPAL DUES		
\$1,000.00		3410.443		3410.440		FD CONT SVCS.		
\$1,500.00		5110.440		5110.410		DPW MAT/SUPPLIES		
\$2,000.00		5110.200		5110.410		DPW MAT/SUPPLIES		
\$4,000.00		5110.440		5110.443		DPW REPAIRS		
\$500.00		5142.410		5142.443		SNOW REMOVAL REPAIRS		
\$1,000.00		1990.477		6410.500		SISTER CITY		
\$917.95		7310.110		7310.452		TRAINING		
\$58,576.45								
<b>WATER</b>								
<b>AMOUNT</b>		<b>FROM</b>		<b>TO</b>		<b>DESCRIPTION</b>		
\$219.60		9010.810		1623.465		VH SUPPORT		
\$2,000.00		9010.810		1623.467		NETWORK ADMIN.		
\$ 2,000.00		1990.477		1650.471		COMMUNICATIONS		
\$2,932.04		9010.810		8320.200		WELL EQUIPMENT		
\$4,500.00		9010.810		8320.410		MXU'S WATER DEPT.		
\$2,000.00		9010.810		8340.410		WATER MAT/SUPPLIES		

<u>\$700.00</u>		9010.810		8340.443		WATER REPAIRS	
<b>\$14,351.64</b>							