

Minutes

Village Board of Trustees

May 22, 2014

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 8:30 a.m.
Present were:

Village Board and Staff

Mayor Donald Zeigler
Trustee Ron Swartz
Trustee George Koliwasky
Trustee Mike Skroskznik
Trustee Caitlin McGurgan
Village Manager Walt Herbst
Village Atty. John Groff

Clerk-Treasurer Sharron Cunningham
Don Gaylord, DPW
Manager's Asst. Rachel Baer
Public Works Dir. Matt Mustico
Police Chief Mike Barton
Code Enf. Bob Young

Others

Wayne Brubaker, Gardner Rd.
Norm Stull, Marshall St.
Pat Gross, W. Broad St.
Don Fischer, Bentley Pl.
Mike Edwards, Monroe Dr.

Carl Lewis, Eisenhart Pl.
Jim Lynch, W. Mill St.
Tom Rupp, Tift Ave.
Suze Wallen, Lilitz PA

Resolution by Trustee Koliwasky, seconded by Trustee McGurgan

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of April 30 and May 8, 2014 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 Skroskznik	Aye
Trustee McGurgan	Aye

Discussion on Compost Site - Blostein Blvd.:

Manager Herbst - John and I first looked at brownfield grants in 2008. Brought in TVGA to help assess possibilities. They recommended that we could make it a composting site with DEC's permission. We currently bring our compost out to Well 5. Mark Watts from Soil and Water would strongly prefer we didn't do that. After we dealt with the recommendations from TVGA we spent about 2 years dealing with DEC. Their permission required we build a berm. Need one for Koppers Pond anyway. Also we had to do a barrier over existing site and also a soil cap of 1 foot. That is where we are today. Over the years we've talked to the Town of Horseheads about partnering with us. Had some discussion with Mike

Edwards we discussed on how we might want to do this, i.e. charging Village residents \$25/yr., Town \$50/yr. Mike had asked if he could come to this meeting to speak about this.

Mike Edwards, Town Supervisor - Mr. Fisher and Mr. Lewis are also here. I did want to bring up that I don't think the Town could get 200 permits. You will not get 100 I'm sure. In this budget projection you won't even come close. We just wanted a place for people to drop off brush. Our thoughts were more where we'd have a big fence covering this area and it would be open for like 2 days in spring and summer, not year round. We would have Town provide part time help for traffic control, etc. I know why you want the gate and card swipe thing, but maintenance would be an issue. I don't know if we want to get involved with all that. That is why I'm here. I don't believe these numbers will work out. I just believe it's too elaborate for what we actually wanted. Are we providing something we don't really need and then have to take care of it for years.

Walt Herbst - part of that was because of DEC. Also alternate pricing we discussed was \$50/yr. We base that on what people now pay at the landfill. That is \$29/trip regardless. So we felt that \$50 a year was very reasonable. Gate control is so that we don't have the cost of personnel. Will also be monitored with cameras. That is how we arrived at this. DEC demanded the cap, the berm, etc.

Mike Edwards - I was also wondering do we really want to get into commercial users.

Walt Herbst - what we're really talking about is landscapers, not big commercial companies. The purpose is for leaves, branches, grass, etc.

Mike Edwards - Once again I'd appreciate a reduction on the fee for Town residents.

Walt Herbst - in our proposal we were not asking the Town to go half on this. We are talking about \$50/town resident and \$25/village.

Mayor Zeigler - taxpayers would love having a place to take their stuff at 7pm at night, secure, with cameras. Hard to monitor our current set up on Thorne St. We can work on fees. When this is up and running we won't have to haul the stuff anymore. Our guys can do more productive things. It will be very efficient.

Everyone agreed there needs to be a workshop on this. Manager Herbst and Mike Edwards to set up a time for this.

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that Mayor Donald Zeigler is authorized to execute a Tax Warrant authorizing the collection of property taxes totaling \$1,781,457.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	Aye
Trustee McGurgan	Aye

Resolution by Trustee Skroskznik, seconded by Trustee Koliwasky

WHEREAS, the Village of Horseheads advertised on April 29, 2014 for the submission of bids for the Supply and Laying of Bituminous Asphalt Products in the Village of Horseheads, and

WHEREAS, bids were opened and examined on May 9, 2014, and the following bids were received:

(All Prices Per Ton - Laid In Place)

	TYPE 6 TOP COURSE	TYPE 3 BINDER COURSE
Bothar Construction LLC 170 East Service Road Binghamton, NY 13901	\$69.00	\$59.50
Dalrymple Gravel & Contracting Co., Inc. 2105 S. Broadway Pine City, NY 14871	\$67.50	\$58.50

WHEREAS, said bids have been examined and determined to be in order, the lowest responsible bidder being Dalrymple Gravel & Contracting Co., Inc., and

WHEREAS, the Village Manager has submitted his recommendation regarding the bids and the award of a contract, the same recommending award to Dalrymple Gravel.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby accept the bid of Dalrymple Gravel and Contracting, and that Village Manager Walt Herbst is hereby authorized and directed to execute an agreement with said company to effectuate this resolution.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	Aye
Trustee McGurgan	Aye

Motion by Trustee Koliwasky, seconded by Trustee Skroskznik, that an item regarding Justice Reports be added to the agenda.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	Aye
Trustee McGurgan	Aye

Resolution by Trustee Swartz, seconded by Trustee McGurgan

BE IT RESOLVED, that the Justice Reports for April 2014 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	Aye
Trustee McGurgan	Aye

Trustee Skroskznik - I encourage everyone to attend memorial parade. Hosted by American Legion.

Village Manager Herbst reported on the following items:

- Approved to operate Well 5 by DOH. Few minor construction things. Planning on having an Open House for the public. Problem is that the stairs and platform are still under construction. Safety hazard. Will likely be 3rd week of June before we can open to public. Other piece is the 72hr operation requirement. It has to run for 72 hours without glitches. Engineers are there today, will be there all day. We are just about there. Coming in under budget also. All grant money.
- Met with Wendell on energy performance project. Working with John. Getting updates on utility billing, etc. Then we decide on which parts of the project we want to adopt.
- Met with insurance rep from Travelers. They are evaluating our liability insurance opportunities. Our current insurance expires June 11. This is a normal part of the process. He spent time with each dept. head and a physical tour of properties. We're waiting for his response. His evaluation will determine whether or not to switch.
- Dept. of Labor returned for follow up audit. Four items were initially found, exit sign, extension cords, tv monitor broken. All of these things were rectified and they were very pleased. Not bad for an unannounced audit.
- Trustee Koliwasky and Chief Barton met and discussed aspects of the Police Department for clarification of some of the reports.

- This year the Babe Ruth league is paying for our services to take care of their park. Village can't legally give services or facilities. Nate is making sure we do all those things properly.
- Will be off on vacation for 10 days. Return June 4th.

Atty. Groff reported on the following items:

- Proposed brush and grass local law. You said you wanted to have further review. I'm bringing it back up now. Please look at copies of the law. If you feel you don't want to act on it, ok but we need to move fwd.
- You rec'd emails regarding a proposed cell tower. We don't have a cell tower law. Many communities regulate, we don't. It's an area of law that is basically controlled by fed gov. as a utility. To make sure they are allowed. There are significant limitations on what we can do to regulate the placement of them. Lots of technical considerations. In any event there is a proposal of a particular location. If you felt that it was something you wanted to have a voice in, you could establish a moratorium on cell towers in the Village, and during that period - 90 or 180 days - you could consider the enactment of a law to regulate them. If that is what you would like we would need the law to start the moratorium. Then go forward with research and development of the law itself. Please let me or Walt know.

Trustee McGurgan - what is time line on this.

Atty. Groff - has to comply with zoning regs, but not necessarily cell regs. Time wise there is no restriction. They could apply for a building permit. Right now they are in a review required by federal government for historical buildings. They are just going through their normal procedures. Trying to deal with issues, locations, etc. The technology is moving to a situation where the distances between towers will likely become shorter. Will see more towers in the future. Location - not specific - but it would be in vacant land east of the fire station on N. Main St., toward the south end of holding point. On private property. It would be a 108 ft. mono pole tower - supported by guide wires. If we were to do this we would end up getting svces of a law firm that specialize in cell tower legislation.

The Board members all agreed to move ahead with the moratorium.

Matt Mustico - June 23 to start milling Kinley and Perkins. Crack filling next week, then micro-paving.

Motion by Trustee Koliwasky that this Board and the Village Manager and Village Atty. Move into an executive session to discuss the employment history of a particular person. Seconded by Trustee Swartz.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Skroskznik	Aye
Trustee McGurgan	Aye

At 9:13 a.m. the Board, Manager and Atty. moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 10:03 a.m. the Board reconvened back into the regular meeting of this date.

General disc. Ensued regarding the possibility of making modifications to the Village's court system and staffing.

As there was nothing further to come before the Board, the meeting was adjourned at 10:22 a.m.

/rmb

**Village Board of Trustees
EXECUTIVE SESSION
May 22, 2014**

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 9:17 a.m. in Village Hall. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, George Koliwasky, Mike Skroskznik, and Caitlin McGurgan, Village Attorney John Groff, and Village Manager Walt Herbst at which time they discussed the employment history of a particular person.

At 10:03 a.m. a motion was made by Trustee Koliwasky, seconded by Trustee Skroskznik, that the executive session be adjourned, and the Board reconvene back into its regular meeting of this date.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Koliwasky:	Aye
Trustee Skroskznik:	Aye
Trustee McGurgan:	Aye