

# Minutes

## Village Board of Trustees

October 22, 2015

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 Don Zeigler  
Trustee Ron Swartz  
Trustee George Koliwasky  
Trustee Brad Lytle  
Village Attorney John Groff  
Village Manager Walt Herbst

Clerk-Treasurer Sharron Cunningham  
Deputy Clerk Donna Hartsock  
Don Gaylord - Water Dept.  
DPW Matt Mustico

### Absent

Trustee Mike Skroskznik

### Others Present

David Padgett, W. Franklin St.  
Louise McIntosh, Renwick Lane  
Mike Swasta, Watkins Rd.

Debi Lytle, Grand Central Ave.  
Pat Gross, W. Broad St.

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of September 8<sup>th</sup> and October 8<sup>th</sup>, 2015 be dispensed with and the same stand approved as entered by the Clerk.

Trustee Koliwasky - have we received the presentation from Trustee Skroskznik yet?

Village Manager Herbst said no.

Trustee Koliwasky - Well it's been 3 meetings, I hate to keep tying up accepting the minutes over this. I don't know if it was just political grandstanding on his part, but he must not think it's that important since he hasn't sent it in yet. We'll just move forward.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Lytle	Aye

Audience Participation

Nobody came forward.

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

BE IT RESOLVED, that the minutes of the Traffic Commission Meeting of September 23, 2015 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 Lytle	Aye

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that the Justice Reports for September 2015 be received and placed on file the Village Clerk’s Office.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Lytle	Aye

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

BE IT RESOLVED, that due to the Thanksgiving holidays, the second regular Village Board Meeting of November 26<sup>th</sup>, 2015 is hereby cancelled.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Lytle	Aye

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

- Amendment to Employee Handbook
- D&A: Compost Site - Blostein Blvd.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Lytle	No

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

WHEREAS, this Board adopted the Employee Handbook for the Village of Horseheads on October 8, 2015, and provided for the publication and distribution of same, and

WHEREAS, following such adoption and prior to publication and distribution it has become apparent that certain aspects of the Vacation Leave (Section 802) and Multi-Purpose Leave (Section 802-1) were unclear with respect to the accrual date of such leave, and

WHEREAS, Manager Herbst has overseen the drafting of clarifying verbiage which has been provided to this Board.

NOW THEREFORE BE IT RESOLVED, that Section 802 Vacation Leave and Section 802-1 Multi-Purpose Leave of the Employee Handbook are amended as provided in the attachment effective immediately.

Trustee Lytle - This is one of the reasons we suggested putting off passing adopting that handbook because there were some things in there that weren't very clear and we needed more time to look at it. So I'm not sure what is this essentially saying.

Manager Herbst - accumulation of vacation effected three employees. And it was viewed as being administratively too time consuming and difficult. So we brought through three employees into the same category as had been previously used for employees for the last 25 years or so. The whole difference in Multi-Purpose Leave is to combine all types of leave into one simply category. So this is to clarify that by resolution.

Trustee Lytle - is the Village Manager one of those positions.

Manager Herbst - no.

Trustee Lytle - don't understand why we had to move so quickly on that one, so I will be voting no.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Lytle	No

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

WHEREAS, the Village of Horseheads has maintained a facility on Thorne Street for many years for collection and disposal of Leaves, grass clippings and related organic materials by Village residents, and

WHEREAS, the Board of Trustees determined that a municipal composting program would benefit the residents of the Village by, among other things;

- diverting waste from landfills
- reducing costs and expenses
- improving the environment, and

WHEREAS, Village Manager Walter Herbst, in consultation with others, has caused the planning and design of a composting facility on unused lands of the Village on Blostein Blvd, construction of which is now complete.

NOW THEREFORE BE IT RESOLVED, that this Board authorizes the opening of the composting facility as soon as it is practical with the following conditions:

1. Use is restricted to Village residents only.
2. No material may be deposited/disposed of other than grass clippings, leaves and brush (not exceeding six inches in diameter).
3. Material deposited must originate in the Village of Horseheads and must not be bagged or contain non-organic materials.
4. Access to the facility shall be via a "pin" which will be issued by the Village Clerk and which shall not be shared with others.
5. The facility may not be used by commercial users, such as but not limited to landscapers, lawn/yard maintenance businesses etc.
6. The facility will only be accessible during daylight hours, and weather conditions permitting.
7. Materials, in transit to the facility, shall be bagged, containerized or covered.
8. Upon the opening of this facility, the use of the facility on Thorne Street by the public shall cease.

Manager Herbst added that there will be no charge for this.

Mayor Zeigler - I have heard from many people asking when this will be open. We'd like to get it open, and keep the pit open for a period of time, letting people get used to the transition. It's going to give the people a tremendous service, save us money, save us labor. You can figure out later if you want to start charging people. We can let commercial users over there. Opening it up right now to the Town, if you take the quantity of materials that had to be hauled out of the pit and multiple that by 6 months, you only have 5 acres of land over there. Be careful letting everyone use it. It will fill up like it did at Sperr Park. They had to close it because they ran out of room. If you want to close it - close it - but you'll be doing a great disservice to the residents. They need to have service.

Trustee Lytle - you mentioned commercial users, but the resolution says its limited to residents.

Manager Herbst - just residents for right now. Not for commercial right now, possibly for future.

Trustee Lytle - We had a workshop on this, I don't remember the Board making a decision with what is in this resolution.

Manager Herbst - just transferring what we do now at the pit over to the Blostein facility.

Mayor Zeigler - do commercial haulers use the pit now?

Manager Herbst - yes, but we don't know how many.

Trustee Lytle - resolution says we close the pit when this opens.

Mayor Zeigler - the pit should stay open for a period of time. I think that would be advantageous.

Discussion ensued regarding amending the resolution.

Motion by Trustee Lytle that we table this so we have time to talk about it and recollect what we discussed in the workshop. I don't remember this plan coming out of that workshop.

Mayor Zeigler - keeping original pit open for a transition period is the only thing that needs to be done. If you want to have workshops and study it, etc. you can do that, but you'll never get it open. This is a common sense approach. If it makes sense then let's get it open. Now, for the fall.

Nobody seconded the motion to table. Motion dies.

Trustee Koliwasky asked how will it affect DPW having both open. Sooner or later people will learn that they can only go to Blostein Blvd. I think it might be confusing to have both of them open.

Manager Herbst - let's see how this works out for now. Let's go back to the original purpose of the pit which was for Village residents. If that works out, fine, and if there is interest in expanding that, fine.

Trustee Swartz - how many commercial people use Thorne St.

Don Gaylord - we're not manning it 5 days a week, so we don't have control over that. On a weekend we don't get any because we have someone there, and you have to show ID to get in.

Trustee Lytle - if a commercial user comes over there do the employees tell them it's not for commercial use.

Don Gaylord - we don't have a policy that says it's not for commercial, if they are from the Village.

Roll Call Vote on Original Resolution:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Lytle	No

Trustee Lytle asked about getting the audio of the Board Meetings on the website. Was told it was too difficult. Yesterday I noticed we have a video on our website. How can we do that.

Manager Herbst - we put a link on the site from CGI which has the video presentation. It's just a link that takes it to CGI.

Trustee Lytle - I had suggested the same thing for the audio. Where are we with that.

Manager Herbst - I'll have to ask our IT people. They weren't favorable to that suggestion but I'll check again.

Mayor Zeigler - perhaps Brad can talk directly to our IT people about this.

Manager Herbst reported on the following items:

- Nearing end of water meter installations. Residents who have not responded have had 5 notices to make their appts. The closing date for appts to be made is 10/30. There are two categories of non-responders: First is those who did not respond at all. Second group are those who made inquiry but failed to make an appt or refused to have the meter installed. Don Gaylord and the DPW crew are going out today and tomorrow to put last notices on the houses that are in the gray area as to whether they received all five notices. So they won't face a penalty. They will have until next week to make their appt. Plus we will be sending out a letter Tuesday advising people they have one last chance to make their appt with In Line to change their meter beginning in November. Those who fail to allow the change will get a penalty and the charge for installing the meter.

Trustee Koliwasky - do we know how many of those are private residences.

Manager Herbst - mixture of both. For those that are rentals both the owner and the tenant have been notified by mail. They each received notices. So there are a few where the post office sent back mail that we feel should have been delivered. Those kinds of returns will receive courtesy notices by DPW.

Trustee Lytle - what were the 5 notices.

Manager Herbst - two letters and 3 post cards.

Trustee Lytle - I know someone who hasn't gotten anything yet.

Manager Herbst - if you give us the name we'll take care of it. That is why we are doing the courtesy notices. Our staff has spent a lot of time going over the lists and making sure they are accurate.

Village Attorney John Groff reported on the following items:

- Received an application for another cell tower. This proposed location is near the Ashley Furniture store. Those materials are being referred to the Planning Board, ZBA, and to the County.
- Barrington West Phase 2D-2 - you approved the acceptance of the water main installation.

We've rec'd reports as required that the pressure testing of the installed line is satisfactory, and the line has been disinfected, etc. When we have all the materials from the owner we will proceed with the acceptance and dedication.

- Schlumberger Stormwater Management Agreement - that engineer has accelerated their inspection of the stormwater facilities and their installation. We're looking fwd to receiving the report from SLB within the next week or so.

Trustee Lytle - have there been any discrepancies on what Schlumberger said they had on file.

Atty. Groff - not that I'm aware of. When the stormwater mgmt. facility was approved it was on premise that during construction it would be inspected continuously. The facility has been constructed and in operation. Since then we have learned that it wasn't inspected continuously. They think it was an oversight on the contractor's part. We can't determine how it was constructed because it wasn't overseen completely during the process. But what we have proposed and what they have agreed to is to accelerate the inspection process. The installation was supposed to be inspected on a five year basis for maintenance, repair, etc. We haven't reached the fifth year. So through our engineer it became suggested that we inspect now to find out if they are functioning correctly and if it indicates it is, then we can approve the agreement, which is for the life of the project.

Trustee Lytle - so it's never been inspected.

Atty. Groff - I wouldn't say that. It was inspected annually by stormwater management personnel. We do have certifications from those contractors who oversaw that inspection, but the entirety of the installation. We're only talking about the stormwater management facility, not the project as a whole.

Trustee Lytle - does that include runoff from the truck cleaning.

Atty. Groff - yes it would. It has been inspected by our stormwater management personnel nearly annually since it was constructed. And its functioning as designed. What wasn't inspected was during the construction phase, we had provided as a condition that it would be inspected constantly. It was not. It was inspected and certified incrementally. They weren't present on the site all the time during the construction process. It was the responsibility of SLB to oversee that.

Trustee Lytle - wouldn't they be in trouble with DEC for that.

Atty. Groff - they would be in trouble with DEC if the system wasn't functioning.

Discussion ensued.

As there was nothing further to come before the Board, the meeting was adjourned at 7:40 p.m.

/rmb