

# Minutes

## Village Board of Trustees

April 23, 2015

A meeting 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 Brad Lytle  
Village Manager Walt Herbst  
Village Attorney John Groff

Clerk-Treasurer Sharron Cunningham  
Code Enf. Bob Young  
Parks Dir. Nate Nagle  
DPW Matt Mustico  
Manager's Asst. Rachel Baer

### Absent

Trustee Mike Skroskznik

### Others

Deb Lytle, Grand Central Ave.  
Tom Rupp, Tiff Ave.  
Joshua Baker, Steuben St.

Louise McIntosh, Renwick Lane  
Wayne Brubaker, Gardner Rd.  
Dave Padgett, W. Franklin St.

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of April 9, 2015 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 Lytle	Aye

### Audience Participation

Louise McIntosh, Renwick Lane - concern about police chief. Didn't share any other solutions.

Residents should have been included on all options. Doesn't think this part time person will foster a team environment.

Tom Rupp, Tiff Ave. - Thinks police chief idea is the first step in eliminating Police Department. About the budget - Village residents were told spending is down but taxes are still going up. I don't mind small tax raises every year, then there won't be a big hike later. But if spending is down, why are taxes up. Also about 2% raises. There are several employees under contract that haven't had a raise in years. Their contract is going to arbitration. Where do we get retro money from. What if we have to go back five years. Where is that money going to come from.

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

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

Trustee Lytle - what is this.

Manager Herbst - taking money in the current budget from one line item to move it to another. Example, Village Justice Brockway came in. Had to move money for his salary.

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 March 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

D&A: Proposed Local Law on Residency Requirements - Receive and Set Public Hearing

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

BE IT RESOLVED, that a proposed Local Law Amending Local Law 4 of 1995 relative to residency requirements for certain positions for the Village of Horseheads has been received, and a public hearing regarding same is hereby scheduled for Thursday, May 14th, 2015 at 7:10 p.m.

Atty. Groff - prior law established residency requirement for positions. This law amends that to change residency with respect to two positions - police chief and DPW director. Technically Matt

Mustico is not a Village resident, but he's not a direct Village employee. He's under contract. This law addresses the potential for future changes.

Trustee Lytle - wouldn't that be the same arrangement for police chief.

Atty. Groff - NYS law states, as opposed to DPW Director, that our police chief be a Village position. So this law makes sure we are compliant.

Trustee Lytle - I think whoever wrote the old law felt as I do, that the police chief is a vested part of the community. Should be a village resident.

Trustee Swartz - a lot of our officers don't live in the Village.

Trustee Koliwasky - we have discussed this many times, even about manager residency. The original law was written 20 years ago. Times have changed. I have felt that the manager doesn't really need to be a Village resident. There were a couple residents of the Town who applied for the manager job that were qualified but couldn't apply because they weren't Village residents. It's unfair to say they have to live in Village with everything for communication we have now, cell phones, etc. we lose a lot of qualified people due to this law.

Atty. Groff - do you want to be more expansive with a subsequent law, or change this law and include more titles. Or establish a boundary that is different than the Village boundary. This law doesn't address different boundaries.

Discussion ensued.

Trustee Lytle noted that he would like to see draft of agreement for the police chief.

Trustee Koliwasky - once there is a final one I'm sure we will get it. Right now it's changing a lot and as soon as you get one it changes. I understand how you want to stay on top of this.

Atty. Groff - I take direction from the Board and Manager. Bryan Maggs takes his from the County Exec and Legislature. Many times people's comments are solicited, some are taken into account in different versions. We are at the end of the developmental stage of it. If the Board wants me to share the current version with others, I need direction to do that. However it is counterproductive to share a document when it's still in development.

Atty. Groff - so your resolution currently adopted authorizes the Manager to sign a contract that he and I agree with. You don't have to see it, but I'm sure you can ask him to provide it to you before execution if that's what you want.

Trustee Swartz - fine with me.

Trustee Koliwasky - it's like the budget. We don't need to see every draft with every change. No.

Trustee Lytle - so we will see it 5 min before he signs it? Or will we have time to read it?

Discussion ensued.

John - I'm taking away from this that the Manager is to give final draft to the board.

Roll Call Vote on Setting Public Hearing for the Local Law:

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

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

- Nate Nagle - Discussion on Recreation Fields Fee Structure

Roll Call Vote:

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

Nate Nagle made a presentation regarding fee structures.

- Town has redone their fees for field use. \$200 for a 2 hour block.
- Info I gave you is a breakdown of what it takes to maintain each Village facility. We can cover in more detail at a workshop if you wish. I proposed to the county 20% recovery, they chose 10%. I also broke it down for the town.
- Second page is survey of 14 different organizations throughout the state and their fee structures, for comparison.
- Last page is six years worth of data regarding parks and rec expenses relative to our residents property tax. In 2014, each household had \$7.27 that went to parks. With the County taking sales tax the Village will lose 750K over a four year period in revenue.
- The only area where we don't have user fees is for park use. We're talking about facilities used by organizations where it takes manpower to get the fields ready for their use. Maple Grove Field, and Thorne St. Not looking at Gardner Rd. or Little League because they take care of their own facilities.
- As for the Town, I recommended a 20% recovery of costs, they chose to do 10%. The Village is currently recovering about 2.5-3% of costs. We will double that now.

Trustee Lytle - street sweeper has been out, but is that machine working well. They did Grand Central twice and there was still a lot left on the street.

Matt Mustico - sometimes it takes a couple of passes.

Trustee Lytle - Is the brush pick up for Village residents only. I saw a commercial vehicle unloading

at the pit. I asked if he was doing a commercial job, he said yes.

Matt Mustico - when we see someone commercial come in we stop it.

Mayor Zeigler - when Blostein opens, we are discussing how we can accommodate things like this.

Trustee Lytle - petition and primary schedule is coming rapidly. When I ran in the primary the placement and timing of taking down signs was an issue. Sign code says its 60 days prior to election, and a primary is one election and the general is another. Our code says 60 days prior. So if primary and general are not 60 days apart, then you can leave sign up. Last year I checked with Code and he said I was correct, but later I was told I was incorrect. I had to take signs down and wait a week.

Atty. Groff - I can look into this for you. I haven't looked at sign law in some time. I would agree that they are both elections.

As there was nothing further to come before the Board, the meeting adjourned at 9:25 a.m.

/rmb

<b>TRANSFER LIST 4/23/2015</b>						
<b>GENERAL</b>						
<b>AMOUNT</b>	<b>FROM</b>	<b>TO</b>	<b>DESCRIPTION</b>			
\$3,846.18	1010.150	1010.145	Trustee			
\$13,634.14	1111.100	1111.146	Justice			
\$1,100.00	1620.497	1325.109	Clerk			
\$408.00	1619.143	1619.142	Com.Serv.Officer			
\$750.00	1620.440	1620.152	Bldg. Security			
\$4,500.00	1620.440	1620.410	VH Mat./Supplies			
\$34,000.00	9010.810	1620.495	Koppers Pond			
\$3,898.00	9015.820	1622.423	FD Utilities			
\$13,800.00	9015.820	1622.424	Street Lighting			
\$3,223.00	9015.820	1622.427	Pool/Concess.Utilities			
\$318.00	9015.820	1622.820	Cemetery Utilities			
\$2,679.00	9015.820	1622.429	Garage Utilities			
\$1,575.00	9015.820	1623.456	Recreation IT			
\$3,409.86	9015.820	1623.463	Police IT			
\$13,385.16	9015.820	1623.465	Village Hall IT			
\$2,200.00	1990.477	1623.465	Server Shutdown			
\$3,000.00	1620.440	1624.435	Postage Reserve			
\$2,487.83	1620.440	1910.472	Liability Insurance			
\$1,199.43	3120.410	3120.200	Police Equipment			

\$2,980.15		3410.440		3410.413	FD Clothing	
\$2,980.14		3410.482		3410.413	FD Clothing	
\$901.76		3410.440		3410.445	FD Radio Maintenance	
\$340.38		5110.410		5110.200	Street Equipment	
\$857.52		1990.477		5142.103	Snow Overtime	
\$12,235.88		1990.477		5142.410	Snow Mat./Supplies	
\$3,982.77		1990.477		5142.443	Snow Repairs	
\$2,246.96		1230.440		6410.500	Sister City	
\$284.00		7140.453		7140.452	Recreation Training	
\$540.94		7310.110		7310.413	Pool Clothing	
\$20.00		8020.453		8020.453	Planning Board Travel	
\$1,100.00		8810.443		8810.410	Cemetery Mat./Supplies	
\$500.00		8810.200		8810.410	Cemetery Mat./Supplies	
\$73.24		8810.443		8810.413	Cemetery Clothing	
\$102.07		8810.443		8810.440	Cemetery Con.Services	
\$122.00		9060.860		9060.861	CSEA Vision	
<b>\$138,681.41</b>						
<b>WATER</b>						
\$3,000.00		9060.860		1620.410	VH Mat./Supplies	
\$10,600.00		1990.477		1623.465	VH Network Support	
\$2,800.00		9060.860		1624.435	Water Postage	
\$6,000.00		8340.107		8340.112	Water Equip.Operator	
\$4,500.00		9060.860		8340.160	Water Overtime	
\$8,000.00		9010.810		8340.440	Water Cont.Services	
<b>\$34,900.00</b>						