

**Minutes**

**Village Board of Trustees**

**September 23, 2010**

A meeting of the Village of Horseheads 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 Suzanne Peters  
Trustee Larry Clark  
Village Attorney John Groff  
Village Manager Walter Herbst

Clerk-Treasurer Sharron Cunningham  
Director of Parks Nate Nagle  
Fire Chief Arthur Sullivan  
Code Enf. Officer Bob Young

**Others**

Mike Swasta, Watkins Rd.  
Tess Banfield, Catalpa Dr.  
Barb Skorczewski, W. Franklin St.  
Pat Dandrea, Kayden Enterpris.  
Alice Roote, Gardner Rd.

Wayne Brubaker, Gardner Rd.  
Jean Quinn, Gardner Rd.  
News Media

Resolution by Trustee Koliwasky, seconded by Trustee Peters

BE IT RESOLVED, that the reading of the minutes of the September 9<sup>th</sup>, 2010 Board of Trustees Meeting be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

Resolution by Trustee Koliwasky, seconded by Trustee Peters

BE IT RESOLVED, that the audit of bills as listed below be received and approved for payment when in funds:

General	\$769,977.93
Water	\$122,423.20
T/A	\$1,894.52

AND BE IT FURTHER RESOLVED, that \$102,444.58 be transferred from the Capital Reserve Fund (\$86,715.50 Bond & \$15,729.08 CPE).

Roll Call Vote:

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

Resolution by Trustee Clark, seconded by Trustee Peters

WHEREAS, Kayden Industries, 224 N. Main St., Building T, has made application for a Special Sign Permit for a pole sign to be placed at said facility, and

WHEREAS, the property is zoned Industrial (M1), and

WHEREAS, said application requests approval for a sign 15' in height, 10' in width, with the actual sign face to be 5' x 10', mounted on two poles, to be located inside the required 25' setback, thus requiring the issuance of a Special Sign Permit, and

WHEREAS, this application was referred to the Village and Town Planning Boards, and to the Village Traffic Commission, for their review and comment, and

WHEREAS, the Village and Town Planning Boards have reviewed same and recommended approval of the application, and

WHEREAS, the application is subject to SEQR, being an Unlisted Action under SEQR regulations, and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form, and

WHEREAS, the Village of Horseheads Board of Trustees is informed and believes that the Village is the only involved agency with respect to the SEQR review of this action, and

WHEREAS, this Board of Trustees has conducted a thorough review of the application, the Short Environmental Assessment Form, and all of the environmental consequences of same as more specifically delineated on that portion of the Form to be completed by the Board as Lead Agency, and finds that the Action will not have a significant environmental impact, and

WHEREAS, a public hearing was held on August 26, 2010 regarding the application for the Special Sign Permit at which time all interested or affected parties were afforded an opportunity to present their views regarding the application, and

WHEREAS, this application has been thoroughly reviewed and given thoughtful consideration by this Board.

NOW THEREFORE BE IT RESOLVED, that this Board finds:

1. The application of Kayden Industries, of 224 N. Main St., Building T, for a Special Sign Permit for a 5' x 10' sign to be located on two poles at a total height of 15' at said address to be in harmony with the appropriate and orderly development of the site, and the area wherein the sign would be located;
2. that the sign will not discourage the development of adjacent lands and buildings or the value thereof;
3. that the operation of the sign will not be objectionable to nearby properties by reason of noise or lights;
4. that the location and height of the sign will not be hazardous to the traveling public;
5. that there would be undue hardship to require full compliance with the Village Sign Law under the circumstances of this application.

Accordingly the application of Kayden Industries for a Special Sign Permit is hereby approved, and a Special Sign Permit shall be issued in accordance with the terms of this resolution, subject to the condition that said sign shall be located no less than 17' westerly from the applicant's easterly property line, and no less than 5' nor more than 8' northerly of the location for said sign as originally proposed by the applicant.

Roll Call Vote:

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

Resolution by Trustee Clark, seconded by Trustee Koliwasky

BE IT RESOLVED, that the minutes of the Village Traffic Commission Meeting of September 21, 2010 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

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



Roll Call Vote:

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

Resolution by Trustee Koliwasky, seconded by Trustee Peters

BE IT RESOLVED, that the application from St. Matthew's Church, 408 S. Main St., for a Special Sign Permit is hereby received, and same is to be forwarded to the Village Planning Board for its review and comment.

Roll Call Vote:

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

Resolution by Trustee Clark, seconded by Trustee Peters

BE IT RESOLVED, that the application from Broad Street Apartments, LLC for a P.U.D. Amendment for property at the corner of Broad St. and Sing Sing Road for a 144-Unit Multiple Family Development is hereby received, and same is to be forwarded to the Village, Town and County Planning Boards for their review and comment.

Roll Call Vote:

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

Resolution by Trustee Peters, seconded by Trustee Koliwasky

WHEREAS, Eugene Zimmerman became one of the best known cartoonists in the United States in his time, and

WHEREAS, he was employed Puck Magazine and Judge Magazine which were premiere satirical magazines of the late 19th century, and

WHEREAS, "Zim" was a resident of the Village of Horseheads for the majority of his adult life until his death on March 16, 1935, actively participating in the community and eventually designing the Teal Park Bandstand, and

WHEREAS, the bandstand was constructed 100 years ago, and is now registered in the National Registry of Historic Places Inventory, and

WHEREAS, this Board and the Horseheads community wish to recognize the 100th anniversary of the construction of the Bandstand as an indelible part of the fabric of the Horseheads community, having been an integral part of the social life of this area, and

WHEREAS, the Chemung County Historical Society has graciously offered to erect an historical marker memorializing the bandstand and its significance, the marker to be placed in the northwest corner of the park near the intersection of Steuben and Pine Streets, and

WHEREAS, this Board feels that it is only fitting that Eugene Zimmerman and the Teal Park Bandstand be honored in this respect.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby authorize the placement of an historical marker as provided above, in Teal Park at a location to be specified by Village Manager Walter Herbst.

Roll Call Vote:

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

Trustee Clark - would like to be able to review bills before they are done, and where we are in the budget - maybe budget workshop.

Manager Herbst reported on the following items:

- Spent time this week on ADP trying to finalize program,
- Meeting at the Center with the Mayor and Trustee Clark - encouraged regarding progress,
- Meeting with Friends of Animal Shelter regarding dog park
- Atty. Groff working on finalizing agreement with Town of Elmira

Chief Sullivan - October 3<sup>rd</sup> is Open House at Fire station, October 9<sup>th</sup> is Fire Expo at Thorne St. Park from 10am - 3pm. The new fire truck arrived - very pleased - already NYS inspected so it is safe. We've started training on it and have submitted request for FEMA funds.

Parks Director Nate Nagle - this Saturday is the last farmers market. Then following that at 3:30 will be the 100<sup>th</sup> year anniversary celebration of the Teal Park Bandstand.

### Audience Participation

Jean Quinn, Gardner Rd. - when is the sweeper going to do Hanover Square.

Manager Herbst - I will check into this - sweeping being done in other areas.

Mike Swasta, Watkins Road - regarding Colonial Manor apartments, what is the amendment they are asking for.

Atty. Groff - We've just received concept drawings at this time.

Mr. Swasta - on Kayden Industries, what is the undue hardship to them.

Manager Herbst - the hardship was that the setback allows for future expansion.

Mayor Zeigler - we went to the site and needed to be somewhat flexible.

Mr. Swasta - if they have future development will it mean a stormwater management plan. The original plan did not mandate a stormwater management plan.

Mayor Zeigler said if it requires one it will be done.

As there was nothing further to come before the Board, the meeting was closed at 7:35 p.m.

/rmb