

**Minutes**

**Village Board of Trustees**

**April 24, 2008**

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, Howard Miller and George Koliwasky, Village Attorney John Groff, Clerk-Treasurer Sharron Cunningham, Deputy Clerk Donna Hartsock, Fire Chief Arthur Sullivan, DPW Chris Lawrick, Recreation Director Nate Nagle, Planning Board Member Mike Stenpeck, and Manager's Assistant Rachel Baer. Also present were Marc Whitney, Cayuta, NY; Raymond Stewart, 31 A Lorraine Blvd.; and the news media.

Absent: Trustee Herbst

Resolution by Trustee Miller, seconded by Trustee Koliwasky

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of April 10, 2008 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Koliwasky:	Aye

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, the Village of Horseheads advertised on March 31, 2008 for the submission of bids for the Installation of Concrete Sidewalks in the Village of Horseheads, and

WHEREAS, bids were opened and examined on April 18, 2008, and the following bids were received:

1. Donald Gaylord, d/b/a M&G Contracting - \$7.35/sq. ft.
2. Steven Padgett, d/b/a All Lakes Concrete & Restoration - \$10.00/sq. ft.

WHEREAS, said bids have been examined and determined to be in order, the lowest responsible bidder being Donald Gaylord, and

WHEREAS, the Director of Public Works has submitted his recommendation regarding the bids and the award of a contract, the same recommending award to Donald Gaylord.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby accept the bid of Donald Gaylord, and that Mayor Donald Zeigler 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 Miller:	Aye
Trustee Koliwasky:	Aye

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

WHEREAS, the Village of Horseheads advertised on March 31, 2008 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 April 18, 2008, and the following bids were received:

		(All Prices Per Ton )		
		<u>Type 3</u>	<u>Type 6</u>	<u>True/Leveling</u>
1.	Narde Paving Co., Inc.	\$52.40	\$57.75	\$57.75
2.	Chemung Contracting	\$78.35	\$82.50	\$82.50

and

WHEREAS, said bids have been examined and determined to be in order, the lowest responsible bidder being Narde Paving Co., and

WHEREAS, the Director of Public Works has submitted his recommendation regarding the bids and the award of a contract, the same recommending award to Narde Paving Co.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby accept the bid of Narde Paving Co., Inc., and that Mayor Donald Zeigler 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 Miller: Aye  
Trustee Koliwasky: Aye

Resolution by Trustee Miller, seconded by Trustee Koliwasky

BE IT RESOLVED, that Mayor Donald Zeigler is hereby authorized to execute the 2008 Tax Warrant directing the Village Clerk-Treasurer to receive and collect taxes in the amount of \$1,283,297.00.

Roll Call Vote:

Mayor Zeigler: Aye  
Trustee Swartz: Aye  
Trustee Miller: Aye  
Trustee Koliwasky: Aye

Motion by Trustee Miller, seconded by Trustee Swartz, that the following item be added to the agenda:

- MS4 Stormwater Team Funding Agreement

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Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Koliwasky:	Aye

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, the Village of Horseheads has enacted and may continue to enact laws regarding water quality management activities in accordance with Municipal Separate Storm Sewer Systems (MS4), and

WHEREAS, federal and state laws and regulations require the establishment of a stormwater program and the funding of same, and

WHEREAS, various municipalities in Chemung County have established a Chemung County Stormwater Team, and

WHEREAS, the Chemung County Stormwater Coalition has submitted and recommended to the involved municipalities a proposed intermunicipal Agreement regarding cooperation to analyze options to meet federal Phase II stormwater regulations in Chemung County, and

WHEREAS, DPW Chris Lawrick, the Village's representative to the Coalition, has recommended that the Village enter into this Agreement, and has provided this Board with his rationale for such recommendation.

NOW THEREFORE BE IT RESOLVED, that Mayor Donald Zeigler is hereby authorized and directed to enter into an Agreement with Chemung County, the Chemung County Soil and Water Conservation District, City of Elmira and various towns and villages of Chemung County entitled Intermunicipal Agreement Regarding Services to be Provided Relating to Stormwater Management and Erosion and Sediment and Control, a copy of same to be placed on file with the Village Clerk.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Koliwasky:	Aye

#### Farmer's Market

Sharron Cunningham - contacted some of the vendors to see if they had insurance. A couple of them also do the market in Big Flats, but never had insurance. One vendor actually works at Coop. Ext., said that the Village is still covered from last years certificate through July. Then we received a quote from Gail Frank from Perry and Carroll to cover 20 vendors for 150 persons per event, for \$1,000,000 liability, would defend the Village but not the vendors. That will be \$950. We will see if Coop. Ext. actually plans on sponsoring and extending from last year, then we will have to decide. But do we want our to require vendors to have insurance?

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Mayor Zeigler - does last years certificate cover the Village and not the vendors?

Sharron Cunningham - I'm not sure.

Atty. Groff - need to look into this further. Need to talk to someone from Coop. Ext. that has authority.

Donna Hartsock - Ann Hughes from Coop. Ext. called and said that at this time the Executive Director for this area is reviewing all the policies, supposed to call us back to give an answer next week.

Trustee Swartz - Debbie Gessick has asked if farm wineries could be involved this year. They would do wine tastings at the park. They would sell wine too. Do we want to have someone from the Village monitor this?

Atty. Groff - local law prohibits it, but allows you as a board to authorize it on municipal property. You've done it in the past for special events. In those instances you've required the applicants to provide clean up services, insurance, etc. Also consider that you may be asked to do it for other things also.

Trustee Swartz - I will call Debbie and get a list , find out if they have insurance, how they monitor, etc.

Atty. Groff reported on the following items:

- 911 dispatching - rec'd correspondence, looking into this when Chief Barton is back.
- Fire Dept. cadets - there is insurance available. Given the number of cadets the annual cost would be around \$200. Different types of coverage available.
- Have revised draft of the newsletter local law. Working on law for host liquor liability, and the portable outdoor storage.
- On the harassment issue - I am currently consulting with the different people involved.

Chief Sullivan - would like answer on the cadet insurance tonight if possible. It's the prime time of year for their training. We have a pretty good plan set up. As John stated it doesn't matter if its first dollar coverage or second, same cost. I can meet with John on the details, but would like permission from the Board to go forward.

Resolution by Trustee Miller, seconded by Trustee Koliwasky

WHEREAS, the Village of Horseheads Fire Department maintains a firefighter cadet program, and

WHEREAS, it was recently discovered that participants in this program are not covered by liability and personal injury insurance policies, and

WHEREAS, Chief Arthur Sullivan and Clerk-Treasurer Cunningham have investigated the

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availability of insurance benefits through the Village's primary insurance carrier and have secured quotes from other available coverage at a cost of \$200 per year based upon number of cadets presently or likely to be enrolled.

NOW THEREFORE BE IT RESOLVED, that this Board authorizes Clerk-Treasurer Cunningham and Fire Chief Sullivan to continue their investigation into the insurance coverages available and hereby authorize them to enter into an agreement on behalf of the Village through Perry and Carroll Insurance not to exceed \$200 per year.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Koliwasky:	Aye

Mike Stenpeck - Comprehensive Planning Committee feels the Village is becoming the southern gateway to the Finger Lakes wine trails.....wine tastings bring positive things to the Village.

Trustee Swartz asked about the status of the new dumpster program. Chris Lawrick stated that he met yesterday with the Mayor and Trustee Koliwasky. We've worked out the issues with Mike Krusen. Now we have to figure out the program with the County. The County has given us some free tonnage at milling station. We are discussing the details with them. We are trying to get this worked out for this summer. It will be some type of voucher system.

Mayor Zeigler - will be brought up at R.A.M.S. meeting. When the County sold the landfill they had tons reserved for them and they can't use it all. Key is to do it so its cost effective. Might not be until late summer or fall.

Nate Nagle - parks become very active this week. Several opening days are this weekend. One big project is to repaint the pool with a new paint. On the plus side it won't have to be repainted every year.

As there was nothing further to come before the Board, the meeting was adjourned at 7:30p.m.

/rmb