

**Minutes**

**Village Board of Trustees**

**July 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:

**Village Staff:**

Mayor Donald Zeigler	Fire Chief Arthur Sullivan
Deputy Mayor Ronald Swartz	Police Chief Mike Barton
Trustee Howard Miller	DPW Chris Lawrick
Trustee Walt Herbst	Recreation Dir. Nate Nagle
Trustee George Koliwasky	Clerk-Treasurer Sharron Cunningham
Village Manager Marc Whitney	Deputy Clerk Donna Hartsock
Village Attorney John Groff	Planning Bd. - Mike Stenpeck
	Court Clerk Jan Zeigler
	Manager's Assistant Rachel Baer

**Others:**

Suzanne Peters, 104 W. Mill St.  
Millard Little, 213 Fairfax St.  
News Media

Resolution by Trustee Miller, seconded by Trustee Herbst

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of July 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 Herbst:	Aye
Trustee Koliwasky:	Aye

Resolution by Trustee Herbst, seconded by Trustee Koliwasky

WHEREAS, the Village of Horseheads and other potentially responsible parties entered into a Administrative Settlement Agreement and Order on Consent (AOC), which provided in part for a Remedial Investigation and Feasibility Study (RI/FS) of an area generally known as Koppers Pond, southerly of Blostein Blvd., and

WHEREAS, members of the Group approved the assessment of a *fourth* contribution from all members in the amount of \$22,000 each to be used for project costs and administration, and

WHEREAS, on July 10<sup>th</sup>, 2008 this Board passed a resolution regarding same approving an incorrect assessment amount of \$11,000 as the Village's share.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby approve the *fourth* assessment in the correct amount of \$22,000 to be contributed to the Koppers Pond Potentially Responsible Parties operating account when such funds are in hand.

Roll Call Vote:

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

Vii. Manager Whitney requested that the Ratification of the CSEA Contract be tabled; we are in the process of preparing the final document.

Motion by Trustee Swartz, seconded by Trustee Miller, that the item regarding Ratification of the CSEA Contract be tabled.

Roll Call Vote:

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

Atty. Groff recommended tabling the SEQR Review for Rezoning of 901 South Ave., and also the possible action on same. Both to be tabled until the first meeting in August.

Motion by Trustee Miller, seconded by Trustee Herbst, that the items regarding rezoning of 901 South Avenue to Planned Unit Development be tabled until the August 14<sup>th</sup> meeting.

Roll Call Vote:

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

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

- Authorize Street Closing for First Baptist Church Festival
- Schedule Workshop on Comprehensive Planning Review
- Declare Surplus Equipment
- Proclamation

Roll Call Vote:

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

Motion by Trustee Herbst, seconded by Trustee Miller, that an item regarding a Budget Amendment also be added to the agenda.

Roll Call Vote:

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

Resolution by Trustee Herbst, seconded by Trustee Swartz

BE IT RESOLVED, that the Department of Public Works is hereby authorized to close that portion of Orchard St. between Center Street and Grand Central Avenue on Saturday, July 26<sup>th</sup>, 2008 between the hours of 9:00am to 6:00pm for the First Baptist Church Family Festival.

Roll Call Vote:

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

Set Date for Next Workshop on Comprehensive Planning: After brief discussion, the Board agreed to set the next workshop for Tuesday, August 5<sup>th</sup> from 8:00am - Noon.

Resolution by Trustee Koliwasky, seconded by Trustee Herbst

BE IT RESOLVED, that a 1989 Ford Street Sweeper (VIN#9BFXH70P2KDM01306) is hereby declared as surplus equipment, and the Village Manager is authorized to dispose of same by sale, or as scrap if same have no value.

Roll Call Vote:

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

Budget Amendment resolution: Atty. Groff reported that a small mathematical error has been discovered in the recently adopted 2008-2009 Village Budget. The error was in anticipated revenues for the General Funds. It is necessary to make an adjusting entry. Acct. #2021 had the error. These are estimated revenues. It is the belief of the Clerk-Treasurer and Village Manager that the error is not of sufficient magnitude that will have an impact on the budget or on Village operations.

Resolution by Trustee Miller, seconded by Trustee Herbst

WHEREAS, it has come to the attention of Village staff and management that there was an error in the adopted 2008-2009 Village Budget in the anticipated revenues associated with the General Fund, in the amount of \$25,000.00; the impact of which was to artificially overstate anticipated revenues, and

WHEREAS, it is necessary to make adjusting entries to the budget to compensate for this error.

NOW THEREFORE BE IT RESOLVED, that Revenue Account #1120 - Sales Tax Income - be adjusted from \$1,300,000.00 to now read \$1,265,000.00, and that Account #2610 - Forfeited Bail/Fines - be adjusted from \$235,000.00 to now read \$220,000.00; said adjustments to be made immediately.

Roll Call Vote:

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

Fire Chief Sullivan thanked Board, Mayor, Village Manager, Police Chief Barton, and Chris Lawrick for their support and involvement in funeral for Ryan Barker. Cooperation was tremendous.

Audience Participation:

Mr. Little, 213 Fairfax St. - lots of speeders going on our street. Kids live on this road.

As there was nothing further to bring before the Board, the meeting was adjourned at 7:27p.m.

/rmb