

Minutes

Village Board of Trustees

May 24, 2007

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Present were Mayor Patricia Gross, Trustees Earle Catlin, Ronald Swartz, Howard Miller, and Walt Herbst, Village Attorney John Groff, Clerk-Treasurer Sharron Cunningham, Deputy Treasurer Michele Accavallo, DPW Chris Lawrick, Fire Chief Arthur Sullivan, and Manager's Assistant Rachel Baer. Also present were: Lindsay Winters, Chemung Co. Reality Check Program; Elliott Blauvelt, Jr., Fletcher St.

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of May 10, 2007 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

Resolution by Trustee Swartz, seconded by Trustee Herbst

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

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that the minutes of the Traffic Commission Meetings of May 9 and May 23, 2007 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

Farmers Market - Atty. Groff reported that we have been provided with draft guidelines for the farmers market. Some questions still need to be clarified. I would suggest that presuming your in favor, that you consider a resolution tonight that allows for going forward with finalization of these guidelines. Also the contract for services between the Village and Cooperative Extension seems adequate for purposes you had in mind. Still needs to be prepared in final form. Contract calls for you to pay \$1,000 to Coop. Ext. for farmers market. There would be lots of start up services. Also calls for annual renewal at same amount. You may want to consider modification of that amount. Won't provide same services after first year.

After brief discussion, it was agreed to review the amount on an annual basis.

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, representatives of the Village of Horseheads have been in consultation with the Cornell Cooperative Extension (Chemung County) for the establishment of a Farmers Market in the Village of Horseheads, and

WHEREAS, a study of possible locations of such a market in the Village has been conducted with two locations being identified as feasible, i.e. Teal Park and Sullivan Park, and

WHEREAS, Teal Park is the preferred location on an experimental basis to be evaluated based upon experience with such location, and

WHEREAS, the Village has been provided with a proposed Inter-Municipal Cooperation Agreement with Cornell Cooperative Extension relative to this project, and has also been provided with proposed Horseheads Farmers Market Vendor Information and Guidelines.

NOW THEREFORE BE IT RESOLVED, by the Village of Horseheads Board of Trustees as follows:

1. Mayor Gross is authorized and directed to enter into an InterMunicipal Cooperation Agreement with Cornell Cooperative Extension for the above-noted project when the agreement is in a form recommended by Village Attorney John Groff for execution on behalf of the Village.
2. The proposed Horseheads Farmers Market Vendor Information and Guidelines is approved in concept, subject to the review and finalization of same as approved by Trustee Ron Swartz who has overseen the establishment and implementation of this project.
3. Teal Park is the designated site for the Farmers Market on a temporary experimental basis. In the event that the experience of operation of this market at that location is unsatisfactory, the market may be moved to an alternate location.
4. The hiring of a Market Manager for this project is approved at an hourly salary not to exceed \$10.00. Such person shall report to and be overseen by the Village Manager, and in the Manager's absence the Mayor.

Roll Call Vote:

Mayor Gross: Aye
Trustee Catlin: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that a Parade Permit is hereby issued to the Horseheads American Legion for Memorial Day, Monday May 28th, 2007 beginning at 2:00 p.m., and be it further

RESOLVED, that the Department of Public Works is hereby directed to close off the streets of the approved parade route at or about 2:00 p.m. until the end of the parade, and be it further

RESOLVED, that the Department of Public Works is also directed to close off Steuben street from S. Main Street to Pine Street between the hours of 1:00 - 5:00 p.m. on said date for the Youth Bureau ice cream social.

Roll Call Vote:

Mayor Gross: Aye
Trustee Catlin: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye

Resolution by Trustee Swartz, seconded by Trustee Herbst

WHEREAS, the Village of Horseheads Traffic Commission met on May 9, 2007, the minutes of which are hereby received, and

WHEREAS, the Vehicle and Traffic Law, Chapter 235 of the Village Code, provides in pertinent part that the regulations and schedules adopted by the Board relating to vehicle and traffic matters may be amended and modified from time to time as deemed necessary by the Village Board via local law, resolution or motion, and

WHEREAS, the Village Traffic Commission has recommended a No Parking zone on the south side of Steuben Street, between Pine Street and Center Street, and

WHEREAS, this Board endorses such recommendation.

NOW THEREFORE BE IT RESOLVED, that Village Code Section 235-75, Schedule XV: Parking Prohibited at All Times, be amended to add thereto:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Steuben Street	South	Between Pine St. and Center St.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

Resolution on Reality Check Program - Smoking in Movies

Atty. Groff - your resolution calls for a policy statement, as opposed to any concrete action. Clarification is needed regarding the 4 objectives versus the 4 voluntary actions of the Reality Check program.

Lindsey Winters, of Chemung Co. Reality Check, came forward to answer some questions. She stated that this is probably a writing error, we meant 4 voluntary actions. That is bulk of initiative is trying to do. Her agency works with teens on informing about tobacco industry. My local office is Cornell Coop. Extension of Schuyler County. Haven't been to other municipalities yet, you are the first. The Horseheads PTA has signed one.

Trustee Herbst asked where they get their statistics from. Ms. Winters stated that a lot of research exists regarding the effect of smoking in the movies. There is a direct correlation.

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, Reality Check Youth of Chemung County are involved in a national partnership to promote corporate responsibility among America's movie studios, and

WHEREAS, according to Reality Check of Chemung County, the World Health Organization, American Medical Association, National Association of Parent and Teachers Association, American Academy of Pediatrics, American Legacy Foundation, U.S. Public Interest Research Group, and the Society for Adolescent Medicine support the elimination of tobacco use for youth rated films, and

WHEREAS, according to Reality Check Youth in Chemung County, twenty-seven state Attorneys General have written the Motion Picture Association of America urging Hollywood to play an active role in reducing the number of children who smoke because of tobacco use in movies, and

WHEREAS, Reality Check as a statewide program is involved in a statewide initiative to educate the public about the impact of tobacco use in movies, and to eliminate the use of movies as promotional tools for tobacco companies through four simple voluntary actions by the motion picture industry:

1. No tobacco in youth rated films
2. Certify no pay-offs
3. Require strong anti-tobacco ads
4. Stop identifying tobacco brands

and

WHEREAS, according to Reality Check Youth in Chemung County every day 1,070 teens will light up their first cigarette because of smoking in the movies, and 340 of them will die prematurely, and

WHEREAS, according to Reality Check Youth in Chemung County the 1998 Master Settlement agreement was intend to prohibit tobacco companies from marketing their products to youth, including the use of movies as means of marketing, and

WHEREAS, as a result of the amount of tobacco advertising present in movies rated G, PG, and PG-13, the Horseheads Village Board supports the four objectives of the Reality Check Smoke Free Movie Project.

NOW THEREFORE BE IT RESOLVED, that this resolution shall be transmitted to the Motion Picture Association, to major motion picture studios and their parent companies, Gov. Eliot Spitzer, Congressman Randy J. Kuhl, Senator George Winner, Senator Hillary Rodham Clinton, and the NYS Department of Health.

Trustee Herbst made a motion to amend the resolution to change the last WHEREAS paragraph to read as follows:

WHEREAS, due to concerns regarding the potential adverse effects of tobacco usage present in movies rated G, PG, and PG-13, the Horseheads Village Board supports the four above-noted voluntary actions of the Reality Check Smoke Free Movie Project.

Trustee Miller seconded the amendment.

Roll Call Vote on amendment:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

Roll Call on Entire Resolution as Amended:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

Wireless Water Meter Reading System-

Atty. Groff reported that in order to act on this, and do it appropriately, it becomes necessary for us to formalize standardization of existing water meters that DPW uses by Sensus. One resolution is to standardize on those sensus meters being the only meters that are appropriate for use in the Village. Second, after you standardize, the next resolution allows you to enter into a wireless remote meter-reading project with E. J. Prescott, local supplier of the Sensus meters. They have a territory win which they are authorized to serve. The Village is part of that. It recognizes that they are a sole source supplier.

Resolution by Trustee Herbst, seconded by Trustee Catlin

WHEREAS, the Village of Horseheads presently owns and operates a water system throughout the Village and in various water districts outside of the Village, and

WHEREAS, the system consists in part of water meters manufactured formerly by Rockwell, now known as Sensus Metering System, and

WHEREAS, the water meters have been improved with remote reading (touch pad) technology, and

WHEREAS, to purchase a different make or manufacturer of water meters would be inefficient and uneconomical since alternate brands would have to be purchased, and would not be interchangeable with the ones already on hand, and the Village would be required to maintain an expanded supply of necessary repair parts and components, and

WHEREAS, it is desirable to purchase from time to time additional meters of the same make as the ones presently owned by the Village.

NOW THEREFORE BE IT RESOLVED, by the Village Board of Trustees in regular session duly convened as follows:

1. For reasons of efficiency and economy, and pursuant to authority conferred by GML Section 103(5), it is determined by the Village Board that there is a need for standardization in the purchase of water meters for use by and within the Village Department of Public Works.
2. The Village Manager, and in the absence of same, the Mayor, and Director of Public Works be, and they hereby are authorized to contract for the purchase of additional water meters now manufactured by Sensus Metering System, as needed, pursuant to the Purchasing Policy previously adopted by this Board.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

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

- Discussion and Possible Action - Sole Source Supplier, FlexNet Meter System
- Recommendation by Traffic Commission for Handicapped Parking Spaces
- Renewal of Property and Liability Insurance Coverage for the Village

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

Resolution by Trustee Herbst, seconded by Trustee Swartz

WHEREAS, for reasons of efficiency and economy, and pursuant to the authority conferred by GML Section 103(5), the Village of Horseheads Board of Trustees previously determined that there was a need for standardization in the purchase of water meters for the Department of Public Works, and standardized on said items manufactured by Sensus Metering System, and

WHEREAS, the Department of Public Works has in stock parts and other equipment that will only fit or work on and in conjunction with Sensus Metering System water meters, and

WHEREAS, Director of Public Works Chris Lawrick has presented needs to this Board for a wireless remote reading system for such water meters, and

WHEREAS, this Board is informed and believes that the only wireless remote meter reading system compatible with Sensus Metering System's water meters (formerly Rockwell) is the FlexNet System, also manufactured by Sensus Metering System, and further this Board is informed and believes that Everett J. Prescott, Inc. of Corfu, NY is the sole franchise dealer for such meters and wireless remote reading systems in the Village's service area, and

WHEREAS, Sensus Metering System, Inc., assisted by Everett J. Prescott, Inc., has by proposal, a copy of which is on file with the Village Clerk, notified the Department of Public Works and the Village of Horseheads that a FlexNet wireless remote reading system is available from such firm which is the sole franchise dealer for the Village of Horseheads' service area, and is the only such system compatible with Sensus Metering System water meters.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby authorize the Village Manager, and in the absence of same, the Mayor to contract for the purchase of 800 transceiver units, one FCC license, one tower gateway station, one maintenance agreement, one regional network interface, and one propagation study from Everett J. Prescott, Inc., local district franchise dealer of such items at a price of \$124,800, in accordance with the proposal on file with the Village Clerk-Treasurer, all without advertising for sealed bids as authorized by State Comptroller Opinion 67-558 in situations where items can be purchased from only one source.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

Resolution by Trustee Herbst, seconded by Trustee Miller

WHEREAS, the Village of Horseheads Traffic Commission met on May 23, 2007, the minutes of which are hereby received, and

WHEREAS, the Vehicle and Traffic Law, Chapter 235 of the Village Code, provides in pertinent part that the regulations and schedules adopted by the Board relating to vehicle and traffic matters may be amended and modified from time to time as deemed necessary by the Village Board via local law, resolution or motion, and

WHEREAS, the Village Traffic Commission has recommended the establishment of Handicapped Parking Spaces at Thorne Street Park, and

WHEREAS, this Board endorses such recommendation.

NOW THEREFORE BE IT RESOLVED, that Village Code Section 235-87, Schedule XXVII: Handicapped Parking Spaces, be amended to add thereto:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Thorne Street	East	First space north of the intersection of Sayre St. and Thorne St.
Thorne Street Park	N/A	Each space on either side of the access gate to the concession stand
Thorne Street Park	N/A	First space on the east side, and first space on the west side, of the gate to the pool building
Thorne Street Park	N/A	First space south of east entrance to the walking path

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

Resolution by Trustee Herbst, seconded by Trustee Swartz

WHEREAS, the Village of Horseheads' current comprehensive insurance coverage for Village activities and property including liability coverage, personal injury, property damage, and umbrella liability, and insuring Village property including apparatus of the Fire Department, expire on June 11, 2007 and,

WHEREAS, Mayor Patricia Gross has recommended acceptance of the proposal of Perry & Carroll, Inc. of Elmira, NY, as agent for Selective Insurance Company providing coverage to the Village of Horseheads for the period June 11, 2007 through June 10, 2008 at a premium not to exceed \$100,749 for municipal and fire department coverages.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby accept such proposal and does further authorize and direct Mayor Patricia Gross to secure such insurance and coverages as noted above, and be it further

RESOLVED, that Clerk-Treasurer Cunningham is authorized and directed to pay the premium for such insurance in the ordinary course.

Trustee Herbst asked if we have resolved the issues with our skateboard park.

Mayor Gross - we recently met with Perry & Carroll, and this was discussed. He said we should post the rules at the park about safety helmets. We are responsible for keeping it in good repair. He did not recommend that we have someone there supervising, because if we do that and someone is injured, we would be held to a higher liability.

Mayor Gross noted that during the insurance meeting we also discussed the LRC building. We need our departments to inventory this. We also asked them to send inspector of all parks and facilities annually.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

Rachel Baer reported the following matters:

- Have rec'd over 50 online surveys completed, over 200 paper surveys.
- Training for Planning Board/ZBA - two day session Sept. 19 and 20. At Big Flats Community Center. Course selection will be done soon. New course offered regarding Shared Services.
- Wade's Jewelry inquired about setting up a jazz band in front of her store every Thursday. Talked to Code Enf, not allowed to block sidewalk. She is still trying to figure out a way to do it. Would also have to get a Noise Application approved.

Atty. Groff - received correspondence from NYCOM that the State is abolishing IDA's because they are non-operational. Industrial Development Agency that we had was created in 1980's, it is equivalent of Chemung County IDA. It was formed by the Board with the vision of acquiring the Holding Point for development. Never came to fruition. It will be abolished.

Trustee Herbst - Howard and I met with the Town on shared services and policy direction for recreation and Youth Bureau. Came up with a data sheet (distributed) on how we line up in sharing of our facilities and services.

Trustee Swartz commended the Police Department on their handling of a recent burglary to his office. Two laptops were stolen. Police brought the dog in. Vern Morgans was burglarized too. They handled it very professionally and thoroughly. We are very fortunate to have our Police Department.

Trustee Herbst made a motion for the Board to go into an Executive Session to discuss a personnel matter involving a particular person possibly leading to discipline. Trustee Miller seconded the motion.

Roll Call Vote:

Mayor Gross:	Aye
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye

At 8:05 p.m., the Board moved into Executive Session, the minutes of which are attached hereto and made a part hereof.

At 9:00 p.m., the Board reconvened back into its regular meeting of this date.

As there was nothing further to come before the Board, upon a motion by Trustee Swartz, seconded by Trustee Miller, the meeting was adjourned.

/rmb

TRANSFER LIST -
5/24/2007

GENERAL

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$153.56	1110.200	1110.411	COURT OFFICE SUPPLIES
\$750.00	1110.452	1110.411	
\$153.56	1111.200	1111.411	COURT OFFICE SUPPLIES
\$734.48	1111.452	1111.411	
\$100.00	1230.453	1230.160	MANAGER OT
\$210.00	1325.453	1325.454	ASSOCIATION DUES
\$1,500.00	1990.477	1620.410	VILLAGE HALL SUPPLIES
\$150.00	1620.440	1620.441	LEGAL NOTICES
\$300.00	1990.477	1620.443	REPAIRS
\$1,149.18	5110.200	1621.442	SHARED SERVICE GAS/OIL

\$3,440.42	5110.440	1621.442
\$1,958.65	5110.443	1621.442
\$77.88	1622.431	1622.423 FIRE DEPT. UTILITIES
\$1,000.00	1623.469	1623.465 VH NETWORK SUPPORT
\$2,911.61	3120.130	3120.117 POLICE SERGEANT
\$3,110.40	3120.130	3120.119 POLICE OFFICER
\$3,971.68	3120.129	3120.120 POLICE SERGEANT
\$1,966.64	3120.129	3120.121 POLICE OFFICER
\$114.47	3120.130	3120.122 COMMUNICATIONS OFFICER
\$86.28	3120.130	3120.124 COMMUNICATIONS OFFICER
\$2,343.20	3120.129	3120.125 POLICE OFFICER
\$2,352.00	3120.129	3120.126 POLICE OFFICER
\$1,522.00	3120.130	3120.133 POLICE OFFICER
\$3,194.38	3120.129	3120.134 POLICE OFFICER
\$1,873.80	1990.477	3120.135 POLICE OFFICER

<u>AMOUNT</u>	<u>FROM</u>	<u>TO DESCRIPTION</u>
\$622.65	1990.477	3120.138 POLICE OFFICER
\$15,000.00	3120.129	3120.160 POLICE OVERTIME
\$30.58	3120.410	3189.498 K-9
\$1,837.00	3410.490	3410.440 CONTRACTED SERVICES
\$208.50	3410.483	
\$2,316.71	1990.477	3410.443 REPAIRS
\$1,401.53	3410.410	
\$1,578.06	3410.408	
\$37.50	3410.413	3410.445 RADIO MAINTENANCE
\$1,322.93	3410.452	3410.482 REPAIRS TO BUILDING
\$642.83	1230.451	6410.500 SISTER CITY
\$440.85	8810.440	8810.160 CEMETERY OT
\$150.00	9060.864	9060.862 FLEX
\$60,713.33	TOTAL GENERAL	

WATER

<u>AMOUNT</u>	<u>FROM</u>	<u>TO DESCRIPTION</u>
\$ 543.41	1620.200	1620.410 VH MATERIAL & SUPPLIES
\$ 180.34	1620.440	1620.443 VH REPAIRS
\$ 44.51	1620.441	
\$ 438.65	1990.477	
\$ 441.25	1990.477	8310.111 PERSONAL SERVICES
\$ 1,917.10	1990.477	8320.410 WELLS MAT. & SUPPLIES
\$ 500.00	8310.200	8320.440 WELLS CONT. SERVICES
\$ 576.25	8340.413	
\$ 500.00	1990.477	8340.160 WATER OT
\$ 3,706.48	1990.477	8340.200 EQUIPMENT
\$ 2,726.91	1990.477	8340.410 MATERIAL & SUPPLIES

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$ 124.36	8340.443	8340.453	TRAVEL EXPENSE
\$ 2,396.61	9060.860	9040.840	WORKER'S COMP
\$14,095.87	TOTAL WATER		

INCREASE EXPENSE PER REVENUE

\$21,995.76	1112.449	NYS FINE DISBURSEMENT
\$ 2,000.00	1620.414	RECORDS
		GRANT
\$ 1,337.58	1621.505	65/35
		RECREATION
\$ 3,446.46	7180.100	SUPER SATURDAY PERSONNEL

Executive Session

May 24, 2007

The Village Board of Trustees entered into an Executive Session on this date at 8:05 p.m. to discuss a personnel matter involving a particular person possibly leading to discipline. Present were Mayor Pat Gross, Trustees Earle Catlin, Howard Miller, Ronald Swartz, and Walt Herbst. Also present in the meeting was Village Attorney John Groff.

The meeting was called to order. Discussion ensued regarding subject of meeting. No action was taken.

Motion by Trustee Swartz, seconded by Trustee Herbst, that the Executive Session be adjourned.

At 9:00 p.m., the Board reconvened back into its regularly scheduled meeting of this date.

/rmb