

Minutes

Village Board of Trustees

February 25, 2016

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 Louise McIntosh
Trustee Mike Skroskznik
Trustee Brad Lytle
Trustee Pat Gross
Trustee Bill Goodwin
Village Attorney John Groff
Clerk-Treasurer Sharron Cunningham

Manager's Asst. Rachel Baer
Parks Dir. Nate Nagle
DPW Chris Lawrick

Others Present

Dave Reynolds, Matthews Circle
Dave Padgett, W. Franklin St.
Wayne Brubaker, Gardner Rd.
Glen Hostettler, W. Broad St.
Mike Swasta, Watkins Rd.
Derrick, Ek, the Leader

Brain Ketchum, Empire Access
Debbie Hicks, Gardner Rd.
Jean Quinn, Gardner Rd.
Jean Zimmer, Matthews Circle
Elliott Blauvelt, Fletcher St.

Resolution by Trustee Skroskznik, seconded by Trustee Lytle

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of February 11, 2016 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Lytle, seconded by Trustee Gross

BE IT RESOLVED, that the Justice Reports for January 2016 be received and placed on file in the Village Clerk's Office.

Roll Call Vote

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Lytle, seconded by Trustee Goodwin

BE IT RESOLVED, that the minutes of Traffic Commission Meetings of February 11th and 22nd, 2016 be received and placed on file in the Village Clerk's Office.

Trustee Gross - they talked about the public space at the Pathways site. The school will be using the fields for only two years. Any consideration of the No. County Seniors staying.

Mayor McIntosh - only two groups are staying - BOCES and EOP.

Trustee Lytle - I talked to Pathways - they said they hadn't talked to any other tenants yet. Didn't rule out having more stay. They seemed amenable to it.

Trustee Gross - public space?

Atty. Groff - Its actually open space, not public space. Has to do with the grounds outside.

Mayor McIntosh - they want to open discussion with the Village on the ballfields - that is the open space - athletic grounds. They want to discuss it before that happens.

Trustee Skroskznik - talk of crosswalks at these meetings. Do we know what caused that accident that was recently on S. Main St.

Trustee Lytle - I believe it was a car from Fletcher St. came out and hit a jeep. Tipped it over. Then it hit two cars in front of Purple Iris. I don't believe it wasn't due to speed, or crosswalks, etc.

Trustee Gross - there are no crossing signs by the library.

Mayor McIntosh - there is none if your going south. There is one near Orchard Street. But there isn't a crosswalk on Orchard Street.

Trustee Gross - so it's no properly placed. I will take pictures of those signs.

Motion by Trustee Skroskznik, seconded by Trustee Goodwin, that the item regarding setting a public hearing for the Bethany PUD Amendment for a new sign be tabled, as the applicant needs to submit more information.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Discussion: Reschedule March 24th Board Meeting, and New Budget Workshop

Mayor McIntosh - we need the tentative budget ready by March 31. I suggest we add another workshop on March 9th at 4pm

Everyone agreed.

Mayor McIntosh - we also need to move the March 24th Board Meeting to March 31st, then we would be ready to accept the tentative budget.

Everyone agreed.

7:10 pm - Public Hearing: Proposed Local Law on Tax Cap Override

Atty. Groff opened the public hearing. He explained that this doesn't mean we will be overriding tax cap, just leaves us the opportunity if necessary.

Nobody came forward to speak. Atty. Groff closed the public hearing.

Resolution by Trustee Lytle, seconded by Trustee Gross

WHEREAS, the New York Legislature adopted a law signed by the Governor establishing a limit upon real property tax levies by local governments commonly known as the Tax Cap Law (GML Section 3-c), and

WHEREAS, Acting Village Manager Louise McIntosh has explained to this Board that it may be necessary to override the tax levy limit to meet contractual obligations, fund health insurance expenses, fund pension contribution payments, and fund the increasing cost of commodities, among other things, and

WHEREAS, GML Section 3-c, Subdivision 5 expressly authorizes the Village Board to override the tax levy limit by the adoption of a local law approved by a vote of 60% of the Village Board, and

WHEREAS, this Board has been presented with and reviewed a proposed local law to override the tax levy limit established in GML Section 3-c for the fiscal year 2016-2017, and

WHEREAS, a public hearing regarding said local law was held on February 25, 2016, and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village as required by law, and

WHEREAS, this Board finds, after due deliberation, that it is in the best interest of the Village to adopt said local law.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees hereby adopts said Local Law entitled "A Local Law to Override the Tax Levy Limit Established in GML Section 3-c", a copy of which is to be placed on file with the Village Clerk, and filed with the Secretary of State.

It was noted that the tax limit set by the state this year is 0.12%

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Presentation by Empire Access

Brian Ketchum from Empire Access made a presentation about their company to the Village in hopes that we might grant them a franchise to be in competition with TWC.

Mr. Ketchum did a PowerPoint presentation, the major points of discussion were:

- There will be channel packages, like TWC
- All channels are received via satellite, except local
- Large storms can cause some piling, but we don't have a separate video network
- Regarding emergency service interference, rules for cable tv are diff, no rules for internet, if you are out for so long you can ask for a credit off your bill on the video side. On telephone side there are lifeline customers, people with disabilities, that we have to fix within 4 hours. Others it 24 hours.
- Current cable company provides 15mpps of strength. That's the max, but if everyone is drawing content at the same time your sharing. We have a 100% fiber network that is not blocking. You get the full amount. If you connect your computer to our power you get 100mpps.
- I presented a proposed franchise agmt comparable to TWC, I'd like to get that process started.
- TWC packaging allows you to buy diff speeds of internet. Empire brings fiber to your house. We block how much you have purchased - for speed. Its similar to TWC - you can buy more speed. But our min sped is 100mpps and theirs isn't.
- We want to provide voice, internet and tv. Franchise agmt first, then approval from PSC. We do service businesses now in the area. Getting ready to roll out the residential. Been talking to other municipalities too.

Mayor McIntosh thanked him for the presentation, and said the Board will take it under consideration.

Resolution by Trustee Lytle, seconded by Trustee Skroskznik

BE IT RESOLVED, that a public hearing is hereby scheduled for Thursday, March 10th, 2016 at 7:10 p.m. regarding the application from Pathways, Inc. for rezoning of 800 W. Broad Street from R1 Residential to Planned Unit Development.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Ongoing Items:

- Walking Path - Broad St. to Thorne St. - Did everyone walk it? Yes.

Trustee Skroskznik - I was waiting for group walk. So I didn't do it yet. I did want you to know that our DPW looked at this and they believe that they can move the pipe to a better spot and fill that in with no cost except labor, it could be done in a day.

Trustee Gross - Matt Mustico says it definitely needs to be done by the village. No trees have to be removed. I believe the pipe is draining water from the road, so it has to stay there. I'm very glad that he sees that this is a possibility. A lot of kids are using this.

Mayor McIntosh - as soon as weather is good well get this done.

- Koppers Pond - Meeting set for March 9th - We'll bring info back to the board after the meeting.

Audience Participation

Mike Swasta, Watkins Road - I attended the plan bd meeting. Would like to comment about the Pathways, Inc. Planned Unit Development on Broad S:

- PUD design stds - landscape stds - street trees. Its given that this is existing property however no street trees exist on this part of Broad St. There is a requirement to provide street trees. It would dress up appearance of the property. And from the street to the front of the building could be a public space. Right now it has playground equipment. If they could move this out back and develop open space on Broad St. side.
- Granting this is in favor of prospective buyer. Village should get something in return. Other than them buying the building there is no benefit to the Village. I would suggest the Plan Bd or the Board of Trustees ask them to provide street trees and develop front of the property.

Manager's Report

Mayor McIntosh said she will be presenting this at each Board Meeting. On off weeks, I will send written reports to Board members.

- She read report:

- Communications: I will have written Mgr. report for each BOT meeting. Written report emailed to BOT every other week on Thurs.
- Code Dept: Dept is not functional as is. Trustee Goodwin and myself have met with the employees and the Town of Horseheads. Certification training is complete. Pat needs on-the-job training, that is key to our success. Waiting for a proposal from the town for training.
- Insurance updates (liability): We have met with Brown and Brown to discuss budget items for next year. They are working on some improvement and changes. Trustee Lytle has attended these meetings.
- CSEA - Waiting to hear from them.
- Budget meetings: Met with Sharron on both general and water budget. Dept. heads have sent their budgets in. I requested a 5% cut across the board. Next week we will meet with each dept. head separately. I suggest to add a workshop. Our timeline to have a vote of the tentative budget is March 31.
- Manager position, what is the BOT wishes for the next budget?

Discussion ensued regarding whether to fund the line item for Village Manager in the new budget.

Trustee Skroskznik - yes. We should come up with a salary and leave it in there. We still have a Village Manager form of govt.

Mayor McIntosh - I ask the board to consider an amount to put in there.

Trustee Lytle - I propose we put \$35K in that line in case we decide to hire a part time Village Manager. One of the things we talked about earlier was 20 hrs. with no benefits

Trustee Gross - I think that's reasonable, but we ran for election on that we would do this.

Trustee Lytle - no it was a year

Trustee Gross - I didn't know that. Would like to go six months. I explained this to the Mayor. We're saving 80K this year. That was part of what we wanted to maintain with that. I agree 35k at 20 hrs with no benefits.

Trustee Goodwin - I would do 35K.

All agreed.

Trustee Lytle - we've already used up 3 months.

- Lighting project: Wendell: Street lighting project is on track. Should be completed by April. We have ordered LED lights for both Linear Park and underpass. Cost savings. Monthly bill is \$around \$2,000. LED should cut this bill at least 40% if not more.
- Water meters/billing: First water billing with all new meters. Savings will not show until after the next billing cycle. We are handling complaints on a case by case basis. Front office & Chris are doing a great job. Continuing installation of new meters. A number of new ones to the school, 8 residential. These are areas that Inline was unable to complete for “issues”.
- Thank you, Chris for the Well site visit. Our water is safe. Required new state testing will cost the village \$500. more each month beginning Oct.
- Rode with DPW one evening to salt the roads. Suggest every BOT members do the same. It is enlightening.
- Farmers market: Hoping to have a meeting with all the parties soon.
- Complaints process: Until we get the software ready on shared space for complaints, please have all complaints go through Rachel. Remember to get a name & contact info from the complantee.
- BOT Liaison positions: Thank you for the time you all investing. Please, be respectful of each other & keep them in the loop. Just a reminder that a liaison cannot make decisions. Decisions can only be made by the manager.
- DPW Shared services conversations are happening within the county, specifically plow routes & equipment.
- Sister City group will be here March 11- 19. Trustee Goodwin
Arrival March 11 4:30pm: Sat. March 12 Welcome dinner at Taninos. Mon. March 14 10am -noon Village tour & lunch. Need some help with lunch. Fri. March 18 Goodbye party at the middle school 5pm. Departure Sat. March 19 9am
- This Sat. is the fire dept. annual raffle
- St. Patrick’s Day Parade March 12 @ 2pm, over 50 units are signed up.
- Fire Dept. Corned beef dinner is March 13.
- Budget workshop -I would like to add another workshop March 9 @ 4pm.
- Postpone the March 24 BOT meeting to March 31.
- Regional Leadership Conference March 31, I encourage everyone to attend.
- Linear park lighting is expensive - need to change to LED’s - would get signif savings.

- Water billing first one since new meters. Thank you to front office. They have had a ton of calls and questions and we know everyone's bill looks a little diff. A lot of bills were for additional months. There are some issues out there. But were working on all issues case by case. 3 two inch meters went into the school. Water dept doing a good job
- Had conversation with county on DPW shared services, plow routes. Some routes in the county are assigned to 3 diff municipalities. They are trying to come up with plow routes to make sure they are not duplicated. Also sharing equipment.
- Sister city visit (went over schedule)
- This Saturday is fire dept raffle dinner
- St. Pats parade is March 12th
- Fire Department dinner on March 13th

Chris Lawrick - State has issued some new water testing requirements. Have to start them in October of this year. Cost for the monthly testing is \$500. Talk to your state rep on this. But we really have safe water. This is in addition to what we already have to do. This is for surface water pollutants. We already pay \$10K a year for testing, now another \$500 per month.

Chief Stickler - Dave Reynolds and I put together neighborhood watch program. To find out if anyone wants to be part of it.

BOT, Department Head Updates

Trustee Gross:

- Thank you to Police Dept. for work on renovation
- Been working on comprehensive plan - had 3 meetings so far
- Met with Matt re: Blostein site. Matt said others might want to go in on this with us. He talked to Andy Avery. They will put together a package to present to the village.
- Did we ever find out about monies for the Louie's expansion.
Mayor McIntosh - STEG is coming in on March 10th to explain all this.
- Garden club - working on projects for parks, etc.

Trustee Skroskznik:

- Mayor and I attended presentation at the Fire Dept. Showed how FD functions, what their issues are, etc. In my opinion I think over the years they have not been recognized the way they should. Its amazing the job they do and they are all volunteers. This is something I feel the public should understand. This is a service provided to the residents. Its time to recognize them in some way.

Trustee Goodwin:

- Code Enf - still waiting to hear from Town.
- Justices - running smoothly. I will come in for court sessions next week.
- Thanked Chris for doing such a good job testing our water.

Atty. Groff:

- Discussed sales tax accounting at the last mtg. I contacted the county, spoke with Joe Sartori. He said they don't receive much data from county on sales tax. They do get a report, but it just backs up the check. He is able to get a report once a year, which identifies all the revenue collected from each merchant. This data nobody sees other than him. Its highly confidential. He's not happy with the fact that there isn't any backup data for fund received but feels this is a statewide issue. If the Board wants we can communicate with our state reps, but if we are going to ask for something from the State, it probably should be specific. Others may want to join in our communication.

Trustee Lytle - attended meeting on sales tax put on by state. They were asked a question about a report by zip code. I think if we could see something like this, from a zip code. I don't know how far it would go. But that is what I'd like to see. How much was spent in a month, etc. Total dollar sales per month by zip code or county. That's a simple request I think.

John - if Board wants to consider this we can add other criteria. Give your comments to me by the next Board Meeting. Send letter out after that.

- Rec'd communication re: new cell tower in Town of Veteran. On E. Sullivanville Road. If you think of any concerns let me know.
- Rec'd communication re: parcel near cemetery - the Henry Reese property on Maple Grove Lane. Estate is selling. If the Village has any interest in purchasing they want to know. That info was communicated to Nate and others to look into whether it would have value to the village. They are looking at it. No price mentioned yet.
- Pathways Inc. - the PUD does require open space. Park related purposes. Athletic fields are more than 25%. School will continue until 2019, or maybe less. I mentioned this to Nate to see if it has a potential Village use. That may be something that is communicated to the applicant. They have indicated some level of reception to ideas.

Nate:

- Broad St. property - Pathways - athletic fields - possible ADA specific playground area could be a good idea.
- Broad St. fields - we have used for a number of years. May be way to use those in the future
- Maple Grove parcel - spoke with cemetery staff. Depending on price of property they would be interested in expanding. That is the only residence on that spot. I also believe that there is a water line parallel to 64. That would be used to irrigate Maple Grove Cemetery area without having to dig existing Maple Grove area.
- Programming - Sunday our cheerleaders are hosting a meet - creating a fundraiser for the

Children's Miracle Network. Our program is 4 teams. This is our second season for cheerleading. It's held at the domes.

Resolution by Trustee Lytle, seconded by Trustee Goodwin

BE IT RESOLVED, that the Village Board and Village Attorney move into an Executive Session for the purpose of discussing the employment history of a particular person, or matters leading to the appointment, employment, promotion, discipline, suspension, dismissal or removal of a particular person.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

At 8:15 p.m. the Village Board and Village Attorney moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 8:33 p.m. the Board reconvened back into the regular meeting of this date.

Acting Manager Louise McIntosh reported to the Board that Officer Brian Nowlan was scheduled to return to duty with the Police Dept. on a light duty basis on March 7, 2016.

Discussion ensued regarding the Code Enforcement Department. Mayor McIntosh stated that Community Service Officer Pat Hinman had successfully completed his certifications as a Code Enforcement Officer. She noted that he did not have extensive training in that position yet and that the Civil Service Comm. did not have a certified list of available Code Enforcement Officers. She noted that while the Village did not have a full time Code Enforcement Officer at the time, Pat Hinman could be appointed on a provisional basis due to the absence of a valid civil service list. She also reported that she researched salary ranges for new hires in this job title and suggested that a salary of \$32,000/yr. would be appropriate.

Resolution by Trustee Gross, seconded by Trustee Lytle

BE IT RESOLVED, that Pat Hinman, CSO Prov., be appointed as a Code Enforcement Officer, Prov., at an annually salary of \$32,000.00.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

As there was nothing further to come before the Board, the meeting was adjourned at 8:58 p.m.

/rmb

Village Board of Trustees**EXECUTIVE SESSION****February 25, 2016**

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 8:19 p.m. in Village Hall. Present were: Mayor Louise McIntosh, Trustees Mike Skroskznik, Brad Lytle, Pat Gross and Bill Goodwin, and Village Attorney John Groff at which time they discussed the employment history of a particular person, or matters leading to the appointment, employment, promotion, discipline, suspension, dismissal or removal of a particular person. No action was taken.

At 8:33 p.m. a motion was made by Trustee Gross, seconded by Trustee Goodwin, that the executive session be adjourned, and the Board reconvene back into its regular meeting of this date.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye