

**Minutes**

**Village Board of Trustees**

**June 25, 2009**

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  
Deputy Mayor Ronald Swartz  
Trustee Walter Herbst  
Trustee George Koliwasky  
Trustee Suzanne Peters  
Village Attorney John Groff

DPW Chris Lawrick  
Clerk-Treasurer Sharron Cunningham  
Deputy Clerk Donna Hartsock  
Fire Chief Arthur Sullivan  
CSO Robert Young  
Manager's Assistant Rachel Baer  
Officers from Police Dept.

**Others:**

Joe & Elizabeth Danaher, 914 South Ave.  
Dave Padgett, 508 W. Franklin St.  
Mike Swasta, 411 Watkins Rd.  
Todd Egan, 109 Daffodil Dr.  
Joe Ponzi, 47 Ardon Dr.  
Claire Ponzi, 47 Ardon Dr.  
Elliott Blauvelt, Fletcher St.  
Jim Lynch, 303 W. Mill St.  
John Dunlap, 129 Matthews Cir.  
Richard & Beverly Moriarty, Highland Ave.  
Laurie Lathrop, Fire Dept.

Andrew Salisbury, Fire Dept.  
George Kastenhuber, John St.  
Jean Quinn, 555 Gardner Rd.  
Pat Gross, 632 W. Broad St.  
Jeff Farmer, W. J. Famer Insurance  
Mark Hagan, Perry & Carroll Insurance  
Mary Mower, 301 Kinley Place  
Tess Banfield, Catalpa Dr.  
Barb Skorczewski, Franklin St.  
Donna Greene, Grand Central Ave.

Resolution by Trustee Swartz, seconded by Trustee Herbst

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of June 11<sup>th</sup>, 2009 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

Resolution by Trustee Herbst, seconded by Trustee Koliwasky

BE IT RESOLVED, that the Clerk-Treasurer is authorized to transfer the funds indicated on the attached sheet as Final May Transfers.

Roll Call Vote:

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

Resolution by Trustee Herbst, seconded by Trustee Peters

BE IT RESOLVED, that a Public Information Meeting regarding the Schlumberger Project at the Center at Horseheads is hereby scheduled for Tuesday, July 7<sup>th</sup>, 2009, from 7pm - 9pm at the Horseheads Fire Station.

Roll Call Vote:

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

Resolution by Trustee Koliwasky, seconded by Trustee Peters

BE IT RESOLVED, that a public hearing regarding the Schlumberger Project SEQR and Site Plan Review is hereby scheduled for July 9<sup>th</sup>, 2009 at 6:00 p.m. in Village Hall.

Roll Call Vote:

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

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

- Probationary Appointments to Fire Department
- Receive Amended Emergency Response Plan
- D&A: Insurance Coverages

Roll Call Vote:

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

Chief Sullivan presented cadets to the Board before resolution . These two have been training as cadets. First graduates of that program that have become firefighters.

Resolution by Trustee Swartz, seconded by Trustee Herbst

BE IT RESOLVED, that this Board hereby approves the one-year probationary appointments of Andrew Salisbury and Claire Ponzi, both of Horseheads, to the Village of Horseheads Fire Department.

Roll Call Vote:

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

Resolution by Trustee Herbst, seconded by Trustee Peters

BE IT RESOLVED, that the Village of Horseheads Emergency Response Plan dated May 2009 is hereby received for the Board's review and comment.

Roll Call Vote:

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

Resolution by Trustee Koliwasky, seconded by Trustee Herbst

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, expired on June 11, 2009, and

WHEREAS, a 30-day extension of coverage was granted to July 11, 2009, and

WHEREAS, Requests for Proposals were requested on March 15, 2009, and

WHEREAS, RFP's were received from W. J. Farmer Insurance, and Perry & Carroll, Inc.

NOW THEREFORE BE IT RESOLVED, that after careful review of same by this Board and Village staff, the Village hereby accepts the proposal of Perry & Carroll as agent for Selective Insurance providing coverage to the Village of Horseheads for the period June 11, 2009 through June 10, 2010 at a premium of \$97,691.00 for municipal, police and fire department coverages, and be it further

RESOLVED, that this Board does further authorize and direct Village Mayor Don Zeigler 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.

Discussion:

Mayor Zeigler - I am recommending this as part of my duties with no manager. We opened this for competitive bidding and I appreciate all the efforts by both sides.

Trustee Swartz - I vote no. I've talked with both, I think we should switch to Farmer.

Trustee Herbst - the \$5,000 difference in policies and relatively minor differences in coverage were not sufficient to interrupt our relationship with Perry & Carroll. I'm pleased with the process of bidding these every 3 years. Our relationship with Perry & Carroll, and all that is going on, it is best to continue with them.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	No
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye

Trustee Herbst - Schlumberger is going to be a big project. We got a good solid overview, they will have 150-200 million dollars in capital equipment. This is one of their new primary sites. We are really looking forward to working with them.

Atty. Groff reported on the following items:

- Electric Parkway, Village working with NYSEG, also working with County on shared services arrangement. After that, apparently NYSEG investigated on their ability to dedicate road to us. Learned from PSC that they are unable to do so. They are now offering us as an alternative a permanent easement. Need to evaluate this. I will be reporting back to you in the future with more information.
- Cold Springs Construction gravel mine - communications have been sent out to DEC. We asked for extension of time for comment period. DEC was receptive to information, asked for additional information, some is being collected. Applicant has

ability to grant permission for extension of comment period. That is where it stands right now.

- CDBG for Community Progress, we have further talked with Julie Chevalier. Couple of lingering issues. Method that there fee would be earned and paid. This program would be over an undetermined period of time, also frequency of reporting. Agreement provided for regular reports. Quarterly would be adequate, there may be times when there is little or no activity.
- SRO. Funding of this program was based in part on county financial support and school district support. County lost support when governor cancelled. Were negotiating with reps from school district with respect to continuation. 65/35 money would only be applicable from 7/1 to 10/1 where 65 would be county, and 35 would be school. Negotiations addressed 10/1/09 through 6/10 where 60 would be village, and 40 would be school. I understand that this 60% was incorporated in the budget you recently adopted. This would be from 7/1/09 and through 6/30/10.

After brief discussion on this it was agreed for Trustees Herbst and Koliwasky, and Atty. Groff are to meet with the school supt. regarding this agreement.

Chris Lawrick - shared services agreement for highway shared service study. Copy of document should go to Trustee Swartz so he can make a report to the Board in two weeks. This is just a draft study.

Public Comment:

Todd Egan, 109 Daffodil Dr. - the speed limit on our road is 30 mph, all residents think traffic moves too fast. We've all witnessed many near misses. Have reported to police. Traffic coming from Wisteria at an unsafe speed. We are requesting that at least 1 or 2 speed bumps be placed on Daffodil Drive, removable for winter. Many people cross street to go to Gardner Road, and to use the athletic fields over there. I've collected signatures from 23 homes on Daffodil Drive. 100% of our neighbors support speed bumps in our neighborhood. Also has high volume of traffic. Police have been through and they caught cars going over 30.

Officer McGrain - can use stationary device to attach to a tree and records how fast cars are moving. Get a print out. Give that to the traffic commission.

Elliott Blauvelt invited the board to attend the amateur radio field day operations on Harris Hill. Starts Saturday at 2pm, ends Sunday and 2pm.

Tess Banfield - gave list of questions last month that I hoped you could answer. She added that she feels Village operations are going well with all the good staff that we have working here.

George Kastenhuber, John St. - dangerous intersection at Thorne and Franklin, also street light removed at Westinghouse circle, dark intersection now. Needs light.

Fire Department Member - All other departments allow members to become full firefighters at 16. We have difficulty in making kids wait until 18 because they lose interest. Don't want to see that continue to happen.

Jeff Farmer - Farmer Insurance - I want to discuss insurance bids. I submitted information today about the cost of the tail insurance. There was an original difference of \$12,000, now you say its down to \$5,900. My proposal was \$86,000. That was it.

Trustee Herbst - tail insurance comes into play, \$5,800. That has to be added to the cost of making a change.

Mr. Farmer - this board asked me to review the policy, and I told you that the \$5,800 fee is not correct.

Motion by Trustee Swartz, seconded by Trustee Herbst, that this Board and the Village Attorney move into executive session for the purpose of discussing the potential discipline of a particular person, and collective bargaining issues.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	No
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye

At 7:40 p.m., the Board and Village Attorney moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 9:15 p.m, the Board reconvened back into its regular meeting of this date.

Resolution by Trustee Herbst, seconded by Trustee Koliwasky

WHEREAS, the Village Manager is the chief administrator and executive officer for the Village, and

WHEREAS, one of the Manager's powers is to dismiss, suspend and discipline Village officers and employees, and

WHEREAS, the Manager is presently absent from his position causing the powers and duties of the Manager to revert to the Mayor and Board of Trustees, and

WHEREAS, Village Law 4-400 provides, among other things, that the Mayor has the duty of supervision of police officers and other officers.

NOW THEREFORE BE IT RESOLVED, that Mayor Donald Zeigler is the Board's designee for all disciplinary matters involving Village officers and employees in the absence of the Village Manager.

Roll Call Vote:

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

As there was nothing further to come before the Board, the meeting was closed.

/rmb

**Village Board of Trustees**

**EXECUTIVE SESSION**

**June 25, 2009**

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 7:40 p.m. in Village Hall. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, Walter Herbst, George Koliwasky, and Suzanne Peters, and Village Attorney John G. Groff, at which time they discussed a potential disciplinary matter involving a particular person, and collective bargaining issues.

At 9:15 p.m., upon motion by Trustee Peters, seconded by Trustee Herbst, the executive session was adjourned, and the Board reconvened back into its regular meeting of this date.

Roll Call Vote:

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

TRANSFER LIST 6/25/09

GENERAL

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$260.59	1110.453	1110.160	COURT OVERTIME
\$334.63	1010.100	1110.172	COURT SECURITY
\$121.45	1111.453	1111.160	COURT OVERTIME
\$964.32	1010.100	1111.172	COURT SECURITY
\$226.39	1111.440	1111.411	COURT OFFICE SUP.
\$232.06	1010.100	1230.173	MGR. INSURANCE BUYOUT
\$2,624.46	1010.150	1230.440	LEGAL SERVICES
\$1,012.50	1010.150	1325.109	CLERK PT
\$2.40	1325.440	1325.110	CLERK-TREASURER
\$38.49	1325.440	1325.411	CLERK OFF. SUP.
\$1,419.00	1619.137	1619.151	CODE ENFORCEMENT OFF.
\$833.93	5110.114	1620.100	CUSTODIAN CSEA
\$204.72	1619.137	1620.145	BINGO INSPECTOR
\$607.06	1620.201	1620.410	VILLAGE HALL SUP.
\$41.55	1620.201	1620.441	LEGAL NOTICES
\$3,969.78	1619.137	1621.442	GAS & OIL
\$28.88	1622.426	1622.421	VILLAGE HALL UTILITIES
\$111.57	1622.424	1622.422	TRAFFIC LIGHTS
\$237.45	1622.425	1622.427	POOL UTILITIES
\$609.49	1622.428	1622.429	GARAGE UTILITIES
\$781.00	3120.127	1623.463	POLICE S/W SUPPORT
\$20.01	1623.467	1623.464	FIRE S/W SUPPORT
\$1,796.46	1623.423	1623.465	VILLAGE HALL S/W SUP
\$2,200.00	1623.461	1623.465	VILLAGE HALL S/W SUP

\$945.00	1230.168	1910.472 LIABILITY INSURANCE
\$402.60	3120.127	3120.119 POLICE OFFICER
\$1,684.60	3120.127	3120.126 POLICE SERGEANT
\$698.04	3120.127	3120.138 POLICE OFFICER
\$51.99	3120.127	3120.155 CROSSING GUARDS
\$5,808.00	3120.130	3120.160 POLICE OVERTIME
\$198.04	3010.496	3120.440 POLICE CONT.SERV.
\$1,265.77	3010.496	3120.443 POLICE REPAIRS
\$19.15	3010.496	3120.452 POLICE TRAINING
\$6,110.01	3410.200	3410.413 FIRE CLOTHING
\$2,885.38	5110.114	5110.110 DPW PT LABORERS
\$427.16	5110.114	5110.111 DPW PERSONNEL CSEA
\$1,344.98	5110.114	5110.113 DPW PERSONNEL CSEA
\$354.89	5110.114	5110.200 DPW EQUIPMENT
\$3,801.34	5110.114	5110.410 DPW SUPPLIES
\$87.10	5110.443	5110.413 DPW CLOTHING
\$540.21	5110.443	5110.440 DPW CONT.SERV.
\$1,557.46	7140.105	7110.100 PARKS PERSONNEL PT
\$700.00	8160.440	8160.410 REFUSE SUPPLIES
\$509.24	8160.440	8170.410 SWEEPER SUPPLIES
\$539.31	8160.440	8170.443 SWEEPER REPAIRS
\$1,164.28	5110.114	CEMETERY PERSONNEL 8810.110 CSEA
\$1,938.45	5110.114	CEMETERY PERSONNEL 8810.114 CSEA
\$2,616.38	8160.440	8810.410 CEMETERY SUPPLIES
\$1,920.25	1990.477	9030.830 SOCIAL SECURITY
<u>\$4,765.71</u>	3120.127	9040.840 WORKERS COMP.
<b>\$61,013.53</b>	<b>TOTAL</b>	

**WATER**

\$228.49	1620.160	1620.100 CUSTODIAN CSEA
\$87.88	1620.200	1620.100 CUSTODIAN CSEA
\$122.23	1620.440	1620.100 CUSTODIAN CSEA
\$200.00	1620.441	1620.100 CUSTODIAN CSEA
\$195.36	1620.443	1620.100 CUSTODIAN CSEA
\$940.84	1620.497	1620.410 VILLAGE HALL SUP.
\$134.34	1620.443	1622.429 GARAGE UTILITIES
\$10.34	1620.497	1622.429 GARAGE UTILITIES
\$4,735.84	8320.200	1622.430 WELLS UTILITIES
\$504.72	1622.421	1623.465 VILLAGE HALL S/W SUP.
\$859.95	1624.435	1623.465 VILLAGE HALL S/W SUP.
\$300.00	1640.445	1623.465 VILLAGE HALL S/W SUP.
\$337.87	1650.471	1623.465 VILLAGE HALL S/W SUP.
\$111.90	8310.168	1623.465 VILLAGE HALL S/W SUP.
\$16.00	8310.168	8310.110 CLERK
\$1,091.79	8320.200	8320.440 WELLS CONT.SERV.
\$866.50	8310.111	8340.105 WATER PERSONNEL CSEA
\$500.00	8310.200	8340.105 WATER PERSONNEL CSEA
\$1,673.79	8310.411	8340.105 WATER PERSONNEL CSEA
\$380.56	8320.200	8340.105 WATER PERSONNEL CSEA
\$853.17	8320.443	8340.107 WATER PERSONNEL CSEA
\$289.81	8310.173	8340.107 WATER PERSONNEL CSEA
\$541.85	8340.200	8340.107 WATER PERSONNEL CSEA
\$2,075.75	8340.160	8340.111 WATER PERSONNEL CSEA
\$109.23	8340.413	8340.111 WATER PERSONNEL CSEA
\$5,620.89	1990.477	8340.410 WATER SUPPLIES
\$2,391.98	1994.447	8340.443 WATER REPAIRS
\$4,035.47	1990.477	9040.840 WORKERS COMP.
\$185.34	9030.830	9040.840 WORKERS COMP.

**\$29,401.89TOTAL**

		REVENUES RECEIVED FOR EXPENSES
<b>GENERAL</b>		
\$25,886.18	1112.449	NYS FINE
\$1,892.33	1230.415	DISBURSEMENT
\$2,693.80	1620.416	NEWSLETTER
		SCHLUMBERGER
		POLICE
		REIMBURSEABLE
\$1,874.21	3120.161	OVERTIME
\$100.00	6410.500	SISTER CITY
		CONCESSION
\$2,789.33	7141.200	STAND EQUIP.
		CONCESSION
\$1,422.74	7141.410	STAND SUPPLIES
\$369.67	7210.200	SPECIAL EVENTS
\$740.88	7310.413	POOL CLOTHING

/rmb