

June 25, 2015

A meeting the Village of Horseheads Board of Trustees was held on the above date at 8:30 a.m.

Present were:

**Village Board and Staff**

Mayor Donald Zeigler  
Trustee Ron Swartz  
Trustee George Koliwasky  
Trustee Brad Lytle  
Village Attorney John Groff

Manager's Asst. Rachel Baer  
Parks Dir. Nate Nagle  
CSO Pat Hinman

**Absent**

Trustee Mike Skroskznik  
Village Mgr. Walt Herbst

**Others**

Don Fischer, Bentley Pl.  
Barb Skorczewski, W. Franklin St.  
Debi Lytle, Grand Central Ave.  
Louise McIntosh, Renwick Lane  
Pat Gross, W. Broad St.

Al Edwards, Ridge Road  
Norm Stull, Marshall St.  
Rom Rupp, Tift Ave.  
Rose Apgar, S. Pine St.  
Wayne Brubaker, Gardner Rd.

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of June 11, 2015 be dispensed with and the same stand approved as entered by the Clerk.

Trustee Lytle - In that meeting the Manager eluded to a meeting held between the County Executive and some of the PBA reps. He implied they were in favor. I said that was a mischaracterization. I talked to the officers. They are in favor of keeping our own officers, they went to this meeting for the purpose of knowing what the County Exec had in mind. So I said that what the Manager said was a mischaracterization. I'd like it in the minutes.

Brief discussion ensued.

Motion made by Trustee Lytle to amend the minutes to reflect the clarification that he requested. Seconded by Trustee Koliwasky.

Roll Call Vote to Amend Minutes:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Lytle	Aye

Roll Call to Approval Minutes as Amended:

Mayor Zeigler	Aye
Trustee Swartz	Aye
Trustee Koliwasky	Aye
Trustee Lytle	Aye

**Audience Participation**

Don Fischer - I am the Fire Chief at Town and Country Fire Dept. Want to address issue re: probationary firefighter that you appointed on June 11. I talked to the Mayor about this. I requested some documents through FOIL. This person applied for membership, after our meeting on May 26. I have a copy of her resignation. The reason we were given why she resigned was false accusations. My contention that this is an unfortunate situation. Want to squelch rumors out there. I was out of town

when this happened. I present this letter to you. With all the rumors my suggestion is that this individual should be suspended from Village Fire Department, but that is my opinion.

Mayor Zeigler - I will turn this over to Walt.

Tom Rupp, Tiff Ave. - The grassy areas on Westinghouse Road, between road and sidewalk, who is responsible for taking care of it. Couple of areas grass is very high. Also, house at 214 Lee Ave., during winter they had a water problem, bad. Right now there is a sign on it that it can't be occupied. The grass there is knee deep. Also, rash of break ins for vehicles. 60-70 cars hit in the last week or so. They aren't breaking into cars, just opening if they are unlocked. Also, regarding the police chief. Has been dragging on for some time. Why isn't it getting done yet.

Al Edwards - at the last meeting I voiced concerns about your recreational facilities and their condition. (Distributed handout with photos.) High weeds, basketball poles, etc. Does insurance company do liability assessment anymore? Grants may be available to do other things besides the 56 acres. Broad Street access road, and walking trail. Do people know that it's not supposed to be driven on? Teal park bandstand needs maintenance.

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

WHEREAS, the Board of Trustees of the Village of Horseheads desires to secure the Village of Horseheads' obligation to provide volunteer firefighters' benefit law, volunteer ambulance workers' benefit law and **workers' compensation** benefits, as applicable, through participation in a group self-insurance program of which the Village of Horseheads will be a member, and

WHEREAS, The Board of Trustees of the Village of Horseheads, duly convened in regular session, does hereby resolve, pursuant to, and in accordance with the provisions of Section 50 of the New York State Workers Compensation Law and other applicable provisions of law and regulations thereunder, as follows:

Section 1. The Board of Trustees of the Village of Horseheads does hereby resolve to secure the Village of Horseheads' obligation to provide volunteer firefighters' benefit law, volunteer ambulance workers' benefit law and workers' compensation benefits, as applicable, through participation in a group self-insurance plan of which the Village of Horseheads will be a member;

Section 2. The Board of Trustees of the Village of Horseheads does hereby resolve to become a member of Public Employer Risk Management Association, Inc., a workers' compensation group self-insurance program for local governments and other public employers and instrumentalities of the State of New York;

Section 3. In order to effect the Village of Horseheads' membership in said group self insurance program, the Village Manager of the Village of Horseheads is hereby authorized to execute and enter into the Public Employer Risk Management Association Workers' Compensation Program Agreement, annexed hereto as Exhibit A, on behalf of the Village of Horseheads.

Section 4. This Resolution shall take effect immediately.

Trustee Koliwasky - does this mean firemen get this.

Atty. Groff - not on volunteer benefits, if they are injured performing volunteer services. There is an optional retirement plan for volunteer firemen, but ours have indicated they don't want to participate in that.

Trustee Lytle - on February 26 we were given a presentation from state insurance fund, are we cancelling that.

Atty. Groff - yes.

Trustee Lytle - Have we ever looked at this before. Pretty significant savings, is this the first time?

Mayor Zeigler - I'm not sure, but he probably has. But I'm glad he did.

Roll Call Vote:

Mayor Zeigler	Aye
Trustee Swartz	Aye

Trustee Koliwasky            Aye  
Trustee Lytle                    Aye

Trustee Swartz made a motion to add an item to the agenda - cancelling the second meetings of July and August. Traditionally we have done this. But if we needed to we would call a special meeting. Seconded by Trustee Koliwasky.

Roll Call Vote:

Mayor Zeigler                 Aye  
Trustee Swartz                 Aye  
Trustee Koliwasky             Aye  
Trustee Lytle                    Aye

Discussion ensued.

Trustee Lytle - We're paid a salary to be here, plus we cancel one in November and December for the winter holidays. I vote no.

Roll Call Vote:

Mayor Zeigler                 Aye  
Trustee Swartz                 Aye  
Trustee Koliwasky             Aye  
Trustee Lytle                    No

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

BE IT RESOLVED, that the Justice Reports for May 2015 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Zeigler                 Aye  
Trustee Swartz                 Aye  
Trustee Koliwasky             Aye  
Trustee Lytle                    Aye

Trustee Koliwasky - Welcomed new CSO Pat Hinman. People are already pleased with how he's done his job. Also glad for residents of Bowers and Myers regarding their streets getting repaved.

Trustee Lytle - is there any update regarding IT person about posting a link for the audio for these meetings, and the chief of police, and full time code enf. officer.

Mayor Zeigler - on the IT issue, they are coming up with a plan on that. On the code enf. officer, I believe the Town of Horseheads is doing a lot with the city of Elmira.

Trustee Lytle - the arrangement between city and town is not going to take place. I think reps from the Town should come in and talk to us. I talked to mike Edwards, he'd be happy to talk but didn't think they could pursue that, but is willing to talk to us.

Mayor Zeigler - I will pass this on to the Manager.

Trustee Koliwasky - have you followed up with Watkins glen about how many hits they get on their website.

Trustee Lytle - I haven 't talked to them at all.

Atty. Groff - regarding police chief agreement. It is still in development. As you may have read Schrom was going to take this, but due to complication at county that isn't going to occur, so now it's a matter

between county and sheriff's dept. not something we can control. Village, county and sheriff are exploring other alternatives in terms of other personnel that can provide the services, not fully resolved at this point. Since it is a contract with the county it is their responsibility to determine how they will handle it. Then whatever their proposal is it will come back to the Village as to whether it will be acceptable.

Trustee Lytle - the resolution that was passed by this Board specifically called for the undersheriff, he turned it down. Wouldn't it be appropriate to bring that resolution back, since it hasn't been met. We gave Manager authority to negotiate agreement with the county. I make a motion that we rescind that resolution and come up with another resolution.

Mayor Zeigler - we should wait until a decision is made.

Atty. Groff - to say that all bets are off is an overstatement, but what was initially anticipated is not going to be feasible. Alternatives are being explored, once they are more solidified they would be coming back to this Board. There is nothing of substance to offer to you.

Mayor Zeigler - rescinding the resolution now is premature.

Trustee Lytle - what authority is he operating under now if it's not that resolution.

Atty. Groff - as Manager he has the obligation to manage the Village's workforce. So he's exploring his options under that authority. My expectations would be that when options are more clear and defined that it will come back to you as a board. Whatever that option is will dictate how the Board responds to it.

Trustee Lytle - We'll be informed, and asked to modify or rescind?

Atty. Groff - yet to be determined. I can't answer for him.

Trustee Lytle - reports say we have interviewed someone else - a captain. So I think what I'm asking for is appropriate, that resolution is dead. This Board should come up with another resolution - to be pursued with a captain.

Mayor Zeigler - should wait until that's decided. If we nullify that, what message does that send. This is cutting edge new approach, by rescinding it sends the wrong message. If it needs to be rescinded there will be a time to do that.

Nate Nagle- pool is open, this Friday night is a dog park night at Thorne St.

Mayor Zeigler - car break-ins, stories going around about drones. That it might be state police. I can't get a good answer on that. Residents should be proactive during this time.

As there was nothing further to come before the Board, the meeting was adjourned at 9:12 a.m.

/rmb

