

Minutes

Village Board of Trustees

May 25, 2006

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 Kevin Sullivan, Village Manager Vincent Azzarelli, Village Attorney John Groff, Clerk-Treasurer Sharron Cunningham, DPW Chris Lawrick, and Manager's Assistant Rachel Baer. Also present were the following residents:

Homer and Marcia Finley, 518 Bush Ave.
Francis & Genevieve Catlin, 529 Perkins Ave.
Anna D'Elia, 519 Highland Ave.
Helen & Robert Browne, 413 Highland Ave.
Mary Mower, 301 Kinley Place
Don & Jan Zeigler, 535 Watkins Road
Laurie Hanlon, 417 Highland Ave.
Deb and Scott Shaw, 515 Highland Ave.
Linda Snyder, 525 Perkins Ave.
Beth Cantanelli, 519 Bush Ave.
Mary & Tom Gigliotti, 535 Highland Ave.
Emma Tinker, 112 Bentley Pl.
Andrea Schumaker, 535 Watkins Rd.

Delores and Dean Isaacs, 521 Bush Ave.
Raymond Stewart, 31A Lorraine Blvd.
Robena Helsing, 510 Bush Ave.
Carol Gonzalez, 408 Bush Ave.
John Holchuk, 303 Normandy Pl.
Roger Wood, 609 Hatfield St.
Brad Cole, 403 Bush Ave.
Richard Moriarty, 505 Highland Ave.
Jessica Starbuck, 408 Highland Ave.
Tony & Yolanda Troccia, 530 Highland Ave.
Glenn Campbell, 414 Highland Ave.
Don Temple, 409 Bush Ave.

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 11, 2006 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 Sullivan:	Aye

Resolution by Trustee Sullivan, seconded by Trustee Swartz

BE IT RESOLVED, that the minutes of the Traffic Commission Meeting of May 10, 2006, and the Zoning Board of Appeals Meeting of May 10, 2006 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 Sullivan:	Aye

Resolution by Trustee Swartz, seconded by Trustee Miller

BE IT RESOLVED, that a proposed Local Law on Information Security Breach & Notification is hereby received, and a public hearing regarding same is hereby scheduled for Thursday, June 8, 2006 at 7:05 p.m.

Roll Call Vote:

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

Village Manager - In your folders you have a copy of the executive summary of the Chemung County Hazardous Mitigation Plan. It is an overview of the plan, supplemented by each municipality's individual plan. It is written in accordance with the National Incident Management System, NIMS, program. It has already been by FEMA. There is a requirement that to apply for grants each community has to adopt this plan. I've reviewed it. It identifies potential hazards and what the County will do. In our own appendix we go further saying what we will provide and start our own action. It is all in order. It is an umbrella plan and I recommend approval by the board.

Mayor Gross - what type of grants.

Village Manager - FEMA grants and Homeland Security Grants.

Mayor Gross - would this address bird flu.

Village Manager - no, but according to the State plan on avian flu, they say to recognize as radiological incident.

Trustee Swartz - how long have we had this.

Village Manager - two weeks.

Trustee Swartz - Atty. Groff says he hasn't seen it yet. Is there a time limit? Can we review it and have John review it? We really should have attorney look it over before we pass it.

Trustee Miller suggested tabling until the next meeting. Everyone agreed.

Motion by Trustee Miller, seconded by Trustee Catlin, that the Chemung County Hazard Mitigation Plan be tabled until the next meeting.

Roll Call Vote:

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

Mayor Gross read a proclamation on hunger awareness, and she asked that it be entered into the minutes.

Trustee Miller made a motion that the Board move into an Executive Session at the conclusion of the meeting in order to discuss a personnel matter involving a particular person. Seconded by Trustee Swartz.

Roll Call Vote:

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

Trustee Sullivan congratulated Sgt. Zelko as the Kiwanis Club Police Officer of the Year.

Mayor Gross - reminded everyone about the clock dedication on Monday at 1pm.

Audience Participation

Chris Savino, Breesport - renovating house across the street, 103-105 E. Broad St. There is a parking problem - currently there is no parking on north side, but south side has parking. Can't get out of my driveway. Would like to see no parking on both sides of the road.

Mayor Gross - we will refer to traffic commission.

Don Zeigler, 535 Watkins Road - Phase 2 of project on Gardner Rd. will have cut through on Bentley Place. I've discussed with neighbors, we feel it will create a race track. Our neighborhood is a closed neighborhood. People walk a lot, kids playing, not a lot of cars. In the bigger scope of things, in a master plan, value of having a closed neighborhood where you can't zip through is very advantageous. Also detriment to new development to allow through traffic. I wouldn't buy a lot on that road. It might be only 25% more traffic, but I question that. Miller st. is a cut through, they get a lot of traffic. We have a petition, we presented to the Village this morning. I attended the planning board meeting, we were not asked if we could speak. Aren't we allowed to speak? The Village Plan. Bd. approved it. I would like them to hear us, and see our petitions. That wasn't taken into consideration.

Tom Gigliotti, 535 Highland Ave. - real values of the closed neighborhood is it really helps property

values. I've had people stop by asking if houses are for sale in this neighborhood.

Glen Campbell, 414 Highland Ave. - I'm a nature conservatory member. Some developers leave open spaces - for walking trails - doesn't develop the whole parcel. I don't see why they can't just develop 20 houses and leave the rest as open space. I don't think I'm being unreasonable. I was never notified that this was even going to happen. Are we going to be notified when this actually happens? We need a compromise.

Brad Cole, 403 Bush Ave. - I used to live in Corning, moved to Hhds. because of this neighborhood. It's a closed neighborhood with a lot of young kids. I just would not have picked this if it wasn't closed. I prob pay the most taxes in this neighborhood, and I would not be there if it wasn't closed.

Linda Snyder, 525 Perkins Ave. - we started petition last night. Not one person said they wouldn't sign. There are a lot of daycare providers in our neighborhood, with no sidewalks. You trust them with your children. You don't want them on a through street. We moved into this neighborhood because it is closed. People on miller st. come to our neighborhood to walk because it's a closed area. We will put our house on the market if this happens. I feel like your taking our house away from us. I think we all need to attend the Traffic Commission Meeting. These people don't live in our neighborhood.

Homer Finley, 518 Bush Ave. - I've lived there 40 years. If Bentley is opened up, it will be a raceway, we would not feel safe in the neighborhood. We very strongly object to it.

Elma Tinker - I live on Bentley Place - they were going to do this a while ago, and we had mud running down our place. Its now a dead end street, don't have the traffic. Don't have to worry when we walk. Kids can ride their bikes. I'd hate to see that ruined.

Robina Helsing, 510 Bush Ave. - I like the security of the neighborhood, I have 3 kids that are involved in a lot of stuff. I feel comfortable enough that I can let them out on their own to collect for charity or scouts, etc. without having to worry about them. If you put in a through way, I don't know what kind of people are going through there. We would lose security. It allow my kids to have a life.

Mary Mower, 301 Kinley Pl. - I've only lived there a short time. I have invested 25K in the home. I plan on staying there. If Bentley is opened up, I won't care anymore to invest.

Lori Hanlon, 417 Highland Ave. - I moved there because it was a nice family neighborhood, low traffic, everybody walks, everybody is on the street. Few places left like that. We chose to stay in Hhds. because of the school district. I own a business across from fire station. People cutting through there now. If Bentley is extended, it will ruin our neighborhood. I won't want to stay there. You need to save this family neighborhood.

Raymond Stewart, 31A Lorraine Blvd. - I was cited for my woodpile, I got it fixed, my neighbor hasn't been cited at all. He's got another trailer and another tractor on this one parcel.

Mayor Gross - we will contact code enforcement in the morning.

Roger Wood, Hatfield St. - I have a motor cross track next to my house. 3 summers now. They

have 3 wheelers, 4 wheelers, etc. This is my 12th time trying to get some solutions. I've talked to the parents, the Police Dept., Police Chief, three times the Village Manager, two with Code Enf. I pay to live in Horseheads. I hate to hear these dirt bikes all the time. I have 4 children of my own. I'm not against children. This is a residential area in the Village and it is a little much for this kind of activity. That belongs out in the country. Its above lawnmowers, weed eaters, etc. We can hear it in every room of our house. I have to crank up the tv to drown out the noise.

Mayor Gross - we will definitely look into this for you.

Don Zeigler, 535 Watkins Rd. - does the Board have to vote on the subdivision?

Atty. Groff - It is a site plan review, the Board has to act on it. Will get input from Traffic Commission and Village Planning Board, and County Planning Board.

Don Zeigler - when Traffic Commission and Village Planning Board pass on something rarely is it turned down. We don't want to see project stop, just the extension of Bentley Place. We want these comments sent back to those two boards.

Brad Cole - Another possible idea is reinforced dirt or grass paved roadway, or a paved roadway that is locked, for emergencies only.

Linda Snyder - this is truly a wonderful neighborhood. I hope our comments are considered.

Richard Moriarty, 505 Highland Ave. - is this subject to SEQR review.

Atty. Groff - yes.

Richard Moriarty - so it will effect adjacent neighborhoods then.

Atty. Groff - the question isn't will it effect adjacent neighborhoods, the question is if there are any adverse impacts or a safety factor.

John Holchuk, 303 Normandy Place - you can see we are a family here in this neighborhood. If you do this, the house values will drop and our assessments should be lowered.

Glen Campbell - I heard the opposite, in the last 4 years my property value has gone up 20k. These new homes will be over 200k, that will drive our values up. Which is great when you want sell, but I don't want to sell. If they put these expensive homes in, will I have to pay more property taxes.

Carol Gonzalez, 408 Bush Ave. - so what is the next step?

Mayor Gross - this Board will take all this into consideration. The developer understands your concerns. I spoke with her today, and I am meeting with her next week. I don't believe she has a lot of concerns about opening that road. The problem is that you recognize that there is a need for an emergency road to get out. Can we work around it? I can't say for sure. But we can take this all back and take it into consideration. This developer does not want to make enemies. She wants the property developed, and put nice homes in there, she does not want to ruin your community.

Carol Gonzalez - who is the developer?

Mayor Gross - I don't want to say right now, but I know she does not want to begin a project with a neighborhood of enemies. Remember, in an emergency on Watkins Road, this could also be beneficial to you. It would give you a way to get out also.

Carol Gonzalez - and what is the next step?

Village Manager - The developer has been asked to send in a new set of plans to Traffic Commission, then it will be forwarded to the Board of Trustees. Village Planning Board is finished with it.

Carol Gonzalez - when is the next meeting?

Village Manager - we are waiting for plans to schedule Traffic Commission meeting.

Atty. Groff - perhaps you should designate a spokesperson, so we can contact that person.

Linda Snyder volunteered to be spokesperson,

Carol Gonzalez - if its already been before the Planning Board, why can't I know who the developer is?

Mayor Gross - Keuka Properties, Mary Jo Yunis is the developer.

Mr. Campbell - I didn't find out about this until it was already a done deal.

Mayor Gross - when a person owns a piece of property, we don't notify others when they start a plan for it. When you buy a piece of property, if you meet the setbacks and the zoning, you can put in whatever house you want. We have Boards for this. We would never put a slum in any area, nor would they want one.

Linda Snyder - letters are coming in for support. Do we continue sending letters and petitions? What do we need to do to get a resolution as quickly as possible.

Atty. Groff - if there is any significant change it would have to go back to the Planning Board. In all likelihood it will go back to for additional review. Its not the Village's plan, its not our proposal. We are driven by what the developer does. In order for the Plan. Bd. or Board of Trustees to respond they have to have something to respond to. The developer has taken some comments and has gone back and indicated she will revise the plan. We can't react to something until we get it back.

Linda Snyder - this happened so quickly, I ask that we be notified.

Mayor Gross - planning board meets on 4th Tuesday of each month at 5:30. Anyone is welcome to come. Our Board meets the meets 2nd and 4th Thursdays. Traffic Commission meets as needed.

Mr. Cole - is it developer's responsibility to figure out if it needs a through street, or is it the Village's?

Atty. Groff - developer can suggest, we review it , and other experts review it, safety people review

it, access for emerg. vehicles, etc. Also look at impact on adjoining properties.

Mr. Cole - is a through street with locked posts a viable option?

Atty. Groff - can't give you answers on that yet.

Don Zeigler - we were not asked to speak at the Planning Board, they passed this with Bentley being opened up, no other options or considerations were given. I think it should go back to them. These people want a resolution, and don't want something slid threw.

Scott Shaw, 505 Highland Ave. - who has approval authority for subdivision regulations.

Atty. Groff - The Board of Trustees. Concept plan is preliminary plan.

Mr. Shaw - so that is subject to a public hearing.

Atty. Groff - absolutely.

Mr. Shaw - I have a code question - Section 175-9, submission of plat in final form. Planning Board, after the submission of a final plat, shall approve or disapprove?

Atty. Groff - they approve for purposes of recommending to the Board of Trustees.

Richard Moriarty - is the through street in the orig plans?

Atty. Groff - plans have been changing, I personally don't know where it came from, could have been part of modified plan. This is a concept, not cast in stone. Developer has taken comments already. Idea of the Bentley connection is in response to safety concerns that have been raised by public safety officials.

Robina Helsing - when the developer comes in, aren't you supposed to get with fire dept. and everyone else before they develop. They built the apartments, they are making plans to build houses.

Mayor Gross - Rest of it isn't being built yet, just a concept plan. Apartments are built yes, but that was from before. A landlocked neighborhood is a challenge, your neighborhood is lucky, you have several streets you can go down. Its for your protection too, as well as theirs.

Mr. Cole - in the new plans, is it possible to have two streets off Gardner Road?

Mayor Gross - I don't know that for sure.

Trustee Swartz - that was discussed in first Traffic Commission Meeting, consensus was that emergency vehicles would have better access to Bentley. They said one option might be a loop.

Don Zeigler - will it effect parking? Bentley is pretty narrow. If two cars were parked on either side, might not be able to get a firetruck down there. Would there be parking on only one side of the street?

Chris Savino - I have a code concern. Behind Cundys barbershop. I've asked them to remove the

toilet from behind the building. Been there for over a year now.

Mayor Gross - we'll have code enf. there tomorrow morning.

Don Zeigler - will all letters to go to both Planning Board and Traffic Commission.

Mayor Gross - yes.

At this time, the Board, Village Attorney and Village Manager moved into an Executive Session to discuss the employment history of a particular person. The minutes of which are attached hereto and made a part of these minutes.

At 9:45 p.m., the Board reconvened back into the regular meeting of this date.

As there was nothing further to bring before the Board, the meeting was adjourned.

/rmb

Village Board of Trustees

EXECUTIVE SESSION

May 25, 2006

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 8:25 p.m. in Village Hall. Present were Mayor Patricia Gross, Trustees Ronald Swartz, Howard Miller, Earle Catlin and Kevin Sullivan. Also present were Village Attorney John G. Groff, and Village Manager Vincent Azzarelli. Everyone present discussed the employment history of and discipline of a particular person.

A lengthy discussion ensued between individuals present.

Motion by Howard Miller, seconded by Earle Catlin, that Village Manager Vincent Azzarelli be and hereby is authorized and directed to withdraw all disciplinary charges presently pending against Police Chief David Kole.

Roll Call Vote:

Mayor Gross:	No
Trustee Catlin:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Sullivan:	No

At 9:45 p.m., motion by Trustee Miller, seconded by Trustee Swartz, that the executive session be adjourned, and the Board reconvene back into its regular meeting of this date.

Roll Call Vote:

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

PROCLAMATION

WHEREAS, it is with deep concern for the hundreds of thousands of citizens nationwide who face increasing difficulties feeding their families that I join the Food Bank of the Southern Tier and the Chemung County Food Pantry Coalition, and

WHEREAS, access to healthy, affordable and nutritious food is essential to the physical, spiritual and emotional well being of all people, especially children, and

WHEREAS, hunger relief programs such as pantries, soup kitchens and the many volunteers that staff them provide a valuable and essential service in our community, and

WHEREAS, we recognize that permanent solutions to the problem of hunger can only be developed through effective partnerships among government, business and charitable organizations, and

WHEREAS, the Village of Horseheads commits itself to becoming a hunger free community, ensuring that all residents have enough to eat.

NOW, THEREFORE, IT IS WITH GREAT PRIDE, that I, Patricia Gross, Mayor of the Village of Horseheads, hereby proclaim Tuesday, June 6, 2006, as "*Hunger Awareness Day*" in the Village of Horseheads, and I encourage the citizens and businesses of this community to join me in supporting the Food Bank of the Southern Tier and members of the Chemung County Food Pantry Coalition on that day and throughout the year in their efforts to end hunger.

In witness whereof I have hereunto set my hand and caused to be affixed the seal of the Village of Horseheads this 25th day of May, 2006.

PATRICIA E. GROSS, MAYOR