

Minutes

Village Board of Trustees

October 25, 2007

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Present were Deputy Mayor Walt Herbst, Trustees Ron Swartz, Howard Miller, and Earle Catlin, Village Attorney John Groff, Clerk-Treasurer Sharron Cunningham, DPW Chris Lawrick, Police Chief Mike Barton, Recreation Director Nate Nagle, Deputy Clerk Donna Hartsock, and Manager's Assistant Rachel Baer. Also present were: Kristi Ferrara, 218 Weller Ave.; Georgia Reynolds, 212 Hibbard Ave.; Nancy LaForce, 440 Breesport Rd.; Barb Skorcyewski, 109 W. Franklin St.; Ed Frycek, 602 N. Carroll St.; George Kastenhuber, 519 John St.; Jean Quinn, 555 Gardner Rd.; George Koliwasky, 303 Eleanor St.; and the news media.

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of October 11, 2007 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

Acceptance of Barrington West Water Distribution System

Atty. Groff - this deals with Barrington West water system. Its been built for years. We've been providing water for many years to various parts of the project. This would enable the Village to take ownership of the lines which also serve an adjacent facility, Arnot Ogden Medical Center on Colonial Drive. This is near the border of the Village's permissive service area. Developer will want us to extend permissive service area in the future to get to rest of his project. They've provided us with the necessary testing, inspections, certifications, etc.

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, the Village of Horseheads is the owner and operator of the Village of Horseheads water system, and

WHEREAS, Barrington Associates, the developer of Barrington Estates Subdivision situate in the Town of Horseheads, has constructed or caused the construction of a water distribution system within the project in accordance with approved plans and specifications, and

WHEREAS, the Village has been provided with test reports indicating that the system has been appropriately disinfected and pressure tested, and

WHEREAS, the developer has offered the Village easements for water main repair, replacement for construction facilities in accordance with Village procedures, and

WHEREAS, review of title to the property establishes that the contractors have released project contractors from mechanic liens, and

WHEREAS, Director of Public Works Chris Lawrick has overseen the construction of the system and has recommended acceptance of this water system as presently constructed and the appropriate easements for maintenance and repair of same.

NOW THEREFORE BE IT RESOLVED, that the Village approves the offer of dedication and directs that the appropriate transfer documents be placed on record in the Chemung County Clerk's Office.

Roll Call Vote:

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

Arnot Ogden Medical Center Water Distribution System

Atty. Groff - same situation as Barrington West. This system is an appendage of the Barrington West system.

Resolution by Trustee Miller, seconded by Trustee Catlin

WHEREAS, the Village of Horseheads is the owner and operator of the Village of Horseheads water system, and

WHEREAS, the developer of Arnot Ogden Medical Center situate in the Town of Horseheads has constructed or caused the construction of a water distribution system within the project in accordance with approved plans and specifications, and

WHEREAS, the Village has been provided with test reports indicating that the system has been appropriately disinfected and pressure tested, and

WHEREAS, the developer has offered the Village easements for water main repair, replacement for construction facilities in accordance with Village procedures, and

WHEREAS, review of title to the property establishes that the contractors have released project contractors from mechanic liens, and

WHEREAS, Director of Public Works Chris Lawrick has overseen the construction of the system and has recommended acceptance of this water system as presently constructed and the appropriate easements for maintenance and repair of same.

NOW THEREFORE BE IT RESOLVED, that the Village approves the offer of dedication and directs that the appropriate transfer documents be placed on record in the Chemung County Clerk's Office.

Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Miller

BE IT RESOLVED, that the hours for Halloween in the Village will be Wednesday, October 31st, from 5:30pm to 8:00pm.

Roll Call Vote:

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

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

- Authorize Recreation Director to Attend Training Seminar
- Request to Stock the Mill St. Pond with Carp
- Discussion on Employee Handbook regarding health insurance, GASB45, and schedule workshop

Roll Call Vote:

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

Resolution by Trustee Miller, seconded by Trustee Swartz

BE IT RESOLVED, that the Recreation Director is hereby authorized to attend the NY Recreation and Park Society "Leadership Strategies" Training Seminar, December 4th, 2007 in Rochester, NY with all expenses paid as are allowed under Section 77B of the General Municipal Law.

Roll Call Vote:

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

Department Head Comments

Atty. Groff - Village received a copy of a proposed local law from the Town on vacant buildings. Other communities trying to address property maintenance issues. So far its been Big Flats and the Town of Horseheads. We will also look into developing a similar law . We'll provide you with a copy of their draft.

Appleridge - monies rec'd to cover costs of legal fees. In escrow with their lawyer. You asked that it be with the Village. The project sponsor preferred they stay with their attorney. Their rationale

was that there was some accounting peculiarities that made it easier for them to do it that way. Bills will be submitted on periodic basis and we'll see how it works.

STEG - we received materials from STEG on its administration of our CDBG program. They are available to all of you if you'd like to see them. We suggested names for a rep on the loan committee. There has been a consensus on one person. Should approach him to see if he is interested first.

Deputy Mayor Herbst stated he would discuss it with the candidate.

Chief Barton - going to receive a grant for the "buckle up" program. First waive in November.

Chris - there have been problems with the paving in Hanover Square, and drainage problems too. Originally it was a state project but it was a pass-through project. So they are Village problems now. We'll have to do some repairs. Do drainage first, next week. Repave in the spring. Mill too. Will take a week.

Chris - Using a small portion of Linear Park for cherry trees for sister city program. Meeting with their landscape architect. Park will become our's within a year.

Nate - basketball signups way up - over 200 kids.

Audience Participation

Kristi Ferrara, 218 Weller Ave. Wants to show photos of neighbor property. (Gave photos to Trustees to pass around) I talked to all Trustees today. If you would like I would be willing to get ideas from community on new language for code book to tighten the rules on garbage collection, on the curb, etc. Neighbors are happy that you will consider changing the code. Also want changes made to kennel law. Need to make curb appeal better. When I wanted to change front of my house to add cupola and extend roofline, I was told I would need a variance. Was told I wouldn't get a variance, but I could try anyway. What do we need to do about changing our attitude about this.

Deputy Mayor Herbst - the Comprehensive Planning Committee conducted a recent public survey. Code enforcement was a major issue. I expect we will be developing changes. We would welcome any suggestions you have.

Mike Gray, Ansbro Petroleum - following up on seismic testing information that I submitted. We would lay out geophone lines across property. Vibration trucks would shake land. Looking for natural gas. Explosives would not be used for this parcel.

Atty. Groff - the property in question is a Village water well (Well #5). The Village has not wanted this in the past. Which company are you under contract for.

Mr. Gray - just Ansbro Petroleum

Atty. Groff noted that this area is already leased to East Resources. However they have no rights to the surface.

Ed Frycek, Carroll St. - why can't Code Enf. officers sign their name so you can read them. I got a citation to mow grass. I can't read his name. Called office, they don't know. I mowed mine,

railroad property is overgrown, but everyone else has to be. Also, parking - over on Thorne St. park, Sunday cars parked everywhere. And its posted no parking. I complained, nobody knows who owns road into the school. Who put the signs up? Nobody knows. Police Dept. said they can't write tickets because the Board said not to. You give tickets in parking lots for overnight. But you can't do it in other areas?

Deputy Mayor Herbst advised the Board that the Sportsmens Federation want to put grass eating carp in Mill St. Pond to control vegetation. Will block outlets so they can't escape. DEC said it cannot exceed 15 carp per acre.

Chris - these carp are sterile so they won't be able to breed. I would recommend that they do it. Its been so warm this year, we've had a lot of algae growth.

Motion by Trustee Miller, seconded by Trustee Swartz, that the Sportsmens Federation be allowed to stock the Mill St. Pond with grass eating carp.

Roll Call Vote:

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

Deputy Mayor Herbst stated that they have been working on the Employee Handbook for sometime now. Would like to explore options further for what we might do regarding GASB45 rules and new unfunded liabilities, and increased cost in health insurance. Should have a workshop.

After brief discussion on possible dates, everyone to report back on dates they are available for a workshop.

Motion by Trustee Swartz, seconded by Trustee Miller, that the Board and Village Attorney go into Executive Session to discuss a possible litigation matter.

Roll Call Vote:

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

At 7:45 p.m. the Board and Village Attorney went into Executive Session to discuss pending litigation. The minutes of which are attached hereto and made a part hereof.

At 8:00 p.m. the Board reconvened back into its regular meeting of this date. On a motion by Trustee Miller, seconded by Trustee Swartz, the meeting was adjourned.

/rmb

Village Board of Trustees

EXECUTIVE SESSION

October 25, 2007

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 7:45 p.m. in Village Hall. Present were Deputy Mayor Walt Herbst, Trustees Earle Catlin, Ronald Swartz, and Howard Miller, and Village Attorney John G. Groff, at which time they discussed a possible litigation matter.

At 8:00 p.m., upon motion by Trustee Miller, seconded by Trustee Swartz, the executive session was adjourned, and the Board reconvened back into its regular meeting of this date.

Roll Call Vote:

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