

Minutes

Village Board of Trustees

February 26th, 2009

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 6:00 p.m.
Present were:

Village Board and Staff:

Mayor Donald Zeigler	Police Chief Mike Barton
Deputy Mayor Ronald Swartz	CSO Bob Young
Trustee Walter Herbst	DPW Chris Lawrick
Trustee George Koliwasky	Clerk-Treasurer Sharron Cunningham
Trustee Suzanne Peters	Parks Dir. Nate Nagle
Village Manager Marc Whitney	Manager's Assistant Rachel Baer

Others:

Steve Boisvert, Bergmann Assoc.
Chris Bertram, Bergmann Assoc.
Scott Jelleberg, Schlumberger Corp.
Jeff McGraw, Schlumberger Corp.
News Media

Resolution by Trustee Herbst, seconded by Trustee Peters

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of February 12, 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 Koliwasky, seconded by Trustee Swartz

BE IT RESOLVED, that the Clerk-Treasurer is authorized to transfer the funds listed on the attached sheet.

Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Herbst

BE IT RESOLVED, that the minutes from the Traffic Commission Meeting of February 25th be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

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

Discussion: CDBG Loan Approval Request -

Village Manager Whitney - I met with STEG Loan Committee this morning, approved an \$8,000 loan to the Grand Spectacle in Hanover Square. Talked to Julie Chevalier, more funding sources may be available to businesses in the Square. She will be applying for more money.

Resolution by Trustee Herbst, seconded by Trustee Koliwasky

WHEREAS, the Village Fire Department submitted a Parade Permit Application for a St. Patrick's Day Parade to be conducted on March 15, 2009 at 2:00 p.m., and

WHEREAS, said application has been reviewed by the Village Traffic Commission, having recommended approval of same.

NOW THEREFORE BE IT RESOLVED, that the Public Works Department is hereby authorized and directed to close the following streets for said event from 1:30 p.m. until the parade is over on March 15, 2009:

- S. Main St. at Franklin St. south to Fletcher St.
- Franklin St. from Hanover Square west to Grand Central Ave.
- Fletcher St. from the school parking lot east to S. Main Street

STREETS TO REMAIN OPEN TO TRAFFIC

- N. Main, southbound, turning east on Ithaca Road
- Ithaca Road, westbound, turning north on N. Main St.

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:

- Receive Application from Schlumberger for Site Plan Review; Appoint Engineering Consultant; Village to Request Lead Agency Status
- Authorize Manager to Sign Recreation Agreement with the Town
- Approval Chris Lawrick as Stormwater Management Officer Effective 6/1/09
- Discussion: Job Description for Code Enforcement Officer

Roll Call Vote:

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

Presentation by Schlumberger and Bergmann Associates -

Steve Boisvert from Bergmann Assoc., on behalf of Schlumberger, made a brief presentation to the Board on their application for site plan review:

- Schlumberger is a Fortune 100 company. World's leading supplier and project manager to oil and natural gas industries.
- Employs 84,000 worldwide. US headquarters in Texas.
- Currently this area is served by Bradford PA office, but due to customer growth and potential for expansion, they have selected the Village to build a new center, 88 acres in northeastern portion of the holding point.
- 400,000 sq ft. of building space. Admin bldg, offices, maintenance and repair shop, truck wash bay, cement mixing silos, fueling station, bunker for explosive material storage. Will also want railroad access to transport cement materials.
- Will create 400-500 jobs at this site.
- Entire site will be fenced 6 ft. high with 24 hr. security surveillance. Explosives area will have an additional security system with key card access. No explosives per se, just explosive materials. Three components that must be assembled.
- Only here today to request this Board to declare Lead Agency status and start the SEQR process.

Resolution by Trustee Swartz, seconded by Trustee Peters

WHEREAS, Bergmann Associates on behalf of Schlumberger Limited ("Applicant") has submitted

a site plan application for the construction of a gas exploration support facility and related infrastructure on an 80+/- acre parcel within the Center of Horseheads located in the Village of Horseheads; and

WHEREAS, the Applicant did provide the Village Board with a full Environmental Assessment Form (EAF) and related Project Drawings; and

WHEREAS, the proposed site is zoned M1 Manufacturing and is set forth in the Site Plan application, and

WHEREAS, the project involves storage of explosives and radioactive materials among other things, and

WHEREAS, the magnitude and scope of the project warrants the Village's retention of a consulting engineering firm with a professional background in such areas, and

WHEREAS, Village Manager Marc Whitney has secured proposals from several engineering firms for such services and has recommended the retention of MRB Associates, and

WHEREAS, State Environmental Quality Review and other laws allow the Village to require that the applicant be responsible for costs that the Village incurs in the review of the project.

NOW THEREFORE BE IT RESOLVED, that the Village Manager is authorized and directed to retain MRB Associates as the Village's consulting engineer and is authorized to accept its proposal for such services, and be it further

RESOLVED, that the applicant be and hereby is required to reimburse the Village for costs it directly incurs related to its review and processing of the application, and be it further

RESOLVED, that the applicant is required to deposit the sum of \$10,000 with the Village within 15 days; such monies and other funds as may be required of the applicant from time to time by the Village shall be used to cover such costs, and any excess monies shall be returned to the applicant, and be it further

RESOLVED, after due deliberation and review, that the Village Board hereby preliminarily concludes that the proposed construction to be known as the Schlumberger Project is a Type I Action subject to review requirements specified in 6NYCRR, Part 617; and be it further

RESOLVED, that the Village Board hereby preliminarily accepts the documentation as a Concept Site Plan in accordance with the Village of Horseheads Zoning ordinance without making a determination as to completeness; and be it further

RESOLVED, that the Village Board hereby determines to complete a Coordinated Review of this action pursuant to 6NYCRR, Part 617.4(a)(2) and will notify the following involved agencies: NYS Department of Environmental Conservation (Albany & Avon Offices), Chemung County Department of Health, Chemung County Department of Public Works, Chemung County Planning Board, Town of Horseheads, NYS Office of Parks, Recreation and Historic Preservation, and the United States Environmental Protection Agency of its intent to be designated Lead Agency for the purpose of conducting a Coordinated Review of the proposed Schlumberger Project in accordance with 6NYCRR, Part 617; and be it further

RESOLVED, that Village Manager Marc Whitney shall serve as the responsible officer in connection with the review of the proposed construction to be known as the Schlumberger Project; and be it further

RESOLVED, that the application and supporting materials shall be referred to the Village Planning Board, Town Planning Board, and County Planning Board for their review and comment, and be it further

RESOLVED, that the Village Clerk shall and hereby is directed to retain a certified copy of this resolution and the supporting documentation in the office file.

Trustee Herbst - how did we arrive at selecting MRB.

Village Manager Whitney - I reviewed three proposals and talked to principals at all 3. Determined that MRB can support not just review of these documents, but also assisting our Code Enf. personnel with this lengthy process. They've offered us additional support on how to do this project. We also have other projects going with Fagan Engineering.

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 Swartz

WHEREAS, the Village of Horseheads and Town of Horseheads have over the years engaged in many joint enterprises by virtue of intermunicipal cooperation agreements and otherwise, and

WHEREAS, the Village employs a Director of Recreation who oversees Village recreational facilities and programs together with the development of same, and

WHEREAS, the Town of Horseheads owns and maintains facilities and programs over which it sought management and oversight, and

WHEREAS, the Village Director of Recreation has the time and ability to provide oversight of Town facilities and programs, and

WHEREAS, representatives of the Village and Town have jointly explored the merit of an intermunicipal cooperation agreement for the administration of parks and recreation programs and have come to an agreement relative to same.

NOW THEREFORE BE IT RESOLVED, that Village Manager Marc Whitney is hereby authorized and directed to enter into an intermunicipal cooperation agreement between the Village and Town for the administration of parks and recreation programs providing in part for the Town to compensate the Village in the amount of \$48,000.00 annually, and be it further

RESOLVED, that the agreement shall be placed on file with the Village Clerk.

Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Herbst

BE IT RESOLVED, that effective June 1, 2009, Chris Lawrick is designated at the Stormwater Management Officer for the Village of Horseheads, and be it further

RESOLVED, that the Chemung County Stormwater Team continues to have the authority to review Stormwater Pollution Prevention Plans on behalf of the Stormwater Management Officer.

Roll Call Vote:

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

Discussion: Job Description for Code Enforcement Officer

Village Manager - I have been in contact with Civil Service. Trustee Herbst had asked to see the job description on this. He had a couple of recommendations to make sure property enforcement portion was not overlooked, as this is part of what his job will be. Didn't want it to fall through the crack. I will let the Village Atty. see it before I forward to Civil Service.

Trustee Swartz - The meetings in Albany were very informative. Good opportunity to network with other Trustees and Mayors throughout the state.

Village Manager - Regarding the stimulus money, need to file letter of intent by March 9th. In addition, made inquiries with Fagan to give us back up on funding for Grand Central Project.

Clerk-Treasurer Cunningham - the CDBG Loan Committee also closed on a loan for Pookies Britches in Grand Central Plaza.

Recreation Dir. Nate Nagle - we updated the Parks and Recreation website. Easier for public to use. Last week I sent each of you an email regarding Teal Park concerts. Still waiting for answers. Part of it is recovery of costs. Trying to create sponsors. They would pay a set fee and then get to run the concession and a 50/50 raffle. What I'm looking for is an expense figure so I know what I'm supposed to work within. I have no idea how much recovery there is. Right now I am not contacting any bands yet.

After some discussion, the Board agreed to set the budget for Teal Park Concerts at \$5,000.00

Motion by Trustee Herbst, seconded by Trustee Swartz, that the Village Board and Village Manager move into an Executive Session to discuss the employment history of a particular person.

Roll Call Vote:

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

At 6:45 p.m. the Village Board and Village Manager moved into an Executive Session, 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.

As there was nothing further, the meeting was adjourned at 8:01 p.m.

/rmb

TRANSFER LIST - 2/26/09

GENERAL

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$330.00	1230.451	1010.453	BOT TRAVEL EXPENSE
\$500.00	1110.440	1110.160	COURT OVERTIME
\$7,500.00	3120.127	1619.136	COM. SERV. OFFICER
\$12,578.00	1621.507	1619.200	CODE ENFORCEMENT VEH.
\$433.29	1230.168	1620.444	GENERAL CODE UPDATES
\$16,000.00	1230.144	1620.495	LANDFILL REMEDIATION
\$6,000.00	1990.477	1620.495	LANDFILL REMEDIATION
\$4,000.00	1621.507	1621.442	SHARED SERV. GAS/OIL
\$1,068.73	3120.127	1621.506	SCHOOL RESOURCE OFF GRANT
\$898.00	1621.507	1621.509	MS4 STORMWATER
\$1,000.00	1622.425	1622.422	TRAFFIC LIGHTS
\$152.00	1230.451	1920.473	MUNICIPAL DUES
\$1,508.88	3120.127	3120.200	POLICE EQUIPMENT

\$500.00	3410.410	3410.411	FD OFFICE SUPPLIES
\$414.95	3410.440	3410.482	FD REPAIRS TO BLDG.
\$197.05	3410.440	3410.484	FD INSPECTION DINNER
\$4,500.00	5110.114	5110.410	DPW MAT/SUPPLIES
\$3,000.00	5110.114	5110.440	DPW CONT. SERVICES
\$3,620.00	5110.114	5113.440	LINEAR PARK CONT. SERV.
\$4,524.25	5110.114	5142.410	SNOW REMOVAL SUPPLIES
\$156.66	5110.443	5142.443	SNOW REMOVAL REPAIRS
\$97.84	8810.440	8810.410	CEMETERY MAT/SUPPLIES
<u>\$63.85</u>	1325.440	8901.400	MISC. EXPENSE
\$69,043.50			

WATER

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$326.21	8310.411	8310.440	WATER CONT. SERV
\$500.00	8320.200	8320.410	WELLS MAT/SUPPLIES
\$3,000.00	1620.487	8340.410	DPW MAT/SUPPLIES
\$3,000.00	1620.487	8340.440	DPW CONT. SERV.
<u>\$4,000.00</u>	1620.487	9040.840	WORKER'S COMP
\$10,826.21			

INCREASE EXPENSE PER REVENUE

<u>AMOUNT</u>		
\$225.00	1230.415	NEWSLETTER

Village Board of Trustees

EXECUTIVE SESSION

February 26, 2009

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 6:45 p.m. in Village Hall. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, Walter Herbst, George Koliwasky, and Suzanne Peters, and Village Manager Marc Whitney, at which time they discussed a personnel matter involving a particular person.

At 8:00 p.m., upon motion by Trustee Swartz, seconded by Trustee Herbst, the executive session was closed, 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