

Minutes

Village Board of Trustees

June 26, 2008

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, Howard Miller, and George Koliwasky, Village Manager Marc Whitney, Village Attorney John Groff, Clerk-Treasurer Sharron Cunningham, Recreation Director Nate Nagle, Fire Chief Arthur Sullivan, Police Chief Mike Barton, DPW Chris Lawrick, Planning Bd. Member Mike Stenpeck, Deputy Clerk Michele Accavallo, and Manager's Assistant Rachel Baer. Also present were: Charles Short, 2249 Grand Central Ave.; Raymond Stewart, Lorraine Blvd.; Donna Greene, 2197 Grand Central Ave.; Scott Pautz, 495 Halderman Hollow Rd.; James Ferratella; Suzanne Peters, 104 W. Mill St.; Officer Brian Nowlan, Mrs. Pam Nowlan; Cassie Coombs, Southern Tier Tobacco Awareness.

Absent: Trustee Herbst

Resolution by Trustee Miller, seconded by Trustee Koliwasky

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of June 12, 2008 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Swartz, seconded by Trustee Miller

BE IT RESOLVED, that the audit of bills for June as listed below be received and approved for payment when in funds:

General -	\$441,502.62
Water -	\$118,498.65
Trust and Agency	\$ 918.23

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

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

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Miller, seconded by Trustee Swartz

BE IT RESOLVED, that the minutes of the Traffic Commission Meeting of June 11, 2008 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Koliwasky: Aye

7:05p.m. - Public Hearing, Special Sign Permit for 2854 Westinghouse Road. At this time, Atty. Groff declared open a public hearing on the special sign permit.

Scott Pautz - owner of premises, came forward. We already have an existing sign. Getting two more attorneys in the building. We put together a proposed sign to add their names. Your planning board saw it, as well as the County and Town. NYS DOT also had input because existing sign is in their right of way, but our new sign will move it out of there. Your current law only allows a very small sign. We would like names and phone numbers on the sign. Heavy traffic on that road. Didn't want to make it too small with people not being able to see the sign. Existing sign is 4' wide, 6.5' tall. This new sign would be on two posts. Wouldn't detract from the area.

Jim Ferratella - co-applicant. We talked with all the neighbors. Sign we are proposing now is not in the right of way. I wanted to make it clear the two new attorneys are not becoming partners with Cooper & Pautz, just leasing space in the building.

As nobody else came forward, Atty. Groff declared the public hearing closed.

At this time, the Board Members reviewed and completed Part 2 of the Short Environmental Review Form regarding this proposal, answering no to all questions. They found it appropriate to issue a Negative Declaration with no adverse environmental impacts.

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, James P. Ferratella has made application on behalf of Scott J. Pautz for a special permit for a sign to be placed at 2854 Westinghouse Road, and

WHEREAS, said application requested approval for a 4' x 8' sign to be erected ten feet in height (32 sq. ft., two-sided), and

WHEREAS, the new sign would replace an existing sign of 26 sq. ft., two sided, and

WHEREAS, this application was referred the Village, Town and County Planning Boards for their review and comments, the same having been received and considered by this Board, and

WHEREAS, the property is zoned R-1 Residential and is also located in a Professional Office Overlay Zone, and

WHEREAS, the application is subject to SEQR, being an Unlisted Action under SEQR regulations, and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form, and

WHEREAS, the Village of Horseheads Board of Trustees is informed and believes that the Village is the only involved agency with respect to the SEQR review of this action, and

WHEREAS, this Board of Trustees has conducted a thorough review of the application, the Short Environmental Assessment Form, and all of the environmental consequences of same as more specifically delineated on that portion of the Form to be completed by the Board as Lead Agency, and finds that the Action will not have a significant environmental impact, and

WHEREAS, a public hearing was held on this date regarding the application for the special sign permit at which time all interested or affected parties were afforded an opportunity to present their views regarding the application, and

WHEREAS, the applicant has amended his application to revise the proposed location of the sign so as to remove it from the NYS DOT right-of-way, and

WHEREAS, the applicant has further amended his application to reduce the scale of the sign from 32 sq. ft. double sided, to 28 sq. ft. double sided with a height of 8 feet to further mitigate possible adverse environmental impacts from the requested signage, AND

WHEREAS, this application has been thoroughly reviewed and given thoughtful consideration by this Board.

NOW THEREFORE BE IT RESOLVED, that the application of James P. Ferratella on behalf of Scott J. Pautz for a Special Sign Permit as amended above in terms of location and scale is hereby approved and a Special Sign Permit shall be issued in accordance with the terms of this resolution.

Trustee Swartz - you reduced by two square feet.

Scott pautz - that is correct.

Trustee Swartz - what did the Town and County planning boards do?

Atty. Groff - both deferred to local determination.

Trustee Koliwasky - don't see this effecting anything. With the speed limit and traffic maybe we need to relook at the sign regulations. I don't see any problem with this.

Trustee Miller - I agree. Have to have the sign somewhat large enough to read.

Village Manager Whitney - this particular sign is replacing an existing sign. Businesses want to be

in our community. Our responsibility is to weigh the impacts with the current requirements, and how well do we welcome businesses in our community. What is necessary to do that and create that sort of environment.

Mayor Zeigler - He did make the sign a little smaller. I know our Planning Board had some concerns on this. Don't want our Planning Board to think that we are not listening. We are.

Trustee Koliwasky - Our draft comprehensive plan looks at signage. We will be reviewing this whole part of the code soon.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Koliwasky, seconded by Trustee Swartz

BE IT RESOLVED, that a public hearing regarding the application of Klugo Enterprises for rezoning of 901 South Avenue to Planned Unit Development is hereby scheduled for Thursday, July 10, 2008 at 7:05 p.m.

Atty. Groff - since the last board meeting we have worked on a plan for this PUD. Those materials are in your packets. They have not been submitted to Klugo yet, just done today. It gives a strong foundation for all issues that have been raised. I would ask that at a minimum you review it intensively and please provide Marc and I with your comments about this draft. We do need to submit something to the applicant so they can review. I feel that it would be best if the draft was final by next Friday, July 4th.

Mayor Zeigler - I would like Marc to meet with John on this.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Swartz, seconded by Trustee Miller

WHEREAS, on or about November 14, 2003 the Village entered into a lease with R. Craig Banfield and Crystal G. Banfield for the use of facilities on Moss Hill Road for the placement of a radio transmission facility to enhance the communications systems for the Village Fire Department and Police Department, and

WHEREAS, the antenna and radio transmission facilities are no longer used by such Department so necessary for communication purposes, and

WHEREAS, the Fire Chief Arthur Sullivan and Police Chief Michael Barton have recommended the termination of the above lease.

NOW THEREFORE BE IT RESOLVED, that Village Manager Marc Whitney is authorized and directed to cancel said Lease and execute any and all documents necessary to effectuate same.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that Scott Shaw of 515 Highland Avenue, Horseheads, is hereby appointed as the second Alternate Member of the Horseheads Planning Board, said term to expire the first Monday of December 2009.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Koliwasky: Aye

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

- Disc: Schedule Workshop Regarding Draft Comprehensive Plan

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Koliwasky: Aye

After brief discussion, the Board decided to have two workshops to begin review of the draft Comprehensive Plan:

- Tuesday, July 8th, 4pm.
- Tuesday, July 15th at 5pm

Audience Participation

Donna Greene, 2197 Grand Central Ave. - my husband and I went to Memorial Day parade and my husband passed out in Hanover Square. Police Officer Nowlan came, he was very professional, made me feel much better, made sure the ambulance were there, firemen, did a wonderful job. He was very kind and very considerate. I'd like to say thank you to Officer Nowlan.

Charlie Short - there is a strong sewer smell on Grand Central near Fletcher. Chris Lawrick - will talk to Sewer District about this.

Ray Stewart, Lorraine Blvd. - still have demolition derby cars behind my house riding around. Also, when will you pave the southbound lane of Grand Central Ave.

Chris Lawrick - we submitted an application for GCA improvement through the state. Would be for reconstruction of Grand Central Ave. from the square to the village line south of the highway. Total of \$1.8 million. Not just repaving, but complete rebuild of curbs, new traffic signal at Sayre, bicycle lanes, pedestrian safety, crosswalks. I will not know about this until December. Included money for the repaving portion, but has to include other things. Will keep patching for this year.

Chief Barton - want to commend Officer Nowlan. I supervise these great officers, nice to have people acknowledge this.

Clerk-Treasurer Cunningham - newsletter in print, will be mailed Monday. Capabilities is doing the work for us.

Fire Chief Sullivan - on the lease termination of that tower on Moss Hill, we were able to do that because we worked with Chemung Co. Emergency Mgmt. to cover us in case of power failure.

Nate Nagle - pool opened last Saturday. This Sunday is family swim. Tennis courts completed. Very nice transformation. Concession stand will open this Saturday and will be open for entire summer.

Cassie Coombs, Southern Tier Tobacco Awareness - Working with retailers to reduce or remove tobacco ads in stores due to the effect ads have on youth. Trying to have retailers volunteer to remove ads, or reduce. Also to rearrange signage inside, not by candy, etc. We've sent a proposed resolution to your Village to see if you support this. It encourages retailers to voluntarily do this.

Mayor Zeigler asked if other communities have done this

Ms. Coombs - yes, three other communities have done this. Montour Falls, Village of Jasper, and Town of Troupsburg.

Trustee Swartz - I would like our attorney to review this resolution.

Mayor Zeigler - interesting concept. I want to make sure I'm not doing something against the businesses.

Trustee Koliwasky - Our PBA negotiations are moving along. Also looking at proposed pavilion from Rotary Club in Teal Park area.

As there was nothing further to come before the Board, the meeting was adjourned at 7:52 p.m.

/rmb

TRANSFER LIST - MAY 2008

GENERAL

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$ 105.00	1110.440	1110.411	COURT OFFICE SUPPLIES
\$ 90.01	1111.440	1111.411	COURT OFFICE SUPPLIES
\$ 675.00	1230.102	1325.109	CLERK PT
\$ 457.12	1620.437	1620.410	VILLAGE HALL SUPPLIES
\$ 5,787.24	1621.507	1621.442	GAS & OIL
\$ 155.00	1623.461	1623.463	POLICE NETWORK SUPPORT
\$ 28.24	1623.467	1623.465	VILLAGE HALL NETWORK SUP.
\$ 399.93	1990.477	1650.471	COMMUNICATIONS
\$ 910.00	1990.477	1910.472	LIABILITY INSURANCE
\$ 2,094.72	3120.130	3120.116	POLICE CHIEF
\$ 1,508.84	3120.130	3120.117	SERGEANT
\$ 206.92	3120.130	3120.119	POLICE OFFICER
\$ 241.48	3120.130	3120.120	POLICE OFFICER
\$ 187.52	3120.130	3120.121	POLICE OFFICER
\$ 188.08	3120.130	3120.133	POLICE OFFICER
\$ 709.80	3120.130	3120.134	POLICE OFFICER
\$ 1,087.32	3120.130	3120.135	POLICE OFFICER
\$ 284.96	3120.130	3120.138	POLICE OFFICER
\$ 2,595.95	3120.123	3120.160	POLICE OVERTIME
\$ 1,094.54	3120.413	3120.443	POLICE REPAIRS
\$ 784.05	3410.483	3410.408	FIRE DEPT. EMS SUPPLIES
\$ 1,289.65	3410.200	3410.445	FIRE DEPT RADIO MAINT.
\$ 832.47	3410.490	3410.445	FIRE DEPT RADIO MAINT

GENERAL

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$ 85.00	3410.440	3410.482	FIRE DEPT BLDG. REPAIRS
\$ 1,288.48	5110.200	5110.410	STREET SUPPLIES
\$25,967.36	5110.114	5110.440	STREET CONT. SERVICES
\$ 575.80	5110.413	5110.440	STREET CONT. SERVICES
\$ 733.48	5110.160	5110.443	STREET REPAIRS
\$ 928.55	7110.200	7110.418	AMERICA IN BLOOM
\$ 2,244.40	7140.104	7140.100	RECREATION PT LABORERS
\$ 140.98	7140.440	7140.410	RECREATION SUPPLIES
\$ 194.68	7140.440	7140.452	RECREATION TRAINING
\$ 46.32	7140.440	7180.499	RECREATION FEES
\$ 1,429.40	7310.200	7310.410	POOL SUPPLIES
\$ 110.20	7310.443	7310.440	POOL CONTRACTED SERVICES
\$ 970.00	1990.477	7550.489	FARMERS MARKET INSURANCE
\$ 401.75	8810.173	8810.160	CEMETERY OVERTIME
\$ 3,111.62	1620.495	9030.830	SOCIAL SECURITY
\$ 7,433.65	1620.495	9040.840	WORKERS COMPENSATION
<u>\$ 75.00</u>	1620.495	9060.862	FLEX BENEFIT
\$67,450.51	TOTAL		

WATER

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$ 290.47	1620.440	1620.410	VILLAGE HALL SUPPLIES
\$ 15.49	1622.429	1622.430	WELL UTILITIES

\$ 22.47	1620.487	1623.465	VILLAGE HALL NETWORK SUP
\$ 831.99	1620.487	1623.467	NETWORK ADMINISTRATION

WATER

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$ 403.84	1620.487	1650.471	COMMUNICATIONS
\$ 342.85	8320.200	8320.410	WELL SUPPLIES
\$ 315.03	8340.413	8340.440	WATER CONT. SERVICES
<u>\$ 4,964.75</u>	1620.487	9040.840	WORKER'S COMPENSATION
\$ 7,186.89	TOTAL		

INCREASE EXPENSE PER REVENUE

\$17,683.40	NYS FINE DISBURSEMENT
\$ 457.14	POLICE REIMBURSABLE OVERTIME