

Minutes

Village Board of Trustees

October 26, 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, Howard Miller, Ronald Swartz, and Kevin Sullivan, Village Attorney John Groff, Deputy Clerk Michele Accavallo, Clerk-Treasurer Sharron Cunningham, DPW Chris Lawrick, Police Sgt. Michael Barton, Fire Chief Artie Sullivan, Village Justice Bill Driscoll, Planning Board Members Mike Stenpeck and Denis Kingsley, Zoning Board of Appeals Chairman David Radin, and Manager's Assistant Rachel Baer. Also present were Clay Ambrose, Ambrose Associates; Jamie Gensel, Fagan Engineers; Bill Pratt, 305 Watkins Rd.; Steven Benedict, Fairport, NY; Bernie & Patricia Weigle, 111 Boorum Pl.; Walter Herbst, 415 S. Main St.; Lorrie Sullivan, 113 Boorum Pl.; Carol Sullivan, Hatfield St.; Jean Quinn, 555 Gardner Rd.; Penny & George Kastenhuber, 519 John St.; Don Zeigler, 535 Watkins Rd.; Mary Helen Hall, 810 Center St.; and the news media.

Resolution by Trustee Miller, seconded by Trustee Sullivan

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of October 12, 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 Meetings of October 11th and October 25th, 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

WHEREAS, the Chemung Sunrise Rotary Club has submitted a Festival Permit Application for a holiday festival known as Holly Days to be conducted on Saturday, November 25th, 2006 from 2:00pm - 7:00pm in Hanover Square, and

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

WHEREAS, the Public Works Director has reviewed the street closing request, and barricade locations, having made minor changes to 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 Noon - 8:00 p.m. on Saturday, November 25th, 2006:

S. Main St. at Franklin St. south to Broad St.
Franklin St. from Grand Central Ave. to Eleanor St.
John St. from Grand Central to S. Main St.
the Main Street parking lot
the John Street parking lot

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

At this time, Atty. Groff declared open a Public Hearing on the Application by Ambrose Associates for Rezoning of Acres on Gardner Road to P.U.D. As nobody came forward, Atty. Groff declared the public hearing closed.

At this time, the Board read and completed Part 2 of the SEQR Form regarding this application finding there to be no significant negative environmental impacts.

Resolution by Trustee Miller, seconded by Trustee Sullivan

WHEREAS, Stephen and Lieze Benedict (Benedict) are the owner of premises situated in the Village of Horseheads, located on Gardner Road commonly known as Tax Map Parcel #48.20-1-58.21 comprised of approximately 9.7 acres, and

WHEREAS, Benedict has represented that it has entered into a sales agreement with Ambrose Associates (Ambrose) for the sale of said premises. Said parcel is depicted on a Concept Plan prepared by Fagan Engineers entitled Gardner Road Townhouses, dated September 1, 2006, and

WHEREAS, Ambrose, with the authorization of Benedict, has made application to the Village of Horseheads for rezoning of the 9.7 acre parcel from R-1 Residential to P-1 Planned Unit Development, and

WHEREAS, the application is subject to SEQR, being an Unlisted Action, pursuant to 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 October 26, 2006 regarding the application for rezoning, at which time all interested or affected parties were afforded an opportunity to present their views regarding the application, and

WHEREAS, this application has been reviewed by the Planning Boards of the Village of Horseheads, Town of Horseheads, and County of Chemung, such Boards having recommended the approval of same.

NOW THEREFORE BE IT RESOLVED, that 1) a public hearing on the environmental aspects of this action is waived; 2) Mayor Gross is authorized and directed to sign the Short Environmental Assessment Form finding there to be no significant environmental impact; and 3) the application of Ambrose Associates for rezoning of approximately 9.7 acres (Tax Map #48.20-1-58.21) on Gardner Road from Residential to Planned Unit Development be and the same hereby is approved, it being noted however that the specific land use or uses for such site have not been specified and are therefore not hereby approved. The owner, or its authorized agent shall, in the future, develop and present a plan of land uses for this Board's review and approval.

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 Miller

BE IT RESOLVED, that the date and times for Halloween in the Village of Horseheads shall be Tuesday, October 31st, from 5:30p.m. to 8:00 p.m.

Roll Call Vote:

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

The next item is discussion regarding a peddler's permit application. Mayor Gross proposed that we table this until we can discuss this further - perhaps at the next meeting.

Motion by Trustee Miller, seconded by Trustee Swartz, that the item regarding an application for a

peddlers permit from Tim Updegraph be tabled until the next meeting.

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 Miller

BE IT RESOLVED, that two Special Meetings of the Board of Trustees are hereby scheduled for:

- Thursday, November 2nd at 9:00 a.m.
- Thursday, November 16th at 5:00 p.m.

Roll Call Vote:

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

Motion by Trustee Miller, seconded by Trustee Swartz, that an item regarding: Accept Resignation of Trustee Sullivan, Appoint Successor be added to the agenda.

Roll Call Vote:

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

Resolution by Trustee Miller, seconded by Trustee Swartz

BE IT RESOLVED, that the resignation of Trustee Kevin Sullivan effective November 5, 2006 is hereby received, and be it further

RESOLVED, that Village Mayor Patricia Gross hereby appoints Walter Herbst, S. Main Street, Horseheads, to fill the unexpired term of Trustee Sullivan effective November 6, 2006; said appointment to expire the first Monday in April, 2007.

Roll Call Vote:

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

The Trustees wished Kevin the best of luck, and said he has done a very good job for the Village.

Mayor Gross said she is losing a good friend on the Board, and someone who I've personally seen grow a great deal, especially during the last two years. He's done an outstanding job.

Mayor Gross welcomed Walt Herbst back to the Village, though he is not new to the community. He has lived here 30 years. He just retired from Social Security Administration. He was also on our Planning Board for 26 years. He comes to us with very good credentials.

Trustee Sullivan congratulated Walt Herbst. He thanked the entire community to allow him to serve them. Its been a honor. He thanked the Village Board and all of the department heads for their assistance during the last three years. He thanked the Mayor for her guidance.

Trustee Sullivan added that he was happy to report there will be a Holly Days Festival this year. The Rotary Club will be doing it.

Mayor Gross - regarding our police department, we have been through much over the last few weeks. I thank them for their patience, and also to John and Rachel. There have been lots of questions about a Chief, Civil Service, etc. I commend the Department and Sgt. Barton because they have been gentlemen through this whole thing. I did make a recommendation to the Board earlier. We have decided to have both the open competitive and promotional tests for the position of Police Chief.

Trustees Swartz, Sullivan, and Catlin all commented that it is better to have one person in charge of the Police Dept.

Mayor Gross agreed, and said she will be discussing this with the officers, then making that appointment.

Mayor Gross asked for brief reports from the Trustees regarding their departments.

Trustee Catlin - Clerk's Office - new software upgrades are saving time and money, and the audit was perfect.

Trustee Swartz - Fire Dept. - I've spoken with Chief Sullivan, they don't need my supervision. They know to call me if something comes up, but as far as I'm concerned everything is fine. They know what they are doing.

Trustee Miller - Parks & Recreation - I had a meeting with Al Edwards. Everything going alright,

some small problems with Small Fry Football.

Trustee Sullivan - Justice Court - met with Judge Driscoll and the Court Clerk. I understand a lot of things better now. I have also sat in on court a couple of times and watched the proceedings. I wish Walt the best of luck in taking over where I left off. Shortly we should get the contract signed for the Court Clerk.

Department Heads present all wished Trustee Sullivan the best of luck.

As there was nothing further to bring before the Board, the meeting was adjourned at 7:45pm.

/rmb