

October 27, 2005

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, Fire Chief Dick Sullivan, Police Chief Dave Kole, Planning Bd. Member Mike Stenpeck, and Manager's Assistant Rachel Baer. Also present were: Pat Pastrick, 3296 S. Main St.; Don Zeigler, 535 Watkins Rd.; Pat Bauer, 207 W. Mill St.; Eugene Pack, 2897 Westinghouse Road; Loretta Larson, 911 S. Main St.; Andy Bodewes, Conifer Realty; Richard and Bev Moriarty, 505 Highland Ave.; Diana and Paul Beach, 218 Bowers Dr.; Ray and Deloris Cass, 22 Redwing Lane; Frank Rosplock, Town of Horseheads Dog Control; Patricia Wall, 116 Fletcher 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 13, 2005 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 Miller

BE IT RESOLVED, that the Police Reports for September 2005 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 Sullivan, seconded by Trustee Catlin

BE IT RESOLVED, that an application from Charles Short for a Special Use Permit to operate a pet grooming and boarding facility on E. Mill St. be received, and same be forwarded to the Village and Town Planning Board for their review and comment.

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

WHEREAS, Tim Updegraph, of Erin, NY has applied to the Village of Horseheads Board of Trustees for a Peddler's Permit for the purpose of selling Kirby Vacuum Cleaners door-to-door in the Village, and

WHEREAS, hawking and peddling is regulated pursuant to Chapter 171 of the Village Code, and

WHEREAS, it has been determined that the applicant has complied with all of the requirements necessary for the issuance of a permit under said Code.

NOW THEREFORE BE IT RESOLVED, that Tim Updegraph is hereby granted a permit to peddle the aforementioned goods in the Village of Horseheads from the date hereof through December 31, 2005 subject to the condition that he shall pay to the Village Clerk-Treasurer the license fee of \$25.00 and shall comply with the regulations of said Code.

October 27, 2005 (cont'd)

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 Catlin

BE IT RESOLVED, that Village Justice Richard Moriarty is hereby authorized to attend the 2005 Update on Evidence for the Criminal Practitioner Training Seminar, November 4, 2005 in Buffalo, NY with all expenses paid as are allowed under Section 77B of the General Municipal Law.

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 Proposed Local Law on Animal Control. As nobody came forward to speak, Atty. Groff declared the public hearing closed.

Resolution by Trustee Sullivan, seconded by Trustee Miller

WHEREAS, a Proposed Local Law on Animal Control was submitted to this Board on June 23, 2005, and

WHEREAS, this Board conducted workshop sessions, a public hearing, and has reviewed the written comments of interested parties, resulting in several substantive changes being made to the proposed law, and

WHEREAS, based on those changes, a revised Proposed Local Law on Animal Control was submitted to the Board on September 9, 2005, and

WHEREAS, a public hearing on this Proposed Local Law was held on October 27, 2005, and

WHEREAS, this Board has given this matter due consideration.

NOW THEREFORE BE IT RESOLVED, that said Local Law on Animal Control is hereby adopted and the Village Clerk-Treasurer is directed to file same with the Secretary of State as required by law.

Roll Call Vote:

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

Discussion on Final Location of Village Clock

Trustee Swartz - we met with the couple donating the money for the clock. We decided on a location across from Village Hall in the grassy area west of the parking lot. There is a sign in that location now. Since then Chris Lawrick has met with the electrician about the base for it, and the electrical connections. The people donating the money expressed a desire to have two benches put in to make a mini-park at that location. We are moving forward with that location.

Trustee Sullivan - everybody seems to be pleased with location. When can it be installed.

Chris Lawrick - met with Steve on installation, can put up in a week. But there are other things that need to be done. Luckily the actual installation is straight forward. Existing lights in parking lot already have conduit run to that area that goes part of the way to where the clock will be installed.

October 27, 2005 (cont'd)

I met with Vinnie and Ron over there. We might still be able to put clock up and put the other stuff around it over time. If we put it where the historic sign is, you could see it far down on Main Street. We'll update you as we go.

Mayor Gross - appreciate all the work you've put into this.

Clerk-Treasurer Cunningham - what about fundraising.

Trustee Swartz - we met last night, Vinnie is going to get a picture of the clock from Sue Pirozzolo to put on picture of the site, show to the donators. We will also give them the bill for the balance.

Mayor Gross - will you still do fundraisers for maintenance costs.

Trustee Swartz - we don't want any cost to the Village, but we didn't talk about that last night.

Mayor Gross - so that has not been part of the discussion yet, will you set up a meeting with the people you want on that and we'll talk about it further.

Discussion and Possible Action on November/December BOT Meeting Schedule

After brief discussion, it was decided to cancel the second regular meeting of the Board for November and December.

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that due to the upcoming holiday season, the regularly scheduled meeting of the Village Board of Trustees of November 24th, and December 22nd, are hereby cancelled.

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 Conifer Realty Application for Special Use Permit. As nobody came forward, Atty. Groff declared the public hearing closed.

The Board reviewed Part 2 of the Short Form SEQR relative to this application, finding there to be no significant negative environmental impacts, and declaring a Negative Determination.

Resolution by Trustee Sullivan, seconded by Trustee Catlin

WHEREAS, Conifer Realty, LLC is the owner of real property located at Roosevelt and Grand Central Avenues, in the Village of Horseheads, NY, identified as Tax Map Parcel #59.18-1-4.1, commonly known as Conifer Village Apartments, and

WHEREAS, said property is situate in an R-3 Multi-Family Residential District in the Village, and

WHEREAS, the applicant has applied for a Special Use Permit to construct a 1,200 sq. ft. community center for the use of the apartment complex, 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

October 27, 2005 (cont'd)

WHEREAS, a public hearing was held on this date regarding the application for a Special Use Permit 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, all Boards having recommended the approval of same, and

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

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 Conifer Realty LLC for a Special Use Permit to construct a 1,200 community center at Conifer Village Apartments be and the same hereby is approved.

Roll Call Vote:

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

Mayor Gross - What Conifer has done down there with the apartments has been outstanding.

Andy Bodewes, Conifer Realty - we just finished plans with Community Bldg., added some more brick to the front of the building.

Mayor Gross - we have had a request by Conifer to table the next two items on the agenda - the public hearing and possible action on their rezoning request.

Atty. Groff - they have asked that they be placed on the next BOT agenda in November, and have granted the Village a corresponding extension of time to act on their application.

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that the public hearing and possible action on the application of Conifer Realty for Rezoning of 3.5 Acres on Grand Central Avenue from R-3 to C-3 be tabled until the next meeting of the Board.

Roll Call Vote:

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

Village Manager Azzarelli - I put a proposed non-union salary schedule in your packets. Please review, and we can discuss at a later date.

Trustee Sullivan - Regarding the cemetery, I would like to address an issue, with Cemetery Commissioners, about a disinterment fee. And we should include Sharron. I've talked about this with Chris and Vinnie.

Mayor Gross - try to set up meeting of Cemetery Commission before next Board meeting. After brief discussion, it was agreed to meet on this issue on Thursday, November 10th, at 6:00 p.m. We are already meeting at that time for goals and objectives, we'll do the cemetery issue first. Chief Kole - Halloween is Monday night, will have added patrols out.

Mayor Gross - nice open house for our Fire Dept.....nice harvest dinner too. As there was nothing further to bring before the Board, the meeting was adjourned.

Respectfully submitted,

Sharron Cunningham
Clerk-Treasurer

/rmb