

Minutes

Village Board of Trustees

April 28, 2011

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m.

Present were:

Village Board and Staff

Mayor Donald Zeigler
Trustee Ronald Swartz
Trustee George Koliwasky
Trustee Suzanne Peters
Trustee Larry Clark
Village Manager Walt Herbst

Clerk-Treasurer Sharron Cunningham
DPW Matt Mustico
Mike Stenpeck, Planning Bd.
Parks & Rec. Dir. Nate Nagle
Manager's Assistant Rachel Baer
Deputy Clerk Donna Hartsock

Others

Mary Mower, Kinley Place
Jean Quinn, Gardner Rd.
Mike Swasta, Watkins Rd.

Tess Banfield, Catalpa Dr.
Wayne Brubaker, Gardner Rd.
Tom Stickler, Kennedy Dr.

Resolution by Trustee Swartz, seconded by Trustee Clark

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of April 14th and April 20th, 2011 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

Resolution by Trustee Clark, seconded by Trustee Peters

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

Roll Call Vote:

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

Resolution by Trustee Koliwasky, seconded by Trustee Peters

BE IT RESOLVED, that Mayor Donald Zeigler is authorized to execute the 2011 Tax Warrant directing the Village Clerk-Treasurer to receive and collect taxes in the amount of \$1,512,953.

Roll Call Vote:

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

Resolution by Trustee Clark, seconded by Trustee Swartz

WHEREAS, this Board adopted Local Law #6 of 2006 providing for the administration and enforcement of the NYS Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code in the Village, and

WHEREAS, said Local Law is now known as Chapter 102 of the Village Code, and

WHEREAS, said Local Law provides for the establishment of a fee schedule by resolution which schedule may be amended from time to time by resolution, and

WHEREAS, recently Village Manager Walt Herbst and Code Enf. Officer Robert Young recommended an amendment to the fee schedule relative to the submission of application, issuance and renewal of building permits, and certificates of occupancy, etc. pertaining to warehouse structures, and

WHEREAS, this Board finds it to be in the best interest of the public health, safety and general welfare to amend the fee schedule.

NOW THEREFORE BE IT RESOLVED, that the fee schedule is amended effective immediately as follows:

	<u>Current Fee</u>	<u>Proposed Fee</u>
Commercial & Indust. Permits	\$250/\$2 per \$1000 of const. cost + \$0.20 sf	\$500.00 + \$0.50 per sf
Storage – Facilities/Warehousing	-----	\$500 + \$0.50 per \$1000 of const cost.
Variance Requests (Use and Area)	\$50.00	\$250.00

Manager Herbst - our last fee schedule combined commercial with warehousing space. Significant impact on permit fees. Variance raise is to cover administrative cost.

Roll Call Vote:

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

Discussion on Cemetery Fees

Manager Herbst - we recently had an incident of an infant death, which is a smaller plot. They also wanted a vault, it's the same as an adult size. Same process. Our regulations were not clear. We are reviewing this, trying to clarify. Also noticed our direct costs for things. Not quite ready to suggest a new fee schedule, but we are working on it.

Trustee Swartz - big difference between Maple Grove and Woodlawn cemetery.

Trustee Koliwasky- should we look at columbarium again.

Manager Herbst - yes we are doing that too.

Trustee Clark - what about a different charge for out of Village residents.

Manager Herbst - we did that before, ended up going back to flat rate.

Discussion: Property Registration

Village Manager Herbst - I need to defer to Atty. Groff, and he's out of town. I'd like to wait until he gets back. Once we know an owner is renting, we would require that they have a local agent so that we can serve papers on the agent. Absentee landlord- we try to contact them, they just ignore.

Motion by Trustee Koliwasky, seconded by Trustee Peters, that the following item be added to the agenda:

- Barrington Estates Water Lines

Roll Call Vote:

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

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

WHEREAS, Barrington Associates has offered to dedicate the water distribution system built as part of the construction of Barrington Estates West Subdivision - Phase 2A (Part 2), servicing Lots 49, 50, 51, 52, 53, 54 as well as 220 linear feet of a water main located between lots 47-48 designed for future development of this project, as depicted on a map of Fagan Engineers dated November 25, 2008, Project #2000.130, Map title "Barrington West Phase 2 – Utility Plan (Phase 2A)", and

WHEREAS, the Chemung County Health Department has reviewed water pressure and disinfection tests for said lines and found the same to be adequate, and

WHEREAS, Don Gaylord, on behalf of the Village of Horseheads, inspected the water distribution system constructed as part of this phase and has found same to be adequate and satisfactory and has recommended the acceptance and dedication of same, and

WHEREAS, Village Manager Walt Herbst has reviewed the reports and recommendations of the various different involved agencies and has recommended acceptance of same, and

WHEREAS, the developers have provided evidence of lien releases relevant to the construction and installation of the water distribution system, and

WHEREAS, the developer has submitted a proposed deed transferring ownership of the water system improvements free and clear of liens and encumbrances, and

WHEREAS, Village Attorney John Groff has not yet completed his review of the title to the water system improvements.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby authorize Village Manager Herbst to accept the dedication of the water system improvements to Barrington West Subdivision – Phase 2A (Part 2), Lots 49, 50, 51, 52, 53, 54 as well as 220 linear feet of a water main located between lots 47-48 designed for future development of this project, as noted above, as depicted on a map of Fagan Engineers dated November 25, 2008, Project #2000.120, Map title "Barrington West Phase 2 – Utility Plan (Phase 2A)" following receipt of a recommendation and report from Village Attorney Groff that the improvements are free and clear of liens and encumbrances and

that the title would be marketable, and be it further

RESOLVED, that recording of the deed subsequent to the adoption of this resolution will be adequate proof of same.

Roll Call Vote:

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

Trustee Peters thanked the DPW crew for picking up branches from the recent storm.

Trustee Swartz - art show contest is this Saturday from 1-5. 25+ entries.

Trustee Clark - The Village Manager and myself met with the Mayor of the Heights and STEG representatives regarding the Merchants Association Project. STEG will put together an MOU to present to coordinator.

Mayor Zeigler thanked Donna Hartsock for her work on the art show.

Trustee Koliwasky commended DPW, Police and Fire regarding all the calls we've had lately with the weather. They have been very busy. We've had some officers walking the square. Many people have commented on it.

Village Manager Herbst reported on the following items:

- Art Show - local merchants donating prizes, Taninos, Simons, Louies, Hanover Grille. Next year we will try to have during the winter.
 - Revising the telephone system to have an automated directory.
 - NYCOM conf. - mat'ls in your packet.
 - Center at Hhds - met with most of the leasees out there. We told them that we have rules, and they have to follow - re: dust and sand. Working on noise and some barriers. Two disc. with Mitchell Wolff. E street construction in August.
 - Signage at the Center - we finally made an agmt to put signs within the Center before the trucks get to the wrong entrance. Mid-may to do signs.
- Mayor Zeigler - also need sign coming down Ithaca road. Walt - difficulty is rights-of-way.
- Voucher program for trash - talked to County, their negotiating with Casella on this - problems last year with this program that County is trying to work out. Hopefully will have all that information in for the newsletter.
 - LRC renovation project virtually complete. Then we can get grant and pay off loan.
 - Tour of square - some paint peeling off bottoms of light posts. We'll have that taken care of. Have had difficulties with lights over there. Not sure what the problem is. We've asked DPW to take a look.
 - Cracking in some stamped cement in square. Rate of expansion is different which

- causes cracks.
- Bud Kibbe, got through insurance, now working on something that came up with the state code portion. Working on that.

Nate

- all fields are playable despite the rain. Hopefully can do mowing next week.

As there was nothing further to come before the Board, the meeting was adjourned at 7:50 p.m.

/rmb

TRANSFER LIST -
4/28/11

GENERAL

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$350.00	1110.172	1110.160	COURT OVERTIME
\$500.00	1110.440	1110.411	COURT OFFICE SUPPLIES
\$800.00	1111.172	1111.411	COURT OFFICE SUPPLIES
\$10,000.00	1230.144	1230.440	VILLAGE MGR. CONT.SERV.
\$111.00	1230.453	1230.451	NYCOM TRAINING
\$250.00	1620.495	1620.160	VILLAGE OVERTIME
\$1,800.00	1620.495	1620.417	PAYROLL PROCESSING
\$14.00	1620.495	1620.437	EMPLOYEE ASSISTANCE
\$1,500.00	1620.495	1620.440	VILLAGE HALL CONT.SERV.
\$2,000.00	1621.458	1621.442	SHARED SERVICE GAS/OIL
\$3,000.00	1620.495	1622.423	FIRE DEPT UTILITIES
\$1,500.00	1620.495	1622.424	STREET LIGHTING
\$1,500.00	1620.495	1622.429	GARAGE UTILITIES
\$2,000.00	1620.495	1623.465	VILLAGE HALL SUPPORT
\$2,000.00	1620.495	1623.467	NETWORK SUPPORT
\$1,600.00	1620.495	1650.471	COMMUNICATIONS
\$104.99	1620.495	1950.474	SEWER TAX
\$9,600.00	3120.127	3120.160	POLICE OVERTIME
\$3,500.00	5110.440	5110.410	STREET MAT.SUPPLIES
\$100.00	5110.440	5110.443	STREET REPAIRS

\$5,625.02	1620.495	5142.103	SNOW OVERTIME
\$114.79	5110.440	5142.410	SNOW MAT.SUPPLIES
\$4,102.65	1621.466	5142.443	SNOW REPAIRS
\$1,822.00	1990.477	6410.500	SISTER CITY
\$473.59	7110.410	7110.200	PARKS EQUIPMENT
\$600.00	8810.200	8810.160	CEMETERY OVERTIME
\$15,000.00	1620.495	9040.840	WORKERS COMPENSATION
<u>\$180.00</u>	1990.477	9060.861	VISION INSURANCE
\$70,148.04	TOTAL		

WATER FUND

\$175.00	1990.477	1620.160	VILLAGE HALL OVERTIME
\$1,750.00	1990.477	1650.471	COMMUNICATIONS
\$300.00	8340.453	8340.410	WATER MAT.SUPPLIES
\$300.00	8340.200	8340.413	WATER CLOTHING
\$4,500.00	1990.477	8340.440	WATER CONT.SERVICES
\$15,000.00	8340.107	9060.860	HOSPITAL/MEDICAL
\$180.00	1990.477	9060.861	VISION INSURANCE
\$22,205.00	TOTAL		