

**Minutes**  
**Village Board of Trustees**  
**May 28<sup>th</sup>, 2020**

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

Present were:

<u>Village Board and Staff</u>	
Mayor Rob Maloney Trustee Mike Skroszchnik Trustee Pat Gross Trustee Bill Goodwin Trustee Mark Cronin  Village Manager Nate Nagle Manager's Asst. Rachel Baer Clerk-Treasurer Donna Dawson	Village Attorney John Groff Fire Chief Arthur Sullivan  <u>Via Teleconference</u> Police Chief Tom Stickler DPW Dir. Matt Mustico PT Clerk Tammy Miele Village Justice Dave Brockway
<u>Others Present</u>	
Muriah Alexander, Watkins Road	

**CORONAVIRUS UPDATE:** Village Manager Nagle updated the Board on the status of the Coronavirus measures:

- Phase 2 supposed to start tomorrow
- Still no guidelines posted
- Graduation plans
- Gatherings of 10 or less
- June 5<sup>th</sup> another food bank distribution at the Fairgrounds

Resolution by Trustee Skroszchnik, seconded by Trustee Gross

WHEREAS, the Village has long found it necessary and beneficial to issue cell phones to various Village employees to efficiently and effectively conduct the business and operations of the Village, and

WHEREAS, the use of Village-owned equipment and materials is principally governed by Sections 508, 509 and 510 of the Village of Horseheads Employee Handbook, and

WHEREAS, the Village Board of Trustees has determined that communication and the conduct of Village business between the Trustees and others would be enhanced by the issuance of cell phones to

the Trustees for such purposes, and

WHEREAS, electronic messages including but not limited to voice recordings, texts, emails and “e-messages” between the Trustees and others regarding Village business are public records subject to NYS Freedom of Information Law and may be subject to disclosure/discovery, and

WHEREAS, use of a Trustee’s personal cell phones and electronic devices to conduct Village business may result in exposure of the Trustee’s personal and private information, and

WHEREAS, issuance and use of a Village-owned cell phone would result in protection of a Trustee’s personal and private information, and

WHEREAS, Village Manager Nathan Nagle has researched the cost of providing cell phones to the Trustees on an annualized basis and determined same to be less than \$2,300.00.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nathan Nagle is authorized and directed to secure cell phones for and issue the same to the Trustees, and be it further

RESOLVED, Village Manager Nagle and Clerk-Treasurer Donna Dawson are authorized and directed to transfer \$2,300 from General Contingency to Line Item #01.1650.5471 - Communications - for the cost and usage of the cell phones, and be it further

RESOLVED, that Village Manager Nagle shall provide a copy of Sections 508, 509 and 510 of the Employee Handbook to each Trustee noting that the use of the Village-issued cell phones is subject to same.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Skroskznik	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Cronin	Aye

Resolution by Trustee Goodwin, seconded by Trustee Cronin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of April 23<sup>rd</sup>, 2020 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Skroskznik	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Cronin	Aye

Financial Report -

Clerk-Treasurer Dawson gave the financial report:

Trustee Skroskznik - do you have a prediction on rest of budget year.

Clerk-Treasurer Dawson - we'll be good. 63k more in sales tax which is more than we budgeted for the year. All expenses are right in line. We'll end with a surplus.

Resolution by Trustee Gross, seconded by Trustee Goodwin

BE IT RESOLVED, that a proposed Local Law Regarding Battery Storage Systems has been presented to this board for consideration, and be it further

RESOLVED, that a public hearing regarding this law is hereby scheduled for Thursday, June 11<sup>th</sup>, 2020 at 7:00 p.m.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Skroskznik	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Cronin	Aye

#### Request to Harbor Chickens - 605 Watkins Road

Mrs. Alexander is present.

Resolution by Trustee Skroskznik, seconded by Trustee Gross

WHEREAS, Village Code Article 80 provides in pertinent part that no person shall keep poultry within the Village without permission of the Village Board of Trustees which permission, if granted, is revocable on the basis of objectionable or offensive, noise, smell, health, safety or other cause, and

WHEREAS, Muriah Alexander of 605 Watkins Road, Horseheads, has requested approval from the Board of Trustees to keep or harbor chickens, and has submitted materials identifying the proposed location of a chicken house (coop), and

WHEREAS, this Board has heretofore approved, subject to conditions, the keeping and harboring of poultry within the Village, and

WHEREAS, effected neighbors of this location have been informed of this request, and have submitted no objections to same, and

WHEREAS, the applicant has been informed and understands that approval, if granted, is revocable.

NOW THEREFORE BE IT RESOLVED, that the application of Muriah Alexander to keep and harbor not more than 10 egg laying chickens at 605 Watkins Road, Horseheads, NY each year is approved, subject to the following conditions:

1. No roosters shall be harbored or kept at this location.
2. The chicken house will be placed as follows: 8 ft. from all property lines.
3. Further the chicken house shall be of sufficient size, construction and design that each chicken shall have at least 4 sq. ft. of space allocated to it for its individualized habitat.

4. The applicants shall also provide and maintain an outdoor pen or run for the chickens which shall be not less than 10 sq. ft. nor more than 15 sq. ft. per chicken. The chickens shall not be permitted to run at large.
5. At no time shall there be more than 10 chickens (adult and chicks) kept or harbored at this location.
6. Manure shall be cleaned from and removed from the site at least bi-weekly.
7. The enterprise shall not be operated as a commercial venture.
8. This approval is subject to review by this Board from time to time and is further subject to revocation.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Skroskznik	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Cronin	Aye

Resolution by Trustee Skroskznik, seconded by Trustee Cronin

BE IT RESOLVED, that the minutes from the Traffic Commission Meetings of May 5<sup>th</sup> and May 12<sup>th</sup>, 2020 is hereby received, and same is to be filed with the Village Clerk's office.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Skroskznik	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Cronin	Aye

Authorize Lifting Hiring Freeze - Confidential Assistant to Village Manager

Resolution by Trustee Cronin, seconded by Trustee Gross

WHEREAS, on December 13, 2018 this Board established a hiring freeze as to all full time employee positions in the Village of Horseheads, and

WHEREAS, such freeze may be lifted and rescinded at the discretion of this Board, and

WHEREAS, Rachel Baer, Confidential Secretary to the Village Manager, has announced she will be retiring from the Village with her anticipated last day of work being August 14<sup>th</sup>, 2020 causing a need to hire and train her replacement, and a need for a temporary rescission of the hiring freeze as to this Department.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nathan Nagle is authorized and directed to take any and all reasonable steps necessary to hire a full time Confidential Secretary to the Village

Manager, and to allow for a reasonable period of time for training of the new hire prior to Rachel's retirement.

Discussion:

Trustee Goodwin - there is quite a recession coming, and we froze the hiring process to save money. Other staff can multi-task so we can do more with less. When I call Village Hall whatever department I need I can reach them directly. We shouldn't fill this right now.

Trustee Skroskznik - we don't know what is going happen. We do have some revenue we can move around. Pool not being open, etc. 45k there. Should we table this?

We need to crunch numbers, go through list of her duties.

Clerk-Treasurer Dawson - In her position she deals with Civil Service, handles all the personnel files, liability insurance, purchasing, and more. We are so low on staff now, no extra man hours to do her job also.

Trustee Cronin - I don't disagree things are tough right now. She also handles the Website, minutes, etc. But we should discuss this more.

Mayor Maloney - let's get a complete detailed job description.

Village Manager Nagle - as far as the dollars, we already budgeted for the position for the next year. Our salary range will be between 35k-40k, depending on experience. Duties and responsibilities, there is only such much each of us can do. Other tasks for that position are quite a bit of work for the atty., other departments, clerk's office. Doesn't matter who the Village Manager is, that position is needed. She does a lot of research, documentation, record keeping, etc. I completely understand finances but I think we won't be as bad as media is saying. We will be adding into our fund balance at the end of this particular year. NYS is starting to reopen as we start our new budget year June 1st. We can definitely have further conversation if you want - breakdown of duties.

Motion to Table until June 11<sup>th</sup> meeting made by Trustee Skroskznik, seconded by Trustee Cronin - All Ayes.

Atty. Groff - need to be clear on what additional information your requesting.

- Job description
- Salary range

Manager's Report

Manager Nagle reported on the following items:

- Here are Dollar figures for health insurance for Trustees that you requested:

Family Plan - 11,420/yr. per year  
Plus deductible of 13,100  
Total of \$24,520

Individual Plan - 4,392  
Plus deductible of 6500

Total of 10,892

Currently in our personnel manual is a buyout option of 25% of the cost of the premium. This would be one item that would need to be discussed further.

Trustee Goodwin - I'm not looking for a freebie. I can pay my own way. I just wanted to know how much it would be. I would like to go a step farther to see. I know the trustees got a pay increase years ago in exchange for giving up their insurance.

Manager Nagle- Currently our employees contribute 15% of the cost of their plan premium.

Trustee Gross - Would this benefit be on top of our salary?

Manager Nagle - that would be your decision. Do you want to reduce salary to have insurance. Or keep same and this would be addition to your salary.

The Board agreed to have the Manager send them all this information so they can review it, and to put it on the agenda for the next Board meeting for discussion.

- Manager Nagle read a press release from the Police Department about a recent drug overdose call. It commended Sgt. Sean Murray and Officer Pat Audinwood for their live saving efforts at the scene.
- Manager Nagle reported on how the restaurants will be phased in to reopen. One idea to help them would be to possibly let them put tables out on the sidewalks. A lot would have to be considered if we allowed this - police, pedestrians, is there room, etc. Discussion ensued.
- Police Department is interested in two grants - first is for increased traffic patrols for targeted enforcement. It's for 5,000 and there is no match required. We just get reimbursed. All agreed he should apply.  
 Second one is for body armor replacement. If we spend 14k, we will get reimbursed 6000. Already in the budget. We try to replace our body armor every 5 years. All agreed he should apply.
- We do need lawnmowers for park system. We've identified two used ones. It would be 13,000 to buy them together. They would replace mowers we have with 2700 hours on one, and 2400 on the other. Coming from a landscaper. Disc. All agreed we should get these used mowers.
- Chemung County public pools will be closed for 2020. This would be the Harris Hill Pool, the pool in Elmira, and the Thorne St. pool in the Village.

Resolution by Trustee Gross, seconded by Trustee Skroskznik

WHEREAS, at a General Convention of the Village of Horseheads Fire Department on May 26, 2020, the members of same held an election at which time the following individuals received the most votes for nomination for appointment to the respective offices:

<u>Office</u>	<u>Nominee for Appointment</u>
CHIEF	Arthur F. Sullivan
FIRST DEPUTY CHIEF	Ryan Wheeler
SECOND DEPUTY CHIEF	Josh Baker
THIRD DEPUTY CHIEF	Richard Skebey

and

WHEREAS, the by-laws of the Department empower the Board of Fire Commissioners to consider the nominations and appoint such persons to the offices to which they are nominated, and

WHEREAS, this Board has considered the nominees and the offices they are nominated to fill.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees, acting as Fire Commissioners of the Horseheads Fire Department does hereby appoint the above-mentioned individuals as officers of the Department to hold the office noted effective May 29<sup>th</sup>, 2020 and to run for a term of one year or until a successor is appointed or a vacancy otherwise occurs in such office.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Skroskznik	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Cronin	Aye

#### BOT, Department Head Updates

Judge Brockway (on teleconf) - the Courts are slowly going again. I go in on weekends. Still no in-person court sessions, but won't know anything until next week.

Trustee Goodwin - walked through cemetery. Looked so good. Also, Don Zeigler approached me, concerned over truck traffic on Watkins Road. I told him I'd bring it up. He asked why they don't open up that entrance by the barber shop on N. Main St. until they get the connector road done.

Mayor Maloney - one of the larger warehouses at the Holding Point are moving product and telling trucks that the address is 224 N. Main St., and that entrance is blocked. This causes problems. Maybe Traffic Commission can talk about getting some better signage. Or they should change their address. I've seen our police officers trying to lead these trucks around out of town. It's very confusing.

Trustee Gross - truck traffic there has been going on for years, plus they go through Hanover Square. We have told them many times to tell their drivers not to take Watkins. Also I didn't agree with Traffic Commission on decision for signs in the blvd for graduates.

Manager Nagle - one thought was that residents of other organizations would want this also. And we could never get a firm number of signs, or if it would be for the entire class, etc. We made decision with the school to look at something different. Only so much we should be doing as a government in those areas.

Trustee Goodwin - what is status of new light out front on the pole.

Manager Nagle - we have the light, arm has been ordered. NYSEG said it will be several weeks before it arrives.

Trustee Cronin - I would like the Board to drive around and visit our parks, wells, DPW facilities, etc. We know the employees work hard, we're already thin as far as staffing. I think it would be helpful to drive around and meet all the employees and laborers, police, fire department. Plus the farmland.

Manager Nagle - you could tour our facilities as a group.

Atty. Groff - yes you can do this, you can observe, etc., just can't take action.

Clerk-Treasurer Dawson - sent water bills for printing at BOCES. Due to other work there was a delay. Finally put in mail yesterday. People might be upset. We didn't expect them to be late, so we didn't put a later due date. Tax bills go out tomorrow too. On the outdoor dining idea- I visited a town in Colorado in summer where they removed on-street parking and they put portable seating in its place. With concrete planters around to protect diners. I think this could be a good idea.

Atty. Groff - you have the draft Battery Storage Law. This is a component of the Governor's strategy for green energy. Solar energy systems require battery storage. Also, on the outdoor dining, it does require formal action by the board. Rules prohibit utilization of sidewalks in this manner, but it can be done. Basically using public space. Would have to also consider insurance coverage and indemnification.

Chief Sullivan - thanks for reappointment as chief. I hope within a month I can come back to full service and use of my leg. He added that regarding the Manager's Assistant there have been a lot of changes in Village Managers over the years. During those times when there wasn't one, Rachel has kept us together during those changes.

Mayor Maloney thanked everyone for their support during his wife's recent health issues.

### Proclamation on Flags

Fire Chief Arthur Sullivan - I mentioned to the Mayor about a possible proclamation on the flags. Since 1990 we started putting flags up in the Village around Memorial Day. Over the years we have cut back and now we just do S. Main and Watkins and Westinghouse. It's always been a tradition each year for the Fire Department to express gratitude for service men and women. This year we thought we should add first responders, medical workers, etc. for their work during the Coronavirus. The color red stands for valor - which means hardness and courage. All these groups are hard people who work hard and have a lot of courage.

Rachel Baer read the following Proclamation into the record:

#### PROCLAMATION

##### TO WHOM THESE PRESENCE COME:

WHEREAS, every day first responders, front line medical workers, physicians, nurses and other emergency services personnel, many of whom are volunteers, stand ready to help those in peril responding faithfully to the needs of their fellow citizens when lives are on the line, and

WHEREAS, the far reaching and devastating scope of the Coronavirus Pandemic has increased the demands on first responders, front line medical workers, service people, physicians, nurses and all of the others who work daily, sometimes behind the scenes, to respond to calls for urgent assistance and work tirelessly to support the community, and

WHEREAS, these heroes have courageously risen to the challenge and remain undeterred in their efforts to provide critical assistance to their fellow citizens, and

WHEREAS, it is the custom of the Village of Horseheads to display American flags throughout the Village in commemoration of Memorial Day honoring and mourning the military personnel who have died while serving in the United States Armed Forces.

NOW THEREFORE, IT IS WITH GREAT PRIDE, that I, Robert Maloney, Mayor of the Village of Horseheads, do hereby dedicate the raising of the American flags this year, 2020, to not only honor such US Armed Forces personnel and service people, but also to honor first responders, front line medical workers, physicians, nurses and emergency medical services personnel. These people, together with military personnel, are truly American heroes.

In witness whereof I have hereunto set my hand and caused to be affixed the seal of the Village of Horseheads this 28<sup>th</sup> day of May 2020.

ROBERT MALONEY, MAYOR

As there was nothing further to come before the Board, the meeting was adjourned at 8:21 p.m.

/rmb