

September 29, 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, Howard Miller, and Kevin Sullivan, Village Manager Vincent Azzarelli, Village Attorney John Groff, Clerk-Treasurer Sharron Cunningham, Fire Chief Dick Sullivan, Police Sgt. Mike Barton, Planning Board Member Mike Stenpeck, and Manager's Assistant Rachel Baer. Also present were:

Darwin & Diane German	416 Bluegrass Drive
Vincent Macaw	304 Lynhurst Ave.
Lil Reynolds	434 Latta Brook Road
Eugene Pack	2897 Westinghouse Road
Sharilyn Reynolds	3252 S. Main St.
Mary Brown	514 Chambers Road
Deloris and Richard Cass	22 Redwing Lane
Jodi and Norman Bellinger	3111 Arnold Ave.
Paul Zeigler	14 Alley Kahn Drive
Donald Zeigler	535 Watkins Road
Jim Lynch	303 W. Mill St.
Heather Lynch	412 Perkins Ave.
Carol and Harold Woolener	223 Hibbard Rd.
Clay Spangenberg	347 Marshall St.
Loretta Larsen	911 S. Main St.
Patrick Will	116 Fletcher St.
Kristyn Geiser	303 William Lane
Pat and Dave Bauer	207 W. Mill St.
Paul Beach	218 Bowers Dr.
Scott Reynolds	434 Latta Brook Rd.
Dixie Rhodes	104 Myers Dr.
Ben Barrett	402 Center St.
George Kastenhuber	John St.
News Media	

ABSENT: Trustee Ronald Swartz

At this time, Maureen Ferrell gave a presentation on the Horseheads Library, and the Chemung County Library District tax issue.

Resolution by Trustee Miller, seconded by Trustee Catlin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of August 29th, September 1st, and September 8th, 2005 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

Resolution by Trustee Sullivan, seconded by Trustee Miller

BE IT RESOLVED, that the Audit Reports from Kirby, Beals, and Maier be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

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

Proposed Animal Law - Second Draft

Atty Groff - Apparently the Town of Horseheads has a question regarding impoundment fees in the proposed law. They are questioning their ability to collect, retain and administer fees in the law. The Town Atty. was supposed to contact me about this, but he hasn't and this just came to my

attention today. In light of the fact of this, it may be appropriate to either set the pub. hrg. for a date later than normal, and then maybe between now and when you do have this hearing I will have a chance to consult with Mustico and find out what his concerns area. In the event the concerns change law it would have to be redrafted, and the already scheduled pub. hrg. would have to be cancelled.

Mayor Gross - what about tabling it?

Atty. Groff - its probably appropriate, yes - could put on next agenda to set a pub. hrg. at that time.

Motion by Trustee Catlin, seconded by Trustee Miller, that the item regarding Receiving the Proposed Local Law on Animal Control and Setting a Public Hearing be tabled until the next meeting.

Roll Call Vote:

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

Discussion and Possible Action on Adding Core Values to Employee Manual

Village Manager - we've submitted a booklet on core values and request that they be included in employee manual. The Board has had this for about a month. If there is no discussion, I feel it is important that these be included.

Trustee Sullivan - have all Dept. Heads seen this.

Village Manager - no comment from any dept. heads.

Trustee Miller - I read it, looks like common sense to me.

Trustee Sullivan - I don't have a problem with it, just curious how everybody else felt about it.

Mayor Gross - Well they've had their opportunity to provide input.

Village Manager Azzarelli - yes.

Resolution by Trustee Miller, seconded by Trustee Catlin

WHEREAS, the Village Manager has developed and presented to this Board a document entitled "Core Values", and

WHEREAS, this document articulates the three guiding principles by which the conduct of Village staff and officials should be measured, and

WHEREAS, this document has been presented to this Board, to various Village employees and to the labor organizations representing the unions in the Village for their respective review and comment, and

WHEREAS, it is the view of this Board that these core values should be made a part of the Employee Manual as an integral component thereof.

NOW THEREFORE BE IT RESOLVED, that the Core Values are to be incorporated into and become a part of the Village of Horseheads Employee Manual effective immediately, and to the extent that these core values may represent a change in the terms and conditions of employment of Village employees represented by labor unions, such Core Values shall be effective upon the latter's approval of same.

Roll Call Vote:

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

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Discussion and Possible Action on Establishment of Special Board for Comprehensive Planning

Village Manager - At the last Board Meeting we discussed the request to establish a special board for comprehensive planning. The Board was supposed to provide names. I've received two volunteers and two names have come up. Volunteers are Stenpeck and Kingsley. It has been recommended we ask Mike Belosky and Dave Radin. It was also suggested that Mary Jo Yunis be asked as a developer, and also possibly have a real estate person. Art Ambrose and I have been playing phone tag on this. If those names are suitable to the Board, we will move forward and talk to them.

Trustee Sullivan - Elliott Blauvelt might be interested.

Atty. Groff - you didn't establish a number, but it was suggested in some of the materials that it be broad enough to represent a good cross section -12, 13 seems to be a target number.

Mayor Gross - The school district should be represented. Also maybe someone from Hanover Square, or maybe some private citizens.

Village Manager - maybe someone from the Star-Gazette could write about this.

Discussion on Request for Rezoning of Broad Street School

Village Manager - I received a letter from the Supt. requesting our position on rezoning the Broad St. School to a commercial zone. I've discussed this with the attorney, and as a result of the conference we went to at NYCOM, it would really be impractical for several reasons. It's a residential area, it would require us to spot zone. It has a church, two cemeteries and a residential area surrounding it. It is inadvisable and illegal. The recommendation from the myself and the attorney is that you not rezone it. I'd like to send this recommendation to the school.

All Board Members agreed.

Atty. Groff - no need for a resolution, you've given the manager direction.

Discussion on Clock Project

Mayor Gross - I hear the clock is in, and its back to us for discussion on possible location.

Village Manager - Yes, clock is here, about 900 lbs. And luckily no damage from shipping.

Mayor Gross - the next thing is the location. Mr. Stenpeck is on this committee. They did an outstanding job. I know the Village received a generous donation for the purchase of it.

Mike Stenpeck - Teal Park was first recommendation, since there is a church, library, and a park already down there, made for a great setting. Hanover Square was never really considered because its too busy. The island on Franklin St. got a projected picture put on it because Sue Pirozzolo just took the stop sign out and put a picture of the clock in its place. But the stop sign has to stay and we can't have a clock there too, its too small. Other places we talked about, down at the new linear park, but traffic goes by too fast. Another place is right across the street from Village Hall, but there is a clock on Village Hall now, but its not working. But this is a good reasonable alternative.

Trustee Miller - I spoke to Trustee Swartz, he indicated he'd like the clock committee and this Board to meet together when he gets back to come up with a site.

Trustee Sullivan - I brought up the idea that it would be nice to involve the community more. If time is not an issue, I just thought that would be something fun to do.

Mayor Gross - yes, but the gentleman who donated the clock said he'd like it near Hanover Square. This is about a \$24,000 donation.

Trustee Sullivan - I just thought it will be serving thousands of people. The idea that the people could come up with a location, and it could be this same location.

Mayor Gross - Well there is the safety issue. Hanover Square became an issue for this, not that we wouldn't like it there.

Everyone agreed to meet with clock committee together.

Mayor Gross - Maybe Susan Pirozzolo can bring the minutes of their meetings.

Discussion on Status of Changing Village Caucus to Primary

Village Manager - we are in receipt of a letter by the Chairman of Village Republican Committee, and he also discussed with democratic party, and they are all in agreement to move to a primary. That has been forwarded on to the County Republican Committee, John Maier is the Chairman, to change bylaws in the County Committee. Its up to them. Could be done in time for the first election next year.

Mayor Gross - We always had a caucus in January, we tried to find a spot that everyone could gather at, then the decision is made that evening. Its hard in January with weather, people are out of town. On the last one, although many people turned out, it was icy and cold. With a primary, you would go to the polls, in September. And you can even do absentee ballots. It's a little more fair process.

Motion by Trustee Miller, seconded by Trustee Sullivan, that items regarding Receive Minutes of Traffic Commission Meeting of September 26, 2005; Authorize Closing of Streets for Horseheads High School Fundraising Event; and Discussion on Cemetery Issues be added to the agenda.

Roll Call Vote:

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

Resolution by Trustee Sullivan, seconded by Trustee Miller

BE IT RESOLVED, that the minutes of the Traffic Commission Meeting of September 26, 2005 be received and placed on file in the Village Clerk's Office.

Roll Call vote:

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

Resolution by Trustee Miller, seconded by Trustee Sullivan

WHEREAS, the Horseheads High School has submitted a Parade Permit Application to the Village Manager for a fundraising parade to benefit the victims of Hurricane Katrina, said event to be conducted on Wednesday, October 12, 2005 at 6:00 p.m. marching from the school parking lot on Grand Central Avenue to Teal Park, where a hotdog fundraiser will be held, and

WHEREAS, said application for street closings for the march has been reviewed by the Village Traffic Commission, having recommended approval of same, and

WHEREAS, the Village Manager has thoroughly reviewed the application and approved same.

NOW THEREFORE BE IT RESOLVED, that the Public Works Department is hereby authorized and directed to close the following streets for said event on Wednesday, October 12th, from 6:00 p.m. until all attendees arrive at Teal Park:

Fletcher St. from Center St. easterly to Pine St.
Pine St. from Fletcher St. northerly to Steuben St.

Roll Call Vote:

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

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Discussion on Cemetery Issues

Village Manager - The Cemetery Commission met and reviewed operation of cemetery and its condition. It was recommended by the Public Works Director and the Cemetery Sexton to do a clean-out on a regular basis. The Cemetery Commissioners initially set up three cleanups - November, April, and August. Since that time, we've posted and advertised this. Then it was recommended to remove the August date from the signs. There were residents who wanted to address the Board on this matter. If the board still wants to move forward with the two cleanup dates, we can do that.

Mayor Gross - I ask that you please limit your comments to no more than two minutes, and when you speak please give your name and address. Please limit your comments to one time for each person.

Vince Macgaw, 304 Lynhurst - I buried my son in Maple Grove. I have had 3 flags on his grave, one for each sibling and one air force emblem. I take care of the flags. The problem with people putting flags on Memorial Day, they are supposed to come off on the 5th of June, according to the Flag Code. But nobody does this. Then the problem is the flags end up falling off, getting run over, etc. I feel that people that take care of it should be able to leave them on there. When they take all the flags off during clean up, with they throw them out, or can the American Legion come get them to do proper disposal.

Mayor - I'm sure we could arrange that.

Village Manager Azzarelli - that concern has come up, flags we will only remove are the tattered ones and will save for Legion to dispose of. Other things that will stay are veterans markers and anything attached to a marker. The way we've discussed it is that as long as its close to the headstone and not an impediment to mowing or a safety issue, the flags will not be removed unless they are tattered or worn out.

Mary Brown, 514 Chambers Road - My husband was buried there, then I had him moved to Woodlawn and now my daughter is buried there, that was \$500. I don't know why I was charged double. The other item, we take care of that grave. We planted grass, blue grass, silk flowers, want to be able to keep doing that. We also have a solar light there, I don't think your commission understands our feelings, I can understand cleaning up, but if a grave is taken care of. It is well kept, I do not want solar light removed. There is a marker there, and it makes me feel good. You have to consider feelings of survivors.

Lillian Reynolds, 434 Latta Brook Road - I have lots of family up there, and its young kids that don't respect older people. We thought those lots were ours, not someone else who can tell us what we can do with them. I bought a deed, and paid money for everything I put up there. My husband died 25 years ago. So if I take a plant up there a week later its going to be put in the garbage.

Atty. Groff - what your purchasing is a license - you don't actually buy the land. You get the privilege of burying someone in the grave, but not like buying a house.

Mrs. Reynolds - I have a deed, I should be able to put whatever I want up there.

Atty. Groff - it really is a license.

George Kastenhuber, John St. - I understand the spirit of this, but I have a father that is buried there, flags, flowers, bushes, footer is starting to sink, I see a lot of those up there. I'm really concerned that your concentrating on the cosmetic appearance, should devote more time to footers. In the older section its really bad. These issues are serious. We're talking about flowers to make the appearance better, but the fundamental thing is we have structural issues.

Vince Macgaw - My in-laws are at Woodlawn Cemetery - I talked to Tom Heneger, can I pay for someone to come in and repair the footer if they are sinking, or can i do it myself, he said he would do it. I thought maybe an eagle scout project could be to raise the military flat ones up. Could we do something like that?

Mayor Gross - we'd have to talk about this. We'd have to talk to Chris Lawrick, not sure what is involved.

Trustee Sullivan - my first concern would be young kids being injured. Whether its up to the cemetery workers up there.

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Village Manager - I know that yesterday they went to buy furring strips for new footers, they were repairing some. We have to move headstones on a regular basis - they fix as many as they can every year. Its like having an old house - you are always working on it. Today, the wind tore everything up.

Mayor Gross - I asked once about the real old section, their concern was breaking them worse from trying to lift them. But let us know if you see one that is really sinking.

Village Manager - I've talked to some of you. I feel bad for all of you because I understand this. All of you that are in here take care of your grave sites. There are I don't know how many graves out there, but we have to take care of it as a whole. We all have family up there. We are trying to take care of everybody. It's a shame that the people who take care of it have to suffer because of those that don't. But we can't show favoritism. We ask that you be understanding. That is why we posted the dates. We don't want to throw out your stuff, we want you to know when we will be doing this. We want to prepare the cemetery for Veterans Day. We picked the week in April because hopefully the snow is gone, and to get ready for Mothers Day, etc.

Vince Macgaw - Flag Code says you have to remove the flags 5 days after. I only pull off the broken ones.

Jodi Bellinger - my brother is buried there. The regulations say that toys and debris would be removed. My son looks for his tooth in the ziploc bag every time we go up there. My daughter looks for her McDonalds toy. What looks like debris is treasured mementos to others. Those things will never be removed by me, because when we do go this is what my kids talk about. This is how my children choose to have a relationship with their uncle. It may not look as formal as a national cemetery. But we want a more personal approach of dealing with grief.

Mayor Gross - we ask people to remove artifacts on the dates listed, but they can go back on. It just gives us the ability to clean out some of the articles that people do not come and take care of or remove. So those artifacts could go back on that next week. Its very important that you understand that.

Mrs. Bellinger - what if i get busy and can't get there.

Scott Reynolds, 434 Lattabrook Road - everyone here has had great input tonight, reading the rules I see weaknesses. It leaves out discussion that took place here tonight. Compromises and solutions. I don't think there is public involvement in these meetings - need more openness from individuals in the community. That would be helpful. I see some confusion in here. Good appearance for the cemetery is a subjective term. Could be different for everybody. Your not publishing the minutes for the meeting of the Board on cemetery issues. The clock issue you talked about public comment. That is what we should do for this. Need community involvement.

Sharilyn Reynolds, 3252 S. Main St. - People have great pride in Maple Grove Cemetery. I totally agree that it is punishing everyone for the acts of a few. How much time and money will it take to clean all the lots as opposed to just the ones that need it. I have an issue with what your trying to do. One of the weeks you plan to clean happens to be two very significant dates for my family and I. One is his birthday and the other is the day he died. A period of time when I take more things up there. I'm sure there are others that will be effected by this. For those of us that do have a day during these 14 days that we want to remember, you are depriving us the opportunity to mourn the loss. So what your saying is when I take him balloons and his roses on this birthday, and now your saying I can't do it. But I know that no matter when you do it you'll be effecting somebody. Why would you impose restrictions on everyone. My definition of unsightly is different than yours. You are telling us how to mourn, and cannot symbolize our loved ones in our own way. I want to maintain the freedom to mourn as my heart feels.

Scott Reynolds - I'd like to see the minutes of the workshops.

Mayor Gross - the public is invited to attend workshops, but minutes are not taken. But we do invite public to comment. We do notify the media too.

Village Manager Azzarelli reported on the following items: Letter in your packets from the state to the I86 contractors on linear park and all those issues, liability, bricks coming up, etc.; there have been concerns on charging T&C Fire Dept. for water. I tell them they are a public service org., non-profit, not a drain on our water system now, but if the Board has any other feelings on this, let me know; our Fire Dept. was awarded a grant for \$142,152 for air packs from FEMA.

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Dick Sullivan, Fire Chief - President Bush signed law for 750million for grants. Last year the fund was a little bigger. This is the 3rd year we've applied. It was rejected 2 years in a row. But this year we were very fortunate to get picked. Big plus for the Fire Department to get an air compressor and tanks. Our air compressor is on its last leg. Years ago air packs weren't that popular - you just ran in without one, but today with plastics and chemicals you have to have an air pack on. We have enough now for a small fire, but if we were to get a large building fire, this is going to really be a big plus for us to do that. Compressor is \$50,000. Big problem with a compressor is you can't breath just regular air. We have to have OSHA approved air. It's the same air used for diving. The cost of the air packs are \$2,500 each.

Mayor Gross - Town and Country Fire Department also received a grant for \$66,000.

Trustee Catlin, Miller and Sullivan commended Sharron on the great job she did with the audit.

Trustee Sullivan - thanked everyone for their input. I think you have us pegged wrong, we have thought about this long and hard. We have all gotten a lot of phone calls. We are very sympathetic to your feelings. Fire prevention week is October 8th. Our open house is Friday, October 14th.

Atty. Groff - thank you for letting me attend the NYCOM conference.

Mayor Gross - where are we with the website.

Village Manager - Josh Miller is coming next week to finalize it, need Earle's bio.

Mayor Gross - what is the update on the LRC building.

Village Manager - Chris and I talked about the plan for destruction that includes his projection plan for a new storage facility. As it is now, the Fire Dept. and Police Dept. are using it for storage, so we are looking at that and I talked to O'Maras office for getting money, plus we got info on brownfields. Could incrementally take it down starting next year.

Mayor Gross - goals and objectives - starting on budget soon, but its time for this Board to meet and set goals and objectives again. So at the next Board meeting we will be setting up another meeting - October and November. Everyone please bring calendars at next meeting and have dates ready.

Mayor Gross - emergency procedures - need updates and radio upgrades. I certainly want to make sure we are better prepared. I'd like to start on emergency procedures review, board, fire, police, and schools - if we had an accident on I86, how do we evacuate, where do they go. Please set up a date for us at the next meeting.

Mayor Gross - just a note, due to inclement weather the state could not work on I86 past couple of days, so Grand Central will be closed through the weekend.

Sharilyn Reynolds - will there be any changes on cemetery, will you consider comments I made? Will this go anywhere?

Mayor Gross - we will certainly discuss it, some things will change, some may not.

Sharilyn Reynolds - if i take something up there, if they are fresh, will they take them away.

Mayor Gross - that was not our intention tonight to make any decisions, we will discuss this as a group, there will be something in the paper. Our concern is that our brochure needs to be updated. We continue to see things going into the cemetery that we don't allow, people planting tulips, pachysandra. The problem is liability in some of this stuff. Some of your issues are important, but we have to have some rules and regulations. We could move the date, but the problem is that we would then be interfering with someone else.

Sharilyn Reynolds - how come you don't contact the people that are violating the regulations?

Mayor Gross - people do this stuff at night, we can't have people there then. We need to enforce the rules. Its not something we want to do, but we have to maintain it.

Mayor Gross - did you say we are putting up a storage barn at LRC?

Village Manager - no, at last meeting I was asked to look at demolition plan....the pole barn that DPW is forecasting in their five year plan will be in a different area.

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Mayor Gross - not sure what will go into LRC site eventually. It is a residential area. It was a small business years ago that operated 5 days a week and became very disturbing to the neighbors. As there was nothing further to bring before the Board, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Sharron Cunningham
Clerk-Treasurer

/rmb