

Minutes

Village Board of Trustees

November 30, 2009

A **Special** meeting of the Village of Horseheads Board of Trustees was held on the above date at 10:00 a.m.

Village Board and Staff:

Mayor Donald Zeigler
Trustee Ronald Swartz
Trustee Walter Herbst
Trustee George Koliwasky
Trustee Suzanne Peters

Village Attorney John Groff
Clerk-Treasurer Sharron Cunningham
Manager's Assistant Rachel Baer

Resolution by Trustee Herbst, seconded by Trustee Koliwasky

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

Roll Call Vote:

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

Trustee Swartz - saw the temporary sign at the church, they put it where they want it. Wonder if this will set any precedent.

Atty. Groff - haven't seen sign. Their bldg. is set back further than most houses. Ample visibility if put within setback, and can see sign for long distance.

Clerk-Treasurer Cunningham reported that the Town of Horseheads will no longer be taking care of cats in any capacity. Frank Rosplock is concerned. That was supposed to be part of our dog control agreement, though not in writing, but is why we increased funds for this contract with the Town. Will be a problem down the road. Frank Rosplock says donations come in, but for them to take strays, that is kind of why increase was made, but it was not documented.

Mayor Zeigler - need to talk to Frank, find out how many come from Village.

Mayor Zeigler - regarding our electricity supplier, Deputy Clerk Hartsock looked into changing carriers. Approximate savings of \$29k per year. Do we need resolution.

Atty. Groff - yes. NYSEG owns the conduit. Not sure of this particular company, but used to be able to get on BOCES or other users to get their rates. Could explore this too.

Discussion.

Deputy Clerk Hartsock came into the meeting to explain her findings.

NYSEG solutions is who we are with now. Need 30 day cancellation. Jan 1 is start of new contract and it automatically renews. US Gas and Electric is offering this better price. They actually cut a check should guarantee be higher than market rate. No cancellation fees with them. We can cancel whenever. NYSEG Solutions was offering 1 cent per kilowatt hour more. But US Gas and Elec. is only company willing to cut check for savings.

NYSEG solutions is very slippery. My contact there has an AOL email address - very strange. Won't change billing, still pay NYSEG as usual. I did a 6 mo. spreadsheet for consumption. Could have \$29k savings. It's a variable rate. Fixed rates are always higher. Variable rate will change, but US Gas says if the variable rate ever goes beyond fixed rate they will issue us refund. Can go back to NYSEG Solutions at any time.

Atty. Groff - its all about variable vs. fixed. Suppliers are all same, real savings is nature of plan. Historically we've been on fixed rate - which is highest. When you go to market rate pricing it is variable. Demand has plummeted. Savings is conversion from fixed to variable.

Donna Hartsock - 4 cents is market rate now - could go up. Fixed rate is now 7 cents. Cannot go higher than market rate. Can send spreadsheet every month to track.

Resolution by Trustee Herbst, seconded by Trustee Peters

WHEREAS, the Clerk's Office has reviewed the electric supplier for the Village of Horseheads and has determined that there is potential savings by converting from fixed to variable supplier with a price override guarantee, and

WHEREAS, the contact we have with current supplier NYSEG Solutions requires a 30 day prior notice of cancellation.

NOW THEREFORE BE IT RESOLVED that Mayor Z is auth to review or cause the review of contract proposal with US Gas and Electric as a potential supplier for the Village and in the event Mayor Zeigler determines that there is savings by converting suppliers he is authorized to enter into a contract with them as the supplier to the Village of Horseheads for the calendar year 2010.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Herbst: Aye

Trustee Koliwasky: Aye
Trustee Peters: Aye

Nate Nagle - Holly Days went well. More people were on Franklin St. than S. Main St. Stage facing that area. More vendors. Met with 2 reps from the Town on shared services. Their biggest concern is are they getting full value out of contract. They are evaluating dollar figure vs. services they are receiving. We'll see where that ends up. My question was what happens January 1 if this is not resolved. They did not have an answer.

Atty. Groff - requires 6 mo. cancellation. Even though they propose price change, it doesn't matter. Can still bill at current rate. Contract requires 6 mo. notice.

Motion by Trustee Koliwasky that this Board and Atty. Groff move into an Executive Session to discuss the employment history of a particular person, and personnel matters regarding disposition of a collective bargaining/grievance dispute. Motion seconded by Trustee Swartz.

Roll Call Vote:

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

At 10:45 a.m. the Board and Village Attorney moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 12:05 p.m. the Board reconvened back into its Special Meeting of this date.

Mayor Zeigler - we have talked at length about the Village Manager position. Walt Herbst came to us with interest in being Manager. As you know he has worked in the office a lot. He has many valuable qualifications. We have made him an offer and he has accepted. We are going to do a resolution to appoint Walt as Village Manager. I feel confident that the job will be in good hands.

Resolution by Trustee Swartz, seconded by Trustee Peters

WHEREAS, the position of Village Manager for the Village of Horseheads has been vacant for several months with the duties and responsibilities of same having been assumed by the Mayor and the Board of Trustees, and

WHEREAS, Trustee Walt Herbst has served admirably in his capacity as Trustee filling the void of Village Manager in part along with other Trustees, and

WHEREAS, Walt Herbst has indicated interest in the position of Village Manager, and

WHEREAS, this Board has observed his conduct, behavior and attributes over many months and feels him to be qualified to fulfill the duties and responsibilities of Village Manager for the Village of Horseheads.

NOW THEREFORE BE IT RESOLVED that Mayor Zeigler is authorized and directed to offer a contract of employment to Trustee Herbst as Village Manager, such contract to be modeled in large part upon the terms and conditions of the former Manager, and be it further

RESOLVED, that the contract of employment shall become effective upon Trustee Herbst's resignation as such Trustee and acceptance of same by the Clerk-Treasurer.

Motion by Trustee Koliwasky that this Board move into an Executive Session to discuss the employment history of a particular person, and personnel matters regarding disposition of a collective bargaining/grievance dispute. Motion seconded by Trustee Swartz.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Herbst:	Abstain
Trustee Koliwasky:	Aye
Trustee Peters:	Aye

As there was nothing further to come before the Board, the meeting was closed at 12:11 p.m.

/rmb

Village Board of Trustees

EXECUTIVE SESSION

November 30, 2009

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 10:45 a.m. in Village Hall. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, Walter Herbst, George Koliwasky, Suzanne Peters and Village Attorney John G. Groff, at which time they discussed employment history of a particular person, and personnel matters regarding disposition of a collective bargaining/grievance dispute

At 12:00 p.m., a motion was made by Trustee Koliwasky, seconded by Trustee Swartz, that the executive session be adjourned, and the Board reconvene back into its Special meeting of this date.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye

TRANSFER LIST
11/30/09

GENERAL

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$2,900.00	1620.495	1110.109	COURT PT CLERK
\$2,900.00	1620.495	1111.109	COURT PT CLERK
\$258.22	1990.477	1110.172	COURT SECURITY
\$152.42	1990.477	1111.172	COURT SECURITY
\$650.00	1230.173	1230.160	MGR.ASST. OT
\$18,300.00	1990.477	1230.168	EMPLOYEE FUNDING
\$23,000.00	1230.102	1230.440	LEGAL FEES
\$750.00	1230.173	1325.109	CLERK PT
\$2,619.12	1620.495	1620.200	VILLAGE HALL EQUIP
\$6,500.00	1620.495	1620.440	VILLAGE CONT.SERV
\$2,000.00	1620.495	1620.443	VILLAGE REPAIRS
\$1,500.00	1622.423	1622.422	TRAFFIC LIGHTS
\$231.60	1622.429	1622.431	SOUTH AVE UTILITIES
\$878.47	1620.495	1989.475	DUP.TAX PAY REFUND
\$3,022.75	1990.477	3010.125	POLICE CONTRACT
\$3,286.12	1990.477	3120.117	POLICE CONTRACT
\$2,279.08	1990.477	3120.118	POLICE CONTRACT
\$3,095.12	1990.477	3120.119	POLICE CONTRACT
\$3,572.36	1990.477	3120.120	POLICE CONTRACT

\$2,983.55	1990.477	3120.121	POLICE CONTRACT
\$2,098.88	1990.477	3120.123	POLICE CONTRACT
\$3,185.44	1990.477	3120.126	POLICE CONTRACT
\$720.64	1990.477	3120.130	POLICE CONTRACT
\$3,023.96	1990.477	3120.133	POLICE CONTRACT
\$2,976.04	1990.477	3120.134	POLICE CONTRACT
\$2,889.60	1990.477	3120.135	POLICE CONTRACT
\$2,488.00	1990.477	3120.138	POLICE CONTRACT
\$6,077.73	1230.102	3120.139	POLICE CONTRACT
\$5,877.17	1990.477	3120.160	POLICE CONTRACT
\$7,000.00	5113.100	5110.110	DPW LABORER
\$510.00	7110.200	7110.440	PARKS CONT.SERV.
\$500.00	7110.410	7110.440	PARKS CONT.SERV.
\$500.00	7110.443	7110.440	PARKS CONT.SERV.
\$5,000.00	5113.100	7110.100	PARK PERSONNEL
\$2,500.00	5113.100	7140.105	RECREATION ADMIN
\$350.00	7140.200	7140.410	RECREATION SUP.
\$500.00	7310.453	7140.453	RECREATION TRAVEL
\$500.00	7110.452	7140.453	RECREATION TRAVEL
\$300.00	7141.100	7141.440	CONCESSION STAND
\$926.63	7180.410	7180.440	RECREATION PROGRAMS
\$900.00	7180.100	7180.440	RECREATION PROGRAMS
\$1,052.93	7310.110	7310.443	POOL REPAIRS
\$46.15	7550.410	7550.440	FARMERS MARKET
\$15,823.00	1620.495	9010.810	STATE RETIREMENT

\$17,466.00	1620.495	9015.820	POLICE RETIREMENT
\$8,000.00	3120.123	9050.850	UNEMPLOYMENT EXPENSE
<u>\$810.00</u>	1230.102	9050.850	UNEMPLOYMENT EXPENSE
\$172,900.98	TOTAL		

WATER

\$6,400.00	1990.477	8310.168	EMPLOYEE FUNDING
\$2,800.00	8340.410	1620.440	VILLAGE CONT.SERV.
\$2,262.12	1623.465	1623.462	CLERK NETWORK SUPPORT
\$1,295.88	1990.477	1623.462	CLERK NETWORK SUPPORT
\$2,800.00	1990.477	8310.111	METER READER
\$217.32	8320.200	8340.200	WATER EQUIPMENT
<u>\$3,000.00</u>	8320.200	8320.410	WELL SUPPLIES
\$18,775.32	TOTAL		

**REVENUES
RECEIVED FOR
EXPENSES**

<u>GENERAL</u>		
\$85,000.00	1112.449	NYS FINE DISBURSEMENT
\$37,000.00	1620.416	SCHLUMBERGER
\$8,000.00	3120.161	POLICE REIMBURSEABLE OVERTIME
\$50,000.00	5110.200	GRADER