

Minutes

Village Board of Trustees

March 31, 2016

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 Louise McIntosh
Trustee Mike Skroskznik
Trustee Brad Lytle
Trustee Pat Gross
Trustee Bill Goodwin

Clerk-Treasurer Sharron Cunningham
Manager's Asst. Rachel Baer
Parks Dir. Nate Nagle
DPW Chris Lawrick

Absent

Village Atty. John Groff

Others Present

Atty. Megan Collins, Pathways
Ed Lukomski, Pathways
Steve McIntosh, Renwick Lane
Joshua Baker, Steuben St.
Wayne Brubaker, Gardner Rd.
Dave Padgett, W. Franklin St.

Joe, Janet Ruhmel, Gardner Rd.
Mike Swasta, Watkins Rd.
Georgia Reynolds, Hubbard Ave.
Debbie Hicks, Gardner Rd.
Mike Eames, Manor Dr.
New Media

Resolution by Trustee Skroskznik, seconded by Trustee Gross

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of March 9th and 10th, 2016 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

SEQR Review - Pathways, Inc. Rezoning - 800 W. Broad St.

At this time the Board reviewed the questions on Part 2 of the SEAF and found there to be no negative environmental impacts.

Resolution by Trustee Lytle, seconded by Trustee Goodwin

WHEREAS, Pathways Inc. ("Pathways") is the purchaser under contract of real property commonly known as 800 W. Broad St., Village of Horseheads, Chemung County, NY (Tax Map Parcel #58.12-2-60) comprised of approximately 12.4 acres, and

WHEREAS, the property is currently zoned as R1, Single Family Residential, and Pathways has applied for rezoning of same to Planned Unit Development (P.U.D.) ("Action"), and

WHEREAS, the project is subject to SEQR and has been classified as an Unlisted Action pursuant to SEQR regulations, and

WHEREAS, the Village is informed and believes that it is the only involved agency relative to SEQR, and

WHEREAS, Pathways has submitted a Short Environmental Assessment Form (SEAF) and

WHEREAS, the Village of Horseheads Board of Trustees has conducted a thorough review of the application, Parts 1 and 2 of the SEAF and all of the environmental consequences associated with the Action, and

WHEREAS, this Board makes particular note of the fact that the subject property is improved with a former public school structure and associated supporting elements including parking lot, athletic facilities, etc. and that the proposed use of the property entails no exterior renovations, changes or modifications to existing site improvements related to the proposed repurposing of the property.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS: Pursuant to and in accordance with the provisions of Section 617.6 (initial review of actions, and establishing Lead Agency) of the NYS Environmental Quality Review Regulations (6 NYCRR Part 617), the Village Board hereby makes the following determinations and classifications with respect to the project:

1. The Action is subject to SEQR.
2. The Action does not involve a federal agency, nor does it involve other agencies.
3. The Board makes a preliminary classification that the Action is an Unlisted Action.
4. The Board finds and determines that it is acting as the Lead Agency with respect to the adoption of, and approval of, the above-described Action.
5. The Board hereby finds and determines that: (a) it has considered the Action, reviewed the SEAF Parts 1 and 2, reviewed the criteria set forth in 6 NYCRR section 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential project environmental impacts and their magnitude in connection with the proposed Action; (b) the proposed Action will not result in any large and important environmental impacts, and, therefore, is one which will not have a significant impact on the environment; and (c) the reasons supporting this determination are set forth on the attached Determination of Significance with respect to this Action (a copy of said form will be on file in the Office of the Village Clerk of the Village of Horseheads).

- 6. The Board hereby: (a) adopts a negative declaration pursuant to 6 NYCRR section 617.7 with respect to the project, (b) authorizes the Acting Village Manager to sign a negative declaration, determination of non-significance with respect to the project, and (c) authorizes the Clerk of the Village of Horseheads to forward a copy of said negative declaration, determination of non-significance to all appropriate state and local departments and agencies.
- 7. This Resolution shall take effect immediately.

Trustee Gross - has anyone discussed a PILOT agreement for this. They will be using Village services - Fire, Police, etc. Should be discussed.

Trustee Lytle - need to talk to Atty. Groff about that.

Trustee Gross - Some entities will be in there paying them rent. We should at least examine it to see if it is a possibility.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

D&A: Pathways, Inc. - Rezoning of 800 W. Broad St. to PUD

At this time the Board reviewed the requirements under Section 245-78 and 245-79, Planned Unit Development Regulations.

Mayor McIntosh noted that the Village Planning Board found they were in compliance except for the "open space" requirement, and we are nearing an agreement on the "open space" requirement. The applicant also agreed to plant street trees as required.

The Board agreed that the applicant meets all requirements under 245-78.

The Board read the requirements under 245-79 and found that the applicant meets all these requirements also, with the exception of street trees which we have already gone over.

Resolution by Trustee Gross, seconded by Trustee Goodwin

WHEREAS, Pathways, Inc. ("Pathways") is the purchaser under contract of real property situate in the Village of Horseheads, commonly known as 800 W. Broad St., (Tax Map Parcel #58.12-2-60) comprised of approximately 12.4 acres, and which is currently zoned One Family Residential (R-1), and which has been improved with an approx. 60,000 sq. ft. public school building, athletic field, driveways and parking areas, and being owned by Horseheads Central School District #1 and used as a public school, and

WHEREAS, Pathways proposes to use the property for its own human service organization purposes, together with rental of space that is not utilized to complimentary human service organizations and administrative offices for public school and public vocational organizations, and

WHEREAS, such uses are not permitted uses in R1 districts, and

WHEREAS, Pathways has applied for rezoning of the property from R1 to Planned Unit Development (P-1), and further has proposed a plan for such PUD as noted above which entails the repurposing of the building as provided above with continued utilization of the athletic field, driveways and parking areas, and

WHEREAS, the application and plan has been reviewed by the Planning Boards of the Village of Horseheads, Chemung County, and Town of Horseheads Planning Board; also the Village of Horseheads Traffic Commission with such Boards recommending approval, qualified approval, or local determination as to such proposed rezoning, and

WHEREAS, the Village Board of Trustees, as Lead Agency, has issued a Negative Declaration under SEQR with respect to review and analysis of the environmental consequences associated with the requested rezoning, and

WHEREAS, notice of a public hearing to be held regarding the proposed rezoning was posted and published as required by law with mailing of the proposed rezoning to neighboring property owners, and

WHEREAS, a public hearing was held on the application on March 10th, 2016, and all interested parties were heard concerning the proposed rezoning, and

WHEREAS, the Village of Horseheads Comprehensive Plan has been reviewed with respect to the compatibility of same with the proposed rezoning, and

WHEREAS, this Board has reviewed the requirements of Village Code Section 245-78, regulations governing Planned Unit Developments, and Section 245-79 standards for reviewing Planned Unit Developments - A) General Standards, B) Design Standards, C) Landscape Design Standards, D) Circulation System Design Standards, and E) Parking and Loading Design Standards - and finds the plan for the proposed PUD compliant with same, excepting with respect to conditions noted below, and

WHEREAS, the Board of Trustees has conducted a thorough review of the application for rezoning.

NOW THEREFORE BE IT RESOLVED, that the application of Pathways for rezoning of the above property from R1 to P.U.D., based upon the above findings and action, is hereby approved subject to the following conditions:

1. The Plan for the Planned Unit Development is as described in this resolution and application and may not be amended, modified, revised or changed without approval of this Board as required by law.
2. Pathways will develop and present to this Board a plan to satisfy the "street tree" requirement of Village Code Section 245-79. Such plan to be implemented within 90 days of Village Board approval of same. Further, said plan will provide for the replacement of street trees as needed.
3. Execution of an agreement between Pathways and the Village providing for the use of the Athletic Field in such a way as to satisfy the requirement of Village Code Section 245-78, B, Open Space.

BE IT FURTHER RESOLVED, that the Official Zoning District Map of the Village of Horseheads be amended to reflect the above rezoning.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Skroskznik, seconded by Trustee Gross

BE IT RESOLVED, that a public hearing is scheduled for Thursday, April 14, 2016 at 7:10 p.m. regarding the application of Bethany for a P.U.D. Amendment for a New Sign at 3005 Watkins Road, Horseheads.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Gross, seconded by Trustee Skroskznik

BE IT RESOLVED, that this Board hereby approves the one-year probationary appointments of the following individuals to the Village of Horseheads Fire Department:

- Steven Phelps, Catalpa Drive
- Tuan Aberdeen, Harvard Road
- Fletcher Monroe, Camden Avenue

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Gross, seconded by Trustee Skroskznik

BE IT RESOLVED, that this Board hereby designates Code Enforcement Officer Patrick Hinman as the Stormwater Management Program Coordinator/Officer of the Village of Horseheads.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Lytle, seconded by Trustee Goodwin

BE IT RESOLVED, that the Justice Reports for February 2016 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Scheduling of Workshops:

The Board discussed briefly and scheduled the following workshops:

April 12th - 5:30p.m.: Stormwater Coalition Presentation, and Comprehensive Plan Report
 April 20th - 3:30 p.m.: Village Manager Position

Ongoing Items

- Blostein Blvd. - Waiting for Proposal of Recommendations

Mayor McIntosh - still waiting for county's proposal on that.

- Empire Video

Trustee Lytle - ball is in their court. We redlined an agmt they sent, realizing that this will also be used for TWC. They have it now, and have to get it back to us after review. Then it will be brought before the Board. We really have to give them the franchise if they ask, but have to make sure they comply with all the laws.

Motion by Trustee Lytle, seconded by Trustee Skroskznik, that an item regarding Receipt of Tentative 2016-2017 Village Budget be added to the agenda.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Goodwin, seconded by Trustee Gross

BE IT RESOLVED, that the Tentative 2016-2017 Village Budget presented to this Board by Budget Officer Louise McIntosh is hereby received, and be it further

RESOLVED, that a public hearing regarding said tentative budget is hereby scheduled for Thursday, April 14, 2016 at 7:10 p.m.

Everyone commended Clerk-Treasurer Cunningham on her hard work on the budget.

Trustee Lytle - also on her teaching all of us the details of how the budget works.

Trustee Skroskznik - best budget put together by everyone that I have seen.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Mayor McIntosh - there will be a tax increase of 3.75% but we're still under the tax cap. We do have to dip into fund balance, but at least we have a balanced budget with it. Hopefully we don't have to use as much as we have. Had a lower assessment this year from the Town. Really had to look at this with less revenue coming in. We also signed a contract with the PBA. No monies set aside for that.

Trustee Lytle - an example for a \$100,000 house - tax increase would be \$20.00 per year.

Audience Participation

Mike Swasta, Watkins Road - on the rezoning of Pathways, new buyer and the change of use of the bldg. School was an educational occupancy. For bldg code purposes it will become a business occupancy. Should be a bldg permit application to document that change. Also, the new code enf. officer. New York State requires training of code enf officers.

Mayor McIntosh - he has all the training.

Mike Eames, Manor Drive - request paving work on N. Sage St., S. Sage St. and Manor Drive. Paving in that area is 4-5 years overdue. S. Sage has a large section that is mostly gravel now. Also a safety concern regarding storm drains. Sunken into the pavement. Pedestrians and kids on bikes - storm drains become a safety issue. Made a complaint last year. They did come out and do some patching. But its beyond that now. In pretty rough shape.

Manager's Report

Mayor McIntosh - No written report today, sent one last Friday. Since then the only thing we have worked on has been the budget. Today I attended the STC Leadership Training Conference.

BOT, Department Head Updates

Trustee Gross:

- Wondered if we could send letter to Santulli on the No. Co. Senior Center. I think this is very important. Vital service for them.
- Cross walk and signs near the Library - I did talk to Matt. He found the signs. With this Board's permission he wants to install them near the library. I think he said he had a couple. For the side of the road. We looked at crosswalks themselves. Will be painting lines inside the crosswalks. Makes them more visible.
- Lights in Hanover Square. New lights are different. They replaced the top of them and the bulb is now at the top instead of the bottom, and there is no more glass.
- Would like to see proposal by Community Progress.

Trustee Skroskznik:

Village Mgr position. Contemplating if we should continue this form of govt. Part Time manager is what we are thinking. Would also like to see us compensate the Acting Village Manager - no matter who sits in there.

Motion by Trustee Skroskznik, to compensate that person since its already in the budget - \$500/week - effective immediately - until we can appoint a permanent Village Manager. I find it inappropriate to take advantage of their time - dealing with all these issues - cancelling vacation, etc.

Trustee Gross - then what would the hours be.

Trustee Skroskznik - 20 hrs. per week minimum.

Trustee Gross - so then we'll be able to put on website what days the Acting Village Manager is available to the public.

Trustee Skroskznik- yes there should be some set hours.

Trustee Gross - we should be discussing exactly what we expect from the Acting Village Manager.

Trustee Skroskznik - I think it is fair to say that its what we've seen thus far. Taking care of Village business. This is a temporary thing until we can a permanent mgr in there. If we make this a Mayor form of govt, then we'll have to get the public involved, but we would discuss that during these workshops.

Trustee Gross - need to say what we expect from that person as Village Manager.

Trustee Goodwin - 500/week is a small amount - lets do it. I think Louise is doing an excellent job.

Discussion ensued.

Trustee Skroskznik - responsibilities are the same as they were last year - until we make a change.

Trustee Gross - we knew that it was a learning experience, I clearly stated to all of you that we needed somebody part time. There is no question. But we need to set the qualifications. So the Mayor salary plus an extra 500/week. So what is the Mayor part.

Trustee Skroskznik - everything will be the same.

Mayor McIntosh - I feel it should be \$500 every two weeks.

More discussion.

Trustee Goodwin - I say 500/week for the Vil. Mgr. position, and she still gets her mayor salary.

Trustee Lytle - I think she's doing both functions and doing a good job. I'm in favor of compensating that. I think 20 hrs. per week would actually be a reduction.

Trustee Gross - I believe we told the public we would try this for a period of time. The Manager's job is not something you are going to learn in 3 months. Some things she's done excellent, some it would have been good if she asked more input from the Board for input.

Trustee Goodwin - I think just the opposite. I second the motion.

Motion seconded by Trustee Goodwin

Roll Call Vote:

Mayor McIntosh	Abstain
Trustee Skroskznik	Aye
Trustee Lytle	Aye
Trustee Gross	No
Trustee Goodwin	Aye

Trustee Goodwin:

- No report on courts
- Budget process was very involved. Thanks to dept heads, Mayor, Sharron and Trustees. Nobody wants taxes to increase but it is inevitable - fire, police, water and great village staff - simply the cost of doing business.

Parks Director Nate Nagle:

- Thorne St. - you will see lights on basketball and tennis courts - timing system in place - but still needs tweaking. In order for facility to be used, the user pushes button - lights come on for an hours, etc. etc.
- Rolling Thorne St. field - encountered several sink holes in spots we should not have sink holes. We decided to get some UFPOs and dig and find out what's creating them. We have marked them and they are staked off.

Mayor McIntosh:

- Sister City visit was a great success, really enjoyed meeting all those people.
- St. Patrick's Parade, that was a busy week. Hope we can keep this going.

As there was nothing further to come before the Board the meeting was adjourned at 8:09 p.m.

/rmb