

Minutes
Village Board of Trustees
December 10, 2020

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

Present were:

| <u>Village Board and Staff</u> | |
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| Mayor Rob Maloney Trustee Pat Gross Trustee Bill Goodwin Trustee Mike Skroszchnik - absent Trustee Mark Cronin | Village Manager Nate Nagle Clerk-Treas. Donna Dawson Manager's Asst. Jessica Molter Attorney John Groff Chief Arthur Sullivan Code Officer Bob Young ZBA- Elliott Blauvelt Chief Tom Stickler |
| <u>Others Present</u> | |
| Michael Ricky | |

Resolution by Trustee Goodwin, seconded by Trustee Gross

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of November 12, 2020 and December 7, 2020, be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Maloney: Aye
Trustee Gross: Aye
Trustee Goodwin: Aye
Trustee Cronin: Aye

Set the Public Hearing: Financing for Air Packs

Village Manager Nagle: Reason for public hearing is because we are creating a debt to the Village and therefore a Public Hearing is needed. Discussed where quotes were from and the difference from the 2% interest rate and 2.14% with the 2.14% better long-term because they allow a larger down payment and will ultimately paying less.

Attorney Groff: NYS treats lease purchases like purchases and because we are essentially borrowing money we have to set a public hearing. The Board would then find that the financing is beneficial for long-term need. End of the lease the equipment goes to the Village free and clear.

Trustee Cronin: In terms of payment, how long?

Attorney Groff: Term of 4 years the payment structure provides for annual payments and a down payment

Trustee Gross: What is the total cost:

VM Nagle: \$184,989, 37,000 down is use the 2.14% total would be appx 190 after interest.

Trustee Goodwin: What about bonding?

Village Manager Nagle: Same process. Interest rate was higher.

Resolution by Trustee Gross, seconded by Trustee Cronin

WHEREAS, the Village of Horseheads is considering a proposal to enter into a lease/purchase agreement to finance the cost of Scott Breathing Apparatus (Air Packs) and the expenses incidental to the financing of same, and

WHEREAS, the Village will be required to pay all rent for the equipment, to pay all expenses of operating, maintaining and insuring the equipment and the Village's obligations under the lease purchase agreement will be secured by a security interest in the equipment, and

WHEREAS, purchases of this nature are subject to the review and approval of the Board of Trustees after a public hearing.

NOW THEREFORE BE IT RESOLVED, that a public hearing regarding said proposal is hereby scheduled for January 14, 2021 at 7:05 p.m. at Village Hall, and via zoom and further, that Clerk/Treasurer Donna Dawson shall cause posting and publication of a notice of such hearing as required by law.

Roll Call Vote:

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| Mayor Maloney: | Aye |
| Trustee Gross: | Aye |
| Trustee Goodwin: | Aye |
| Trustee Cronin: | Aye |

Approval of Provisional Firefighter: Caroline Durand

Resolution by Trustee Goodwin, seconded by Trustee Gross

WHEREAS, Caroline Durand has been recommended for admission to the Village of Horseheads Fire Department to be a member of the Village Fire Department, and

WHEREAS, Caroline has passed all background checks and other requirements associated for that position.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby accept and approve her membership in the Village of Horseheads Fire Department effective immediately.

Roll Call Vote:

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| Mayor Maloney: | Aye |
| Trustee Gross: | Aye |
| Trustee Goodwin: | Aye |
| Trustee Cronin: | Aye |

Teal Park Concert Grant Resolution

Village Manager Nagle: Legislature Brennan informed Nate of leftover funds through the Community Development Grant the deadline for this was December 2. Proper procedure would have been to submit the grant application request, based on judgment chose to apply for the \$1,100 grant. Would like to thank Trustee Goodwin for his direction of Legislature Brennan to Village Hall regarding the available grant money

Resolution by Trustee Cronin, seconded by Trustee Gross

WHEREAS, Chemung County has Community Development Funds which it makes available to municipal corporations within the County for enhancement of the community in areas of education, tourism, the arts, recreation, et cetera, and

WHEREAS, the Village has a long-standing history of presenting music concerts at Teal Park for the residents of the Village and others which frequently draw an audience of senior citizens from throughout Chemung County and elsewhere, and

WHEREAS, Village Manager Nathan Nagle has presented a grant opportunity to this Board whereby a non-matching fund grant from the Chemung County Community Development Fund would enable the continuation of the Teal Park concerts in the calendar year 2021 and Village Manager Nagle submitted an application to Chemung County for such a grant on or about December 1, 2020 due to the deadline for same with anticipated County action on or about December 7, 2020.

NOW THEREFORE BE IT RESOLVED, that the Village Manager's submission of the above noted grant application is ratified and approved.

Roll Call Vote:

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| Mayor Maloney: | Aye |
| Trustee Gross: | Aye |
| Trustee Goodwin: | Aye |
| Trustee Cronin: | Aye |

Trustee Gross: The Village should send a letter as a thank you for the money to Legislature Brennan

Police Department Accreditation Discussion

VM Nagle: Involves reviewing and updating our policies and procedures and would need to submit an application and the DCJS will send a representative to review. Once accredited it is good for 5 years and then a renewal process. No fees to apply or renew. The commitment from the Village is that we have a program manager- this could fall under duties as assigned and could be a contracted individual or a shared service. Need office equipment and supplies for the accreditation process. Could be some liability benefits. Not a discount to insurance but a bargaining tool for a nationwide increase. Accreditation has been part of police reform meeting

Trustee Goodwin: How long a process?

Village Manager Nagle: 3 to 18 months depending on work done ahead of time. Conservatively would

take 12 months. Is this something that the Board wishes the Village to pursue

Will it be time consuming for the department?

Village Manager Nagle: There are time commitments involved.

Chief Stickler: Would be Chief overseeing the project. Some of current policies would be easy to move to current accreditation standards. The process in itself would take appx. 9 to 12 months. COVID seems to slow everything down. Should be able to have our policies up to date in a 9-month time period. June 12 Executive Order #203. He is trying to get more agencies involved. In Chemung County Elmira and Chemung County Sheriff are the only accredited agencies right now.

Trustee Goodwin: Once received how long does it last?

Chief Stickler: 5 years, it is easier to keep up on policies and renewals. No cost for re-application. First re-application is a little more intense but not as much as the initial process and all 5 years thereafter are less cumbersome

Trustee Goodwin: Easier to get grants?

Chief Stickler: Yes, because you have already received state accreditation it makes you meet a lot of the grants that are out there because they want it.

Trustee Gross, Trustee Goodwin, Trustee Cronin and Mayor Maloney would like to see us move forward with this process.

Village Manager Nagle: Will create a plan with Chief Stickler and then get back to the Board.

Snowplow Truck Purchase Discussion

Village Manager Nagle: 2000 Plow Truck is not going to pass inspection because of framework. This truck should've been replaced last year but all purchases were frozen at that time. We did budget \$40,000 as a down payment for an acquisition. At one time 2 trucks and 2 graders and then salted behind the grader.

Matt Mustico: Last year quoted a larger truck and other local municipalities have gone to a 1-ton chassis and Ford has come out with a bigger 1-ton and for the area that we would use this is Hanover and South to 86. This would have a 10-foot plow and a small wing in the back (9ft) this would eliminate double passing. Rear salt spreader and could do patching out of it in the summer as it has an auger in the middle and won't need as many guys shoveling. Did some preliminary pricing through Sourcewell. Everything would be stainless steel for longer life. Life expectancy is 10 years. This could be run by 1 person (joystick and cameras to be able to make it one-man situation). Don't need a CDL to run it. Camera sees backward and makes it safer to operate.

Trustee Goodwin: Need to make this happen.

Matt Mustico: Truck would be quick to get.

VMM Nagle: This vehicle would need financing. Could have public hearing on this on the 14th as well?

Attorney Groff: Bonding and lease- they are treated the same. Will have to think if we are able to have the public hearing so quickly.

Mayor Maloney: Give Nate permission to get financing and final bids so we can move ahead next month

and then schedule the public hearing for financing.

Matt Mustico: Could get the cab and chassis next week. The plow equipment is what needs more time.

Mayor Maloney: Let Nate know and let the board know. If cannot get through Sourcewell could do a mini bid before next meeting

Trustee Gross: What is the approximate cost?

Matt Mustico: 110-125K Approximately compared to \$185 – 200K for the one looking at last year.

Everyone agrees to give Nate permission to get more information/further bids.

Matt Mustico: If the truck breaks down it adds on an extra 2 hours to plow time for each route.

Village Manager Nagle: Should we set the public hearing for the 14th and cancel if needed?

Fire Truck Purchase Discussion

Village Manger Nagle: This is a non-budgeted acquisition proposal. It would replace Fire Department ladder truck #1031 which is a 1973 truck with a 1995 body. The replacement would be a 2000 ladder truck that is a surplus unit from a fire district in NJ. We need to determine if we can purchase a surplus item from out of NYS without competitive bidding per GML Section 103(6). If we wish to proceed after finding out we cannot purchase out of state on surplus we can do competitive bids. Provided the go-ahead to look at the equipment.

Chief Art Sullivan: Since 1953 have run 2 ladder trucks in the Village. Provided history of the ladder trucks that the Village has run. The tower ladder truck purchased in 2008 was a 1992 and this truck would take stress off that truck as well. The 1973 cannot rescue people, designed for spraying water only. Total cost is between \$45,000 – \$50,000. The truck is dark green. To paint it red would be \$25,000.

Discussion ensued regarding the fire truck.

Everyone agrees that we should take action on purchasing this truck. Waiting on determining discussion on how and this money would have to be taken out of contingency or capital until we receive the \$32,000 from the trust.

Trustee Goodwin: Non-budgeted money but feel like we should move ahead with this.

Village Manager Nagle: This would be a replacement to the fleet, NOT an addition. Unsure what to do with the current older truck. The money from the sale/surplus of the old truck with go to the general fund.

Vehicle to be surplusd would be #1031 and is registered as a 1995 vehicle.

Attorney Groff: Gave an overview of the purchase policy. There is a question if this item can be acquired without bidding on the basis of the surplus portion of the purchase policy.

Resolution by Trustee Cronin, seconded by Trustee Gross

WHEREAS, the Village of Horseheads has an aerial firetruck known as truck #1031, a 1995 aerial truck which in need of replacement having given many years of exemplary service to the Village of Horseheads Fire Department, and

WHEREAS, the Fire Department and Chief Arthur Sullivan have made a compelling case for the replacement of this vehicle with a 2000 Spartan Smeal 75-foot Quint Aerial Device from a Fire District in the state of New Jersey, and

WHEREAS, it is hoped that this acquisition of surplus property will be determined to qualify for purchase without bidding on the basis of GML Section 103 Subsection 6, and

WHEREAS, it has been reported that the vehicle can be acquired for approximately \$45,000 with incidental acquisition costs not to exceed \$50,000.00, and

WHEREAS, the existing fire truck #1031 would be deemed unnecessary for the Village purposes and therefore would be surplus.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nathan Nagle is authorized and directed to continue research into whether this acquisition qualifies for the exemption from bidding under general municipal law.

BE IT FURTHER RESOLVED, that in the event that it is deemed an exception from bidding he is authorized to pursue the acquisition of this vehicle with all deliberate speed and is authorized to purchase said vehicle at a cost not to exceed \$50,000.00.

BE IT FURTHER RESOLVED, that it is acknowledged that the vehicle's colors are not consistent with the colors of the Village of Horseheads Fire Department nonetheless it is deemed that the existing green color is a fine compliment to the existing colors and accordingly will not warrant repainting so as to be consistent with the existing Fire Department colors.

BE IT FURTHER RESOLVED, that truck #1031 will be deemed surplus upon the acquisition and putting in of service of the vehicle to be acquired.

BE IT FURTHER RESOLVED, that it is determined that the acquisition of this vehicle does not qualify for an exemption from bidding Manager Nagle is authorized and directed to initiate the acquisition of the vehicle on the basis of the traditional bidding methods as required by General Municipal Law and the Village's Purchasing Policy.

Roll Call Vote:

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| Mayor Maloney: | Aye |
| Trustee Gross: | Aye |
| Trustee Goodwin: | Aye |
| Trustee Cronin: | Aye |

Pandemic Operations Plan Discussion

Village Manager Nagle: Draft we have been working on due to an Executive order from the Governor. Is for current and future pandemics and it needs to be submitted to unions prior to February 4th for their review. Requesting feedback prior to the end of December and will review again on January 14th. It is in a position of the final draft form for the Boards considerations. Defines what our essential functions are and essential staffing and work locations. Gather comments and provide for further conversation.

Trustee Cronin: Would like further understanding regarding the paid sick leave etc.

Village Manager Nagle: That language is based on the governor's language. It does include that when an employee is getting tested we will pay them and to take away from their time off for this. We are taking a cautious approach

Donna: there is a code in payroll that is labeled "COVID-sick" to keep track that way.

Attorney Groff: May be warranted to look at the paid "sick" leave to get more generic wording for it.

Website Discussion

Village Manager Nagle: No other municipalities use web.com for platform and ours is from 1997.

Web.com has an option to upgrade and it is \$117 a year but feel like you get what you pay for. Would anticipate \$1,800 - \$2,200 a year in the 2022 budget for a website.

Mayor Maloney: Easier to update and many advantages to newer platforms.

Audience Participation

Elliott Blauvelt: What is the current status with Empire Access and do we know anything regarding the permit problem?

Donna: Merry Christmas

John: Should amend the resolution regarding the acquisition of the fire truck to provide for the funds to purchase it. Donna and Nate will have to discuss the mechanics or the purchase next week.

Snowplow truck: Feel like it is premature to set a public hearing because there is no defined method of financing. Could have a resolution authorizing the manager to continue looking into the purchase/bid for one.

Resolution by Trustee Gross, seconded by Trustee Goodwin

WHEREAS, DPW Superintendent Matt Mustico has demonstrated a need to this Board for the acquisition of a snowplow truck to replace an existing vehicle, and

WHEREAS, the vehicle to be acquired would be cab and chassis with dump body snowplow and appurtenances, and

WHEREAS, the acquisition can be pursued by a mini bid or piggy-back on an existing governmental or municipal purchase contract.

NOW THEREFORE BE IT RESOLVED, Village Manager Nagle is authorized and directed to continue to investigate the means of acquiring the necessary vehicle and further to report back to this Board regarding recommended financing methodologies as soon as is practical.

Roll Call Vote:

Mayor Maloney: Aye
 Trustee Gross: Aye
 Trustee Goodwin: Aye
 Trustee Cronin: Aye

Ambrose hasn't provided appropriate information for stormwater approval. Asked if the Board would consider allowing them to provide the documents for dedication for stormwater facilities while being developed. Street and water already inspected and found to be appropriate. If willing to do so about stormwater facilities will tell the developer. Can provide a timeline. Project is 2 phases, phase 1 is developed but the paperwork wasn't handled as well as it should've been from a legal aspect. NYCOM Pandemic webinar- supposed to be transcribed and not just in minutes format. It means that Jess will spend an incredible amount of time putting together. January and February of next year will be working remotely.

Trustee Goodwin: What happened with the developer that wanted tower by our water tank. What about decibel signs?

Village Manager Nagle: Have heard nothing further from the developer. If signs go up we need a meter etc.

Discussion ensued regarding jake brakes.

Trustee Gross: Merry Christmas and Happy New Year.

Trustee Cronin: What about a traffic circle at SingSing and Broad Street?

VM Nagle: Will double check with Andy Avery

Stickler: Was not on the agenda for traffic commission with the county will reach out to Andy Avery and ask. Thank you for your attention to the accreditation. Sergeant Zawko retired and have a potential new hire- Mike Hess. Will be graduating police academy and resigning with Elmira and once on the civil service list again will hire him in early January.

Chief Sullivan: Santa sighting Sunday through Thursday.

Village Manager Nagle: Empire access has not resolved the issues and are still working on it.

Chemung County Exec Director posted on FB Monday there will be a pre-register zoom meeting for business recovery unit on how to help them recover while still in orange and yellow.

Police Reform public forum next Thursday- should still be on

Will have to make changes to Board meetings- Board meeting moved from October 11 to October 12th and meeting on December 6th only in December.

PLBA has filed a grievance against the Village, stage 1 was denied and currently in stage 3. Could possibly head to arbitration in contact with Matt Ryan. Happy Holidays.