**Minutes
Village Board of Trustees**

**July 2, 2024**

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 4:00 p.m. at Horseheads Village Hall, 202 S. Main Street, Horseheads, NY. The meeting was also live streamed to the public via the Zoom platform.

Present were:

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| **Village Board and Staff** |
| Mayor Kevin AdamsDeputy Mayor Bill Goodwin Trustee Pat GrossTrustee George KoliwaskyTrustee Ron FinefrockVillage Manager Nathan Nagle | Atty John Groff Fire Chief Ryan WheelerPolice Sergeant Pat AudinwoodCode Enf. Officer Jamie BurgessDPW Supervisor Don Gaylord |
| **Others Presents or via Zoom** |
| Mark TerpolilliBonnie Elvidge | Georgia ReynoldsRonnie MathewsMarybeth Jansen  |

**WELCOME/CALL TO ORDER**

Mayor Adams welcomed everyone.

Roll Call:

Deputy Mayor Goodwin: Present

Trustee Gross: Present

Trustee Koliwasky: Present

Trustee Finefrock: Present

Mayor Adams: Present

**OLD BUSINESS**

 **a. Sign Law Setback**

Manager Nagle – when the law was originally made, there was some oversight on the temporary sign setback. It was 30 feet which would place signs in residents’ living rooms. So, the question is, where do you want to place these signs?

Discussion ensues on types of temporary signs.

Manager Nagle recommends not having temporary signs on Village property, including the right of way.

Discussion ensues on what exactly is the definition of a street right of way.

Mayor Adams - if this is the Village’s and this is private property, the starting line is at that private property. Village property vs private property – where you’re paying the property taxes at.

Trustee Koliwasky – what about on Broad St for example, where they have no sidewalks. How would we determine where the private property line starts?

Manager Nagle – in those situations we would eyeball down the utility line. Utility lines are frequently a visual indicator of the edge of a street right of way.

Discussion ensues.

Mayor Adams – I am proposing an 8-foot setback from the edge of the road/curb, that way it is a fair number for both people who have sidewalks and those who don’t.

All Board members agree.

Mayor Adams – I would also like to propose a regulation about the number of temporary signs in a fixed space for safety reasons (it can be a distraction to drivers) and for aesthetic reasons.

Trustee Koliwasky – except for election time, is this really a problem? I don’t think we need to micromanage everyone’s yard.

Manager Nagle – you also have to think about the toll this would take on our 1.5-man Code Department. We already have them measuring the setback from the curb, now you want them to measure the distance between all temporary signs?

Discussion ensues. The Board decides not to enforce the number of signs in a yard.

 **b. Parking Law Review**

Manager Nagle – where do you want your residents to park their vehicles? There are 3 possibilities, on the street, in their driveway, on their property.

Mayor Adams – I think the problem is that some people have more vehicles than they have driveway space. I propose we remove the 2:00 a.m. to 6:00 a.m. no parking. For the narrow streets, we pick odd or even, one side of the street gets parking – this allows for emergency vehicles to get down the street but still allows for residents to park on the street. For the wider streets, they can park on both sides of the street. For parking on the grass, I think it comes down to if there is destruction or decaying of the grass.

Manager Nagle – how would we enforce that? What if some other activity destroyed the grass? I think the problem here is enforcing that beautification standard.

Discussion ensues.

Sergeant Audinwood – for the grass part, is the setback or right of way considered the grass area? Because in Camden where a lot of the overnight parking was, cars were allowed to park in that setback area, but there’s not a lot of grass.

Fire Chief Wheeler – from an emergency vehicle perspective, we only have issues on the narrow road, so updating the signage there whether it’s no parking or only parking on one side.

Discussion ensues on updating signage, driveways, and enforcing parking violations.

After much discussion, the Board agreed to eliminate the 2:00 a.m. to 6:00 a.m. no street parking, lift the prohibition of parking in the front yard, and will bring the proposal with all the noted changes to the next meeting.

Mayor Adams – while we are looking at the parking law, I ask all the Trustee’s to look at your handout of Elmira’s parking fines. I propose that we amend the parking schedule fees to match where applicable to Elmira’s parking fines.

Discussion ensues on changing parking fines, parking signs, and the timeline of enforcing new parking laws.

 **c. Fire Department Opposition to OSHA Requirements**

Resolution by Deputy Mayor Goodwin, seconded by Trustee Gross

WHEREAS, the Village of Horseheads is a rural Village with a population of 6,600 individuals, relying heavily on the essential services provided by its volunteer Fire Department, and

WHEREAS, the Fire Department serves as the lifeblood of our community, dutifully responding to a minimum of 800 emergency calls per year, embodying the spirit of selflessness and dedication that defines our community, and

WHEREAS, the personnel of the Fire Department and Horseheads Emergency and Rescue Company, Inc form the backbone of our emergency response apparatus, tirelessly working to ensure the safety, security, and well-being of our residents, often at great personal sacrifice, and

WHEREAS, the Village of Horseheads acknowledges, with gratitude, the commendable efforts of the Occupational Safety and Health Administration (OSHA) in initiating measures aimed at enhancing the safety and welfare of our invaluable emergency responders, and

WHEREAS, the Village of Horseheads harbors legitimate concerns regarding the future accessibility, affordability, and efficacy of emergency services within our jurisdiction.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads, mindful of its responsibility to safeguard the interests and welfare of its constituents, hereby expresses its reservations and respectfully requests that OSHA, in conjunction with our esteemed state and national officials, give due consideration to the following points of contention and areas of improvements pertaining to the current proposed OSHA 1910.156 document:

1. Extend the public comment period beyond the prescribed deadline of July 22, 2024, by a minimum of 45 days, thereby affording our officials adequate time to meticulously review the voluminous 608-page document and formulate comprehensive, fact-based comments reflective of our community’s unique needs and circumstances;

2. Facilitate the organization and conduct of in-person public comment sessions to provide a platform for stakeholders to voice their concerns, insights, and recommendations in a transparent and inclusive manner;

3. Ensure equitable and substantive representation of volunteer firefighters in the proposal process, proportionate to their significant contribution to emergency services nationwide, thereby fostering a balanced and representative discourse that accounts for the diverse perspectives and interests at play;

4. Simplify and expedite the incorporation of referenced standards (22 in total) into the proposed standard to enhance clarity, accessibility, and comprehension, thereby facilitating widespread dissemination and implementation across our diverse emergency response landscape;

5. Reevaluate the intended audience and scope of the standard to accommodate the varying regulatory frameworks and classifications of volunteer firefighters across different states, ensuring equitable treatment and compliance with applicable laws and regulations;

6. Identify and prioritize additional safety measures and protocols that can be expeditiously implemented with minimal resource expenditure and manpower requirements, thereby augmenting the resilience and effectiveness of our volunteer emergency response infrastructure;

7. Collaborate closely with stakeholders to develop a standardized framework that strikes a judicious balance between economic feasibility and technical efficacy, thereby ensuring the sustainability and viability of our emergency response initiatives in the long run;

8. Embrace these recommendations and initiatives in a concerted effort to uphold the safety, well-being, and resilience of our dedicated emergency responders, while concurrently safeguarding the interests and resources of our taxpaying constituents.

AND BE IT FURTHER RESOLVED, that in adopting this resolution, the Village of Horseheads reaffirms its unwavering commitment to the principles of safety and economic feasibility, and pledges to work collaboratively with all relevant stakeholders to address the pressing concerns and challenges confronting our emergency response infrastructure.

AND BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to OSHA, the Governor of New York State, the New York State Legislature, the National Advisory Committee on Occupational Safety and Health, New York State Federal representatives, Chemung County Executive, Chemung County Corrections and Law Enforcement Committee, and other relevant stakeholders to express the opposition of the Village of Horseheads to any OSHA reforms that do not adequately consider the concerns outline herein.

Roll Call Vote:

Deputy Mayor Goodwin: Aye

Trustee Gross: Aye

Trustee Koliwasky: Aye

Trustee Finefrock: Aye

Mayor Adams: Aye

 **d. Bulk Water System**

DPW Director Don Gaylord presents the Board with a Bulk Water System to look into. It costs $49,000 and would be open 24/7. It would take away the “honor system” that is currently used as each permit would have a card attached to it.

Discussion ensues.

 **e. Rules of Procedures for Meetings**

The Board goes over the red lined version of the rules of procedures. The changes proposed include:

* Videotaping all Village Board meetings (Planning Board, ZBA, Board of Trustees)
* Changing the number of days a Trustee proposes an agenda item to 6 days (previously was 3 days)
* Adding that prior to publishing the agenda, the Village Manager will review with the Mayor or Deputy Mayor (depending on who presides over the meeting)
* Change “approval” of minutes to “review” or “receive”

**NEW BUSINESS**

1. **Letter of Support for Chemung County Planning Board**

Mayor Adams left the room for items regarding Chemung County due to his employment by the County, Deputy Mayor Goodwin begins to preside over the meeting.

Resolution by Trustee Koliwasky, seconded by Trustee Gross

WHEREAS, there are Brownfields in various municipalities throughout Chemung County, including the Village of Horseheads, and

WHEREAS, Chemung County residents, Village residents and others would benefit from the implementation of numerous elements of the Brownfield Opportunity Area Program administered by NYS Department of State, and

WHEREAS, the Chemung County intends to apply to the Department of State for a grant under the 2024 Brownfield Opportunity Area Program to undertake a County-wide Brownfield Identification and Preliminary Analysis, and has requested support for such application.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby confirm such support and authorizes and directs Village Manager Nathan Nagle to prepare a letter of such support and to forward same to Chemung County and other appropriate parties as soon as is practical.

Roll Call Vote:

Deputy Mayor Goodwin: Aye

Trustee Gross: Aye

Trustee Koliwasky: Aye

Trustee Finefrock: Aye

Mayor Adams: ABSTAINED

\*Mayor Adams comes back into the room and takes back over from Deputy Mayor Goodwin\*

**REPORTS/PRESENTATIONS**

1. **Village Manager**

Family Day is coming up on Saturday, July 13th.

Discussion ensues on waiving the pool fees for Family Day.

* **RESOLUTION WAIVING POOL FEES FOR FAMILY DAY**

Resolution by Deputy Mayor Goodwin, seconded by Trustee Gross

WHEREAS, the Village of Horseheads has a history of sponsoring Family Days at Sullivan Park on Thorne Street, and

WHEREAS, the Village Manager has recommended to this Board that the fee for swimming at the pool on July 13th, 2024, be waived for all users of the pool facilities.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nathan Nagle is hereby authorized to waive the fees for swimming on that day and to notify the media at his discretion.

Roll Call Vote:

Deputy Mayor Goodwin: Aye

Trustee Gross: Aye

Trustee Koliwasky: Aye

Trustee Finefrock: Aye

Mayor Adams: Aye

Manager Nagle reports: Johnson City is surplusing their water truck for $20,000 at their next Board meeting on July 16th. If we acquire this, it will enable the water department to exercise valves more efficiently, as they currently do it manually. We have already put into budget the monies to purchase a water truck. If this is something the Board wants to do, we can draft a resolution for the next meeting.

Discussion ensues.

Hunt Engineers is going to do a study for the garage as well as the pool house, tentatively scheduled for October 2024.

When it comes to shutting down illegal cannabis stores, New York State has only permitted cities and counties to administer such laws. As a Village, we will rely on the County.

Updates for the NY SWIMS grant application. Discussion ensues on grant administrator process/fees and using ARPA monies for the 20% match.

* **RESOLUTION AUTHORIZING ARPA FUNDS TO BE USED FOR NY SWIMS GRANT**

Resolution by Trustee Gross, seconded by Trustee Finefrock

WHEREAS, the Village of Horseheads Board of Trustees has previously taken action to show its support and approval of submission of a grant application for NY SWIMS in connection with the Thorne Street Pool Reconstruction Project, and

WHEREAS, the NY SWIMS Grant requires a 20% match in order to be eligible for the grant, should it be awarded, and

WHEREAS, the Village has funds at its disposal in the amount of approximately $644,000 from the award by ARPA.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nathan Nagle is authorized to execute a letter verifying that this Board has authorized the utilization of the ARPA funds up to $644,000 as the required 20% match, should the grant be awarded and accepted.

Roll Call Vote:

Deputy Mayor Goodwin: Aye

Trustee Gross: Aye

Trustee Koliwasky: Aye

Trustee Finefrock: Aye

Mayor Adams: Aye

Manager Nagle reported that he and staff are doing research right now on asset management systems to upgrade our technologies. One in particular allows public works asset inventory on all the street signs, water valves, hydrants, etc.

Discussion ensues on asset management.

Resolution by Mayor Adams, seconded by Trustee Finefrock

NOW THEREFORE BE IT RESOLVED, that this Board adjourn into executive session to discuss the employment history of a particular person.

AND BE IT FURTHER RESOLVED, that Mayor Adams is authorized to invite Manager Nagle and Village Attorney Groff into such session at his discretion:

Roll Call Vote:

Deputy Mayor Goodwin: Aye

Trustee Gross: Aye

Trustee Koliwasky: Aye

Trustee Finefrock: Aye

Mayor Adams: Aye

At 7:21 pm the Board moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 7:53 pm the Board reconvened back into the regular Board meeting of this date.

**ADJOURNMENT**

As there was nothing further to discuss.

Resolution by Deputy Mayor Goodwin, seconded by Trustee Finefrock

BE IT RESOLVED, that this meeting is adjourned at 7:56 pm.

Roll Call Vote:

Deputy Mayor Goodwin: Aye

Trustee Gross: Aye

Trustee Koliwasky: Aye

Trustee Finefrock: Aye

Mayor Adams: Aye

/hmr

**VILLAGE BOARD OF TRUSTEES**

**EXECUTIVE SESSION**

**July 2, 2024**

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 7:21 pm in Village Hall. Present were Mayor Kevin Adams, Deputy Mayor Goodwin, and Trustees Pat Gross, George Koliwasky, and Ron Finefrock, at which time they discussed the employment history of a particular person. No action was taken.

At 7:53 pm a motion was made by Deputy Mayor Goodwin and seconded by Trustee Finefrock that the Executive Session be adjourned.

Roll Call Vote:

Deputy Mayor Goodwin: Aye

Trustee Gross: Aye

Trustee Koliwasky: Aye

Trustee Finefrock: Aye

Mayor Adams: Aye

The Board reconvened back into its regular meeting of this date.