

Minutes

Village Board of Trustees

December 3, 2018

An **Organizational Meeting** meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Present were:

<u>Village Board and Staff</u>	
Mayor Louise McIntosh Trustee Rob Maloney Trustee Bill Goodwin Trustee Pat Gross Trustee Skroskznik	Clerk-Treasurer Donna Dawson Village Atty. John Groff Manager's Assistant Rachel Baer Fire Chief Arthur Sullivan DPW Dir. Matt Mustico Water Oper. Chris Lawrick Parks Dir. Nate Nagle Code Enf. Bob Young Village Justice David Brockway
<u>Others Present.</u>	
Ron Swartz, Renwick Lane Suze Wallen, Lititz, PA	Kelley Maloney, Westlake St. Josh Baker, Steuben St.

Swearing In of Elected Officials: At this time Justice Louise Tarantelli conducted the swearing-in of reelected Village Justice David Brockway.

Resolution by Trustee Gross, seconded by Trustee Goodwin

WHEREAS, the members of the Board of Trustees have each been provided with a copy of the proposed resolutions to be considered for adoption at this meeting, and

WHEREAS, each of the Trustees has reviewed each of the proposed resolutions, and

WHEREAS, it has been suggested that the reading of the resolutions may be waived since each of the Trustees have reviewed each of the proposed resolutions in advance.

NOW THEREFORE BE IT RESOLVED, that the reading of the resolutions for agenda items '2a' through '2j' as set forth below is hereby waived, and the same are adopted as submitted:

a) BE IT RESOLVED, that pursuant to Village Law, the regular monthly meetings of the Village of Horseheads Board of Trustees shall be held on the second and fourth Thursday of each month at 7:00 p.m., at the Village Hall, 202 S. Main St., Horseheads, New York. Special meetings may be called as provided in the Village of Horseheads Board of Trustees Rules of Procedures for Meetings. Nothing to the contrary withstanding, there shall be no regular meeting of the Board on the fourth Thursdays for the months of July and August.

b) BE IT RESOLVED, that the Clerk's Office of the Village of Horseheads will be open to the general public between the hours of 8:00 a.m. through 4:00 p.m. Monday through Friday excepting for such holidays as are established by the Village of Horseheads Board of Trustees and such other times and periods as such Board may determine from time to time.

c) BE IT RESOLVED, that the Village Clerk's Office and Village Manager's Office shall be closed on the following legal holidays:

- | | |
|-----------------------------|----------------------------|
| New Year's Day | Labor Day |
| Martin Luther King, Jr. Day | Columbus Day |
| Presidents Day | Veterans Day |
| Good Friday | Thanksgiving Day |
| Memorial Day | Day After Thanksgiving Day |
| Independence Day | Christmas Day |

d) BE IT RESOLVED, that the Elmira Star-Gazette be and hereby is designated the official newspaper of the Village of Horseheads, and be it further

RESOLVED, that all official proceedings, notices, resolutions, ordinances, and acts of the Trustees shall be published in the aforementioned newspaper or as otherwise directed by the Board of Trustees.

e) BE IT RESOLVED, that Chemung Canal Trust Company, M&T Bank, and Five Star Bank, all of Horseheads, New York, and The JP Morgan Chase Bank of Syracuse, New York, and New York CLASS, hereinafter referred to collectively as "Banks" be and hereby are designated a depository or official bank of this corporation for the official year commencing **December 3, 2018** and are authorized to receive for deposit, at any such office or offices, to the credit of this corporation, or for the collection for the account of this corporation, monies, checks, drafts, notes or other instruments for the payment of money (including electronic fund transfers and wire transfers), whether belonging to this corporation or otherwise, which may now be or hereafter come into their possession, and be it further

RESOLVED, that any two of the following three officials or officers of the Village

of Horseheads - Mayor, Deputy Mayor or Clerk-Treasurer - be and they hereby are authorized to make, sign, draw, accept, indorse, execute and deliver any and all checks, drafts, notes, acceptances, evidences of indebtedness, or other instruments for the payment (including electronic fund transfers and wire transfers) of money of this corporation on deposit with the said Banks; and the said Banks be and they hereby are authorized to make payment from funds of this corporation on deposit with them upon and according to the terms of any such instrument when signed as above provided over the official title of such signer, and to receive the same to the credit of or in payment from the payee or any other holder, when so signed, without inquiry as to the circumstance of their issue or the disposition of their proceeds, whether drawn to the individual order of or tendered in payment of the individual obligations of any persons signing the same or of any other officer, agent or signatory of this corporation or otherwise, excepting that withdrawals from savings must be signed by one authorized signature of either the Mayor, Deputy Mayor or Clerk Treasurer, and be it further

RESOLVED, that any check herein authorized to be drawn in the name of this corporation may be signed with the facsimile signature of **Mayor Louise McIntosh** and the said Banks shall be entitled to charge any such check to this corporation's account regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto if such signature corresponds with the facsimile specimen duly certified to and filed with the said Banks by the Clerk-Treasurer of this corporation, and be it further

RESOLVED, that the Mayor, Deputy Mayor, and Clerk-Treasurer be and hereby are appointed agents of the said corporation, and that any two of such agents shall have access to the safe or safes including safety deposit boxes, in the vaults of the said Banks, and be it further

RESOLVED, that the Clerk-Treasurer of this corporation be and she hereby is authorized and directed to certify to the said Banks the names of all officers of this corporation and other persons authorized to sign for it as herein provided and the offices respectively held by them together with specimens of their signatures, whether facsimile or otherwise, and from time to time thereafter to certify such changes as may be made, and be it further

RESOLVED, that any and all prior resolutions adopted by this corporation authorizing access to safe or safes, or safety deposit box(es), and designating its official Banks and the parties who may draw against and or withdraw its funds are revoked and canceled the effective date hereof, and be it further

RESOLVED, that the foregoing powers and authority shall continue until written notice of the revocation thereof has been received by said Banks, and be it further

RESOLVED, that the Clerk-Treasurer is hereby authorized, pursuant to Article II of the General Municipal Law, to temporarily invest during the official year **ending the first Monday in December 2019** monies not required for the immediate

expenditures under conditions and with the limitations specifically set forth herein.

- f) WHEREAS, the Village of Horseheads Board of Trustees has adopted Rules of Procedure governing the conduct of its various board and committee meetings, and

WHEREAS, such policy is to be reviewed annually, the last changes being made in October 2018, and

WHEREAS, this Board has reviewed same and find no further changes are warranted at this time.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Rules of Procedure be adopted. A copy of the policy shall be placed on file with the Village Clerk-Treasurer.

- g) WHEREAS, the Village of Horseheads owns and operates a cemetery known as Maple Grove Cemetery which is regulated by Article 15 of the Village Law and Chapter 113 of the Village Code, and

WHEREAS, the operation of the cemetery is vested in the Board of Cemetery Commissioners.

NOW THEREFORE BE IT RESOLVED, that the Trustees of the Village of Horseheads shall automatically be Cemetery Commissioners for the duration of their respective terms as said Trustees. The Mayor shall be the Chairperson of the Board of Cemetery Commissioners. Meetings of the Board of Cemetery Commissioners may be held as part of and during regular and special meetings of the Board

- h) WHEREAS, the Village of Horseheads owns and operates a Fire Department generally known as the Horseheads Fire Department, and

WHEREAS, Article 10 of the Village Law provides for a Board of Fire Commissioners and establishes their powers and duties.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby establish a Board of Fire Commissioners vested with all of the powers and duties of such Board as provided in Article 10 of the Village Law. The members of the Fire Commission shall be the members of the Board of Trustees. The Trustees shall automatically be Fire Commissioners for the duration of their respective terms as said Trustees. The Chairperson of the Board of Fire Commissioners shall be the Mayor of the Village. Meetings of the Board of Fire Commissioners may be held as part of and during regular and special meetings of the Board of Trustees.

- i) WHEREAS, the Village of Horseheads owns and operates a Water Department, and

WHEREAS, Article 11 of the Village Law provides for a Board of Water Commissioners and establishes their powers and duties.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby establish a Board of Water Commissioners vested with all of the powers and duties of such Board as provided in Article 11 of the Village Law. The members of the Water Commission shall be the members of the Board of Trustees. The Trustees shall automatically be Water Commissioners for the duration of their respective terms as said Trustees. The Chairperson of the Board of Water Commissioners shall be the Mayor of the Village. Meetings of the Board of Water Commissioners may be held as part of and during regular and special meetings of the Board of Trustees.

- j) WHEREAS, the Town of Horseheads has employed and may hereafter from time to time employ **or appoint individuals or agencies** in the capacity of Dog Control Officer, and

WHEREAS, it is the desire of this Board that the Dog Control Officer of the Town of Horseheads be authorized and empowered to enforce Chapter 80 of the Village Code and such other animal control laws, rules, regulations and ordinances as may be enacted from time to time within the Village of Horseheads and to, among other things, issue appearance tickets in regard thereto.

NOW THEREFORE BE IT RESOLVED, that such individuals as are employed or appointed by the Town of Horseheads as Dog Control Officers be and they hereby are designated Dog Control Officers within the Village of Horseheads and are empowered with all of the duties and responsibilities of such position including the power to issue appearance tickets, etc., and the power to enforce Chapter 80 of the Village Code. Pursuant to Village Law Section 3-300 the Dog Control Officer may, in lieu of residing in the Village of Horseheads, reside within Chemung County.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Goodwin, seconded by Trustee Gross

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of November 8, 2018 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	Aye

D&A: Schedule Meetings for Cemetery, Fire and Water Commissioners

After brief discussion, the Board agreed to schedule the following meetings as Water, Cemetery and Fire Commissioners:

- Thurs., January 31st, 2019 - 7pm: Water Commissioners
- Thurs., February 21st, 2019 - 7pm: Cemetery and Fire Commissioners

Resolution by Trustee Gross, seconded by Trustee Maloney

WHEREAS, the Village of Horseheads Board of Trustees has adopted a Purchasing Policy governing the acquisition of goods and services and

WHEREAS, such policy is to be reviewed annually and was last revised in December 2017, and

WHEREAS, Acting Village Manager Louise McIntosh has reviewed same and found that no amendments are necessary at this time.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Purchasing Policy last amended in December 2017 be adopted. A copy of the policy shall be placed on file with the Village Clerk-Treasurer.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	Aye

Communication from Mayor McIntosh to the Board of Trustees:

I hereby appoint **Trustee Rob Maloney** as **Deputy Mayor** for a term which will expire on the first Monday of December, **2019**.

(Mayor's appointment - no vote)

Resolution by Trustee Gross, seconded by Trustee Goodwin

BE IT RESOLVED, that the following appointments by Mayor McIntosh be approved:

PLANNING BOARD

- **Don Murphy - Planning Board Alternate**, for a term which will expire the first Monday in **December, 2020**.

ZONING BOARD OF APPEALS

- **Dave Reynolds - ZBA Member** for a term which will expire the first Monday in **December, 2023**.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	Aye

Communication from Acting Village Manager Louise McIntosh to the Board of Trustees:

I hereby make the following appointments as Acting Village Manager:

Arthur Sullivan - Master Mechanic of the Horseheads Fire Department;
Jamie Burgess, Bob Young - Fire Inspectors and Code Enforcement Officers;
Kari Wheeler - Deputy Clerk

each for terms which will expire on the first Monday in **December 2019**.

(Village Manager appointments - no vote)

Resolution by Trustee Gross, seconded by Trustee Maloney

WHEREAS, on December 4th, 2017, this Board appointed Thomas Stickler for one year to serve as part-time Police Chief of the Horseheads Police Department, and

WHEREAS, Chief Stickler has proven to be a valuable asset to the Police Department, and to the Village as a whole, providing strong leadership, management and training, and maintaining consistently high standards of performance, and

WHEREAS, this Board has determined that the Village of Horseheads Police Department has been very adequately supervised, managed and administered by Chief Stickler, and wishes to continue his employment in such capacity.

NOW THEREFORE BE IT RESOLVED, that pursuant to Village Law Section 8-800 Thomas J. Stickler is hereby appointed as part-time Police Chief of the Village of Horseheads Police Department effective December 3, 2018, and be it further

RESOLVED, that Acting Village Manager Louise McIntosh is authorized to enter into an employment agreement with Thomas J. Stickler on behalf of the Village of Horseheads, effective immediately, at an annual salary of \$29,999.00. The terms, conditions, and requirements of said agreement shall remain substantially the same as the expired agreement excepting that the new agreement shall be for three (3) years and expire on the first Monday of December, 2021. A copy of said agreement shall be placed on file with the Village Clerk.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroszchnik	Abstain

Water and Cemetery Rates:

Mayor McIntosh: we had a workshop on this in September. Do you want to pass these new rates or wait until January.

Trustee Gross - I thought one of the reasons we were raising water rates is we needed matching funds to apply for some grants?

Chris Lawrick - we have the lowest rates in Chemung County, but our system is old and needs repair. We have a shared svce basically going on with two other water systems. We have applied for a grant to get a mapping system and we do need matching funds for that. All 3 water systems would have to go in on it. Also, we are in the middle of RFPs for an engineering study of our system which is a requirement for any grant. I'm reviewing the RFPs now. This would

cost 20k-50k, which we would pay for completely, so that we can apply for grants for infrastructure repair.

Trustee Gross: where are we on FEMA refund.

Mayor McIntosh - they approved extension for repayment. Other than that, we have done all we can do. I talked to Tom O'Mara and Tom Reeds office. Nothing more we can do except wait. We have the money to pay for the engineering study. The reason for the study is because we cannot apply for consolidated grant funds without this study done.

The Board agreed to table this for now, and discuss in January.

Schedule Budget Workshops

The Board scheduled the following budget workshops:

- Thur., February 7th - 7pm
- Thur., February 28th - 7pm
- Tues., March 12th - 7pm

Motion by Trustee Skroskznik that the Village Board move into an Executive Session to discuss the employment history of a particular person.

Mayor McIntosh	No
Trustee Maloney	No
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	Aye

At 7:27pm the Board moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 8:15pm the Board reconvened back into the Organizational Meeting of this date.

As there was nothing further to come before the Board, the meeting was adjourned.

/rmb

**Village Board of Trustees
EXECUTIVE SESSION
December 3, 2018
7:30pm**

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 7:30pm in Village Hall. Present were Mayor Louise McIntosh, Trustees Rob Maloney, Mike Skroszchnik, Pat Gross and Bill Goodwin, at which time they discussed the employment history of a particular person. No action was taken.

Mayor McIntosh left the meeting.

At 8:15pm a motion was made by Trustee Goodwin, seconded by Trustee Gross, that the executive session be adjourned, and the Board reconvene back into its Organizational Meeting of this date.

Roll Call Vote:

Trustee Maloney	Aye
Trustee Gross:	Aye
Trustee Goodwin:	Aye
Trustee Skroszchnik:	Aye