

Minutes

Village Board of Trustees

December 4th, 2017

An Organizational 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 Mike Skroskznik Trustee Pat Gross Trustee Bill Goodwin Trustee Rob Maloney Village Manager Brad Lytle Village Atty. John Groff	Manager's Asst. Rachel Baer Clerk-Treasurer Donna Dawson Code Enf. Jamie Burgess Code Enf. Bob Young Parks Dir. Nate Nagle Police Chief Tom Stickler Water Supt. Chris Lawrick DPW Dir. Matt Mustico
<u>Planning Board/ZBA</u>	
<u>Planning Board</u> Mike Stenpeck Doug Baker Dave Helsing Tom Rupp	<u>Zoning Board of Appeals</u> Lew Van Duzer Dave Reynolds Jennifer Driscoll Fred White Elliott Blauvelt, Jr.
<u>Others</u>	
Barb Skorczewski, W. Franklin St. Chris Mosher, Old Ithaca Rd. Keith Raymond Barb Butler, Laurel Hill Rd.	Steve McIntosh, Renwick Lane Kelley Maloney, Westlake St. Jim Zearfoss, Ridge Rd. Tyler Jessup

At this time Mayor McIntosh swore in newly elected Trustee Robert Maloney.

7:00 p.m. - Public Hearing: RESTORE NY GRANT APPLICATION

Atty. Groff declared open the public hearing.

Elliott Blauvelt, Fletcher St. - in favor of grant. The Mason's building is in serious need of updating and repair. This is only way we can bring façade back to original. Also take upstairs floors and rehab them. Making open space into two apartments. Then the 2nd floor the same. Without this grant there would be no way for us to do this work.

Barb Skorczewski, W. Franklin St. - thanked Village Board for acting on their behalf for this grant. I personally am very excited about this for everyone. Time, effort and money a lot of the building owners have put into their bldgs. Can't say enough about team at STEG. They have done a great job.

Jim Zearfoss, Ridge Rd. - from the Masons - agree with everything Elliott said. Will be great to get the upper two floors out of the 1800s. Our only fund raisers are spaghetti dinners and breakfasts.

As nobody else came forward to speak, Atty. Groff closed the public hearing at 7:06pm.

Resolution by Trustee Skroskznik, 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 '3a' through '3j' as set forth below is hereby waived, and the same are adopted as submitted.

Roll Call Vote:

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

- 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:

- | | |
|------------------------|----------------------------|
| Christmas Day | Labor Day |
| New Year's Day | Columbus Day |
| Martin Luther King Day | Veterans Day |
| Presidents Day | Thanksgiving Day |
| Good Friday | Day After Thanksgiving Day |
| Memorial Day | |
| Independence 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 both of Horseheads, New York, and The JP Morgan Chase Bank of Syracuse, New York, 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 4, 2017** 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 2018** 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, and

WHEREAS, this Board has reviewed same and has considered minor amendments.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Rules of Procedure, with proposed amendments dated December 2017, 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.

Resolution by Trustee Gross, seconded by Trustee Goodwin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of November 9, 2017 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

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

After brief discussion, the Board agreed to hold off on scheduling these commissioner meetings until after March 2018, after budget meetings.

Budget Meetings

The Board agreed to meet regarding the 2018-2019 Budget on the following dates and times:

- Tuesday, Jan. 23rd - 7:00 pm
- Tuesday, Feb. 6th - 7:00 pm
- Wednesday, Feb. 28th - 7:00 p.m.

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 2016, and

WHEREAS, Village Manager Brad Lytle has reviewed same and found that some minor amendments are necessary at this time.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Purchasing Policy with proposed amendments dated 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 Skroskznik:	Aye
Trustee Gross:	Aye
Trustee Goodwin:	Aye
Trustee Maloney:	Aye

Communication from Mayor McIntosh to the Board of Trustees:

I hereby appoint Trustee Mike Skroskznik as Deputy Mayor for a term which will expire on the first Monday of December, 2018.

(Mayor's appointment - no vote)

Resolution by Trustee Gross, seconded by Trustee Skroskznik

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

PLANNING BOARD

- Bob Young - Planning Board Member,
Doug Baker - Planning Board Member,
Tom Rupp - Planning Board Member,
ALL for terms which will expire the first Monday in December, 2022.

- Erich Herzig - Planning Board Alternate, for a term which will expire the first Monday in December, 2019.

ZONING BOARD OF APPEALS

- Lew VanDuzer - ZBA Member for a term which will expire the first Monday in December 2022.
- Elliott Blauvelt, Jr. - ZBA Alternate, for a term which will expire on the first Monday in December 2019.

Roll Call Vote:

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

Communication from Village Manager Brad Lytle to the Board of Trustees:

I hereby make the following appointments as Village Manager:

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

each for terms which will expire on the first Monday in December 2018.

(Village Manager appointments - no vote)

Resolution by Trustee Gross, seconded by Trustee Goodwin

WHEREAS, on December 5, 2016, 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 4, 2017, and be it further

RESOLVED, that Village Manager Brad Lytle 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 expire on the first Monday of December, 2018. A copy of said agreement shall be placed on file with the Village Clerk.

Roll Call Vote:

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

Resolution by Trustee Skroskznik, seconded by Trustee Maloney

WHEREAS, MLH Section 20 provides for the procedure for adoption of local laws by a legislative body, and

WHEREAS, Subsection 4 provides in pertinent part that no local law shall be passed until it has been in final form and on the desk or tables of members at least 7 calendar days exclusive of Sunday prior to its final passage, and

WHEREAS, modern technology allows for delivery of documents electronically via email, and

WHEREAS, Section 20(4) allows for email delivery of local laws in lieu of hard copy delivery under certain conditions if approved by the Village Board.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees authorizes electronic delivery of a proposed local law to the members of the Board of Trustees via email to the email inbox of each of the Trustees in the pdf format at least 10 calendar days, exclusive of Sunday, prior to its final passage, and be it further

RESOLVED, that Village staff has documented that each Trustee has an email address, such email address is published on the bulletin board of the Village Clerk-Treasurer, and be it further

RESOLVED, that a proposed local law may be introduced to the Board of Trustees by a Trustee, the Village Manager or the Village Attorney, at a meeting of such Board.

Roll Call Vote:

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

Resolution by Trustee Goodwin, seconded by Trustee Gross

WHEREAS, there has been duly presented to the Board of Trustees of the Village of Horseheads a proposed Local Law "Authorizing the Creation of a Community Choice Aggregation Program, and Adopting Certain Provisions to Facilitate Program Implementation".

NOW THEREFORE BE IT RESOLVED, that said proposed Local Law is hereby received, and a public hearing regarding same is hereby scheduled for Thursday, December 14, 2017 at 7:00 p.m.

Roll Call Vote:

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

As there was nothing further to come before the Board, the meeting was adjourned at 7:28 p.m.

/rmb