

Minutes

Village Board of Trustees

December 5, 2016

An **Organizational 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 Pat Gross
Trustee Bill Goodwin
Trustee Robert Maloney

Village Manager Brad Lytle
Village Atty. John Groff
Clerk-Treasurer Sharron Cunningham
Manager's Asst. Rachel Baer
Justice Dave Brockway
Justice Lou Tarantelli

Others Present.

Kelley Maloney, Westlake St.
Jodi Skroskznik, Center St.
Wayne Brubaker, Gardner Road

Kari Wheeler, Erie Street
Kendra Griswold, Sage St.

At this time Village Justice David Brockway conducted the Swearing In of newly elected officials: Justice Lou Tarantelli, Trustee Mike Skroskznik, Trustee Bill Goodwin.

Communication from Mayor McIntosh to the Board of Trustees:

WHEREAS, Trustee Robert C. Maloney was appointed on October 13, 2016 to fill a portion of the unexpired term of Brad Lytle through the current official year, December 5, 2016, and

WHEREAS, Village Law Section 3-312 provides the procedure for filling the office for the remainder of the unexpired term.

NOW I, Louise McIntosh, Mayor of the Village of Horseheads, hereby re-appoint **Robert C. Maloney, of Westlake Street**, Horseheads, NY, as Village Trustee. Said term to expire the first Monday of December, 2017.

(Mayor's Appointment - No Vote)

Justice Brockway then conducted the swearing in of Trustee Robert Maloney.

D&A: Schedule Workshop - Review of Rules of Procedure

After brief discussion, the Board agreed to schedule a workshop for Wednesday, January 25, 2017 at 6:00 p.m. regarding the Rules of Procedure.

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 '5a' through '5k' as set forth below is hereby waived, and the same are approved.

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 and Five Star Bank both of Horseheads, New York, and The JP Morgan Chase Bank of Elmira, 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 5, 2016** 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 2017** 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 2016**, 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.

k) WHEREAS, all municipalities, including the Village of Horseheads have the power and authority to contract for the purpose of renting, leasing, exchanging or borrowing of machinery and equipment, with or without operators, with other municipalities, and

WHEREAS, all municipalities, including the Village of Horseheads have the power and authority to borrow or lend materials and supplies to other municipalities, and

WHEREAS, it is hereby determined that the Village of Horseheads and other municipalities have machinery and equipment which is not used at all times but lie idle during certain periods, and

WHEREAS, it is determined that the Village of Horseheads and other municipalities often have materials and supplies on hand which are not immediately needed, and

WHEREAS, it is hereby determined that by the renting, borrowing, exchanging or leasing of highway machinery and equipment and the borrowing or lending of materials and supplies, the Village of Horseheads and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or keeping a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

WHEREAS, it is recognized and determined, from a practical working arrangement, that no program of borrowing, exchanging, leasing or renting of highway machinery and equipment or borrowing or lending of materials can be successful if each individual arrangement or agreement has to receive prior approval by the Village Board and governing board of each of the other municipalities which may be parties to such agreements, since such agreements must often be made on short notice and at times when governing board are not in session , and

WHEREAS, it is incumbent upon each municipality to design a simple method whereby materials and supplies, equipment and machinery, including the operators thereof, may be quickly obtained with a minimum of paperwork and inconvenience and with a swift approval process, and

WHEREAS, it is the intent of this Village Board to give the Director of Public Works the authority to enter into renting, exchanging, borrowing and lending agreements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the Village Board prior to the making of each individual agreement, and

WHEREAS, a standard contract has been prepared which is expected to be adopted and

placed into effect in other municipalities which contract will grant the person holding the position comparable to that of superintendent authority to make similar agreements, and

WHEREAS, it is hereby determined that it will be in the best interests of the Village of Horseheads to be a party to such an agreement, and

NOW, THEREFORE, BE IT RESOLVED, that the Village Manager of Village of Horseheads is hereby authorized to sign on behalf of the Village, the above-noted contract.

Schedule Meetings for Cemetery, Fire and Water Commissioners

After brief discussion, the Board agreed to schedule the following meetings, as part of regularly scheduled Board of Trustees Meetings:

- Fire Commissioners: Thu., January 12, 2017 - 7pm
- Cemetery Commissioners: Thu., January 26, 2017 - 7pm
- Water Commissioners: Thu., February 9, 2017 - 7pm

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 2014, 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 2016**, be adopted. A copy of the policy shall be placed on file with the Village Clerk-Treasurer.

Roll Call Vote:

Mayor McIntosh:	Aye
Trustee Skroszchnik:	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, **2017**.

(Mayor’s appointment - no vote)

Resolution by Trustee Gross, seconded by Trustee Maloney

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

PLANNING BOARD

- **Donald Murphy**, Shull Lane, **Planning Board Alternate**, for a term which will expire on the first Monday in **December 2018**.

ZONING BOARD OF APPEALS

- **Jennifer Driscoll**, Hatfield Street, **ZBA Member** for a term which will expire the first Monday in **December 2021**.
- **Fred White**, Watkins Road, **ZBA Alternate**, for a term which will expire on the first Monday in **December 2017**.

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, Miller Street, as **Master Mechanic** of the Horseheads Fire Department;
Patrick Hinman, Hampton Rd., Elmira, as **Fire Inspector and Code Enforcement Officer**;
John Groff, Esq., Silver Oak Drive, as **Village Attorney**;
Donna Hartsock, Weller Ave., as **Deputy Treasurer**; and
Kari Wheeler, Erie Street, Elmira, as **Deputy Clerk**

each for terms which will expire on the first Monday in **December 2017**.

(Village Manager appointments - no vote)

Resolution by Trustee Skroskznik, seconded by Trustee Gross

WHEREAS, on December 7, 2015, 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 5, 2016, 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, 2017. 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

Changes to Health Insurance - Non-Unionized and Certain Unionized Retirees

Resolution by Trustee Skroskznik, seconded by Maloney

WHEREAS, The Village of Horseheads currently provides health insurance benefits including forms of medical health insurance to its non-unionized and certain unionized retirees and their eligible dependents under certain conditions, and has engaged Brown and Brown Empire State as its health benefits insurance broker and consultant, and

WHEREAS, despite the efforts of Village staff and others, the cost of providing health insurance benefits continues to increase at an unsustainable rate, and

WHEREAS, Village Manager Brad Lytle and staff have researched the various options available to the Village including changes in the plan, benefits, imposition of a retiree contribution, etc., and

WHEREAS, Manager Lytle has recommended to this Board the implementation of a monthly contribution from a retiree or eligible dependents who wish to continue to participate in the Village's medical health insurance plan at the rate of \$50.00 per month to be paid quarterly effective January 1, 2017, and

WHEREAS, the Village of Horseheads Employee Handbook provides in pertinent part that the Board of Trustees may change or modify the health benefits afforded to non-unionized employees and retirees by resolution.

NOW THEREFORE BE IT RESOLVED, that effective January 1, 2017 the Village will permit non-unionized and certain unionized retirees and their eligible dependents to participate in the Village's health benefits program on the condition that such retirees or their eligible dependents notify the Village of their desire to participate in such program, and further that they contribute to the Village of Horseheads \$50.00 per month for such participation - said amount to be paid quarterly effective January 1, 2017, and be it further

RESOLVED, that Village Manager Lytle shall cause written notice of the effect of this resolution to be provided to retirees and eligible dependents who currently participating in the Village's health benefits program as soon as is practical so as to afford them the opportunity to elect to continue to participate, non-participation or to secure benefits elsewhere, and be it further

RESOLVED, that retirees or eligible dependents shall not be afforded the opportunity to return to the Village's health benefits program after having elected to terminate participation.

Trustee Gross - the deadline date is close.

Manager Lytle - won't affect them, they were told to make a determination by the 15th. We are sending out a letter to all of them, and also told them to check with Office of the Aging, etc., and telling them to call if they have questions. This is just the Medicare age retirees. This is for the wraparound supplemental insurance. The Village currently pays 250.00 per person for this, and it just went up to 300.00.

Trustee Gross - I think that we should look to our County and State reps to ask what they can do about these insurance increases. Some of these retirees, this is going to hurt. Take an active part in contacting our reps.

Village Manager Lytle - from the office we are voicing our opinions. But yes. I think that a resolution from the Board to reach out to other Boards in the area might start something. RAMS maybe.

Discussion ensued.

Manager Lytle - I'm not sure that all municipalities do this wraparound. Its just been an ongoing

benefit that we do. Not enumerated anywhere.

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 7:25pm.
/rmb