

Minutes

Village Board of Trustees

December 11, 2008

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 6:00 p.m.

Present were:

Village Board and Staff:

Mayor Donald Zeigler
Deputy Mayor Ronald Swartz
Trustee Walt Herbst
Trustee George Koliwasky
Trustee Suzanne Peters

Village Manager Marc Whitney
Village Attorney John Groff

DPW Chris Lawrick
Clerk-Treasurer Sharron Cunningham
Parks Dir. Nate Nagle
Police Chief Mike Barton
Fire Chief Arthur Sullivan
Code Enf. Officer Tom Skebey
Police Officer Richard Skebey
Deputy Clerk Donna Hartsock
Manager's Assistant Rachel Baer

Others:

Robert Skebey, Horseheads
Debra Maloney, 506 W. Broad St.
Shelly Bacmanski, 176 Lilac Dr.
Jake and Devella Colwell, 142 Monroe Dr.
Scott Barber, 413 S. Main St.
Carl Lewis, 304 Eisenhart Place
Barb Skorczewski, 109 W. Franklin St.

Robert, Kelly and Michael Maloney, Hhds.
Several family members and friends of
Officer Richard Skebey
Julie Chevalier, Community Progress Inc.

Resolution by Trustee Swartz, seconded by Trustee Herbst

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of November 20th and December 1st, 2008 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye
Trustee Peters: Aye

Resolution by Trustee Herbst, seconded by Trustee Koliwasky

BE IT RESOLVED, that the Audit of Bills as listed below be received and approved for payment

when in funds:

General:	\$493,264.58
Water:	\$146,214.59
Trust & Agency:	\$ 1,214.03

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye

Resolution by Trustee Koliwasky, seconded by Trustee Herbst

BE IT RESOLVED, that the minutes of the Traffic Commission Meeting of November 19, 2008 be received and placed on file in the Village Clerks Office.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye

Resolution by Trustee Herbst, seconded by Trustee Koliwasky

BE IT RESOLVED, that an application for a Special Sign Permit from Orchard Family Healthcare, 2977 Westinghouse Road, be received and same be forwarded to the Village, Town and County Planning Boards for their review and comment.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye

At this time, Atty. Groff declared open a Public Hearing regarding the application from Barber Funeral Home, 413 S. Main Street, for a Special Sign Permit. As nobody came forward to speak, Atty. Groff declared the public hearing closed.

Resolution by Trustee Herbst, seconded by Trustee Peters

WHEREAS, on or about March 18, 2008 the Village of Horseheads entered into an agreement with Klugo Enterprises, LLC for the sale of premises commonly known as 901 South Ave., Horseheads, NY, and

WHEREAS, the sale was subject to a number of contingencies, one being the success of the buyer in securing financing for the purchase and renovation of the property, and

WHEREAS, recently the Village was informed that the buyer has been unsuccessful in securing such financing, and

WHEREAS, the buyer has asked to be released from the purchase agreement.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby agree to the cancellation of the purchase contract and the release of the buyer's earnest money deposit, and be it further

RESOLVED, that Mayor Donald Zeigler is authorized and directed to execute a Cancellation and Release regarding this matter, a copy of which will be placed on file with the Village Clerk.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye
Trustee Peters:	Aye

Discussion on possible Workshop on December 18th. Can't do it due to a conflict. Board agreed to schedule no more workshops until the first of the year.

At this time, the Board reviewed and completed Part 2 of SEQR Review regarding the application of Barber Funeral Home for a Special Sign Permit. They authorized the Mayor to sign and enter a Negative Declaration.

Resolution by Trustee Swartz, seconded by Trustee Herbst

WHEREAS, Barber Funeral Home has made application for a Special Sign Permit for a sign to be placed at 413 S. Main Street, and

WHEREAS, said application requested approval for a 3' x 6' sign to be constructed inside the required 10' setback for a C1 Zone, and

WHEREAS, this application was referred to the Village Planning Board and Village Traffic Commission for their review and comment, the same having been received and considered by this Board, and

WHEREAS, the application is subject to SEQR, being an Unlisted Action under SEQR regulations, and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form, and

WHEREAS, the Village of Horseheads Board of Trustees is informed and believes that the Village is the only involved agency with respect to the SEQR review of this action, and

WHEREAS, this Board of Trustees has conducted a thorough review of the application, the Short Environmental Assessment Form, and all of the environmental consequences of same as more specifically delineated on that portion of the Form to be completed by the Board as Lead Agency, and finds that the Action will not have a significant environmental impact, and

WHEREAS, a public hearing was held on this date regarding the application for the Special Sign Permit at which time all interested or affected parties were afforded an opportunity to present their views regarding the application, and

WHEREAS, this application has been thoroughly reviewed and given thoughtful consideration by this Board.

NOW THEREFORE BE IT RESOLVED, that the application of Barber Funeral Home for a Special Sign Permit at 413 S. Main Street permitting the placement of a sign not less than 4 feet easterly from the site's west property line is hereby approved and a Special Sign Permit shall be issued in accordance with the terms of this resolution.

Mayor Zeigler noted that he was going to vote aye, but wanted it clear that he does have a business relationship with Mr. Barber.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Herbst:	Abstain
Trustee Koliwasky:	Aye
Trustee Peters:	Aye

At this time, Mayor Zeigler conducted the Swearing In ceremony for Village Police Officer Richard Skebey.

Presentation by Community Progress, Inc.

Julie Chevalier came forward and made a presentation regarding the services her company could provide regarding the Village's CDBG funds, the main points summarized below:

- direct grant assistance to homeowners for necessary home repairs
- no aesthetics - electric, plumbing, heat, etc.
- can blend with federal home loan monies - make cdbg monies go further
- use to address code enf. Issues
- we determine eligibility - your staff doesn't have to do it.
- Main Street program is also a possibility

- admin fees come out of grant
- requires a five year lien for homes
- might be able to get around strict regs for cdbg money
- no 100% grants for landlords

The Board discussed this program, and will review it in more detail at a future workshop.

Village Manager's Report:

- Follow up on Sherman property - rec'd another offer for \$33,000. I'm putting this before you to consider. The property will not see anything higher.
- Talked to someone from Oneonta cemetery regarding columbarium. Very successful. They sell dual occupancy niches at \$1500.
- Sharron and I met with NYS Insurance Fund regarding safety plan. Will be talking more about that, developing a safety committee, each department will have representation there.
- Taking a look at health insurance plan, looking at a number of providers. Ongoing process.

Trustee Swartz - I happened to be in office when Ambrose called on the Sherman house. The people who made the offer will buy, renovate and resell. Cornerstone Properties is the company. If we wanted to burn it, we'd have to determine asbestos, etc. vs. just selling it for \$33K.

Village Manager Whitney - Will need to give Ambrose answer next week.

Atty. Groff noted that if Cornerstone is really interested, they will wait.

Trustee Peters - I think we should spend money for an environmental study first.

Trustee Herbst - We need to know options on costs, etc.

Chris Lawrick - we've already kept the vacant land in the back - to be used for a pole barn for storage.

Village Manager Whitney - I will put together a spread sheet on the costs to present to the Board, and also get an estimate for remediation.

Motion by Trustee Herbst, seconded by Trustee Swartz, that the Village Manager is authorized to obtain an estimate for remediation costs for the Sherman property, in an amount not to exceed \$2,000.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye
Trustee Peters: Aye

DPW Chris Lawrick - County opened bids for shared service grader, goes to county legislature in January. No decision as of yet on the NYSDOT grant on Grand Central Avenue project.

Police Chief Mike Barton - received grant for special traffic enforcement program, will be used for aggressive driving around Westinghouse Circle.

Recreation Dir. Nate Nagle - shared service figures on Summer Cohesion up \$1,200.00.

The Board announced that the workshop scheduled for tonight is cancelled due to inclement weather.

As there was nothing further to bring before the Board, the meeting was adjourned at 7:02 p.m.

/rmb