

Minutes

Village Board of Trustees

April 14, 2016

A 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 Brad Lytle
Trustee Pat Gross
Trustee Bill Goodwin
Village Atty. John Groff

Clerk-Treasurer Sharron Cunningham
Manager's Asst. Rachel Baer
Parks Dir. Nate Nagle
DPW Chris Lawrick
Fire Chief Arthur Sullivan

Absent

Trustee Mike Skroskznik

Others Present

Don Zeigler, Watkins Rd.
Ron Swartz, Renwick Lane
Wayne Brubaker, Gardner Rd.
Dave Padgett, W. Franklin St
Mike Swasta, Watkins Road
Mike Kiser, Watkins Rd.
Charles Short, Grand Central Ave.
Barry Sawester, Marshall St.
Mike Belosky, Lynhurst Ave.

Don, Nancy Murphy, Shull Lane
Rose Apgar, S. Pine St.
Jim Baker, Steuben St.
Jodi Skroskznik, Center St.
Jean Zimmer, Matthew Cir.
Bill Driscoll, Day St.
Lori Fursman, Shappee St.
Ken Howland, Hhds.
Debi Lytle, Grand Central Ave.

Resolution by Trustee Gross, seconded by Trustee Lytle

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of March 31st, 2016 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Financial Report

Clerk-Treasurer Cunningham gave the financial report. She reported that Water expenses were down - due to well utilities, and usage is down. Water revenue is less because of bulk water sales. In General, we are 232K ahead of this time last year - doing well keeping expenses down. Sales Tax - we budgeted 1,237,731 - have rec'd 1,059,000. We have April and May sales tax yet to be rec'd.

Resolution by Trustee Gross, seconded by Trustee Goodwin

BE IT RESOLVED, that the Justice Reports for March 2016 be received and placed on file in the Village Clerk's Office.

Trustee Lytle - reports from the courts show \$4700 in fines, of that the Village gets \$800. As you look at them know that our share is very small.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Lytle, seconded by Trustee Gross

WHEREAS, at a General Convention of the Village of Horseheads Fire Department on April 5, 2016, the members of same held an election at which time the following individuals received the most votes for nomination for appointment to the respective offices:

<u>Office</u>	<u>Nominee for Appointment</u>
CHIEF	Arthur F. Sullivan
FIRST DEPUTY CHIEF	Thomas Margeson
SECOND DEPUTY CHIEF	Robert Young
THIRD DEPUTY CHIEF	Ryan Wheeler

and WHEREAS, the by-laws of the Department empower the Board of Fire Commissioners to consider the nominations and appoint such persons to the offices to which they are nominated, and

WHEREAS, this Board has considered the nominees and the offices they are nominated to fill.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees, acting as Fire Commissioners of the Horseheads Fire Department does hereby appoint the above-mentioned individuals as officers of the Department to hold the office noted for a term of one year or until a successor is appointed or a vacancy otherwise occurs in such office.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Ongoing Items

- Blostein Blvd.:

Mayor McIntosh reported that we have received a proposal from the county. We should have a workshop to discuss.

After brief discussion, the Board agreed to have a workshop on Tuesday, May 3rd at 7:00 p.m. And that we would also discuss Code Enforcement.

Public Hearing: Bethany, PUD Amendment - New Sign

Atty. Groff opened the public hearing.

Mike Swasta, Watkins Road - opposed to sign. Application does not say how bright sign is - lumen output - could be a nuisance to adjoining residential properties. Also sign is designed to add more tenants. I think it should be a condition that if the sign changes they should come back if they change the face of the sign. On the survey, it identifies the property line parallel to Watkins Road and Westinghouse. Typically there would be two more dimensions to locate points from the sign to the pins.

As nobody else came forward to speak, Atty. Groff closed this hearing.

Public Hearing: Proposed 2016-2017 Village Budget

Atty. Groff opened the public hearing on the budget

Nobody came forward to speak, Atty. Groff closed the hearing.

SEQR Review - Bethany, PUD Amendment - New Sign

The Board completed the questions on Part 2 of the SEAF, answering No to all questions.

Resolution by Trustee Lytle, seconded by Trustee Gross

WHEREAS, Joyce Wasserman, Michel Niedzielski, and Arnot Health are the owners of real property located at 2977 Westinghouse Road, Village of Horseheads, Chemung County, NY (Tax Map Parcel #48.16-1-1.51), and part of the Bethany Campus, and

WHEREAS, the property is currently zoned as Planned Unit Development (P.U.D.), and

WHEREAS, Finger Lakes Urgent Care, as tenant and with the consent of the owners has applied for a sign permit, and

WHEREAS, the applicant wishes to amend the current P.U.D. plan with the intent of installing a new 96" x 87" ground sign, and

WHEREAS, the project is subject to SEQR and has been classified as an Unlisted Action pursuant to SEQR regulations, and

WHEREAS, the Village is informed and believes that it is the only involved agency relative to SEQR, and

WHEREAS, applicant has submitted a Short Environmental Assessment Form (SEAF) and

WHEREAS, the Village of Horseheads Board of Trustees has conducted a thorough review of the application, Parts 1 and 2 of the SEAF and all of the environmental consequences associated with the Action, and

WHEREAS, this Board makes particular note of the fact that the proposed sign has been located out of the NYSDOT right-of-way.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS: Pursuant to and in accordance with the provisions of Section 617.6 (initial review of actions, and establishing Lead Agency) of the NYS Environmental Quality Review Regulations (6 NYCRR Part 617), the Village Board hereby makes the following determinations and classifications with respect to the project:

1. The Action is subject to SEQR.
2. The Action does not involve a federal agency, nor does it involve other agencies.
3. The Board makes a preliminary classification that the Action is an Unlisted Action.
4. The Board finds and determines that it is acting as the Lead Agency with respect to the adoption of, and approval of, the above-described Action.
5. The Board hereby finds and determines that:
 - (a) it has considered the Action, reviewed the SEAF Parts 1 and 2, reviewed the criteria set forth in 6 NYCRR section 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential project environmental impacts and their magnitude in connection with the proposed Action;
 - (b) the proposed Action will not result in any large and important environmental impacts, and, therefore, is one which will not have a significant impact on the environment; and
 - (c) the reasons supporting this determination are set forth on the attached Determination of Significance with respect to this Action (a copy of said form will be on file in the Office of the Village Clerk of the Village of Horseheads).
6. The Board hereby:
 - (a) adopts a negative declaration pursuant to 6 NYCRR section 617.7 with respect to the project,
 - (b) authorizes the Acting Village Manager to sign a negative declaration, determination of non-significance with respect to the project, and
 - (c) authorizes the Clerk of the Village of Horseheads to forward a copy of said negative declaration, determination of non-significance to all appropriate state and local departments and agencies.
7. This Resolution shall take effect immediately.

Trustee Gross - if they change names on the sign do they have to come back.

Atty. Groff - only if they increase the size of the sign.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Lytle, seconded by Trustee Goodwin

WHEREAS, Joyce Wasserman, Michel Niedzielski, and Arnot Health are the owners of real property located at 2977 Westinghouse Road, Village of Horseheads, Chemung County, NY (Tax Map Parcel #48.16-1-1.51), and part of the Bethany Campus, and

WHEREAS, the property is currently zoned as Planned Unit Development (P.U.D.), and

WHEREAS, Finger Lakes Urgent Care, as tenant and with the consent of the owners has applied for a sign permit, and

WHEREAS, the applicant wishes to amend the current P.U.D. plan with the intent of installing a new 96" x 87" ground sign, and

WHEREAS, the application and plan has been reviewed by the Planning Boards of the Village of Horseheads, Chemung County, and Town of Horseheads Planning Board; also the Village of Horseheads Traffic Commission with such Boards recommending approval, qualified approval, or local determination as to such proposed sign, and

WHEREAS, the Village Planning Board recommended that the sign be reduced in size, internally lit, and moved out of the right-of-way owned by NYSDOT; and such conditions have been agreed to by the applicant, and

WHEREAS the application has also been reviewed by representatives of NYSDOT, noting that the applicant adjusted the proposed location of the new sign out of the NYSDOT right-of-way, and

WHEREAS, the Village Board of Trustees, as Lead Agency, has issued a Negative Declaration under SEQR with respect to review and analysis of the environmental consequences associated with the requested sign, and

WHEREAS, notice of a public hearing to be held regarding the proposed sign was posted and published as required by law with mailing of the proposed sign to neighboring property owners, and

WHEREAS, a public hearing was held on the application on April 14, 2016 and all interested parties were heard concerning the proposed sign, and

WHEREAS, the Board of Trustees has conducted a thorough review of the application.

NOW THEREFORE BE IT RESOLVED, that the revised application of Finger Lakes Urgent Care on behalf of Joyce Wasserman, Michel Niedzielski, and Arnot Health for amendment of the Planned Unit Development for the above property, based upon the above findings and action, is hereby approved, and be it further

RESOLVED, that the Village of Horseheads' approval of a sign to be located at 2977 Westinghouse

Road, specifically in the northeast corner of the parcel on NYS Route 14 (N. Main Street) near an entrance/exit from the parcel, granted on 1/22/09 is hereby rescinded.

Atty. Groff - there were two signs for which permission had been granted. One was on the west side of Route 14 north of the intersection near the point of ingress for Bethany village. The sign that the PB recommended to be rescinded had to do with the sign on the north line of the property - not on the south side.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Resolution by Trustee Lytle, seconded by Trustee Goodwin

WHEREAS, Village Budget Officer Louise McIntosh has prepared and submitted a proposed budget for the fiscal year 2016-2017, and

WHEREAS, this budget has been reviewed and critiqued by the Board of Trustees, and

WHEREAS, a public hearing was held on April 14th, 2016 relative to the proposed budget.

NOW THEREFORE BE IT RESOLVED, that the proposed 2016-2017 budget prepared by the Budget Officer which establishes anticipated revenues and appropriations in the amount of \$5,919,442 with the schedule of salaries and wages and other appropriate schedules required by law is hereby adopted as the final budget for the Village of Horseheads for the fiscal year June 1, 2016 through May 31, 2017, containing a tax levy of \$5.49 per thousand dollars of assessed valuation, representation a 3.75% increase in property taxes.

Roll Call Vote:

Mayor McIntosh	Aye
Trustee Lytle	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye

Ongoing Items - Cont'd

- North County Seniors:

Mayor McIntosh reported that they have secured a new location - Appleridge. This will be a good place for them.

- Community Progress, Inc.:

Mayor - Trustee Gross asked for this because it was in the minutes - the board had seen this proposal and we are going to have a presentation from them sometime soon

- PILOT for Pathways, Inc.:

Mayor - I talked to John - it's too late for that property.

Trustee Gross - I was just wondering why it wasn't asked for in the very beginning. I wouldn't wait for the county to suggest this.

Trustee Lytle - they aren't required to pay any taxes - so why is it a PILOT and not a different agreement.

Atty. Gross - that is why - they are tax exempt - they demand services even though they don't pay taxes.

- Crosswalks:

Turns out we didn't have the right signs.

Audience Participation

Charles Short, Grand Central Ave. - I wish someone would let public know what the law is on crosswalks. See people darting between cars and never look.

Mike Swasta, Watkins Road - media reported that our state budget includes funds for connector road from Route 13 to Route 14. Are you aware of any update in status on this.

Mayor McIntosh - no update at this time.

Manager's Report

Mayor McIntosh - I put copies in your folders, and attached all the departmental reports as well.

The Mayor read and discussed her report:

* Finalized a uniform contract with CINTAS- should save us a substantial amount of money

* Code Dept

- o Working on new software for a savings, we have proposal, but need to cancel our current one. Have been unable to make contact

- o Waiting for a proposal from Elmira Heights to use Karl Cook part time, for training Patrick, there is money in the budget for this

- o Patrick had storm water training this week

- o Patrick assisted with the tractor trailer accident on RTE 414

- o Trying to locate the mutual aid agreement for code officers in the area

- * Met with property owner of Village Plaza, just to meet her & discuss possible collaboration
- o Met with Dave Sebastianelli with Brown & Brown. He provided updates in the health insurance business. Looks like we will see a 2% increase in health insurance for next year. Should know by August what the estimated new rates will be. We will know it October what the actual ones are.
- * Met with Southern Tier Tobacco re: their county wide initiatives. It is smoke free apartments.
- * Had the first meeting with the Vibrant Community committee re: the URI moneys. This first meeting was an organizational meeting. I've very excited to be able to utilize their consultant for free. Susan Payne is the architect of the \$500 million .She & I will be discussing our plans for the village that can be carried back through the chain of committees.
- * Traffic commission met
 - o Intersection of Grand Central & Broad
 - o Possible addition in the Village Plaza
 - o Fatal accident on Westinghouse & Watkins
- * Met with CSEA on Thursday. Think we are getting closer to an agreement.
- * Met with the lawyer, Jerry O'Connor for the explosion on Joseph St. Depositions are today 7 tomorrow.

BOT, Department Head Updates

Trustee Gross:

- Wendell Progress Mtg. - most street lights are up
- Comprehensive plan review - had workshop this week
- CSEA nego. mtg.
- Thanked Matt Mustico - path between Broad and Thorne - DPW cleaned path out
- Garden Club - planting for memorial day
- Attended workforce development at CCC

Trustee Lytle:

- Cintas - new supplier for work clothes - will that be a savings?
- Mayor - Yes
- Lights in the square? Trustee Gross - yes it would be expensive to replace. Wendell said. Could put old units back in.
- Police station - need to see all the work they did - Sean Lohmuller - donating time
- Cleaning out evidence room

Trustee Goodwin:

- Courts running smoothly
- Code Enf - I will do a ride along with code enf officer next week
- Another newsletter coming up - asked who prefers paper copy - many residents in attendance

raised their hands.

Nate Nagle:

- Dug out sink holes in Thorne St. Park - one was a log - other two had some groundwater. Those have been filled. Need to do more work.
- Lighting units on basketball and tennis courts in progress. Timing will have them come on 20 min before sunset, and go out at 11pm. If you want to use them you push the button, after 50 minutes a blue light tells you to reset the button if necessary.
- Softball lights - those can be activated the same way. Have to have a 5 digit code to turn them on. We no longer hand out keys to the light box, etc. We just issue a code.
- Can run reports on how often the lights are used.

Mayor McIntosh:

- Workshop next Wednesday - regarding Village Mgr. position

As there was nothing further to come before the Board, the meeting was adjourned at 8:00 p.m.

/rmb