

# Minutes

## Village Board of Trustees

March 22<sup>nd</sup>, 2018

A 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 Bill Goodwin Trustee Rob Maloney Village Manager Brad Lytle	Manager's Asst. Rachel Baer  <u>Absent</u> Trustee Pat Gross Atty. John Groff
<u>Others Present.</u>	
Jerry Michelson, Insero & Co. Dave Padgett, W. Franklin St. Michael Maloney, Westlake St. Don Zeigler, Watkins Rd.	Marge Butler, Grand Central Ave. Fred, Karen White, Watkins Rd. News Media

### PUBLIC HEARINGS:

At this time, Manager Lytle declared open a Public Hearing regarding a Proposed Local Law on Tax Cap Override. As nobody came forward to speak, Manager Lytle closed the public hearing.

At this time, Manager Lytle declared open a Public Hearing regarding the Draft 2018-2019 Village Budget. As nobody came forward to speak, Manager Lytle closed the public hearing.

### D&A: Proposed Local Law on Tax Cap Override

Resolution by Trustee Skroskznik, seconded by Trustee Goodwin

WHEREAS, the New York Legislature adopted a law signed by the Governor establishing a limit upon real property tax levies by local governments commonly known as the Tax Cap Law (GML Section 3-c), and

WHEREAS, Village Manager Brad Lytle has explained to this Board that it may be necessary to override the tax levy limit to meet contractual obligations, fund health insurance expenses, fund pension contribution payments, and fund the increasing cost of commodities, among other things,

and

WHEREAS, GML Section 3-c, Subdivision 5 expressly authorizes the Village Board to override the tax levy limit by the adoption of a local law approved by a vote of 60% of the Village Board, and

WHEREAS, this Board has been presented with and reviewed a proposed local law to override the tax levy limit established in GML Section 3-c for the fiscal year 2018-2019, and

WHEREAS, a public hearing regarding said local law was held on March 22, 2018, and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village as required by law, and

WHEREAS, this Board finds, after due deliberation, that it is in the best interest of the Village to adopt said local law.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees hereby adopts said Local Law entitled "A Local Law to Override the Tax Levy Limit Established in GML Section 3-c", for Fiscal Year 2018-2019, a copy of which is to be placed on file with the Village Clerk, and filed with the Secretary of State.

Roll Call Vote:

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

D&A: Draft 2018-2019 Village Budget

Resolution by Trustee Goodwin, seconded by Trustee Maloney

WHEREAS, Village Budget Officer Brad Lytle has prepared and submitted a proposed budget for the fiscal year 2018-2019, and

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

WHEREAS, a public hearing was held on March 22, 2018 relative to the proposed budget.

NOW THEREFORE BE IT RESOLVED, that the proposed 2018-2019 budget prepared by the Budget Officer which establishes anticipated revenues and appropriations in the amount of \$5,862,240 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, 2018 through May 31, 2019, containing a tax levy of \$5.79 per thousand dollars of assessed valuation.

Roll Call Vote:

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

Presentation by Insero & Co.

Jerry Michelson - Insero & Co. came forward -

We have also talked to Rick McNeilly. Our responsibility is more tuned to an internal audit function where we agree on procedures, and internal controls, cash handling, etc. and to make recommendations. Based on our review we have no exceptions. Primary focus really is internal control over financial reporting and processes. No one person should be executing a financial transaction without having another set of eyes on it. In a small office its hard. We did notice that there are secondary sets of eyes on transactions, but isn't always there or consistently documented. Our recommendation is that there are some alternative procedures that could be reviewed. The Manager could review the bank statements. That is one suggestion. Important function of enhanced procedures would be to get the statements ahead of time. I don't think there are any serious breaches, its just the circumstances and timing of functions. The essence is that two people should be counting and verifying for deposits. Some alternative procedures have been implemented already. Overall I think Brad should review any adjustments to basic financial records.

Manager Lytle - the Clerk-Treasurer is at a conference tonight at Tompkins County, but she did want me to let you know that this audit looked at a lot of records regarding handling of cash, etc. She wants to assure the Board that Insero did a very professional job - took a lot of time.

Resolution by Trustee Skroskznik, seconded by Trustee Goodwin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of March 8<sup>th</sup>, 2018 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

Resolution by Trustee Skroskznik, seconded by Trustee Maloney

WHEREAS, the Village was awarded and accepted an Incentive Proposal from NYS Department of Economic Development and NYS Urban Development Corporation, d/b/a Empire State Development (ESD) to develop a strategic plan for optimizing the Village's economic growth per a resolution of this Board adopted May 25, 2017 and

WHEREAS, Village Manager Brad Lytle sought proposals from qualified parties to assist the Village in development of a strategic plan for economic development within the Village, and the proposal from Fairweather Consulting was accepted and awarded in September 2017, and

WHEREAS, Fairweather has completed its development of a Draft Economic Development Plan.

NOW THEREFORE BE IT RESOLVED, that a public meeting is hereby scheduled for Thursday, April 12<sup>th</sup> at 7:00p.m. in Horseheads Village Hall so that the residents and all interested parties can be presented with the findings and to review the draft plan. Said plan to be placed on the Village's website, and on file with the Clerk-Treasurer.

Roll Call Vote:

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

Audience Participation - None.

#### Manager's Report

- Budget – The Tentative Budget was presented to the Board of Trustees on Thursday March 8, at 7:00 PM. The Public Notice has been issued and the Public Hearing has been set for Thursday March 22, at 7:00 PM. The Tentative Budget is on our website. As you can see from the NY State Budget Calendar, we are well ahead of any deadlines.
  - The 2018 NY State Budget Calendar is as follows:
    - By February 8<sup>th</sup> – Notify Dept. Heads to prepare their estimates
    - By March 1<sup>st</sup> – Dept. Heads submit their estimates
    - By March 20<sup>th</sup> – BO prepares Tentative Budget, files with VC
    - By March 31<sup>st</sup> – VC presents Tentative Budget to BOT for review and modification
    - By April 15<sup>th</sup> – Notice of Public Hearing
    - By April 20<sup>th</sup> – Public Hearing
    - After Hearing but prior to adoption – Final Revisions
    - By May 1<sup>st</sup> – Adoption of Budget
- Worker's Compensation Insurance –John Condon, Brown & Brown, told us that we are likely looking at an increase in our Worker's Compensation Premiums from PERMA, since our Experience Rating has increased because of employees being off for injuries. I have asked them to get an alternative to the PERMA policy we have for Worker's Compensation, which they will do. Additionally, we have asked for a quote from COMP ALLIANCE for our Worker's Compensation, so we'll have another cost for comparison.
- The PBA Memorandum of Agreement is complete. Next step will be working with Matt Ryan, Roemer Wallens Gold & Mineaux LLP, to incorporate the modifications within the MOA into the existing Collective Bargaining Agreement.

- We have scheduled our first meeting with CSEA for 1:00 PM on Thursday, April 12. Our contract with them expires on May 31.
- Front Office – Kudos to Tammy Miele! Tammy followed up with Cintas, who provides us with carpet service, because she hadn't noticed the carpets being changed. It turns out that they have a new person on our account and he wasn't providing us with the service that we have been paying for. They are checking our records and we will be getting a credit covering at least 3 months, maybe more.
- Payroll & General Accounting Software – As you know we entered into a Shared Services Agreement with Chemung County to provide us with Payroll Software, Payroll Processing and Support Services for that process. This is made possible by the agreement that the County made with New World, which allowed the County to share their software with municipalities within the County with fewer than 50 employees. We are now starting the process of changing over to New World for our General Ledger, Cash Receipts and Accounts Payable. The Software cost savings to the Village Budget are \$20,000 per year. The effort and work expended on the transition warranted us seeking a multi-year Intermunicipal Agreement with the County. Rather than the single year term, originally proposed, we have asked for a 5-year agreement with the County and they have agreed.
- DOC Farmland – Met with STEG about the possibilities and restrictions being imposed by the State on uses of the property. It was agreed that we should ask the DOC about some other possibilities of partnering with other municipalities and the possibility of future waivers that might allow other uses, like Senior Housing in a park setting with recreational facilities. We were told that we have few options, other than Recreational, for the property. Additionally, we are told that most of the property is in the Flood Plain. There is a possibility that the work on the levee, as part of the 'Connector Road,' might change that, so we are checking with the County.
  - Noteworthy: The Connector Road may offer another access point to the property.
  - We also asked NYSDOC about the remainder of the property, which is not being conveyed. The remaining portion of the property is DEC land and would have an entirely different process for acquisition.
- Road Paving – DPW will be paving Fletcher St., between South Main and Grand Central soon, using funds budgeted in this year. In preparation, they have been installing all new services to the properties on those two blocks. They will also be doing all they can to alleviate the occasional excess water that has been reported. We have 4 drywells in the area, but sometimes, when there is a lot of rainfall, they cannot handle it. This is perhaps the lowest point in the Village and this has been a problem for decades. DPW is sure that our work there will help, but not sure that it will totally remedy the issue in all cases.
- Inero & Co. CPAs, LLP – Jerry Mickelson, partner Inero, will be presenting their "INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES" at the Board Meeting on Thursday, March 22. They found no significant deficiencies. They did make a few suggestions on some minor areas of concern to them and we will be making some tweaks to a few procedures, based upon their recommendations. We expect their final report will be made available very soon. Here are the tasks they completed:

1. They documented and analyzed internal control procedures over cash handling in the Clerk/Treasurer's Office and the Parks and Recreation Department, including procedures over bank reconciliations.
2. They performed a cash receipts test of receipts accepted at the Clerk/Treasurer's Office and Parks and Recreation Department. We judgmentally selected a sample of 25 receipts and examined documentation to determine whether they were recorded properly and in accordance with Village policy.
3. They examined the activity in the main checking account for two months during the fiscal year 2016-2017, as well as June 2017. We compared the bank account activity to the accounting records and examined copies of check facsimiles for agreement as to payee and amount.

Manager Lytle added the following additional items:

- Rec'd email from James Casey for FEMA, regarding well 4-5 interconnect, and archeological survey. As you know that has held up the original FEMA bond. I believe we hit a milestone now. All agencies are satisfied with our remedy which will be a maintenance plan and an educational pamphlet that is being put together at Binghamton University. Then we will sign off on the maintenance plan. Then we will have the monies so we can pay off the bonding for this.

#### BOT, Department Head Updates

Trustee Goodwin - There is a light out on my street for weeks. Apparently we have to have at least 5 out before the company comes to fix them. I think we should change this. This is a safety issue. I ask the trustees so that we don't have to wait for several to go out before we get service. Should be two weeks at the most.

Manager Lytle - I can take a look at this. We did reach out to Matco and Wendel on this. They are coming out of Binghamton to do this. Our warranty was extended for a year because there were so many problems with the components of the lights. Once that is up we will be paying for the lights to be repaired. I could find out how much it would cost if we made them come out when a light is out. I will report back.

Trustee Maloney - met with another firetruck vendor. That makes 4. Then we can meet with the Manager and draft up the specs.

Manager Lytle - all invoices have been paid on the 30K radio grant that we applied for.

Motion by Trustee Skroszknik, seconded by Trustee Maloney, that this Board and the Village Manager move into an Executive Session to discuss the employment history of a particular person.

Roll Call Vote:

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

At 7:29pm the Village Board and Village Manager moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 7:50pm the Board reconvened back into its regular meeting of this date.

As there was nothing further to come before the Board, the meeting was adjourned at 7:50pm

/rmb

**Village Board of Trustees  
EXECUTIVE SESSION  
March 22, 2018**

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 Mike Skroskznik, Bill Goodwin, and Rob Maloney. Also present was Village Manager Brad Lytle. They discussed the employment history of a particular person. No action was taken.

At 7:50 pm a motion was made by Trustee Skroskznik, seconded by Trustee Goodwin, that the executive session be adjourned, and the Board reconvene back into its regular meeting of this date.

Roll Call Vote:

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