

Minutes

Village Board of Trustees

January 24th, 2019

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Those present were:

<u>Village Board and Staff</u>	
Mayor Rob Maloney Trustee Bill Goodwin Trustee Pat Gross Trustee Mike Skroskznik Village Manager Nate Nagle	Village Atty. John Groff Clerk-Treasurer Donna Dawson Manager's Assistant Rachel Baer Police Chief Tom Stickler
<u>Others Present</u>	
Lloyd McWilliams, Westlake St. Michael Kiser, Duncan Drive Tom Rupp, Tift Ave. Chris Goll, Cameron Mfg. Don Zeigler, Watkins Rd. Louise McIntosh, Renwick Lane	Rick Bacmanski, Lilac Dr. Mary Lou Blank, Thorne St. Dawn Bush, Thorne St. Marge Butler, Grand Central Ave. Rick Milazzo, S. Main St.

*** NOTE: Regularly scheduled meeting of January 10, 2019 was cancelled.***

Resolution by Trustee Gross, seconded by Trustee Goodwin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meetings of December 13th and 20th, 2018 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	Aye

Cameron Mfg. Lease of Land: SEQR Review

This matter is regarding the leasing of land to Cameron Manufacturing on Blostein Blvd., for the purpose of establishing a parking area for their employees.

At this time the Board reviewed and completed Part 2 of the SEQR form regarding this matter, finding no significant negative environmental impacts, and authorized a Negative Declaration.

Resolution by Trustee Gross, seconded by Trustee Goodwin

WHEREAS, the Village of Horseheads is the owner of lands located on Blostein Blvd., south of and abutting to Cameron Manufacturing and Design, Inc., Horseheads, NY (part of Tax Map Parcel #59.17-1-42), and

WHEREAS, CMD Land Holdings, LLC (“Tenant”) has requested to lease approx. 1.22 acres of said vacant land owned by the Village to be developed into a parking lot, and

WHEREAS, approval of this project by the Village is subject to NYS Environmental Quality Review Act, and

WHEREAS, the Village has prepared a Short Environmental Assessment Form (“SEAF”) regarding said lease of land, and

WHEREAS, the Board of Trustees has reviewed and considered Parts 1 and 2 of the SEAF.

NOW THEREFORE BE IT RESOLVED THAT, pursuant to and in accordance with the provisions of NYS Environmental Quality Review regulations (6 NYCRR Part 617) Section 617.6, Initial Review of Actions and Establishing Lead Agency, the Village of Horseheads Board of Trustees hereby makes the following determinations and classifications with respect to the proposed leasing of lands (“Action”):

1. The Action is subject to SEQR
2. The Action does not involve a federal or state agency.
3. The Action is preliminarily classified as an Unlisted Action.
4. The Board of Trustees is and will be the Lead Agency with respect to adoption of, and approval of, the Action.
5. The Village Board finds and determines:
 - a) it has considered the Action, reviewed the Short Environmental Assessment Form, reviewed the criteria set forth in 6 NYCRR 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, and has considered all of the potential environmental impacts and their magnitude in connection with the proposed Action;
 - b) the Action will not result in any moderate to large 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 Part 3, Determination of Significance, of the Short Environmental Assessment Form with respect to this Action.
6. The Village Board, as Lead Agency, hereby adopts a Negative Declaration

pursuant to 6 NYCRR 617.7 with respect to the Action, and authorizes Village Manager Nate Nagle to sign a Determination of Significance finding that the Action will not result in any significant adverse environmental impacts.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	No

Cameron Mfg. - Lease of Land: Declare Property Surplus

Resolution by Trustee Goodwin, seconded by Trustee Gross

WHEREAS, the Village of Horsehead is the owner of certain vacant and unutilized land situate on Blostein Blvd. in the Village (part of tax map parcel #59.17-1-42), and

WHEREAS, said parcel was acquired for the operation of a landfill which use has been discontinued, and

WHEREAS, it is no longer necessary for the Village to retain use of the surface of said parcel, however the Village wishes to retain the sub-surface use as the former landfill, and

WHEREAS, CMD Land Holdings LLC, an affiliate of Cameron Manufacturing and Design, Inc. wishes to lease the surface of a 1.22 acre parcel for development of the surface as a parking lot to enhance and enable the continued operation of Cameron Manufacturing's manufacturing facilities on Blostein Blvd.

NOW THEREFORE BE IT RESOLVED, that approximately 1.22 acres of vacant land owned by the Village of Horseheads and located on Blostein Blvd., south of and abutting to Cameron Manufacturing and Design, Inc., Horseheads, NY is hereby declared as surplus property, and be it further

RESOLVED, that Village Manager Nate Nagle is hereby authorized and directed to dispose of the surface of same in as is/where is condition as soon as may be practical.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	No

Cameron Mfg. - Lease of Land: Authorize Lease

Resolution by Trustee Gross, seconded by Trustee Goodwin

WHEREAS, the Village of Horseheads is the owner of vacant and currently unused land on Blostein Blvd., and

WHEREAS, by resolution this Board has declared 1.22 acres of Tax map Parcel #59.17-1-42 to be surplus property, and

WHEREAS, CMD Land Holdings, LLC ("CMD"), an affiliate of Cameron Manufacturing and Design, Inc. ("Cameron") seeks to lease the surface of said 1.22 acre parcel for development as a parking lot for the benefit of Cameron, and

WHEREAS, the Village commissioned and received an appraisal of the value of leasing the surface rights of said property for a period of 20 years, and such appraisal reflected a value of \$1,000.00 per year, and

WHEREAS, CMD has offered to enter into a twenty-year ground lease with the Village at an annual rental of \$1,000.00, with CMD to be responsible for all insurance, utilities, improvements and any physical or monetary damages from their development and use of said parcel, and the Village shall have the ability to terminate the lease early if CMD is in default, and

WHEREAS, as additional assurance and protection to the Village, Cameron has offered to guarantee certain obligations of CMD under a proposed ground lease with the Village, and

WHEREAS, Village Manager Nate Nagle and Village Attorney John Groff have reviewed and approved the proposed ground lease as to form, and have also reviewed and approved the companion Lease Guarantee as to form.

NOW THEREFORE BE IT RESOLVED, that the Village Board hereby authorizes the lease of the 1.22 acre parcel to CMD Land Holdings, LLC for the term of 20 years and at an annual rental fee of \$1,000.00, and be it further

RESOLVED, that Village Manager Nate Nagle is authorized and directed to execute such lease with CMD Land Holdings, LLC, and Lease Guarantee with Cameron Manufacturing and Design, Inc. as soon as is practical and that fully executed documents be placed on file with the Village Clerk-Treasurer.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroszchnik	No

Financial Reports

Clerk-Treasurer Donna Dawson reviewed the financial reports.

- Revenues up for Water and General
- General Fund expenses up 24% over last year - mostly from new firetruck
- Rest are costs of new hire for police officers, replacing equipment on police car that was totaled last year
- Liab ins premium was up by 11k
- Also two new union contracts - salary increases
- Gen revenue up 45k, still good news because we stayed ahead of last year
- Water expenses up 96k over last year. Spent 12k on fire hydrants, plus extra charges for leak detection
- NYS retirement up 30k
- Water revenue up 3% - due to interest from NY Class
- Sales tax is at 66% - on target would be 58%
- Health reimbursement fund doing very well - calendar year, we budgeted 307K, spent 147k

Police Fees

Village Mgr. Nagle - There is an increase in businesses asking for fingerprints and background checks. We never had fees to do this. This covers time and labor. Chief Stickler has compared other agencies for what they charged.

Resolution by Trustee Gross, seconded by Trustee Goodwin

WHEREAS, it is the policy of the Village of Horseheads Board of Trustees to seek recovery of costs associated with providing certain services to the general public above and beyond essential governmental services, and

WHEREAS, it is the objective of this Board to recover costs reasonably borne by the Village in providing direct services to particular individuals or groups rather than the general populus of the Village, and

WHEREAS, in order for the Village to continue to provide such services it is necessary for the Village to recover the costs of providing such services, and

WHEREAS, in order to meet cost recovery objectives it is necessary and appropriate to establish fees for providing services, and

WHEREAS, Police Chief Thomas Stickler has recommended to this Board certain fees for services that are provided by the Police Department which are not a police function.

NOW THEREFORE BE IT RESOLVED, by the Village of Horseheads Board of Trustees that:

1. The fees described below are justified in that they do not exceed the estimated reasonable costs of providing the services.

SERVICE BEING PROVIDED	RESIDENT FEE	NON-RESIDENT FEE
Fingerprint Card (each addit'l card \$1.00) (non-criminal)	\$25.00	\$50.00
Certificate of Conduct	\$25.00	\$50.00
Records Check (Background Check)	\$25.00	\$50.00
Tenant Background Check	\$25.00	\$50.00

2. The imposition of such fees shall take effect immediately.

Roll Call Vote:

Mayor Maloney Aye
Trustee Gross Aye
Trustee Goodwin Aye
Trustee Skroskznik Aye

Receive Draft Audit - Discussion

Manager Nagle - in your packet you have draft audit. Rick McNeilly will be meeting with you on 2/7 to review and accept.

Resolution by Trustee Skroskznik, seconded by Trustee Goodwin

BE IT RESOLVED, that the Justice Report for November 2018 be received and placed on file in the Village Clerk's Office

Roll Call Vote:

Mayor Maloney Aye
Trustee Gross Aye
Trustee Goodwin Aye
Trustee Skroskznik Aye

MEGA

Village Mgr. Nagle stated that a year ago we were in line to join MEGA - Municipal Electric and Gas Alliance - then the question of gross receipts tax came up. Then we stopped it. Now they came to us stating they have extended deadline to Feb. 1 if we want to join now. That puts us into bid process with 24 other communities. If we wait until after 3/2 we could only join would be their next bid - year or two from now. Program has not changed - its still an 'OPT OUT' program. Everyone in the Village would automatically go into this. And if they want to go back to NYSEG

they have to opt out.

Discussion ensued.

Mayor Maloney - so being added to Request for Proposals is not a commitment as of 2/1.

Mgr. Nagle - true - we would get info back on savings to the residents, and what our gross receipts tax would be. Then end of February would be commitment time.

Trustee Skroskznik - originally it was a good idea until we found out about gross receipts tax, and not being transparent to residents. Especially the 'opt out' part. I don't think it's a good idea.

Trustee Gross - Maybe we can consider it when it comes around again in a year, etc.

Trustee Goodwin - we could wait to see how other communities make out.

Nate - you have a couple of options. If you want to talk to residents throughout the week, we still have until Feb 1st. Or we can tell MEGA now no thank you. We will not know what the rates will be unless we are included in the bid process.

The Board agreed to table further discussion on this until the meeting on January 31st.

Police Officer Vacancies

Atty. Groff - hiring freeze was established in December. You entered into an agreement with the Police union to establish minimum staffing level of 10 officers. Currently you have 8. Need to hire two more to comply with agreement with PBA. So we need to lift the freeze for this. John added that this resolution would not require them to come back for the other vacancy when a candidate is selected. You have a contract. And the resolution you did for freeze was in conflict with the PBA agreement you approved. This resolution says they can keep the minimum staffing level without having to come back if we lose another officer.

Trustee Gross - but we like to know when someone is retiring, and/or hiring.

Chief Stickler - I always go through the Manager during this process.

Resolution by Trustee Gross, seconded by Trustee Goodwin

WHEREAS, on December 13, 2018 this Board established a hiring freeze as to all full time employee positions in the Village of Horseheads, and

WHEREAS, such freeze may be lifted and rescinded at the discretion of this Board, and

WHEREAS, vacancies currently exist in the Horseheads Police Department per an agreed minimum departmental staffing level which necessitates the temporary rescission of the hiring freeze as to this Department to allow it to attain said minimum staffing level.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nate Nagle and Police Chief Thomas Stickler are authorized and directed to take any and all reasonable steps necessary to

hire sufficient police officers as to attain the minimum department staffing levels established by the MOU between the Village and Horseheads Police Benevolent Association dated March 15, 2018.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroszchnik	Aye

Resolution by Trustee Gross, seconded by Trustee Goodwin

BE IT RESOLVED, that the minutes of the Traffic Commission Meeting of January 10th and 22nd, 2019 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroszchnik	Aye

Resolution by Trustee Skroszchnik, seconded by Trustee Gross

BE IT RESOLVED, that Village Atty. John Groff is authorized and directed to prepare draft legislation to override the tax levy limit established in GML Section 3-c for fiscal year 2019-2020.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroszchnik	Aye

Manager's Report

Manager Nagle reported on the following items:

- New lockbox agreement with Fivestar - for water/tax payments. Switching from Chase to Fivestar because we will be able to make interest on the \$1.6 M we have. Right now drawing zero interest at Chase. Will have a resolution for this at next meeting.
- Empire access - marked out where the pad will be behind Village Hall. Mid February before pad is on. Then they put up point-of-presence "pops". Possibly late April it will be available to residents. Already available to commercial.
- New firetruck in service on 1/28

- Budget calendar in your packet
- Distributed financial data regarding budget transfers and sheet showing where the money comes from to hire new officers
- Traffic Commission met again - school district issue - Sayre St. extension crossing - want to open for construction vehicles, letter in your packets on this.
- Most recent police vehicle accident - car being repaired - was not totaled

Audience Participation

Don Zeigler, Watkins Rd. - compliment Board on a wonderful mtg. Also would like to know more about MEGA

Dawn Bush, Thorne St. - suggest documents also be available to the public. Also, on MEGA, I attended info mtgs on this a year ago. Should sign up if there is no commitment until RFP comes back. Also, when you vote no we wonder why. Also - parking lot for Cameron Mfg., might want to think about maybe saying no tractor trailers on it, etc.

Tom Rupp, Tiff Ave. - financial report, did we pay \$400K for a firetruck in cash.
Mayor Maloney - Yes.

Chris Goll, Cameron Mfg - on behalf of employees at Cameron we thank the Village for this. We have been working on this for a year. Appreciate solving this issue.

BOT, Department Head Updates

Trustee Goodwin:

- Appreciate flowers Village sent for my father
- The request from the county to list temporary housing in an emergency. Report on temp housing
- Land Village owns on South Ave., I know there was some disc on selling this, will we every declare this surplus?
- Property on Maple Grove Lane - the house - what will we do with that?

Trustee Gross:

- Thanked Chris Lawrick for work on water main break on Division Street today.

Trustee Skroskznik:

- Neighborhood Watch mtg. Feb 19th, Fire Dept. will make a presentation - 7pm
- Documents available at Village Hall for anyone interested.
- On Cameron - I voted no because I didn't think we should be involved in this.

Atty. Groff:

- Finalizing agmt with Fagan Engineers for water study.

Clerk-Treasurer Dawson:

- Brainstorming ideas for modernizing the front office. Trying to repurpose what we already have - make it more user friendly out there - in the next year.

Mayor Maloney:

- Water Dept and Street Dept over the weekend - did a wonderful job.

Motion by Trustee Gross, seconded by Trustee Goodwin, that an item regarding Probationary Appointment to the Fire Department be added to the agenda.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	Aye

Resolution by Trustee Skroskznik, seconded by Trustee Gross

BE IT RESOLVED, that this Board hereby approves the one-year probationary appointment of Michael Schrock of Horseheads, NY to the Village of Horseheads Fire Department.

Roll Call Vote:

Mayor Maloney	Aye
Trustee Gross	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	Aye

NEXT MEETING: Jan. 31st, 7pm

Adjourned at 8:03 p.m.

/rmb