

# Minutes

## Village Board of Trustees

August 25, 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  
Parks Dir. Nate Nagle  
Manager's Asst. Rachel Baer  
PB Chair Mike Stenpeck  
Police Chief Tom Stickler  
Sgt. Daniel West

### Absent

Trustee Mike Skroskznik  
Clerk Sharron Cunningham

### Others Present.

Blanche West, Ponderosa Dr.  
Tara, Kailee, Jake West, Bluejay Dr.  
Roman Koval, N. Pine St.  
Fred White, Watkins Rd.  
Krista Matia, S. Main St.  
Erich Herzig, S. Main St.  
Bill Marquardt, Esq., Syracuse

Tom, Lynn Rupp, Tiff Ave.  
Don Coyles, Esq., Grand Central Ave.  
Mike Kiser, Bethany  
Tom Santobianco, Bethany  
Pat, Crissie Sullivan, Meadowbrook Pkwy.  
Seth Zawko, Forrest Drive  
Karen White, Watkins Rd.

### Presentation for Police Sgt. Dan West

Chief Stickler made a presentation to Sgt. Dan West. He received a Certificate of Exceptional Valor from the Governor's Office for his assistance during a dangerous arrest in Elmira Heights last November. Chief Stickler also read a letter from the Governor's Office regarding Sgt. West's commendation.

Resolution by Trustee Gross, seconded by Trustee Goodwin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of August 11, 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 Reports

Mayor McIntosh noted that these reports just came in this afternoon. The computers were down for a few days. She reviewed the reports with the Board.

Resolution by Trustee Gross, seconded by Trustee Goodwin

BE IT RESOLVED, that a public hearing is hereby scheduled for Thursday, September 8, 2016 at 7:10 p.m. regarding the application of Appleridge for a Planned Unit Development Amendment for a parking lot expansion.

Roll Call Vote:

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

Resolution by Trustee Gross, seconded by Trustee Lytle

BE IT RESOLVED, that the following changes/appointments to the Planning Board and Zoning Board of Appeals by Mayor McIntosh be approved:

ZONING BOARD OF APPEALS

- **Hank Corp**, William Lane, has submitted his resignation from the ZBA, effective immediately
- **Jennifer Driscoll**, Hatfield Street, is hereby appointed as a **ZBA Member** for a term which will expire the first Monday in **December, 2016** (filling unexpired term of Hank Corp)
- **Fred White**, Watkins Road, is hereby appointed as a **ZBA Alternate**, for a term which will expire on the first Monday in **December 2016**.

PLANNING BOARD

- **Erich Herzig**, S. Main Street, is hereby appointed as a **Planning Board Alternate** for a term which will expire the first Monday in **December 2017**.

Roll Call Vote:

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

Resolution by Trustee Lytle, seconded by Trustee Goodwin

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

Roll Call Vote:

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

Bethany Presentation - 6320 Financing

Tom Santobianco, from Bethany came forward.

- Elderly population is growing
- Starting new program for 60 assisted living beds
- Need new sprinkler system
- Has to be approved by HUD

Bill Marquardt, Atty. from Trespasz & Marquardt in Syracuse came forward. They are Special Financial Counsel for Bethany.

- In 2007 Bethany issued tax exempt bonds which were tax exempt through issuance under IRS 6320. Bonds were on behalf of Village to gain tax exempt status. Lower interest rate.
- Municipality has no financial obligations for the bonds.
- Bonds were for \$4.7 Million, mature in 2026.
- One restriction under 6320 is that when bonds are paid, title of facility is transferred to Municipality.
- Want to refinance those bonds and put new tax exempt bonds in place.
- Reached out to Chemung County Resource Corp - sister to IDA- for proceeds to payoff Debt, plus more for new projects. Village will get title. We ask for approval to have title pass through to Resource Corp and have title come back to Bethany.
- New bonds would not be issued under 6320.

Atty. Groff - Village would no longer be involved as financing vehicle.

Atty. Marquardt - Already had conversation with John and Resource Corp. Looking at technical method of transferring title. Ultimately would be a resolution before the Village Board.

Atty. Groff - I talked to NYCOM too. There is a constitutional issue - municipalities are prohibited from making gifts. One effect of 6320 is that the title comes to Village. So in essence we would become owner. Fair to say the Village doesn't want to operate those properties. Need to get title over to them. I've reached out to Bill to address how this is being done in other communities. And to address gifting issue. Its part of their plan to purchase the property back from the Village. They want to refinance, run project going fwd, make capital improvements, etc. Number of things that they are calling upon us to do. Adopt local law, resolutions, etc.

### Part Time Police Officers

Mayor McIntosh read a letter from Officer Ruhmel of the PBA - indicating they want continuation of the part time officer program.

Chief Stickler - reviewed his memo:

- Officers have seen benefit of having pt officers
- Having two guys out there is very beneficial
- Helped shortages in schedule
- Officers out on injuries
- At a lesser cost
- We did budget to continue this program
- Current pt officers will be SROs
- So we would have to backfill those positions

Trustee Gross:

- DPW needs help too. How much can village expend
- I thought PT filled in when people were sick - but not assigned. This is my concern. Can we afford this. Are they nec'y to be assigned
- Concerned about taxes. Sales tax dropping.

Chief Stickler:

- We did assign them due to guys are off on injury. We budgeted from other areas to cover costs.
- It is cheaper for special events to use pt officers.
- Once staff returns to normal levels the need goes down
- Short staff in law enforcement makes it difficult to provide police service

Mayor McIntosh - Saved overtime on that. Right now we are close to having two officers back. Want to maybe stay as we are, and maybe hire one more PT person - not two.

Trustee Goodwin - The SRO money from the school, will that be more than enough to pay for PT officers.

Chief Stickler - yes more than enough.

Trustee Lytle - I appreciate what Pat is saying about financial situation. But our job is to protect residents. I don't feel that 8 is a sufficient number of officers. Plus 2 pt. I commend PBA for taking this step. They were adamant in the beginning that they didn't want pt officers. I think we've made a lot of progress. Would like to keep this in the budget in case we need it. If he feels he needs one more pt then I'd be in favor of that.

Mayor McIntosh - I know we don't have two man rule, but a lot of times it is a good thing. We also have a duty to protect our officers. PT officers has helped with this. Going to see how we do in the next 6 weeks with staffing, covering shifts, and then the Chief and I will take a look and report back to the Board. We're hoping we only have to hire one more PT person.

### Other

Mayor:

- The board is finished with the final interviews with manager applicants. Not ready to make any announcements.
- Should we continue regular workshops.

After brief discussion, the Board Members agreed to stop the regularly scheduled workshops and just maybe have one per month if its necessary, if something comes up.

Audience Participation - None

### Manager's Report

Manager Report for Aug. 15- Aug. 25  
August 25, 2016

- DPW
  - Catalpa area is completely done with the paving
  - All other streets will be paved and finished in September
  - We moved one staff from Park n Rec. to DPW this week to cover for a vacation so they can continue to move forward with their work
  - We will be keeping one seasonal Parks n Rec. person to work in DPW for Sept. & Oct. so work can continue
  - Water:
    - we discussed weekly the water levels, there was no need to call a restriction on water during the drought
    - Deb Lynch: will be replacing the water line, it will be scheduled soon
- Fire – read the reports
  - 54 pagers given by the county
  - There is new dispatching county wide.

- Outing on Sept 10, invites are
- 9-11 Celebrations Sept. 10 & 11
- Code
  - Property complaints keep coming in : Pat addresses them immediately; He has had 3 compliments from residents
  - Building permits are filed on a timely basis
  - Software has not been installed due to the servers being down. It will be rescheduled.
- Police –read report
  - Complaints addressed
  - Murray still out
  - Zelko still on light duty
  - PT will move into SRO positions in Sept.
- Parks n Rec
  - Last Teal Park Concert tonight, one make up concert Sept. 15
  - Pool closes Sun. Doggie dip Wed. – Fri.
  - Football started – could be parking issues during these times
  - 90% of seasonal staff are done, the other 10% will be done in one week.
  - In Sept. – there will be one person in the office & one in the park
  - Farmland update – see mgr. section
- Sharron
  - Water bills going out
  - Server keeps crashing & putting us behind
  - New software is installed. There are still some tweaks on the financials
- John
  - Reese Property – no response
  - Bethany will present to the BOT tonight
  - Attended a solar energy conference
  - County has opted out of the state solar tax exemption
  - Suggest updating the zoning laws
- Manager’s desk
  - Met with Tom Santulli on 3 things
    - Blostein Blvd.: Tom agreed to give us \$5,000. Per year for the lease until we are paid the \$58,000. I will be meeting with Andy Avery, Matt Mustico & John Groff to work out the details
    - Connector Rd.
      - 25 million is confirmed, This amount should be enough to complete the job, will be at least 2 yrs. Before the project is started
    - Third item not resolved yet.
  - The farmland on Franklin St. surveys are completed. We have word that we should be hearing about the next step soon.
  - Trustee Gross & I met with STEG & 8 Hanover Square property owners. We listened to their concerns. Discussion re: possible resources with STEG, comprehensive plan, strategic planning and where the village is now. STEG will work with the village to move things forward.

- I met with STEG re: The Host. I requested a detail inventory of possible development a detailed profile of each building. I have not received these yet.
- I met with Sullivan Trail re: Jean Zimmer's property on Mathews Circle. Sullivan Trail will be laying new topsoil & grass seed in the near future in her lawn. They have contacted Ms. Zimmer directly .
- Notified the Town of Horseheads that we will not be sharing code services with them this year. We certainly are open to discussing next year again.
- Will be meeting with the Town of Elmira re: code dept. per our discussion yesterday
- The American Legion will be selling hero banners. We will be working with them to hang them before Memorial Day next year.
- Traffic Commission has met – minutes were given to you all
- Planning Board met- Ambrose ( Barrington Estates)plan rejected until some questions are answered. Traffic Commission will meet with them next week re: these questions.
- CSEA met yesterday with their rep, have not heard anything as of this afternoon.
- Completed SRO MOU and given to the school, copies are in your folder

#### Blostein Blvd.

Mayor McIntosh - County agreed to increasing fee to 5000 a year until 58000 is paid back to the Village. Their estimate of total costs is 35k. We will sit down with Matt and Andy Avery to work out other details.

Atty. Groff:

- Anschutz assessment - school is largest player - with our authorization the school talked to claimant for a possible settlement. It's in the early stages. Village rec'd 44K in taxes. Assessment was erroneous as some gas wells were in the Town not Village. We collected taxes that we shouldn't have. We are pursuing negotiations on settlement.
- SRO Agmt - Since this is a reassignment of the PT police officers, we should authorize the Chief to reassign them to SRO positions.

Motion by Trustee Lytle, seconded by Trustee Gross, that Police Chief Tom Stickler is hereby authorized to reassign the two Part Time Police Officers from patrol duty to School Resource Officers.

Roll Call Vote:

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

Trustee Lytle - what's happening with Koppers Pond.

Atty. Groff - asked EPA to give us certificate of completion. EPA rec'd report and is receiving public comments. Then they want to incorporate them into a revised report. The Group's view is we did what we were supposed to. Did not include public comment or revisions. We've done our job. EPA doesn't

care what we think. Their job is to advertise for public comment. Our financial obligation is not satisfied yet. EPA gets to charge us for their staff time in reviewing, etc.

As there was nothing further to come before the Board, the meeting was adjourned at 8:24 p.m.

/rmb