

# Minutes

## Village Board of Trustees

January 26, 2017

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 Mike Skrosznic  
Trustee Pat Gross  
Trustee Bill Goodwin  
Trustee Robert Maloney

Village Atty. John Groff  
Village Manager Brad Lytle  
Fire Chief Arthur Sullivan  
Clerk-Treasurer Sharron Cunningham  
Parks Dir. Nate Nagle  
Manager's Asst. Rachel Baer  
Fire Department Personnel

### Others Present.

Dave Padgett, W. Franklin St.  
Michael Maloney, Westlake St.  
Earl Pratt, Watkins Rd.  
Brad Kapral, Elmira  
Kendra, Kyle Griswold, N. Sage St.  
Fred White, Watkins Rd.

Debbie Hicks, Gardner Rd.  
Josh Baker, Steuben St.  
Mike Swasta, Watkins Rd.  
Tom Dobrydney, Fagan Engineers  
Art Ambrose, Realty USA

### Fire Commissioners Meeting

At this time, the Board convened as Fire Commissioners, and a presentation was made by Fire Chief Arthur Sullivan regarding the status of our Village Fire Department

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January 26, 2017

### Presentation to Village of Horseheads Fire Commissioners

1. 2017 states
  - a. Number of alarms 578 i.  
Fire/Rescue
  - ii. EMS
2. Hours 6,960.35

### 3. Company

#### a. Activities

- i. St. Patrick Day
- ii. Memorial Day
- iii. July 4th Fire Works
- iv. Family day
- v. Fire Prevention week
- vi. Open House
- vii. Holly Days
- viii. 5K Run
- ix. Arctic League 162 packages

### 4. Roster

- a. Interior 43
- b. Exterior 10
- c. Life Time 11
- d. New members

### 5. Training

- a. State/Fire Academy
- b. Department
  - i. Truck Inspection
  - ii. Gear Inspection
- c. Highlights
  - i. Change over smooth bore nozzles 25% more water on fire.
  - ii. Flashover training by New York State Fire Chiefs Association all interior members attended.
  - iii. Installed high ride 150' hose packs on three of Apparatus.1071 Gator brush fire skid unit by DEC grant
  - iv. EMS 15 EMT, 6 CFR

6. Seminar on Cancer in the Fire Department
  - a. Retired Firefighter Mallon Irish, Prostate Cancer
  - b. Gear inspection and cleaning
  - c. Regular testing
  - d. Annual physical's blood testing for PSA for firefighters for 40 and over.

7. Year in review

- a. Kitting Mill Fire Elmira Heights
- b. Single rollover accident from 186 to Corning Rd
- c. Mutual aid to Big Flats and Millport, Elmira Heights, Town & Country.
- d. HollyDays Grand Central Ave Fire

8. ISO Report Class 3 improvement from

9. Budget

- a. Village access valuation is 336,445,112
- b. Budget is 5,919,442, FD is 135,613. Which represents 4.4%
- c. For 5.49 collected .44 is for FD
- d.  $100,000/10=10 \times .44 = 4.40$
- e. Year 2004-2005 Equipment budget was 20,000 per year
- f. This 7,000.00
- g. Firefighter cost, helmet, coat, pants, boots, hood, gloves, flashlight, SCBA, portable radio. 15,0000.00
- h. Apparatus out dated yes it safe. Average age 23 years old

10. Finish

- a. Great personal
- b. Great history
- c. Great interdepartmental cooperation
- d. Government that understand us.
- e. Community backing us up.

11. 2023 150th anniversary

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After which the Board returned to the agenda of the Village Board of Trustees.

Resolution by Trustee Gross, seconded by Trustee Goodwin

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of January 12, 2017 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

Resolution by Trustee Skroskznik, seconded by Trustee Gross

BE IT RESOLVED, that a Proposed Local Law regarding Amending Chapter 245-Zoning of the Village Code - specifically Planned Unit Developments and Zoning Board of Appeal Procedure - is hereby received, and a public hearing regarding same is scheduled for Thursday, February 9<sup>th</sup>, 2017 at 7:10 p.m.

Roll Call Vote:

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

#### D&A: Water Department Equipment - Lease Purchase Contract or Direct Purchase

Village Manager - it was approved for purchase, and we thought of doing a lease - 40k per year. Then I learned that this type of loan is not looked at the same - its looked at as borrowing money. If we purchase outright with money in the water fund we'd save 12K. Lease requires much more work, I recommend we purchase outright. Our Water Fund balance is currently 411K. This equipment will not just be used in Water Dept.

Trustee Gross - my concern is we already know our water dept needs upgrading, I know you talk about raising water rates, but are we overextending ourselves with this.

Village Manager Lytle - I don't believe so. We will be looking at reserves for equipment in the upcoming budget process.

Resolution by Trustee Skroskznik, seconded by Trustee Maloney

WHEREAS, DPW Matt Mustico and Water Department Director Chris Lawrick have investigated the purchase and acquisition of a mini-excavator and a loader for the benefit of the Village and its operations, and

WHEREAS, Matt and Chris have investigated various manufacturers and suppliers of the equipment as well as sources of same, and

WHEREAS, they have reported to Village Manager Brad Lytle their recommendation that the Village acquire a Case Mini-Excavator and a Case Wheel Loader which in their opinion will be adequate to serve the Village's current and future needs and are necessary to perform essential governmental functions, and

WHEREAS Village Manager Brad Lytle has investigated methods of financing and payment for the equipment including but not limited to 1) borrowing pursuant to local finance law; 2) lease/installment purchase pursuant to GML Section 109-b; 3) creation and funding over time of a capital reserve fund; and 4) current budgetary appropriation; and has reported to this Board that current budgetary appropriation is most practical and appropriate, and

WHEREAS, the Village of Horseheads Board of Trustees, after due deliberation has determined that the acquisition of the equipment would be in the best interest of the Village, and

WHEREAS, Village staff has ascertained that the equipment is available for purchase through the NYS Office of General Services pursuant to GML Section 104, Contract #PC-67265, at a contract price of \$45,000 for the excavator, and \$141,884.40 for the loader, and

WHEREAS, the Village, acting as Lead Agency under SEQR and applicable regulations has completed its environmental review and hereby duly finds the purpose to be a Type II Action under SEQR consisting of routine activities of a municipal corporation, to include acquisition of equipment, all of which have been determined by regulation not to have a significant impact on the environment and is not subject to any further environmental review, and

WHEREAS, acquisition of the equipment has not been provided for in the current Village budget.

NOW THEREFORE BE IT RESOLVED, by the Village Board as follows:

1. Village Manager Lytle is authorized to purchase through NYS Office of General Services a Case Mini-Excavator and Case Wheel Loader at prices not to exceed \$45,000 and \$141,884.40 respectively, and for such purpose to execute an appropriate agreement with Monroe Tractor for the acquisition of the equipment at the State Contract prices.
2. This Board ratifies Village of Horseheads Purchase Orders #7608 and #7609 dated December 20, 2016.
3. To fund such purchases, Village Clerk-Treasurer Sharron Cunningham is hereby authorized to appropriate funds from the Village Water Account. The funds to be released from such account upon delivery and acceptance of said equipment.
4. This resolution shall take effect immediately.

Roll Call Vote:

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

## Manager's Report

Manager Lytle reviewed his managers' report:

Manager's Report: Jan. 23, 2017

- Working with Matt Ryan (Labor Relations Counsel)
  - CSEA CBA amendments have been drafted by Matt and sent to CSEA for their approval.
  - Still working on Issues related to promotion in the Water Dept. and a grievance filed on behalf of an individual.
  - We are waiting for the process of the Improper Practices charges regarding our Employee Manual to proceed to PERB, or be dropped. Our contention is that the Employee Manual clearly and repeatedly notes that if an employee is covered by a Collective Bargaining Agreement, that the rules of that CBA would supersede anything stipulated in the Employee Manual.
  - We have been served with Improper Proper Complaint, filed by the Horseheads PBA with PERB over our SRO Program. They claim that we improperly hired outside of their bargaining unit for these positions, which they contend have always been filled with their members. We dispute that claim, since there was a period of time that the Chemung County Sheriffs were doing the work and they weren't even using their bargaining unit's members, initially.
  
- Working with Elayne Gold, from Attorney Roemer's office on understanding GML 207C, and how to develop strategies to protect the Village as we meet the requirements of this very complicated law. We currently have two officers off, covered by GML 207C.
  
- With the retirement of Jamie Burgess, and the officers off on GML 207C, and one on light duty, it was necessary to hire Jamie's replacement. Sean Murray, who started his Law Enforcement Career with Horseheads, as a dispatcher, has accepted a position with our Police Department and will begin work on Feb. 22. Sean has taken a lateral move, coming to us from the Village of Elmira Heights Police Department.
  
- Donna Hartsock and I visited the Chemung County Sewer District to see the New World Software that would be made available to the Village at no extra cost. We can have access to all the New World Software, for what we have already agreed to pay for our Payroll Software. We are scheduling a video conference with Andrea Fairchild, who will be our Implementation Coordinator and Administrator for this software, and representatives from New World to get a better idea of all the possibilities in the program and address some further concerns of Donna's.
  
- Made a first contact with GST BOCES, about them printing our water bills, and they are interested. Will soon be meeting with them to get costs, etc.
  
- Bob Young has returned part time as our Code Enforcement Officer, has jumped right in and is doing a great job of handling the Code issues left by Patrick Hinman's sudden departure and new ones, as they come up. The organization of the back office has begun. Jamie Burgess has begun the

first of six modules, which he will complete in July and then we will have two certified Code Officers.

- You do not have a report from Code this time, but you will in the future. Bob and Jamie will be providing us with details and we will soon see the results of their work.
- I spoke with Town of Elmira Supervisor Dave Sullivan about the Shared Service Agreement for ‘mentoring’ of Patrick Hinman, who is no longer here, and we agreed that this arrangement was no longer necessary, given the experience of Bob Young. The Town of Elmira graciously agreed to let us out of the agreement early, which was to end on May 31<sup>st</sup>, which saved us 3 payments.
- Nothing further on the DOC Farmland, other than their agreement that there is no known impediment to us taking possession. It’s up to someone there to make the final call and then we will begin the legal work to assume possession.
- We had to notify the Town Assessor that the Reese Property is now Village Property, part of the Cemetery, and is now tax exempt. We will also have to have the zoning of the parcel changed because it is not zoned for cemetery.
- The bond for the remaining \$590,000 FEMA Grant money owed to us, has been arranged. We have heard nothing from Wendel regarding the Phase 1 Archeological Survey.
- Rachel, the Mayor, Nate and I met with the Sister Cities’ Committee on the annual visit, which will take place on March 10 – March 17. There will be another visit this calendar year, different budget year, sometime in late September, perhaps into early October. The reason for this is that the Committee would like to have the visit take place at a time when the weather is better and there are more outdoor activities going on in the area.
- Work on the Police Department is nearly complete. Stop in and have a look...it’s something that we can all be proud of. As a reminder, this transformation cost the Village very little in material or labor charges. The Officers themselves donated time and material, along with a few local businesses.

Manager Lytle - Today we started budget process with dept. heads. First workshop is scheduled for March 8th.

Trustee Gross - we need to reschedule that. I can’t make it.

After brief discussion, the Board agreed to do it on Tuesday, March 7<sup>th</sup> at 6pm.

#### Code Enforcement Report - Village Manager

Village Manager Lytle reviewed his report on Code Enforcement which the Board asked for. Paper copies in packets. I reported on what scenarios were available. We ended the agmt. with the Town of Elmira:

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## CODE CONSIDERATIONS, DELIBERATION AND DECISION

Historically, depending upon who you speak to, Code has been problematic for many administrations. From doing it in-house to farming it out, the results have been varied and inconsistent. Our Village suffers from that history.

It was on my mind from the very beginning that we needed to direct sufficient resources to this Department, or continue to suffer decline in our great neighborhoods. With the County taking 35% of the Sales Tax Revenue the Village had been receiving, and our Health Insurance premiums going up 25% in just the last two years, I am at a loss as to how to bring the BOT a Budget with more money and resources devoted to Code...

After an extensive, months long search of options by Acting VM McIntosh, aided by Trustee Goodwin, and previous Workshops, the BOT directive was to maintain our own Code Department.

Under a previously proposed agreement by the Town of Horseheads, the Village would have paid the Town \$79,000 per year, plus forfeited all permit and fire inspection fees. In addition, we were being asked to provide the Town exclusive use of our Code Department Truck, Chevrolet Silverado, purchased in 2009 for \$30,325, which we would still have to insure and maintain, I presume.

I considered what we would need to do to hire a Code Officer from the Civil Service list. I made an effort to contact 3 of the qualified applicants. One of them I contacted is working for the Heights School District and currently making \$55,000. I also considered what we had agreed to pay a previous hire \$52,000 plus benefits, once they completed the Courses. So, I was thinking we would have to pay something near \$75,000 (salary, benefits & retirement costs) to get a full time Code Officer.

I was also mindful that the \$25 Million 'Connector Road' has been funded and approved by the State and the County. HOST, formerly known as "The Center," formerly known as the "Holding Point" already has a new Fedex Sorting Facility, which will benefit from the Connector Road, but the potential for additional growth at HOST is huge and so might the income from building permits, which will greatly benefit the Village. Remember that most of the buildings in the facility were built in the 1940's and are unsuitable to all but a limited number of uses.

Recently I looked at alternative solutions and ended an arrangement, amicably:

- We have ended our Shared Service arrangement for Code with the Town of Elmira.
- Town of Big Flats – no extra personnel and, therefore, no interest
- City of Elmira – spread too thin, managed by Town of Horseheads, and now in a shared service agreement with Southport
- We have a Shared Services Agreement with the Heights, and they will back us up.
- Spoke with the Town of Horseheads and they are willing to pursue an agreement again, should our solution not prove successful, or if the Board decides as a matter of Policy that we should contract this service out to someone else.



To my mind, our current solution, with two part-time dedicated individuals, seems like a very workable, efficient, cost effective arrangement, and I hope the BOT will give it a year before making any policy decision to outsource this valuable service.

- Keeps us in control of our CEOs, and not dependent on others for response time (Chairman of the Planning Board, Mike Stenpeck, commended our keeping our own Code Department and our Chief of Police, Tom Stickler is in favor of this too, since Code often works closely with the PD.)
- Significant Savings now and more in the future
- Potential long-term stability for that department, given the youth of the two individuals
- Providing a part time CEO, with all the certifications now, and a CSO at this point, who will be fully certified in July, at which point we will have two certified officers
- Employing two individuals who are dedicated to the Village and are strong 'Enforcers'

Hire a Certified CEO							
CEO	Salary	Fica	Health Insurance	Employee Contribution	Net Health Ins. Cost	Retirement 11% #6	Total Cost
?	\$52,000.00	\$ 3,978.00	\$ 18,482.40	\$ 4,680.00	\$ 13,802.40	\$ 5,720.00	<b>\$ 75,500.40</b>
Until Jamie is Certified							
CEO	Salary	Fica	Health Insurance	Employee Contribution	Net Health Ins. Cost	Retirement 11% #6	
Jamie Burgess	\$22,500.00	\$ 1,721.25	\$ -				
Bob Young	\$18,720.00	\$ 1,432.08	\$ -				
Total Salary	\$41,220.00	\$ 3,153.33	\$ -			Total Salaries	<b>\$ 44,373.33</b>
						Savings	<b>\$ 31,127.07</b>
						Previous TH Proposal, just the \$79,000, not counting Truck, Permit Fee, etc.	<b>\$ 79,000.00</b>
						Savings	<b>\$ 34,626.67</b>
After Jamie is Certified							
CEO	Salary	Fica	Health Insurance	Employee Contribution	Net Health Ins. Cost	Retirement 11% #6	
Jamie Burgess	\$28,500.00	\$ 2,180.25	\$ -				
Bob Young	\$18,720.00	\$ 1,432.08	\$ -				
Total Salary	\$47,220.00	\$ 3,612.33	\$ -			Total Salaries	<b>\$ 50,832.33</b>
						Savings	<b>\$ 24,668.07</b>
						Previous TH Proposal, just the \$79,000, not counting Truck, Permit Fee, etc.	<b>\$ 79,000.00</b>
						Savings	<b>\$ 28,167.67</b>

Manager Lytle continued: We hired two people now. Bob Young and Jamie Burgess. For the foreseeable future we will try this. Keeps us in control of our own code enf. Not dependent on others for response time. Planning Board Chair Stenpeck commended us on keeping our code enf. in-house. So did Police Chief stickler. Offers significant savings. Long term stability too. In July we will have 2 certified officers. Strong enforcers is important - absentee with landlords. I hope board will give this a year for this to work out.

Mayor McIntosh - thank you for this report. The fees would be gone with Town of Hhds. proposal. We know the connector road is going in. When that happens the opportunities at the HOST facility and

those fees with companies coming in will be significant. I hope the rest of you will support the code dept.

### Audience Participation

Mike Swasta, Watkins Rd. - Stated that he feels any Manager's Reports issued should be distributed with the Board agenda.

Motion by Trustee Gross, seconded by Trustee Goodwin, that the following items be added to the agenda:

- 350 Gardner Rd. - Duplexes - PUD Amendment, Receive and Fwd.
- 224 N. Main St, Bldg. P-1 - Engine Repair - Sp. Use Permit, Receive and Fwd.

Roll Call Vote:

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

Resolution by Trustee Gross, seconded by Trustee Skroskznik

BE IT RESOLVED, that an application from Kapral Enterprises, LLC on behalf of Barrington Associates for a PUD Amendment to construct duplexes at 350 Gardner Rd. is hereby received, and same is to be forwarded to the Village Planning Board for review and comment.

Roll Call Vote:

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

Resolution by Trustee Skroskznik, seconded by Trustee Goodwin

BE IT RESOLVED, that an application from Cummins, Inc. for a Special Use Permit to operate an engine repair facility at 224 N. Main St., Bldg. P-1, Horseheads is hereby received, and same is to be forwarded to the Village, Town and County Planning Boards for their review and comment.

Roll Call Vote:

Mayor McIntosh:	Aye
Trustee Skroskznik:	Aye
Trustee Gross:	Aye
Trustee Goodwin:	Aye

Trustee Maloney:                   Aye

BOT, Department Head Updates

Trustee Goodwin - attended neighborhood watch meeting.

Trustee Gross - I also attended. Would like this info put on the website. Also - we are supposed to have the agenda on Fridays.

Village Manager Lytle - we can do that.

Trustee Maloney - thanked Manager Lytle for research on code enf.

Trustee Skroskznik - Thanked Chief Sullivan for presentation. Public service is so important. Thanked Manager for code report.

Trustee Gross - we should put that presentation from the Fire Department on the website.

Mayor McIntosh - rec'd call from Pyramid Brokerage. Feasibility study on I86. Updates on some properties:

- Old McDonalds on Chemung St. - still owned by McDonalds. They have just dropped price - he may be able to sell.
- Sunoco station on S. Main St. - Owned by DOT. Always at auction year after year.
- Former Agway property - Have had a couple of people looking at but the property owners are not flexible. But people are out there working on this area of our village.

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

/rmb