

Minutes

Village Board of Trustees

September 27th, 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 Bill Goodwin Trustee Pat Gross Trustee Rob Maloney <u>Absent</u> Trustee Mike Skroskznik	Village Mgr. Brad Lytle Village Atty. John Groff Manager's Asst. Rachel Baer
<u>Others Present.</u>	
Kelley Maloney, Westlake St. Marge Butler, Grand Central Ave.	Robert Davis, Watkins Rd. Roxanne Mark, Scenic Dr.

Resolution by Trustee Goodwin, seconded by Trustee Maloney

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of September 6th, 2018 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

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

Financial Reports

Manager Lytle - sorry these were sent out late, Donna was out last week and sick this week. Brad reviewed some details of the report, and the Board discussed.

- Brad emphasized that this report is comparing this period with the same period last year - not comparing to our current budget. This period had 3 pay periods. Same period last year only had two. That amounts to about 100K.
- Our HRA insurance account is doing very well. Only 3 more months to go.
- Water expenses doing really well.

- Mandatory water testing

Resolution by Trustee Gross, seconded by Trustee Maloney

BE IT RESOLVED, that the Justice Reports for July 2018 be received and placed on file in the Village Clerk’s Office.

Roll Call Vote:

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

Resolution by Trustee Goodwin, seconded by Trustee Gross

BE IT RESOLVED, that the minutes of the Traffic Commission Mtg. of September 12th, and the Planning Board Mtg. of September 24th, 2018, be received and placed on file the Village Clerk’s office.

Trustee Gross - can we get a copy of the standard 5k route adopted by the Traffic Commission. Brad will send everyone a copy.

Roll Call Vote:

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

Resolution by Trustee Gross, seconded by Trustee Maloney

BE IT RESOLVED, that an application from Plaza Street Fund 51 (Owner) for a Planned Unit Development Amendment regarding property at 2138 Grand Central Avenue for the installation of a fast food restaurant with drive thru window is hereby received, and same is to be forwarded to the Village Planning Board and County Planning Board for their review and comment, and be it further

RESOLVED, that a public hearing regarding said application is hereby scheduled for Thursday, October 25th, 2018 at 7:00 p.m.

Atty. Groff noted that they changed their initial layout so that now they are using existing driveway on the south, and existing Rite Aid entrance to the north. No new curb cuts.

Roll Call Vote:

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

Discussion - Cameron Fabricating - Lease of Land

Atty. Groff - Cameron wants to develop a parking lot. Village property for possible leasing has been identified. We have advised DEC because it's a change in use. We have drafted a proposed long term lease to offer to them. The Village has to also declare the property as surplus. That would enable you to enter into a lease if you want to. Also the lease would require that you develop a rental rate. It should be noted that part of this process of making it available it has to be leased at a commercially reasonable price. We haven't identified value yet. But you as the Board would have to establish a rental rate. Draft lease is for 20 years. That is an arbitrary number. Property would need to be graded, etc., but we don't want them to disturb it because we don't know what's underneath. So if they need to level it they need to bring in materials from off-site. We're waiting for response from DEC. Once they have no objection we would have to talk about rental rates.

Discussion - Resolution Preparation

Atty. Groff - regarding the drafting of resolutions, submitting to board, etc. There appears to be some misinformation out there. Village staff, Rachel, myself and Brad prepare resolutions in advance to assist the board. Some resolutions are simple like accepting the minutes. Some are a lot more complex. We don't know in advance how you want to act, so it's tough to speculate. You have the ability to amend, change, table them, etc. If you feel that you're not in a position to act on a subject, then table it. The vast majority of these things are not crises. People always want something fast, but if you're not prepared to act you shouldn't. If you think that your administration is trying to encourage you to act I would say I'm sorry but that's not what we're trying to do. We're trying to serve your needs and make your job easier.

Frequently resolutions are drafted well in advance because we have an idea of what will be on the agenda. We're not trying to *not* provide you with the resolutions. You can draft the resolutions yourself at the meeting if you want to. But sometimes things come up short notice. Rachel and I don't develop the agenda. That is the manager's responsibility. Sometimes he/she will put something on the agenda that we have not anticipated. So then it's on there but we don't have a resolution yet. So agenda goes out. If the resolution hasn't been drafted yet you can't get it until it is. After the agenda goes out we may be told to create the resolution then. So when there is short notice like that then there isn't something to give you because it doesn't exist yet. It's not our intention to make it difficult, but things do come up and people pressure management to get things acted on quickly. We try do to these things for you. It makes you more responsive to your constituents. If you want to set a policy to see all resolutions two weeks before the meeting we can certainly do that.

Recently we had a special meeting for the bond anticipation note. That was a critical timing issue. Those things happen. The law doesn't require that you be provided with draft resolutions. That's a service we do for you. Law does require that if we do have resolutions and if an item is scheduled to be discussed, and if someone asked for it, and if it's not impractical, that we provide it upon request. That is a lot of ifs. There isn't any requirement for resolutions in advance, nor is there even for an agenda. Those are policies you've established. (Rules of procedure - section 6 - reference to agendas and resolutions). We endeavor to provide agenda 5 days before mtg. that's a goal. That's why you get them on Friday before the meeting. But for the resolutions - its "to the extent practical". But nothing there says its Friday before. If you don't like this rule change it. If you, as a Board, want them 5 days ahead say so. We can change the system, but it requires the Board as a whole to decide, not just one person.

Discussion ensued.

Trustee Gross - don't like having something financial or something within 24 hrs. and not even getting it till we get here. We need a little bit of time to be able to discuss.

John - if you're not comfortable acting, then don't. You can table resolutions. Disc.

Trustee Gross - once we receive agenda, I want to see information in paper form no later than Tuesday

before a Thursday board meeting, including resolutions if there are prepared.

All agreed.

Motion by Trustee Gross, seconded by Trustee Maloney, that Board agendas and supporting materials be submitted via email on Friday before a Board meeting, and in paper form in our mailboxes by Tuesday before a Board Meeting, including resolutions if they are prepared.

Roll Call Vote:

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

Motion by Mayor McIntosh, seconded by Trustee Malone, that an item regarding the Hanover Square Circulation Study be added to the agenda.

Roll Call Vote:

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

Circulation Study - Hanover Square

Mayor McIntosh - in May I spoke to you about a study we were working on with the County regarding pedestrian traffic. This was right after economic development study was completed. The County asked if we had any needs so I brought this to your attention. I must apologize I didn't bring info back to you after that. So now I have the RFPs that the County sent out for the circulation study for Hanover Square. Because that was #1 focus in econ dev study. County Planning Dept. helped, as well as Andy Avery. We rec'd RFP's and a company was chosen - LaBella. What I'm asking from this Board is to formally accept this from the County. It is for a study of parking and pedestrian traffic. The needs assessment goes through February. Recommendations come out Feb to May. Final plan June or July. Study will cost \$24,800 which the County is paying for.

Discussion ensued.

Resolution by Trustee Gross, seconded by Trustee Goodwin

WHEREAS, this Board and others have identified vehicular and pedestrian traffic in the vicinity of Hanover Square as a matter of concern, and

WHEREAS, officials of the Village made these concerns known to representatives of Chemung County including County Executive Thomas Santulli, Deputy County Executive Mike Krusen, officials of the Elmira-Chemung Transportation Council, Chemung Co. Planning Department and others, and

WHEREAS, these concerns resulted in development, by Chemung County-City of Elmira Purchasing Department, of RFP 2052 entitled Proposal for Circulation Study for the Village of Horseheads/Hanover Square, and

WHEREAS, submissions were received and reviewed relative to the RFPs, and

WHEREAS, the County is willing to commit up to \$25,000 for the circulation study resulting in the study being at no cost to the Village.

NOW THEREFORE BE IT RESOLVED, that this Board does endorse and concur with the merit of the circulation study, and be it further

RESOLVED, that this Board does hereby extend its appreciation for the efforts and commitment of the Chemung County officials noted above in this important endeavor.

Roll Call Vote:

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

Audience Participation

Roxanne Mark, 139 Scenic Dr., - I drive on Village streets a lot. Several spots on Westinghouse Rd. are a concern. Starting at Friendly's and moving north, some intersections have left turn lanes - Broad, Tiff, Gardner. I question why when going north there is no turning lane at Lee Ave. By the time cars get to Tiff traffic is much lighter. Lee needs a turning lane. After Gardner there is Miller, which also doesn't have left turning lane. Appleridge is up there, etc. Southbound has a turning lane into Village plaza. Also cars turning left into the Bethany Courtyards, and has to stop because of oncoming traffic. I think a left turning lane there is needed too. Compound that speed limit is 40mph. Village should request State to lower to 30. Other towns that have two-lane roads on Route 14 the speed is 30.

Mayor McIntosh - we have been in contact with NYSDOT since July. They agreed to meet with us. This is also a concern of ours. We have a second meeting next week. Depending on what info they give us we will have a public mtg.

Manager's Report

- Verizon/GRT – Verizon has agreed to our counter offer in the amount of \$14,128.05 as settlement for Gross Receipts Tax claim of ours. As you know, we disputed the amount of \$12,628.05, which they offered, because Computel, with whom we have an agreement to find and help us recover savings and lost revenues, told us the amount was not sufficient. After some negotiations between Verizon, Computel and the Village, it was determined that we might not have any way to accurately calculate what the true amount should be and that this could languish on forever, with us eventually receiving nothing, Computel suggested that we ask for slightly more and take Verizon's settlement offer. As was explained, this settlement will be split 60/40 between the Village and Computel per our agreement with them.
- Street Paving – DPW is completing the paving job by installing loam and seeding behind the curbs.
- Fire Dept. – We received a grant for \$11,250 "Working Capital" from NY State Urban and Community Development Program - RC6 Strat Planning.

- Cameron Mfg. – As you know, we have been working with Cameron on their needs for additional parking. We will be asking the Board to approve a declaration, making approximately 2 acres of land, which was originally part of the dump, an offering it for lease to the public. Attorney Groff has developed a draft land lease arrangement, which will be provided for your review.
- I have been meeting with staff members and the mayor to review current and ongoing issues so they will be able to continue to pursue open issues and prepare for the recurring ones.

BOT, Department Head Updates

Trustee Goodwin:

- Went to sign committee meeting with mike Stenpeck and Fred White. Still working on a proposed plan.

Trustee Maloney:

- Update on emergency plan. Next week a lot of conflicts. Maybe we should meet twice a year.
- New firetruck may be delivered end of next week.
- Oct 11th meeting date, the Mayor is in japan. I am unable to attend as well. Have to be in Florida. I make a motion to cancel that mtg.

Disc. What if there is an emergency. Should be determined before this who would be in charge.

Motion by Trustee Maloney, seconded by Mayor McIntosh, that the regularly scheduled Board Meeting of October 11, 2018 is hereby cancelled.

Roll Call Vote:

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

Mayor McIntosh:

- Chris and I spoke with County Planning on grants for water. We need engineering study for water department. Dilemma - none of the grants would be 100%. Also any grant would not be ready for the state grant cycle which is July. So we'll bring this up again with a resolution on the 25th. What we want to do is do an RFP ourselves. Hunt Engineers has agreed to do the RFP for \$500. Which would mean that it would be professionally done. I will bring this back for disc and/or resolution on the 25th.

Trustee Gross - any closer to getting money back from FEMA.

Manager Lytle - Homeland Security told us recently that they're going to close it out and pay us.

Trustee Gross - this will help us doing that grant.

- Attending all internal mtgs with Brad since I will be assuming his duties.
- NYSDOT mtg. on Thursday regarding Westinghouse Rd.

Workshop on October 4th

Mayor - this was supposed to be about the farmland on E. Franklin St.

Discussion on making this workshop about the Village Manager position instead.

Mayor - instead of doing workshops we could actually make these issues part of the regular board meetings. Put discussion of farmland on agenda for 10/25.

All agreed to use 10/4 workshop to discuss village manager.

Mayor - you were given packets of information about the Vil. Mgr. position back in august. Review and bring to workshop Thursday. Would like commitment from Board no later than Nov. 1st on how to proceed on this.

Adj. at 8:32 p.m.

/rmb