

DRAFT Minutes
Village Board of Trustees
January 28, 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 Mike Skroskznik
Trustee Brad Lytle
Trustee Pat Gross
Trustee Bill Goodwin
Village Attorney John Groff
Clerk-Treasurer Sharron Cunningham

Manager's Asst. Rachel Baer
Police Chief Tom Stickler
PB Chair Mike Stenpeck
DPW - Chris Lawrick

Others Present

Steve McIntosh, Renwick Lane
Wayne Brubaker, Gardner Road
Debi Lytle, Grand Central Ave.
Rob, Mike Maloney, Westlake St.

Debbie Hicks, Gardner Rd.
Dave Padgett, W. Franklin St.
Joe Ruhmel, Gardner Rd.

Resolution by Trustee Gross, seconded by Trustee Skroskznik

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of January 14, 2016 be dispensed with and the same stand approved as entered by the Clerk.

Trustee Lytle mentioned a typo error he found in the minutes. Rachel will change them.

Roll Call Vote:

| | |
|--------------------|-----|
| Mayor McIntosh | Aye |
| Trustee Skroskznik | Aye |
| Trustee Lytle | Aye |
| Trustee Gross | Aye |
| Trustee Goodwin | Aye |

Resolution by Trustee Lytle, seconded by Trustee Goodwin

BE IT RESOLVED, that the minutes of the Traffic Commission Meeting of January 14, 2016 be received and placed on file in the Village Clerk's Office.

Roll Call Vote:

| | |
|--------------------|-----|
| Mayor McIntosh | Aye |
| Trustee Skroskznik | Aye |
| Trustee Lytle | Aye |
| Trustee Gross | Aye |
| Trustee Goodwin | Aye |

Pathways - Rezoning of 800 W. Broad St.

Atty. Groff - This is the former Broad St. school. Pathways is purchasing. They submitted a plan for the property to use half the building for social service programs. Other half will remain occupied by BOCES. Athletic fields will still be used by school for a period of time, but not sure for how long. Parcel itself is in a residential R1 zone. Use of this facility for something other than a school is not a permitted use, so they need it rezoned. They are asking for Planned Unit Development. They have sufficient acreage. A P.U.D. is allowing the property for a specific plan. There is no intention of new construction or redesigning facility. Procedure is the application will go to our Planning Board for review, and the County Planning Board too, because parcel is within 500 ft. of Rte 14. Then it will come back to this board to act on it.

Resolution by Trustee Gross, seconded by Trustee Skroskznik

BE IT RESOLVED, that the application of Pathways, Inc. for rezoning of 800 W. Broad Street to Planned Unit Development is hereby received, and that same be forwarded to the Chemung County and Village of Horseheads Planning Boards for their review and comment.

Trustee Lytle - application says they have spoken to BOCES. I understand that North County Seniors want to stay too. Not mentioned in application. If Pathways has more space it would be good if they could keep a place for senior citizens group.

Mayor McIntosh - this was brought up to me also. And from another group that also meets there.

Roll Call Vote:

| | |
|--------------------|-----|
| Mayor McIntosh | Aye |
| Trustee Skroskznik | Aye |
| Trustee Lytle | Aye |
| Trustee Gross | Aye |
| Trustee Goodwin | Aye |

Bethany - New Sign - PUD Amendment

Atty. Groff - This is at the Bethany facility and is part of an existing P.U.D.. As such the bldgs there and how they are designed are things already have been approved. Whenever they want to modify their plan its necessary to come and amend the PUD. They are seeking to amend the PUD to allow for this sign. Same process of forwarding to other planning boards.

Resolution by Trustee Skroskznik, seconded by Trustee Lytle

BE IT RESOLVED, that the application of Bethany for a Planned Unit Development Amendment for a Sign to be located at 2977 Westinghouse Road is hereby received, and that same be forwarded to the Chemung County, Town of Horseheads and Village of Horseheads Planning Boards for their review and comment.

Trustee Gross - this has come to us before - a new sign. There was a big question about the size of the signs. Also is this lighted.

Atty. Groff - I think so, but don't know. These factors will be taken into consideration.

Trustee Lytle - we already have a code for signs.

Atty. Groff, yes, but this is a Planned Unit Development. You would be taking sign law into consideration.

Trustee Lytle - is this for a tenant or is Bethany running this.

Atty. Groff - I don't know. The bldg is owned by multiple parties. Not sure what portion of that bldg would warrant this sign.

Roll Call Vote:

| | |
|--------------------|-----|
| Mayor McIntosh | Aye |
| Trustee Skroskznik | Aye |
| Trustee Lytle | Aye |
| Trustee Gross | Aye |
| Trustee Goodwin | Aye |

D&A: Employee Manual Amendment - Overtime

Mayor McIntosh - the Employee Handbook was approved and voted on by previous board. Every so often we come upon something that was overlooked. One was overtime. So we looked at it, with John, we've given you some info on suggested text. Since this came up another question has arisen, there may be additional amendments now.

Atty. Groff - Supervisory personnel in DPW were receiving same treatment as union regarding overtime. It was apparent when handbook was drafted that the desire to maintain this was not in the wording, so we had to revise it to continue the overtime treatment the same. It has to do with FLSA and eligibility for overtime. You have to actually work 40 hrs a week before OT is eligible. That was not factored into this draft. Intent was that new personnel would have to actually work the 40 hrs. - that means that holidays, vacation, etc. is not taken into consideration. The question now is whether there are other personnel effected by this. So I hope to speak with the other dept. heads to clarify that. I ask that you not take action tonight so that we can see if there are other changes that may need to be made.

Trustee Skroskznik - I agree. Motion to table.

Seconded by Trustee Gross. I want to know which employees are effected.

Roll Call Vote:

| | |
|--------------------|-----|
| Mayor McIntosh | Aye |
| Trustee Skroskznik | Aye |
| Trustee Lytle | Aye |
| Trustee Gross | Aye |
| Trustee Goodwin | Aye |

ONGOING ITEMS:

School Resource Officer - Chief Stickler stated that the proposal was submitted to the school.

Cell Tower Legislation - Trustee Lytle said he followed up with the lawyer representing Up State Tower. Encouraged them to look at Village properties. Blostein property. He said he would get back to me. There is a small piece of property back there that would be a good location.

Mayor McIntosh - do we want to explore cell tower legislation.

Trustee Lytle - not in favor of a law. We should handle as they come.

Atty. Groff - our regulation is just for height. If it wasn't for that there would be no regulation at all. We have a height limit now of 50 feet.

Koppers Pond - Atty. Groff - I'm still trying to coordinate that meeting. Will report back.

Blostein Blvd. - Mayor McIntosh - we've made some progress, also realized we will incur more costs. I'm going to say we may have to charge a nominal amount per year for residents. We don't want to tax you anymore and yet keep providing great services. We have determined it would be open 7 days a week. There will be cameras. Also you'll have access to take compost and mulch out. Just not quite ready to roll it all out. DPW and IT people are working closely. It will not be any later than April. I want to make sure we do it right. Fee would be between 20-30 dollars per year.

Trustee Skroskznik - what are extra costs.

Mayor - cameras, IT costs, electrical, and when we mulch all the materials, we have to contract that out. 3-5K per year for that. Don't want it to be free first year, then have to charge 50-75.

Trustee Goodwin - wish we could have a volunteer there watching what people dump. Cleanup would cost more than having someone over there. Cameras are good, but we should have a person there.

Trustee Skroskznik - fees just went up.

Trustee Goodwin - let it go up then. If someone drops light bulbs, or asbestos, the Village will have to clean it up. Which costs more than having someone over there.

Skroskznik - this discussion has come up before, what about meth lab stuff. Then its thousands to get rid of. Which way is best to provide this service.

Trustee Goodwin - A Village employee could run a mulcher while over there.

Trustee Gross - I think we all need to go over there, and look at this. There is a 4 ft berm around it. Somebody is driving 4 wheelers and coming over berm. What's going to stop someone from doing that at night.

After brief discussion the Board agreed to visit the site on Wednesday, Feb. 17th at 3:30 p.m.

Car Sales - Chemung St. - Atty. Groff - DMV regulations govern this. DMV limits number of offsite sales. It is an enforcement mechanism for state to enforce, not the Village. We have no jurisdiction. In terms of temporary sales in general, someone said Town of Horseheads deals with this. I tried to reach the Town Atty. regarding this. He was not available. I'll be talking to him soon and have an answer at the next mtg.

Tax Cap Override Law - Trustee Skroskznik - I assume we will draft this just to have it ready? As in the past to make sure we are covered. Hope not to go over tax cap but just in case... so I want to move fwd.

Trustee Lytle - tax cap has been set at .12% by Albany. This law would just be covering ourselves.

Motion by Trustee Skroskznik to direct the Village Attorney to draft legislation for tax cap override law. Seconded by Trustee Lytle.

Roll Call Vote:

| | |
|--------------------|-----|
| Mayor McIntosh | Aye |
| Trustee Skroskznik | Aye |
| Trustee Lytle | Aye |
| Trustee Gross | Aye |
| Trustee Goodwin | Aye |

Audience Participation - None.

BOT, Department Head Updates

Trustee Gross - we're supposed to set up mtgs. as Water Commissioners, Cemetery Commissioners, Fire Commissioners.

Trustee Lytle - I would ask since we are all on these boards, maybe we can do them all at once - for the first time.

Atty. Groff - way it works historically is really as part of a regular Board mtg. All your doing when you take action regarding these is that you are doing it 'as water commissioners', etc. - during a regular meeting. For example amending water regulations. You don't have to have a separate meeting to act in that capacity.

Trustee Gross - we very rarely hear from Cemetery. I'd like to know what they are doing.

Atty. Groff - you are really getting information from the Village Manager. Cemetery is part of DPW function.

Trustee Gross - path between Thorne and Broad St. Who is responsible for that path. Someone is going to get hurt its used constantly by kids. It's a mess in there.

Chris Lawrick - we own the lower section - as Village property.

Trustee Gross - people who live on either side, may not know they own part of this. NYSEG cut brush down and its still there.

Trustee Goodwin to follow upon this.

Trustee Gross - working with CSEA - hoping to have a contract soon.

Trustee Skroskznik - FD award banquet this Saturday. Its budget time, what is feeling about budget workshops, etc.

Clerk-Treasurer Cunningham - we will be sending out budget drafts to dept. heads. Mayor wants proposed drafts back by Feb 25th. Then we will set up meetings and review drafts.

Mayor McIntosh - definitely have to set up workshops. Let's get through February drafts then we'll schedule workshops.

Trustee Skroskznik - who is the Budget Officer.

Atty. Groff - technically it's the Mayor, as Acting Village Manager.

Trustee Lytle - police dept. doing a lot of renovations. Coming along nicely. Officers have donated time, PBA has donated cabinets. Will be a much more efficient operation. Its cost nothing so far. Really doing a great job.

Trustee Goodwin - 30th anniv of Challenger disaster. Should reflect on that. Also Code Enf - we met with Village Manager and Code Officers. Ongoing disc. Few months back started fire inspections on commercial properties. Justice courts are running smoothly.

Mayor McIntosh - Harry Harvey and Pat Hinman have completed all their certifications. Pat is doing a great job for us.

Chief Stickler - we project completing Police Dept. renovations by late march. No cost to the Village at all. Donations, etc. It will look completely different.

Chris Lawrick - Sean Lohmuller from DPW has been doing the bulk of the work over there.

Mike Stenpeck - On the Pathways application, doesn't this end up with the Village Board. And I don't think we can dictate tenancy.

Atty. Groff John - that is correct.

Mike Stenpeck - comprehensive plan adopted in 2010. Every 5 years we reexamine. We now have an ad hoc committee to look at this and the goals that were put forth. To see what was accomplished, what

wasn't, etc. When this is done we may incorporate site plan review in our code. As of this time we only have site plan review on P.U.D. projects. I'd like to see site plan review on all capital projects in the Village.

Mayor McIntosh:

- Next Thurs 2/4 at 5pm Senator O'Mara will hold a town hall mtg. here in the council room.
- Coming up in March another sister city visit. Week of March 11th through the 19th.

The new Court Attendant Dave Reynolds was introduced to everyone.

As there was nothing further to come before the Board, the meeting was adjourned at 7:49 p.m.

/rmb