

**Minutes**  
**Village Board of Trustees**  
**October 10, 2023**

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. virtually via the Zoom platform and in-person at Horseheads Village Hall, 202 S. Main Street, Horseheads, NY.

Present were:

<u>Village Board and Staff</u>	
Mayor Rob Maloney Trustee Pat Gross Trustee Bill Goodwin Trustee Mike Skroskznik Trustee Mark Cronin	Village Manager Nate Nagle Attorney John Groff Manager's Assistant Jessica Molter Code Officer Jamie Burgess Code Officer Bob Young
<u>Others Present</u>	
Marc Terpolilli Kevin Adams Stephanie Sample	Steve Cronin Marybeth Jansen

**Approval of Minutes for September 11, 2023**

Resolution by Trustee Goodwin, seconded by Trustee Skroskznik

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees meeting of September 11, 2023 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call:

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

**Financial Report**

**Village Manager Nagle:** The report is from June through September 30<sup>th</sup>. We have budgeted \$80,000 in interest/earnings and are currently at \$91,000 no with a 5.21% daily interest rate

All else within the budget is where it needs to be

**Set Trick-or-Treating Hours**

Resolution by Trustee Skroskznik, seconded by Trustee Cronin

WHEREAS, Halloween is a holiday traditionally celebrated on October 31<sup>st</sup> of each year and has evolved into a day of activities like trick-or-treating, carving of jack-o-lanterns, donning of costumes, and festive gatherings, and

WHEREAS, it has become a local custom for municipalities to coordinate for various celebrations.

BE IT RESOLVED, that the date and times for Halloween observance in the Village will be Tuesday, October 31<sup>st</sup>, between the hours of 5:30pm – 8:00pm.

BE IT FURTHER RESOLVED, that all celebrants are urged not to commit acts of violence or destruction under penalty of

law.

Roll Call:

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

### **Greater Tompkins County Municipal Health Insurance Consortium Municipal Cooperation Agreement Approval**

**Village Manager Nagle:** Each year we provide approval to participate in the health insurance consortium and approve any amendments. This year there were 5 new municipalities added and one dropped out as they no longer had any eligible employees to participate.

Discussion ensued regarding who dropped out and joined the consortium

Resolution by Trustee Skroskznik, seconded by Trustee Goodwin

WHEREAS, the Village of Horseheads is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010), and

WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the New York State Department of Financial Services set forth certain requirements for governance of municipal cooperatives that offer self-insured municipal cooperative health insurance plans that requires any amendments or restatements thereto, shall be subject to Board review and upon acceptance of any new Participant hereafter, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by a majority vote by its municipal board, and

WHEREAS, the Village of Horseheads is in receipt of the proposed amended Agreement and has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the Amended Municipal Cooperative Agreement.

NOW THEREFORE BE IT RESOLVED, that upon receipt and review of the amended Agreement, the Village of Horseheads approves at a meeting of the governing body held on October 10, 2023, and authorizes the Chief Elected Official to sign the 2023 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium as recommended by the Board of Directors.

Roll Call:

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

### **Kiwanis Donation for Inspire Cheer**

Resolution by Trustee Cronin, seconded by Trustee Gross

WHEREAS, the Kiwanis Club (Donor) has offered to give to the Village of Horseheads \$175.00, and

WHEREAS, Donor has prescribed that the gift shall be used for the following purposes:

The Inspire Cheer program, and

WHEREAS, Village Law Section 1-102 authorizes a village to take by gift, bequest or devise, and hold real and personal property upon such terms or conditions as may be prescribed by the donor and accepted by said village, and

WHEREAS, the Village is desirous of indicating its acceptance of the above gift.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby accept the gift of above-noted property from Donor, with the following conditions:

It is to be used for the Inspire Cheer program,  
and

BE IT FURTHER RESOLVED, that Village Manager Nathan Nagle is authorized and directed to communicate to Donor its acceptance of the gift and acknowledge its appreciation for same, and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Roll Call:

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

#### **Approval Grant Application for County CHIPS Program**

**Village Manager Nagle:** This grant is to go above and beyond the state CHIPS monies and are to be used for additional work, not to finish work that is budgeted with the state CHIPS monies. There used to be roll-over money from CHIPS and there hasn't been the last few years due to rising costs of material and labor.

Resolution by Trustee Cronin, seconded by Trustee Skroskznik

WHEREAS, Chemung County is accepting applications for the 2024 Municipal Road Improvement Grant Program, which is patterned after the NYS CHIPS program, for municipalities in Chemung County to utilize on improvements to their roadways with each municipality's eligibility based upon the mileage of their local roadways, and

WHEREAS, the program requires that grant funding must be utilized above and beyond the municipality's normal expenditures for road projects and cannot be used in substitution for local funds, and

WHEREAS, the grant applications were required to submitted by October 1, 2023, and

WHEREAS, the Village's grant funding, if awarded, will vary depending upon the County's allocation of funds to the program between \$1,000,000; \$1,500,000; and \$2,000,000 respectively, and

WHEREAS, Village Manager Nathan Nagle reviewed the grant eligibility and terms based upon the Village's grant policy and recommended participation in this grant program, it being compliant with such policy.

NOW THEREFORE BE IT RESOLVED, that Village Manager's application for the above noted grant is retroactively approved due to it's required submission date of on or before October 1, 2023.

Roll Call:

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

**Approve Municipal Solutions Reporting**

Tabled for a future meeting.

**Authorization to Hire A Full-Time Cemetery Laborer**

**Village Manager Nagle:** This is a unique situation. There is a current laborer that will go from 20 hours a week to 40 hours a week. He is retired from the state and will not receive any health benefits and will have a max salary cap of \$34,999. He is not eligible for CSEA membership and this has been discussed at length with the union. They are okay to approve with an MOU- either year to year or the life of the CSEA contract. The funds will be moved from contingency to cemetery to cover the increased cost of moving the individual from part-time to full-time. Discussion ensued.

Resolution by Trustee Goodwin, seconded by Trustee Gross

WHEREAS, on December 13, 2018, the Village of Horseheads Board of Trustees 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, Village Manager Nathan Nagle has reported to this Board that the Village has the need to hire a full-time Cemetery Laborer and that there are funds available to support the position.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nathan Nagle is authorized and directed to take any and all reasonable steps necessary to hire a full-time laborer for the Cemetery as soon as is practical.

Roll Call:

- Mayor Maloney: Aye
- Trustee Gross: Aye
- Trustee Goodwin: Aye
- Trustee Skroskznik: Aye
- Trustee Cronin: Aye

**Authorizing Execution of a Collective Bargaining Agreement between the Village of Horseheads and Civil Service Employees Association Local 1000 AFSCME, AFL-CIO Unit #6539**

**Trustee Skroskznik:** Would like a copy of the new wage schedule. Will they have retroactive pay?

**Village Manager Nagle:** There will be retroactive pay, this pay increase was anticipated in the approved budget and places our employees closer to similar jobs in the area.

Resolution by Trustee Gross, seconded by Trustee Cronin

WHEREAS, the Civil Service Employees Association Local 1000 AFSCME, AFL-CIO Unit #6539 ('Union') is the Collective Bargaining Unit for certain employees of the Village of Horseheads, and

WHEREAS, the current Collective Bargaining Agreement between the Village and the Union expired on May 31, 2023, and

WHEREAS, representatives of the Village and the Union have met in good faith and have negotiated a tentative successor Collective Bargaining Agreement between the parties to be effective June 1, 2023 through May 31, 2026 and such Agreement requires the approval of the Village Board, and

WHEREAS, the proposed Collective Bargaining Agreement provides for certain compensation and fringe benefit adjustments and the Village's representatives in negotiations have recommended the adoption of the proposed successor Agreement to this Board, and

WHEREAS, this Board has been fully advised and has reviewed the terms and conditions of the proposed successor Agreement.

NOW THEREFORE BE IT RESOLVED by the Village of Horseheads Board of Trustees as follows:

1. Village Manager Nathan Nagle is authorized to execute the proposed successor Agreement between the Village of Horseheads and the Civil Service Employees Association Local 1000 AFSCME, AFL-CIO Unit #6539 containing a compensation plan and fringe benefit plan for the period of June 1, 2023 through May 31, 2026.
2. A copy of said Agreement shall be placed on file with the Village Clerk.
3. This resolution shall take effect immediately.

Roll Call:

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

#### **Emergency Generator Maintenance Agreement**

**Village Manager Nagle:** This is giving authorization to continue with the maintenance agreement for the three emergency generators the Village owns.

Resolution by Trustee Skroskznik, seconded by Trustee Gross

WHEREAS, the Village maintains emergency power systems, in the form of generators, at three locations in the Village, being the Village Hall, the Fire Department and Well #5, and

WHEREAS, these systems require scheduled maintenance and semi-annual inspections to maintain the systems dependable functionality in the event of loss of electrical power at the given site, and

WHEREAS, Village Manager Nathan Nagle has researched available vendors for providing such service having secured a proposal from Emergency Power Systems, LLC in the amount \$3,429.00, and

WHEREAS, Village Manager Nagle and DPW Director Donald Gaylord have reviewed the proposed scheduled preventative maintenance agreement revised and have recommend entering into this agreement to this Board.

NOW THEREFORE BE IT RESOLVED, that Manager Nagle is authorized to enter into the Agreement for a term of one (1) year effective November 1, 2023 at a cost not to exceed \$3,429.00.

Roll Call:

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

#### **Add-on Resolution: Approve Police Department Grant Application**

Resolution by Trustee Skroskznik, seconded by Trustee Gross

WHEREAS, the Village has a Grant Application and Administration policy, and

WHEREAS, the Village Police Department has benefitted as a recipient of many grants over time, and

WHEREAS, Chief Michael Suhey has become aware of the department's potential eligibility for a grant from NYS Division of Criminal Justice Services to fund law enforcement technologies (LETECH) such as surveillance cameras, license plate readers, hand held scanners/readers/radios, body cameras, and other equipment, and

WHEREAS, Chief Suhey has recommended to Manager Nathan Nagle and this Board that the Village would benefit from body worn cameras, and

WHEREAS, the grant does not require a local match, and

WHEREAS, Chief Suhey and Manager Nagle have reviewed the grant program and find that pursuing such grant would be in the best interest of the Village and promote the health, safety, and welfare of its residents.

NOW THEREFORE BE IT RESOLVED, that this Board authorizes Chief Suhey and Manager Nagle to submit the 2023-2024 Law Enforcement Technology (LETECH) application for funding as soon as is practical and in any event no later than noon on November 8, 2023.

BE IT FURTHER RESOLVED, that Chief Suhey and staff shall be responsible for compliance with the terms and conditions of said grant and Manager Nagle will oversee such compliance.

Roll Call:

Mayor Maloney:	Aye
Trustee Gross:	Aye
Trustee Goodwin:	Aye
Trustee Skroszchnik:	Aye
Trustee Cronin:	Aye

### **Manager's Report**

Final draft for review for an update of the Sign Law is in the packets. Will need to setup a workshop to discuss and from there set a public hearing for passage of the resolution. The changes include date/timeframe for political signs, business signage size, new definitions added. These changes were made based on recommendations from the Planning Board and the Code Department. Date for the workshop is scheduled for October 23<sup>rd</sup> at 5:00pm at the Fire Department.

Letter from the judges regarding a petition opposing the Senate bill limiting judges to lawyers only, no longer open to anyone including police officers.

Discussion ensued, all agree to have the resolution entered into the minutes.

### **Resolution in Opposition to NYS Senate Bill S-00139B and Assembly Bill A-1358B**

Resolution by Trustee Skroszchnik, seconded by Trustee Cronin

WHEREAS, New York Senate Bill number S-00139B has been passed which, if adopted by the NYS Assembly (A 1358-B) and signed by the Governor, would require all Judges presiding in the 100 largest Town and Village Courts to be licensed to practice law in the State and to have been admitted to the NYS Bar at least five years; and

WHEREAS, The Town and Village Courts in Chemung County are among the nearly 1,200 Justice Courts in the State of New York that collectively handle close to 1 million cases each year; and

WHEREAS, The Town and Village Courts are known as the "Courts Closest to the People" and have broad jurisdiction, presiding over civil and criminal matters, thereby performing a vital role in the New York State Unified Court System; and

WHEREAS, the Village Court of Horseheads is a vital service to our residents and the Chemung County community as a whole; and

WHEREAS, The Justice in Chemung County's Town and Village Courts have pledged to be ever mindful of their neutrality and impartiality, and render equal justice to all, while continually adhering to judicial rules of ethics and pronouncements of the New York State Commission on Judicial Conduct; and

WHEREAS, The Justices are required to be on-call 24 hours a day, 365 days a year to review/sign arrest and search warrants, perform arraignments, and issue orders of protection; and

WHEREAS, The Justices of Town and Village Courts ensure that the rights afforded to defendants by the Constitutions of the United States and the State of New York are provided and protected; and

WHEREAS, The Justices of Town and Village Courts preside over trials involving misdemeanor and violation level offenses, thereby ensuring that the victims of those offenses can be heard; and

WHEREAS, The Town and Village Courts provide a venue for Citizens to pursue a low-cost and efficient procedure for individuals to resolve civil disputes and landlord/tenant matters; and

WHEREAS, the Justices also preside nightly and on weekends and holidays, ensuring that arrested citizens are promptly afforded legal representation, the opportunity to plead to alleged charges, and to be considered for release, bail, or incarceration; and

WHEREAS, The Justices continually strive to improve the administration of justice through participation in mandatory education programs, seminars, meetings of the Chemung-Schuylers County Magistrates Association and the New York State Magistrates Association; and

WHEREAS, The New York State Office of Court Administration must certify all as having successfully completed mandatory training both following election and in each subsequent year; and

WHEREAS, The New York State's Commission on Judicial Conduct's most recent annual report (2023) identifies that only 13% of the complaints filed against the judiciary were against Town and Village judges while the remaining complaints were against either "state-paid" judges, (constituting approximately 40% of the judiciary) who accounted for approximately 67% of the complaints received, or against non-judicial entities (20%); and

WHEREAS, This Bill attempts to usurp the right of voters to elect those in their communities who they believe to be fair and impartial, and who would best serve that community, whether they be attorneys or non-attorneys; and

WHEREAS, This Bill implicitly suggests that members of a community are incapable of making informed decisions about who should sit in judgment of matters from the straight-forward to the highly complex as may arise in their local courts; and

WHEREAS, this legislative body views the intention of this Bill is not to actually improve the courts, but a blatant and unconscionable attempt by the New York State Bar Association, an organization that represents approximately only fifteen percent (15%) of the State's attorneys, to generate increased opportunities for its members, and to dictate who voters may choose to serve in our local governments.

NOW THEREFORE BE IT RESOLVED, that the Governing Board of the Village of Horseheads strongly, and in unequivocal terms, calls on both the leadership in the Senate and Assembly, and the Governor to reject this poorly/conceived and hastily-fashioned seizure of voters' rights to determine, for themselves, who they would choose to sit as their judges as has been the case for almost two hundred years.

Roll Call:

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

Everyone is invited to a tailgate with the Sister City program, information in folders.

Fire Prevention week at the schools. Friday the 13<sup>th</sup> will have the Fire Department Open House from 5:00pm – 8:00pm  
Village is starting a new safety program with a total of 13 modules, 1 per month (will double up one month). The first one is this Thursday.

Water rate proposals- looking at reducing the minimum gallons; implementing a unit for debt payoff, etc.

Water shutoffs will be happening next week due to non-payment

Replacing 6 hydrants around the Village with 2-3 hours of outage per each one.

Yesterday a Hydrant was replaced on Center Street in order to not impact school. The shutoff on SingSing Road was changed to October 28<sup>th</sup> to minimize the impact on businesses and schools that would have water off.

As a heads up, have paid \$1.6 million to the contractor without reimbursement. We may need to transfer monies from the General Fund to Water with an interest rate to be set for “borrowing” the monies. The State Health Department is still reviewing the information regarding Phase II

David Pierce is starting Super Saturday, the first of 3 sessions, on October 21<sup>st</sup>. He is doing a good job in his role.

Michele is the temp in the Clerk’s office and is doing extremely well.

Sullivan Park Update- the pool and the courts will cost \$1.8 million. Need to get the bid packets out to general contractors and engineers.

### **Around the Table**

**Trustee Skroskznik:** Received a notice from the contractor regarding the water shut off on Monday with plenty of notice. Center Street school had their Fire Prevention assembly- the fire department did a great job!

**Trustee Bill:** Appreciate people coming out to the meetings. Attended the last Neighborhood Watch meeting, next one to be held is 11/28 at 7:00pm. Attended CSEA negotiations, would like to attend future union negotiations, learned a lot from the experience. Next to the old Spectrum building and hotel is going to be a Fire Alarm company. Is there any more word on traffic circle being put in a W Broad and SingSing?

**Village Manager Nagle:** No, that hasn’t been an active conversation in a couple years.

**Trustee Gross:** If you ever have a chance to work on union negotiations, everyone should. It is eye-opening and a great learning experience. Think that another ride-around with the Board would be a good idea. There are many cars parked in yards and junk cars, etc. that need to be taken care of.

**Trustee Cronin:** A reminder to residents that the Village works hard on the road conditions and ensuring that especially heavily trafficked areas are taken care of. They work with other agencies and some roads cannot be done when needed as other agencies (NYSEG, etc.) need to do work that would tear up the new roads. A lot goes into planning of roadwork. The Village of Bath just received millions in grant funding from the Federal government. The Village should look into all grants they can. The new tables look great. Make sure everyone gets out to vote!

**Jaime Burgess, Code Enforcement:** It’s the final weeks of grass season.

**Attorney Groff:** Camden, NJ has sued 3M regarding contaminants in their water system and it is impacting much of the Northeast, will be looking at the eligibility to participate in this claim as well as another similar claim. Looking into a False Alarm local law. Updating water department rules and regulations- this does not include rates yet. Bullet points for the resolution offered by the judges: would change the way judges are elected/appointed, complaints filed only 13% were against town/village elected judges, the rationale for the bill is through the bar association providing attorneys more employment opportunities.

**Mayor Maloney:** Joe Atkinson couldn’t be here tonight, but would like the Board to consider passing the resolution for the state to look into voter fraud.

Discussion ensued.

**Trustee Cronin:** The general thought is for Joe to go to the county first and then we act on it after the county acts. We do not need to follow their lead on what they choose to do just want to have them presented to first.

**Trustee Skroskznik:** Joe has been to the meetings many times, we passed a bill for the judges without thinking twice. Why don’t we pass this resolution or offer up to the Board?



Discussion ensued.

Can have Jim Hare and other personnel come and present to the Board regarding voting security within the county.

**Mayor Maloney:** Fire Company is going to purchase additional tools with funds raised and present to the Village. Discussion regarding the Fire District- looking at putting together a tentative budget, hoping to have it done in December or January. Would like the Board to consider as a liaison regarding Fire District conversation after Mayoral term is up

Trustee Gross moved that the meeting be adjourned, seconded by Trustee Cronin. Meeting was adjourned at 8:17pm.

DRAFT

**Minutes**  
**Village Board of Trustees**  
**October 23, 2023**

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 5:00 p.m. in-person at Horseheads Fire Department at 134 N. Main Street, Horseheads, NY.

Present were:

<u>Village Board and Staff</u>	
Mayor Rob Maloney Trustee Pat Gross- absent Trustee Bill Goodwin Trustee Mike Skroskznik Trustee Mark Cronin	Village Manager Nate Nagle Attorney John Groff Code Officer Jamie Burgess Code Officer Bob Young
<u>Others Present</u>	

**Inspire Cheer Gift Acceptance**

Resolution by Trustee Skroskznik, seconded by Trustee Cronin

WHEREAS, Beauty Bar (Donor) has offered to give to the Village of Horseheads \$210.00, and

WHEREAS, Donor has prescribed that the gift shall be used for the following purposes:

Inspire Cheer Competition in Bath, and

WHEREAS, Village Law Section 1-102 authorizes a village to take by gift, bequest or devise, and hold real and personal property upon such terms or conditions as may be prescribed by the donor and accepted by said village, and

WHEREAS, the Village is desirous of indicating its acceptance of the above gift.

NOW THEREFORE BE IT RESOLVED, that the Village of Horseheads Board of Trustees does hereby accept the gift of above-noted property from Donor, with the following conditions:

It is to be used for the Inspire Cheer competition in Bath

RESOLVED, that Village Manager Nathan Nagle is authorized and directed to communicate to Donor its acceptance of the gift and acknowledge its appreciation for same, and be it further

RESOLVED, that this resolution shall take effect immediately.

Roll Call:

Mayor Maloney	Aye
Trustee Goodwin	Aye
Trustee Skroskznik	Aye
Trustee Cronin	Aye

Discussion ensued regarding the voter fraud presentation presented by Joe Atkinson in previous meetings. Mayor Maloney is to reach out to Joe Atkinson personally for further communication.

Discussion ensued regarding the proposed updates to the Sign Law.

Trustee Cronin moved that the meeting be adjourned, seconded by Trustee Goodwin. Meeting was adjourned at 6:03pm.

DRAFT

**Sept. 18, 2023**

To whom it may concern,

I am writing to request a parcel separation. The parcel I'm looking to separate was once its own parcel with a residential home on it. Due to certain circumstances I had to make the decision to sell Turks along with Turks Ice Cream. I wish to parcel off the car lot known as Turks Auto so, that my son, Ted Ostrander, may continue to operate the car dealership business. If any further information is needed please feel free to contact me at 607-731-0789.

Thank you for your time and consideration  
Kathy Ostrander

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Kathy Ostrander / TURKS			
Project Location (describe, and attach a location map): Subdivision of parcel			
Brief Description of Proposed Action: I would like to make Turks Auto a separate parcel from Turks Produce.			
Name of Applicant or Sponsor: Kathy Ostrander		Telephone: 607-731-0789	
Address: 197 County Road 64		E-Mail: turksauto@yahoo.com	
City/PO: Elmira		State: NY	Zip Code: 14903
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.39 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.79 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?  b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Retention basin: <u>There is a storm drain located</u> <u>on the property.</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: Kathy Ostrander Date: 9-18-23  
 Signature: Kathy Ostrander

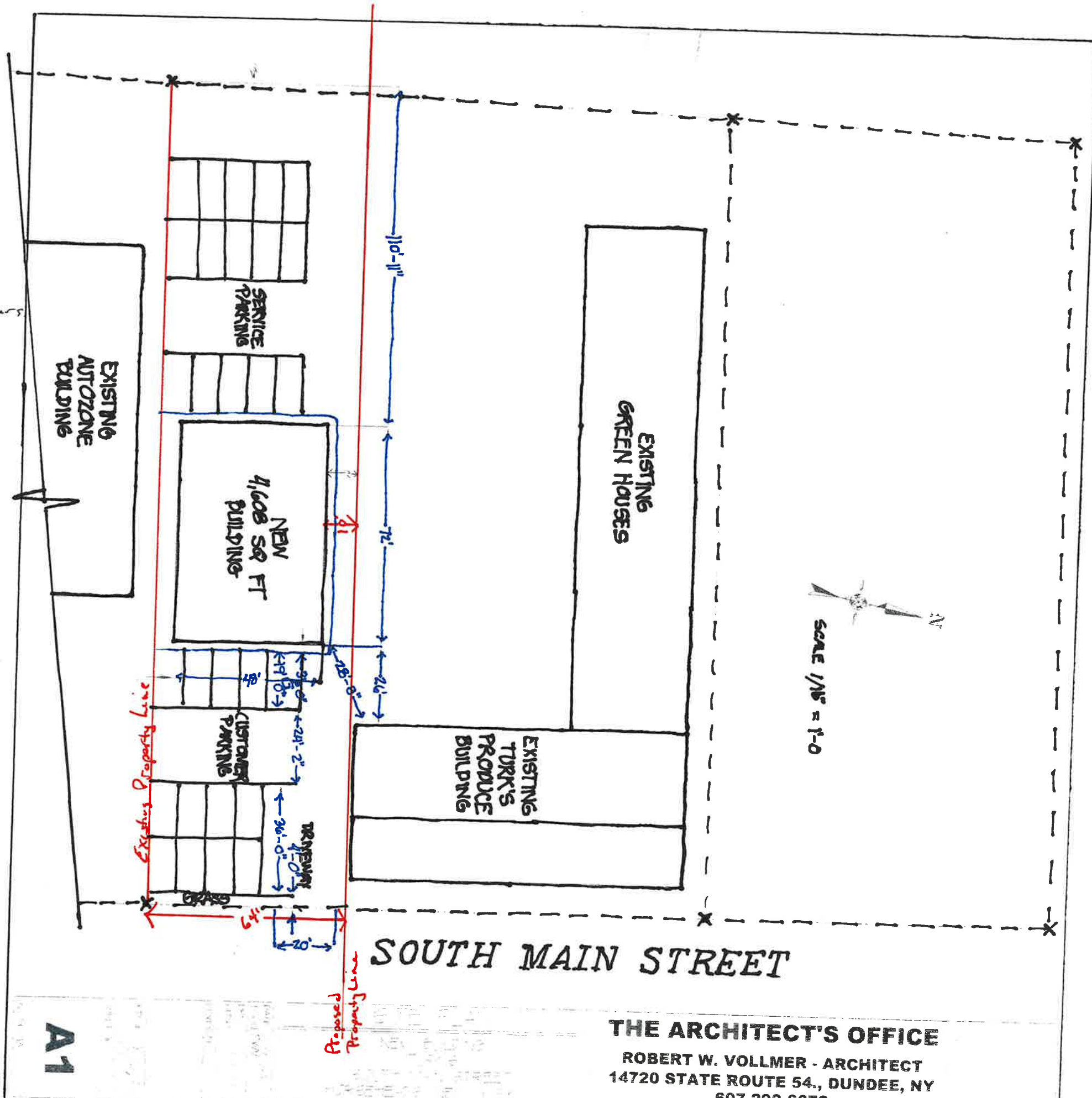
C-1 Neighborhood Commercial

245-45 Minimum Lot Requirements:

- A- Lot Area 4000 sq ft
- B- Lot width 40 ft
- C- Lot depth 90 ft

245-46 Minimum Yard Requirements:

- A- Front: 10' or an average of others
- B- Rear: 25'
- C- Side: None, 10' if provided



SCALE 1/8" = 1'-0"

**THE ARCHITECT'S OFFICE**  
ROBERT W. VOLLMER - ARCHITECT  
14720 STATE ROUTE 54, DUNDEE, NY  
607-292-6672

A1



TO: TERRANCE OSTRANDER, SR.  
KATHY J. OSTRANDER  
NY BANKERS TITLE INSURANCE COMPANY  
CHEMUNG CANAL TRUST COMPANY  
SCOTT D. MOORE LAW OFFICE, P.C.  
I hereby certify that this is a true and accurate survey, prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors.

TAX MAP REFERENCE  
 ALL OF  PART OF  
SECTION 69.10  
BLOCK 1  
PARCEL 387

**WEILER ASSOCIATES**  
LICENSED LAND SURVEYORS  
HORSEHEADS, N.Y.  
NORWICH, CT

SUBDIVISION PLANNING SURVEYING & MAPPING

MAP OF LANDS OF  
**TERRANCE A. OSTRANDER**

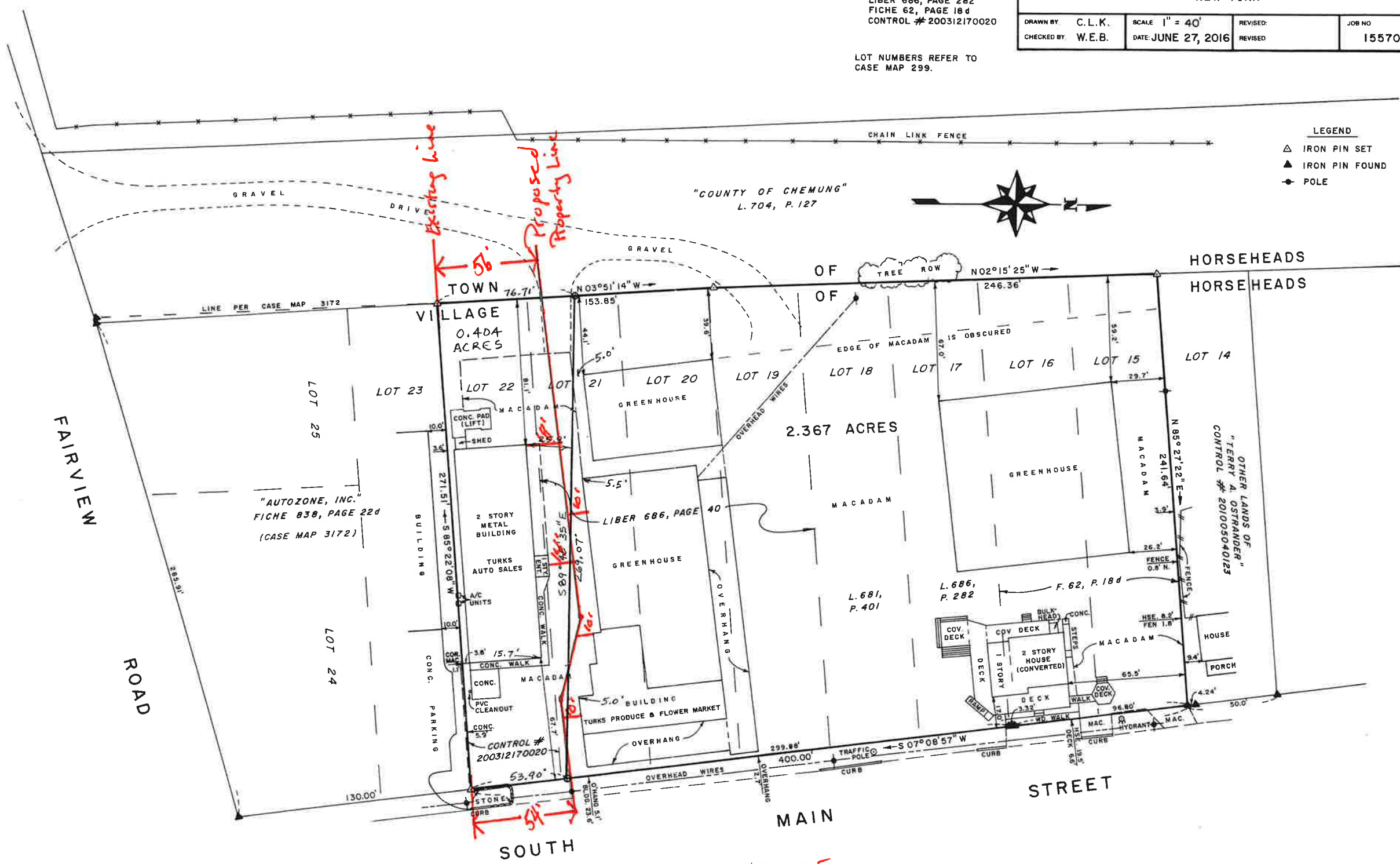
VILLAGE OF HORSEHEADS CHEMUNG COUNTY  
NEW YORK

DRAWN BY: C.L.K.	SCALE: 1" = 40'	REVISED:	JOB NO:
CHECKED BY: W.E.B.	DATE: JUNE 27, 2016	REVISED:	15570

REFERENCE DEEDS:  
LIBER 681, PAGE 401  
LIBER 686, PAGE 40  
LIBER 686, PAGE 282  
FICHE 62, PAGE 18 d  
CONTROL # 200312170020

LOT NUMBERS REFER TO CASE MAP 299.

LEGEND  
△ IRON PIN SET  
▲ IRON PIN FOUND  
● POLE



*\*NOT TO SCALE*

**SEQR Review and Action 3189 S Main Street – Subdivision Review**

WHEREAS, Kathy Ostrander (“applicant”) is the owner of lands known as 3189 S Main Street (Tax Map Parcel # 69.10-1-7) which are located in a C1 Neighborhood Commercial zone, and

WHEREAS, the applicant has applied for a subdivision, and

WHEREAS, such application requires review and approval by the Village of Horseheads Board of Trustees, and

WHEREAS, it has been preliminarily determined that the application is subject to the provisions of the NY State Environmental Quality Review Act which requires that a “lead agency” be established to review the Action pursuant to the Act and rules and regulations promulgated thereunder, and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form (SEAF) as part of its Application, 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 NY State Environmental Quality Review Act (SEQR) and 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 subdivision (“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 the Village Manager to sign a Determination of Significance finding that the Action will not result in any significant adverse environmental impacts.

### **3189 S Main Street- Subdivision Review**

WHEREAS, Kathy Olander applied to the Village of Horseheads for a Subdivision Approval (“application”) regarding the premises known as 3189 S Main Street, Horseheads, NY, to create two lots located on S Main Street, and

WHEREAS, it has been determined that the Application is subject to consideration of the Village Board under Village Code Chapters 245, Zoning, and 175 Planning Procedures and NYS Village Law Article 7, and

WHEREAS, all necessary reports, recommendations and comments regarding the Application have been filed with this Board, and

WHEREAS, the Village Clerk-Treasurer has caused publication of a Notice of Public Hearing scheduled for, November 13, 2023, and

WHEREAS, notice of the public hearing was sent to the effected property owners within 200 feet of the subject property, and

WHEREAS, the Village of Horseheads Planning Board has carefully considered the Application and relevant reports, recommendations and comments, and has recommended granting the Application, and

WHEREAS, the Application is subject to SEQRA, was classified as an Unlisted Action and a Determination of Significance was issued by the Village of Horseheads Board of Trustees finding no significant environmental impacts, and

WHEREAS, this Board has carefully considered the Application, reports, findings and recommendations of all other boards and agencies which have considered the Application, the testimony and other relevant evidence presented at the public hearing and afforded all interested parties the opportunity to be heard, and finds that granting the application is in the public good and best interests of the Village and its residents.

NOW THEREFORE BE IT RESOLVED, that given the considerations of the application and the uniqueness of the circumstances this Board does waive the requirements of Village Law Article 7 pertaining to reservation of parkland, payment of a parkland trust fund, supply of a performance bond, and/or other security and corresponding provisions of Village Code Chapter 175, specifically Sections 175-10 and 175-11 A, C, D, E, and F.

BE IT FURTHER RESOLVED, that applicant shall supply the Village with sufficient copies of the Final Plat provide by Weiler Associates for filing in the County Clerk’s Office by the applicant after approval of such subdivision is noted thereon by the Village Manager pursuant to this resolution.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

**Approve Probationary Firefighter**

WHEREAS, Jeffrey Schussler has been recommended for admission to the Village of Horseheads Fire Department to be a one-year probationary member of the Village Fire Department.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby accept and approve his membership in the Village of Horseheads Fire Department, said acceptance to be effective immediately.

DRAFT

**Judge David Brockway Judicial Audit Acceptance**

WHEREAS, Uniform Justice Court Act Section 2019-a provides in pertinent part that each Village Justice shall at least once a year and upon the last audit day of the Village present the Justice's records and docket to the auditing board of the Village which board shall examine the records and docket and enter into the minutes of its proceedings the fact that they have duly examined such records and docket and that the fines therein collected have been turned over to the proper officials of the Village as required by law, and

WHEREAS, the Village Board has delegated the task of auditing Justice David M. Brockway's docket and records for the calendar year June 2022 through May 2023 to Village Manager Nathan Nagle, and

WHEREAS, Village Manager Nathan Nagle has conducted the audit and issued his report to this Board finding that said records and docket have been examined and that the fines therein collected had been turned over to the proper officials of the Village of Horseheads as required by law.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nathan Nagle's audit of the docket and records of Justice David M. Brockway is accepted and shall be placed on file.

**Judge Andrew Smith Judicial Audit Acceptance**

WHEREAS, Uniform Justice Court Act Section 2019-a provides in pertinent part that each Village Justice shall at least once a year and upon the last audit day of the Village present the Justice's records and docket to the auditing board of the Village which board shall examine the records and docket and enter into the minutes of its proceedings the fact that they have duly examined such records and docket and that the fines therein collected have been turned over to the proper officials of the Village as required by law, and

WHEREAS, the Village Board has delegated the task of auditing Justice Andrew Smith's docket and records for the calendar year June 2022 through May 2023 to Village Manager Nathan Nagle, and

WHEREAS, Village Manager Nathan Nagle has conducted the audit and issued his report to this Board finding that said records and docket have been examined and that the fines therein collected had been turned over to the proper officials of the Village of Horseheads as required by law.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nathan Nagle's audit of the docket and records of Justice Andrew Smith is accepted and shall be placed on file.

### **3M Class Action Lawsuit**

WHEREAS, the Village of Horseheads has been notified that it may be eligible for participation in a class action lawsuit against 3M by all active public water systems in the United States of America having an impacted water source and required to test for PFAS, and

WHEREAS, Village Manager Nathan Nagle and DPW Director Donald Gaylord are analyzing and researching whether the Village is eligible for participation in the lawsuit which has a negotiated settlement.

NOW THEREFORE BE IT RESOLVED, that Manager Nagle will continue to investigate the merit of the Village's participation in the lawsuit and any potential settlement.

BE IT FURTHER RESOLVED, that if he determines that participation is warranted he shall oversee the processing and submission of appropriate claim forms and shall advise the Board of the status of litigation from time to time.

DRAFT

### **DuPont Class Action Lawsuit**

WHEREAS, the Village of Horseheads has been notified that it may be eligible for participation in a class action lawsuit against E.I. DuPont de Nemours et al by all active public water systems in the United States of America having an impacted water source and required to test for PFAS, and

WHEREAS, Village Manager Nathan Nagle and DPW Director Donald Gaylord are analyzing and researching whether the Village is eligible for participation in the lawsuit which has a negotiated settlement.

NOW THEREFORE BE IT RESOLVED, that Manager Nagle will continue to investigate the merit of the Village's participation in the lawsuit and any potential settlement.

BE IT FURTHER RESOLVED, that if he determines that participation is warranted he shall oversee the processing and submission of appropriate claim forms and shall advise the Board of the status of litigation from time to time.

DRAFT



**Bronco Rider Painting Loan to Rockwell Museum**

BE IT RESOLVED, that Village Manager Nathan Nagle is hereby authorized to execute a Loan Agreement with the Rockwell Museum extending the long term loan of the Village-owned N.C. Wyeth painting "Bronco Rider" through December 2028.

DRAFT

**Approve Fire Department Firehouse Subs Grant Application**

WHEREAS, the Village has a Grant Application and Administration policy, and

WHEREAS, the Village Fire Department has benefitted as a recipient of many grants over time, and

WHEREAS, Chief Arthur Sullivan has become aware of the department's potential eligibility for a grant through the Firehouse Subs Public Safety Foundation to fund equipment such as a gear washer and dryer, cribbing, and other lifesaving equipment, and

WHEREAS, Chief Sullivan has recommended to Manager Nathan Nagle and this Board that the Village would benefit from a gear washer and dryer and cribbing, and

WHEREAS, the grant requires no matching funds for a total possible amount not to exceed \$50,000, and

WHEREAS, Chief Sullivan and Manager Nagle have reviewed the grant program and find that pursuing such grant would be in the best interest of the Village and promote the health, safety, and welfare of its residents.

NOW THEREFORE BE IT RESOLVED, that this Board authorizes Chief Sullivan and Manager Nagle to submit the 2024 Firehouse Subs Public Safety Foundation grant application for funding as soon as is practical.

BE IT FURTHER RESOLVED, that Chief Sullivan and staff shall be responsible for compliance with the terms and conditions of said grant and Manager Nagle will oversee such compliance.

**Approve Fire Department PERMA Grant Application**

WHEREAS, the Village has a Grant Application and Administration policy, and

WHEREAS, the Village Fire Department has benefitted as a recipient of many grants over time, and

WHEREAS, Chief Arthur Sullivan has become aware of the department's potential eligibility for a grant through the PERMA Firefighter Risk Reduction Mini-Grant Program to fund equipment that will help reduce duty-related illnesses such as a gear washer and dryer which remove carcinogens from turnout gear while maintaining gear durability, and

WHEREAS, Chief Sullivan has recommended to Manager Nathan Nagle and this Board that the Village would benefit from a gear washer and dryer, and

WHEREAS, the grant is a reimbursable grant up to \$5,000 of the total cost, and

WHEREAS, Chief Sullivan and Manager Nagle have reviewed the grant program and find that pursuing such grant would be in the best interest of the Village and promote the health, safety, and welfare of its residents.

NOW THEREFORE BE IT RESOLVED, that this Board authorizes Chief Suhey and Manager Nagle to submit the FY2024 PERMA Firefighter Risk Reduction Mini-Grant Program application for funding as soon as is practical.

BE IT FURTHER RESOLVED, that Chief Sullivan and staff shall be responsible for compliance with the terms and conditions of said grant and Manager Nagle will oversee such compliance.

**Authorization to Hire a Water System Operator**

WHEREAS, on December 13, 2018, the Village of Horseheads Board of Trustees 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, Village Manager Nathan Nagle has reported to this Board that he is anticipating a vacancy and that the Village has the need to hire a replacement Water System Operator, and

WHEREAS, the vacancy will adversely affect the operations of the Village if the position remains unfulfilled.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nathan Nagle is authorized and directed to take any and all reasonable steps necessary to hire a Water System Operator as soon as is practical.

DRAFT

**Authorization to Hire a Manager's Assistant**

WHEREAS, on December 13, 2018, the Village of Horseheads Board of Trustees 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, Village Manager Nathan Nagle has reported to this Board that Jessica Molter will be taking a new position, and the Village has the need to hire a replacement Manager's Assistant, and

WHEREAS, the vacancy will adversely affect the operations of the Village if this position remains unfilled.

NOW THEREFORE BE IT RESOLVED, that Village Manager Nathan Nagle is authorized and directed to take any and all reasonable steps necessary to hire a Manager's Assistant as soon as is practical.

DRAFT

**Greater Tompkins County Municipal Health Insurance Consortium Village Representative Change**

WHEREAS, the Village of Horseheads is a participant in the Greater Tompkins County Municipal Health Insurance Consortium (GTCMHIC) (“Consortium”), and

WHEREAS, as such a participant the Village Board may designate a Director and an Alternate Director to serve on the governing board of the Consortium, and

WHEREAS, this Board previously designated Manager’s Assistant Jessica Molter as its Director and Village Clerk-Treasurer Donna Dawson as its Alternate Director, and

WHEREAS, this Board wishes to amend the above noted designations.

NOW THEREFORE BE IT RESOLVED, this Board does hereby designate Village Clerk-Treasurer Donna Dawson as its Director to the Board of Directors of GTCMHIC, and does hereby appoint Village Manager Nathan Nagle as the Alternate Director, to attend meetings of the Board of Directors of GTCMHIC when Ms. Dawson cannot attend, and Mr. Nagle is authorized to exercise the Village’s voting authority.

BE IT FURTHER RESOLVED, that this amendment shall take effect immediately.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to GTCMHIC as soon as is practical.