

**TOWN OF HORSEHEADS  
TOWN BOARD  
APRIL 13, 2022  
7:00 P.M.**

The regular monthly meeting of the Town Board of the Town of Horseheads was held on the above date at 7:00 P.M. at the Town Hall, 150 Wygant Road, Horseheads, New York.

Members Present: Donald J. Fischer, Supervisor; Gary H. Riopko, Carl R. Lewis, Sr. and Stephen E. Wilber and Donald W. Zeigler, Councilmen.

Others Present: John P. Mustico, Town Attorney; Nancy Rohde, Town Clerk; Teresa R. Lyons, Town Assessor, Tim Doane, Elizabeth Sherburne, Ray & Laurie Cass, Joe Atkinson, Peggy Woodard, 8<sup>th</sup> District Legislator; Attending via Zoom; Cathy Wood, Jason Sauers, Eljah Hungerford, John Cole, Mel Schroder, Dave Mayotte, Rebecca Mickley, Emma Beeckem, Dawn Bush, Mary Joan Collins and Tom Crout.

Supervisor Fischer called the meeting to order at 7:00 p.m. and the pledge of allegiance was recited.

On a motion by Mr. Lewis, and seconded by Mr. Riopko, it was moved that the reading of the minutes of the March 9<sup>th</sup> 2022 meeting of the Town Board of the Town of Horseheads be dispensed with and the same stand approved as entered by the Clerk.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Resolution #69 of 2022

**RESOLUTION AUTHORIZING PAYMENT OF CLAIMS**

Resolution by Mr. Wilber, seconded by Mr. Riopko,

BE IT RESOLVED, that the Supervisor is hereby authorized and directed to pay the audited bills from all funds in the amount of \$816,787.82.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Resolution #70 of 2022

**REPORTS OF TOWN OFFICERS**

On a motion by Mr. Lewis, and seconded by Mr. Riopko, it was moved that the March, 2022 reports of the Supervisor in the General and Highway Funds, reports of the Town Justices, reports of the Code Enforcement Office, Highway Superintendent and Town Clerk be received and placed on file.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Correspondence:

- Charter Communications – Upcoming Changes – March 7, 11, 18, 21, 29 & 31, April 1, 2022.
- NYS DEC – Superfund Site Delist Notice – Horseheads landfill – Blostein Blvd. (03/22/2022).

- Chemung County Sheriff – Horseheads Town Residential Statistics ( 04/04/2022)
- Records Destruction Request – Justice Court (03/31/2022).
- State of NY, Dept. of Taxation & Finance, Office of Real Property Tax Services – Letter to Assessor Teresa Lyons Equalization Rates for the 2022 Assessment Roll (04/07/2022)

On a motion by Mr. Lewis and seconded by Mr. Wilber, it was moved that the correspondence be received and placed on file.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

**The audience portion of the meeting began** with Supervisor Fischer opening the floor stating he will acknowledge people in attendance wanting to speak first and then people attending via zoom:

Peg Woodard, 8<sup>th</sup> District Legislator came forward to speak and wanted to say, she and Councilman Steve Wilber had been working on a grant for the Holding Point Complex. The Town will receive a grant in the amount of \$6,500.00.

Tim Doane, 206 E. 11<sup>th</sup> St., Elmira Heights came forward to discuss his concerns regarding the recent letter he received pertaining to the 2022 assessment of several of his properties. Tim Doane handed to Town Board members an article from the Star-Gazette published April 13, 2022.

Elizabeth Sherburne, 115 St. Andrews Dr., Horseheads came forward to discuss her 2022 assessment. It is going up 20% making it difficult to raise a family in this area.

Dawn Bush, 807 Thorne St., Horseheads came forward to discuss her 2022 assessment. Her property is going up 50%. Dawn expressed her house wouldn't sell for the new assessed value. She asked, "What is the overall assessment for the Town?"

Mary Joan Collins, 807 Thorne St., Horseheads expressed she wishes to echo Dawn Bush's opinion. In addition she expressed she is recently retired and the increase will make retirement difficult. She also expressed maybe a cap of 10% would be better?

Tom Crout, 318 Scenic Dr, Horseheads stated his assessment is up over 70,000. He is a real estate agent. He stopped in to meet with the Town Assessor bringing comparables with him. He asked, "Why the comparables he brought in can't be used?"

At this portion of the meeting, Supervisor Fischer asked several times if anyone else in attendance would like to speak during the audience portion of the meeting. No one else came forward. Supervisor Fischer then asked the Town Assessor, Teresa Lyons to speak in response and address the concerns and comments of the above residents with regards to the 2022 Revaluation Process.

Teresa Lyons began by explaining the last revaluation was done in 2000. Her predecessors used a process called "Trending" which uses current sales to try and keep up with the equalization rate of 100%. Teresa began the revaluation process 2 & 1/2 years ago. Teresa also explained she works directly with New York State who approves the processes step by step and it's NYS who sets specific guidelines, such as the timeframe of sales to use. Teresa also explained that businesses located in the Town were asked to bring in their income statements. Once the revaluation process is complete, the equalization rates will be at 100%.

Resolution #71 of 2022

**RESOLUTION AUTHORIZING MEMORIAL DAY DONATIONS  
TO ELMIRA HEIGHTS AND HORSEHEADS AMERICAN LEGIONS**

Resolution by Mr. Wilber, seconded by Mr. Lewis.

BE IT RESOLVED, that the Horseheads American Legion and Elmira Heights American Legion receive a donation for their Memorial Day Observances in the amount of \$400.00 each.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Resolution #72 of 2022

**RESOLUTION APPOINTING ANGELA HAWKINS  
PLANNING BOARD MEMBER**

Resolution by Mr. Lewis, seconded by Mr. Wilber.

BE IT RESOLVED, that Angela Hawkins be hereby appointed as a Planning Board Member for the Town of Horseheads for a six year term to expire on December 31, 2028.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Resolution #73 of 2022

**RESOLUTION TO SET PUBLIC HEARING TO AMEND LOCAL LAW #1 OF 2017 – A  
LOCAL LAW TO ESTABLISH THE RESIDENCY REQUIREMENTS FOR CERTAIN  
APPOINTED OFFICES FOR THE TOWN OF HORSEHEADS**

Resolution by Mr. Wilber, seconded by Mr. Lewis.

BE IT RESOLVED, that the Town Board of the Town of Horseheads hereby sets a public hearing to be held on May 5, 2022 at 7:00 P.M. to amend Local Law #1 of 2017, entitled “A Local Law to Establish the Residency Requirements for Certain Appointed Offices for the Town of horseheads.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Resolution #74 of 2022

**RESOLUTION AUTHORIZING 2021 BUDGET TRANSFERS**

Resolution by Mr. Lewis, seconded by Mr. Wilber.

BE IT RESOLVED, that the Town Board of the Town of Horseheads hereby authorizes the following budget transfers as submitted:

**2021 BUDGET TRANSFERS**  
**Final Cleanup Entry**

|                               |      |      |                       | <u>Increase (Dr)</u> | <u>Decrease (Cr)</u> |
|-------------------------------|------|------|-----------------------|----------------------|----------------------|
| <b>TOWN BOARD</b>             |      |      |                       |                      |                      |
| A                             | 1010 | 5100 | Personnel Services    | 226.00               |                      |
| A                             | 1010 | 5200 | Equipment             |                      | 226.00               |
| <b>TOWN SUPERVISOR</b>        |      |      |                       |                      |                      |
| A                             | 1220 | 5100 | Personnel Services    | 1,749.00             |                      |
| A                             | 1220 | 5810 | Social Security       | 107.00               |                      |
| A                             | 1220 | 5411 | Contractual           |                      | 1,856.00             |
| <b>ASSESSMENT</b>             |      |      |                       |                      |                      |
| A                             | 1355 | 5412 | Equipment Maintenance | 101.00               |                      |
| A                             | 1355 | 5408 | Supplies              |                      | 101.00               |
| <b>TOWN CLERK</b>             |      |      |                       |                      |                      |
| A                             | 1410 | 5100 | Personnel Services    | 10,100.00            |                      |
| A                             | 1410 | 5411 | Contractual           | 1,561.00             |                      |
| A                             | 1410 | 5810 | Social Security       | 574.00               |                      |
| A                             | 1990 | 5443 | Contingency           |                      | 12,235.00            |
| <b>BUILDINGS</b>              |      |      |                       |                      |                      |
| A                             | 1620 | 5100 | Personnel Services    | 892.00               |                      |
| A                             | 1620 | 5404 | Telephone             | 221.00               |                      |
| A                             | 1620 | 5421 | Building Maintenance  | 471.00               |                      |
| A                             | 1620 | 5810 | Social Security       | 7.00                 |                      |
| A                             | 1620 | 5420 | Grounds               |                      | 1,591.00             |
| <b>HIGHWAY ADMINISTRATION</b> |      |      |                       |                      |                      |
| A                             | 5010 | 5411 | Contractual           | 83.00                |                      |
| A                             | 5010 | 5412 | Equipment Maintenance | 38.00                |                      |
| A                             | 5010 | 5408 | Supplies              |                      | 121.00               |
| <b>GARAGE</b>                 |      |      |                       |                      |                      |
| A                             | 5132 | 5421 | Building Maintenance  | 1,872.00             |                      |
| A                             | 5132 | 5424 | Utilities             | 753.00               |                      |
| A                             | 5132 | 5200 | Small Equipment       |                      | 2,625.00             |

| <b>PARKS &amp; PLAYGROUND</b> |      |      |                       |            |            |
|-------------------------------|------|------|-----------------------|------------|------------|
| A                             | 7140 | 5200 | Small Equipment       | 236.00     |            |
| A                             | 7140 | 5420 | Grounds               | 1,352.00   |            |
| A                             | 7140 | 5426 | Fuel                  | 3,352.00   |            |
| A                             | 7140 | 5100 | Personnel Services    |            | 4,940.00   |
| <b>YOUTH PROGRAMS</b>         |      |      |                       |            |            |
| A                             | 7310 | 5100 | Personnel Services    | 437.00     |            |
| A                             | 7310 | 5411 | Contractual           |            | 437.00     |
| <b>EMPLOYEE BENEFITS</b>      |      |      |                       |            |            |
| A                             | 9010 | 5800 | Retirement            | 17,729.00  |            |
| A                             | 1990 | 5443 | Contingency           |            | 17,729.00  |
| <b>SAFETY INSPECTION</b>      |      |      |                       |            |            |
| B                             | 3620 | 5408 | Supplies              | 147.00     |            |
| B                             | 3620 | 5426 | Fuel                  | 1,797.00   |            |
| B                             | 3620 | 5412 | Equipment Maintenance |            | 1,600.00   |
| B                             | 3620 | 5406 | Travel & Training     |            | 344.00     |
| <b>STREET LIGHTING</b>        |      |      |                       |            |            |
| B                             | 5182 | 5424 | Utilities             | 1,980.00   |            |
| B                             | 3620 | 5810 | Social Security       |            | 1,980.00   |
| <b>ZONING</b>                 |      |      |                       |            |            |
| B                             | 8010 | 5429 | Legals                | 53.00      |            |
| B                             | 8010 | 5411 | Contractual           |            | 53.00      |
| <b>HIGHWAY</b>                |      |      |                       |            |            |
| DB                            | 5110 | 5100 | Personnel Services    | 8,168.00   |            |
| DB                            | 5110 | 5435 | Sluice Pipes          | 577.00     |            |
| DB                            | 5112 | 5446 | Stone                 | 497.00     |            |
| DB                            | 5130 | 5201 | Capital Equipment     | 34,256.00  |            |
| DB                            | 5130 | 5412 | Equipment Maintenance | 11,036.00  |            |
| DB                            | 5130 | 5440 | Unallocated Insurance | 12.00      |            |
| DB                            | 5142 | 5438 | Salt & Cinders        |            | 54,546.00  |
|                               |      |      |                       | 100,384.00 | 100,384.00 |

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Resolution #75 of 2022

**RESOLUTION AUTHORIZING REQUEST OF JUSTICE COURT FOR ELECTRONIC SCANNING OF RECORDS AND DESTRUCTION OF HARD COPIES**

Resolution by Mr. Lewis, seconded by Mr. Wilber.

BE IT RESOVLED, the Town Board of the Town of Horseheads hereby authorizes the Justice Court to electronically scan and destroy the following records:

Years 2019 – 2021 Court records including; Misdemeanors (5) boxes, Violations with TOP-YO (2) boxes, DWAI (2) boxes and CIVIL (1) box, and

BE IT FURTHER RESOLVED, this resolution is subject to the Justice Court receiving approval from the Office of Court Administration and New York State Office of the State Comptroller for the records destruction of the above mentioned records.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Resolution #76 of 2022

**RESOLUTION TO REPEAL RESOLUTION OF #65 OF 2022 TO CALL FOR PUBLIC HEARING FOR JOURNEY CHURCH P.U.D. AMENDMENT REQUEST**

Resolution by Mr. Wilber, seconded by Mr. Lewis.

WHEREAS, by way of Resolution #65 of 2022, the Town Board of the Town of Horseheads set a Public Hearing to be held on Thursday, May 5, 2022 at 7:00 P.M. to consider the P.U.D. amendment request of Journey Church, Inc., and

WHEREAS, Journey Church withdrew their P.U.D. amendment request, and

BE IT RESOLVED, the Town Board of the Town of Horseheads repeals Resolution #65 of 2022.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Resolution #77 of 2022

**RESOLUTION REFERRING ELMIRA STRUCTURES, INC. PLANNED UNIT DEVELOPMENT AMENDMENT REQUEST TO THE TOWN PLANNING BOARD**

Resolution by Mr. Wilber, seconded by Mr. Lewis.

BE IT RESOLVED, that the Town Board of the Town of Horseheads hereby refers the Planned Unit Development Amendment request for Elmira Structures, Inc. to the Town Planning Board for their recommendation.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Resolution #78 of 2022

**RESOLUTION AUTHORIZING CONFERENCE ATTENDANCE  
REQUEST – DEPUTY TOWN CLERK/DEPUTY TAX RECEIVER**

Resolution by Mr. Zeigler, seconded by Mr. Lewis.

BE IT RESOLVED, that the Town Board of the Town of Horseheads hereby authorizes Cathy Wood, Deputy Town Clerk/Deputy Tax Receiver to attend the NYS Association of Tax Receivers & Collectors 2022 Annual Training Seminar to be held June 12<sup>th</sup> through June 15<sup>th</sup>, 2022 located in Ithaca, New York.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

As there was no further business to come before the Board, on a motion by Mr. Lewis, and seconded by Mr. Wilber, it was moved that the meeting be adjourned at 7:36 P.M.

Ayes: Riopko, Lewis, Wilber, Zeigler and Fischer. Nays: None.

Respectfully Submitted,

Nancy C. Rohde, Town Clerk