

**TOWN OF HORSEHEADS  
TOWN BOARD  
May 8, 2019**

The regular monthly meeting of the Town Board of the Town of Horseheads was held on the above date at 7:30 P.M. at the Town Hall, 150 Wygant Road, Horseheads, New York.

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

Others Present: Nancy Rohde, Town Clerk; John P. Mustico, Town Attorney, Ray Cass, Lorie Cass, Peggy Woodard, 8<sup>th</sup> District Legislator, Joseph Atkinson, and Brenda Knoll.

Supervisor Edwards called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

On a motion by Mr. Fischer, and seconded by Mr. Riopko, it was moved that the reading of the minutes of the April 11 & 25, 2018 meeting of the Town Board of the Town of Horseheads be dispensed with and the same stand approved as entered by the Clerk.

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

Resolution #77 of 2019

**RESOLUTION AUTHORIZING PAYMENT OF CLAIMS**

Resolution by Mr. Fischer, seconded by Mr. Riopko,

BE IT RESOLVED, that the Supervisor is hereby authorized and directed to pay the audited claims in the Following Funds:

|                         |          |                     |
|-------------------------|----------|---------------------|
| General Fund A, B & SW9 | #182-227 | \$ 67,887.86        |
| Highway Fund DB         | #107-127 | <u>100,848.86</u>   |
| Total                   |          | <u>\$168,736.72</u> |

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

Resolution #78 of 2019

**REPORTS OF TOWN OFFICERS**

On a motion by Mr. Lewis, and seconded by Mr. Wilber, it was moved that the April, 2019 reports of the Supervisor in the General Funds, and Highway Fund, reports of the Town Justices Code Enforcement Office, Town Clerk, Assessor, Highway and Youth Bureau be received and placed on file.

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

05/08/2019 T.B.

Correspondence:

- Charter Communications – Upcoming changes notice (04/13&23/2019).
- EHS Support – Monthly progress report – Koppers Pond (04/17/2019).

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

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

During the audience participation portion of the meeting, Lorie Cass of 22 Redwing Lane came forward and asked if there was specific information outlining if a permit was needed for certain home repairs. Supervisor Edwards advised her to check with the Code Enforcement Office when she knew more of what type of work she would be having done.

The discussion and possible action regarding dedication of the drainage basin located at Gardner Road and St. Andrews Drive was tabled at this time.

Resolution #79 of 2019

**RESOLUTION TO SET PUBLIC HEARING  
NEWTOWN COMMUNITY GRANT**

Resolution by Mr. Fischer, seconded by Mr. Wilber

BE IT RESOLVED, that the Town Board of the Town of Horseheads hereby sets a Public Hearing to be held on June 12, 2019 at 7:30 p.m. for the purpose of hearing public comments on the Towns' community development needs and to discuss the possible submission of one or more Community Development Block Grant (CDBG) application for the 2019 program year.

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

Resolution #80 of 2019

**RESOLUTION REFERRING LEVEL ACRES PLANNED UNIT DEVELOPMENT  
REQUEST TO THE TOWN PLANNING BOARD**

Resolution by Mr. Wilber, seconded by Mr. Riopko

BE IT RESOLVED, that the Town Board of the Town of Horseheads hereby refers the Planned Unit Development request for Level Acres to the Town Planning Board for their recommendation.

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

Resolution #81 of 2019

**RESOLUTION AUTHORIZING CONFERENCE ATTENDANCE  
REQUESTS – TAX COLLECTOR**

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

BE IT RESOLVED, that the Town Clerk/Tax Collector be hereby authorized to attend the NYS Association of Tax Receivers & Collectors Conference to be held June 9-12, 2019 in Lake Placid NY.

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

At this point in the meeting, Supervisor Edwards wanted to add a few things for discussion.

They have a new lease agreement for the animal shelter. The only change is that they will be in total charge of their phone service. The Town is no longer with Verizon so they will be fully responsible for their phone system.

He also wanted the Board to know that the Town has hired a full time code enforcement officer. He has turned in his two week notice to the Village of Watkins Glen and he will be starting full time with the Town on June 1<sup>st</sup>.

Supervisor Edwards has also received an e-mail from the manager of Villa Serene. There has been a complaint regarding the local landscaping business nearby. They are complaining of noise when they grind mulch. This apparently occurs at 6:00 or 6:30 A.M. The code office has been informed and they will ask him to do this later in the morning.

At this portion of the meeting, a motion was made by Mr. Fischer, and seconded by Mr. Wilber to add the following to the agenda:

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

**DISCUSSION REGARDING AUTHORIZING TAX EXEMPT STATUS  
EAST FRANKLIN STREET PROPERTY**

Supervisor Edwards suggested the Town Attorney send a letter stating that they will give them the tax exemption but they would like to know what they are going to do with it. The Board would like to know if they plan to be leasing out part of it and what it would be used for.

05/08/2019 T.B.

Next, Supervisor Edwards wanted to discuss the Level Acres Problem. He said that most everyone has been over there and there is a terrible odor. He explained that Councilman, Don Fischer is trying to clean up the zoning on the whole area. Mr. Fischer is looking into the original SEQR and thinks there may be a couple of violations on that. The Board will have Attorney Mustico look into this.

Supervisor Edwards also suggested that there may be road restrictions. They need to look into the zoning and see what the restrictions are.

Marty Vanderhoff, Highway Superintendent stated that they swept the road there recently and there was a lot of dust and gravel.

Councilman Fischer stated that it is not just the Level Acres Trailer Park residents complaining. The complaints are coming in from people in the apartments across the street and also there was an accident in front of Sonny's Tavern and the Sheriff and EMT worker could not believe the odor.

Supervisor Edwards also thought if testing the air quality could be something that could be done.

Councilman Fischer said that suggestions from the Code to leave clean trucks as a buffer only lasted one day. And honestly, buffers like that would not be much help at all. He stated that no one deserves to live in those types of conditions.

Supervisor said the most important thing is this has been referred to our Planned Board for their recommendations on the P.U.D. They will also contact the health department again. They have changed administration there and they have contacted the Town to be open to discussions again.

He also stated that the Newtown Creek Community Grant committee is attempting to clean that park up. They are trying to do something with the sewer and water. He suggested that if there is anything they can do to help them with that, they should.

As there was no further business to come before the board, a motion was made by Mr. Wilber and seconded by Mr. Fischer to adjourn at 7:40 P.M.

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

Respectfully Submitted,

Nancy Rohde, Town Clerk