

**TOWN OF HORSEHEADS
TOWN BOARD
AUGUST 14, 2019
7:30 P.M.**

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 J. Fischer, and Gary H. Riopko, Carl R. Lewis, Sr. and Stephen E. Wilber, Councilmen

Others Present: Cathy Wood, Deputy Town Clerk, Ray & Lorie Cass, Teresa Lyone, Joe Atkinson, Allan Curren and Peggy Woodard, 8th District Legislator

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 July 10 & 24, 2019 meeting of the Town Board of the Town of Horseheads be dispensed with and the same stand approved as entered by the Clerk.

Resolution #110 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 & SF1	#357-437	\$ 83,799.00
Highway Fund DB	#177-205	<u>328,358.40</u>
Total		\$412,157.40

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

Resolution #111 of 2019

REPORTS OF TOWN OFFICERS

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

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

08/14/2019 T.B.

Correspondence:

- Charter Communication – upcoming changes (07/19/2019).
- Horseheads Historical Society – Letter nominating Historian (07/23/2019).
- Resignation of Bill Dominikoski - Planning Board Chairman (07/24/2019).
- Breesport Baptist Church – 9/8/2019 “Intersect Sunday” letter (07/15/2019).

On a motion by Mr. Lewis and seconded by Mr. Fischer, 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, Peg Woodard, 8th District Legislator came forward and wanted to recognize Marty Vanderhoff, Highway Superintendent on the great job he and his staff were doing with the road maintenance in the Elmira Heights district.

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

The discussion on the Cable Franchise Agreement renewal with Charter Communications was tabled to the September 11, 2019 Town Board meeting.

Resolution #112 of 2019

RESOLUTION AUTHORIZING TEAMSTERS CONTRACT

Changed method of accruing vacation, 3% minor things – after board approves

Resolution #1133 of 2019

**RESOLUTION APPOINTING HEATHER HAWKES
PLANNING BOARD CHAIRPERSON**

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

BE IT RESOVLED, that Heather Hawkes be hereby reappointed as Planning Board Member for the Town of Horseheads to fill the unexpired term until December 31, 2022.

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

Resolution #114 of 2019

**RESOLUTION APPOINING BENJAMIN H. ERWAY
TOWN HISTORIAN**

Resolution by Mr. Riopko, seconded by Mr. Fischer

BE IT RESOLVED, that Benjamin H. Erway be hereby reappointed as Town Historian to fill

the unexpired term to expire on December 31, 2019.

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

08/14/2019 T.B.

Resolution #115 of 2019

**RESOLUTION PROVISIONALLY APPOINTING
TYLER BLISS – CODE ENFORCEMENT OFFICER**

Resolution by Mr. Riopko, seconded by Mr. Fischer

BE IT RESOLVED, that Tyler Bliss be hereby appointed provisionally as Code Enforcement Officer until successfully passing the Civil Service Test.

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

Resolution #116 of 2019

**RESOLUTION REGARDING RECEIPT OF 2018 FINANCIAL STATEMENTS
FOR THE TOWN OF HORSEHEADS AND TOWN JUSTICE FUNDS**

Resolution by Mr. Riopko, seconded by Mr. Wilber

BE IT RESOLVED, that the 2018 financial statements for the Town of Horseheads and Town Justice Funds are hereby received and placed on file.

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

Resolution #117 of 2019

**RESOLUTION TO SET PUBLIC HEARING FOR CONSIDERATION OF
REZONING 36, 40 AND 54 LEVEL ACRES DRIVE TO PLANNED UNIT
DEVELOPMENT**

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 September 11, 2019 at 7:30 P.M. to considering rezoning 36 (tax map # 49.02-5-2), 40 (tax map # 49.02-5-3) and 54 (tax map # 49.02-5-7) Level Acres Drive to P.U.D.

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

Resolution #118 of 2019

**RESOLUTION TO SET PUBLIC HEARING TO AMEND §204-73.G “SIGNAGE”
TO THE CODE OF THE TOWN OF HORSEHEADS ADDING NEW §5 “OFF
PREMISES ADVERTISING SIGNS”**

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 September 11, 2019 at 7:30 P.M. to consider amending the Code of the Town of Horseheads §204-73.G “Signage” and adding new §5 “Off Premises Advertising Signs”.

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

Resolution #119 of 2019

RESOLUTION TO SET PUBLIC HEARING TO REPEAL §204-101 (I) AND ADD COMMUNICATIONS TOWERS TO THE CODE OF THE TOWN OF HORSEHEADS

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 September 11, 2019 at 7:30 P.M. to consider amending the Code of the Town of Horseheads §204-73.G “Signage” and adding new §5 “Off Premises Advertising Signs”.

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

The discussion on the Elmira Heights Code Enforcement Contract was carried to the September 11, 2019 meeting.

Resolution #120 of 2019

RESOLUTION AUTHORIZING TRANSFER OF FUNDS

Resolution by Mr. Riopko, seconded by Mr. Lewis

BE IT RESOLVED, that the Town Board hereby authorizes the bookkeeper to transfer the following funds as requested:

A1410.2	Town Clerk - Equipment		\$ 168.27
A1410.407	Town Clerk – Misc.	168.27	
B3310.4	Traffic Control		1,067.00
B599	Appropriated Fund Balance	1,067.00	
DB5112.437	Oil & Stone		\$237,093.71
DB9785.7	Appropriated Fund Balance	\$237,093.71	
DB9789.6	Lease Purchase Principal		\$10,629.23
DB5130.2	Machinery - Equipment	\$10,629.23	
Total		\$248,958.21	\$248,958.21

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

RESOLUTION REGARDING HEALTH CARE CONSORTIUM

RESOLUTION NO. 105 of 2019 - APPLICATION TO JOIN THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM

WHEREAS, the (Municipal Corporation) has performed due diligence for the responsibility it accepts with membership in the Greater Tompkins County Municipal Health Insurance Consortium (GTCMHIC),

NOW THEREFORE BE IT RESOLVED, that the (Municipal Corporation) Board hereby directs its officers and appointees to take the following Consortium membership applicant steps:

1. Submit by **September 1st**, this municipality board resolution authorizing application for membership along with the GTCMHIC “New Group Member Application” completed which states the GTCMHIC Health Benefit Insurance Plan or Plans the Municipal Corporation’s employees and retirees will be participating in upon the effective date of participation in the GTCMHIC.
2. As soon as practicable, but no later than **September 1st**, submit the Municipal Corporation’s two most recent years of State Comptroller AUD reports.
3. As soon as practicable, but no later than **September 1st**, submit the Municipal Corporation’s most recent monthly premium billing statements from all health insurance carriers providing benefits to all active employees and retirees.

Said premium billing statements should include the name of the Municipal Corporation and the month for the which the billing is related. In addition, said premium bills must include the number of contracts (employee, employee + spouse, employee + child (children), and family) and the monthly premium rate for each plan of benefit.

4. Sign the Municipal Cooperative Agreement of the GTCMHIC upon notification that the GTCMHIC Board of Directors has approved the Municipal Corporation’s application to become a Participant in the GTCMHIC by **October 15th**.
5. Confirm by **October 25th**, with the Medical Claims Administrator, Excellus, the names of all employees, retirees, and dependents to be covered in which Consortium’s Health Insurance Plans. (Note: a list of those enrolled will be sent to the Municipal Corporation by the Medical Claims Administrator by no later than **November 15th** for verification purposes.)
6. By **November 1st**, notify the GTCMHIC of the name and contact information for the person within your organization for benefit administration; and who will attend a new member orientation between November 15 and December 15.

7. By **November 1st**, notify the GTCMHIC of the Municipal Corporation's commitment to utilize the GTCMHIC's on-line enrollment process or to authorize the GTCMHIC to provide, for the Municipal Corporation's employees and retirees, this function.
8. Submit payment by **November 1st** to the Consortium of the Municipal Corporation's proportionate share of the Surplus Account Reserve (5% of annualized premium) as determined by the GTCMHIC and as required by Article 47 of the New York State Insurance Law and the GTCMHIC's Municipal Cooperative Agreement.
(Note: Provided the Municipal Corporation applying for Membership in the GTCMHIC completes all the requirements set forth in this Resolution by the due dates indicated; the Surplus Account Reserve payment defined above will be credited against the Municipal Corporation's January premium invoice from the Consortium which is due by December 31st. All Municipal Corporations applying for Membership in the GTCMHIC are hereby advised that missing any of these steps by the due date indicated will result in the Municipal Corporation not being accepted into the Consortium for the upcoming year and will result in the forfeiture of the Municipal Corporation's Surplus Account Reserve payment.)
9. By **November 1st**, submit a municipal resolution appointing the Director and Alternate to the Consortium.
10. By **November 30th**, take the necessary steps to comply with the GTCMHIC's dependent verification process.
11. Within 3 years of the date of the Town joining the Consortium, all *active employees* not enrolled in Consortium benefit plan options will be enrolled in a Consortium plan or otherwise seek Board Approval as required by Section A.3

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

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

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

Resolution # 122 of 2019

**SECURITY CAMERA PURCHASE PLUS INSTALLATION, INTEGRATION
AND CONFIGURATION APPROVED**

Resolution by Mr. Fischer, seconded by Mr. Riopko

WHEREAS there is a need for a surveillance system on Town property necessary for security purposes, and

WHEREAS the quote from Techline Protection, Inc. for this phase of installation is for \$11,986.99, and

WHEREAS the camera project was planned and budgeted for 2018, and

WHEREAS the new cameras will be placed in Town Hall, the Highway Department, Recreation Complex and strategic exterior locations, and

BE IT THEREFORE RESOLVED the Town Board authorizes this camera phase to be done for a cost not to exceed \$11,986.99.

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

Resolution #123 of 2019

RESOLUTION ESTABLISHING POSITION AND RATE OF PAY AT THE TOWN OF HORSEHEADS HIGHWAY DEPARTMENT

Resolution by Mr. Fischer, seconded by Mr. Riopko

BE IT RESOLVED, that pursuant to Town Law, the rate of pay for the employee of the Town Highway Department be and the same are hereby fixed as follows:

NAME	TITLE	RATE OF PAY
Matthew Mowchan	Equipment Operator #2	\$15.36/hour

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

Resolution #135 of 2016

RESOLUTION AMENDING TOWN OF HORSEHEADS HIGHWAY INVENTORY

Resolution by Mr. Lewis, seconded by Mr. Fischer

The Town Board (hereinafter “Town Board”) of the Town of Horseheads (hereinafter “Town”), duly convened in regular session at Town Hall, does hereby resolve as follows:

WHEREAS, New York State created and funded the Consolidated Local Street and Highway Improvement Program (CHIPS), and

WHEREAS, CHIPS provides State funds to municipalities to support the construction and repair of highways, bridges, highway-railroad crossings, and other facilities that are not on the State highway system, and

WHEREAS, individual apportionments to municipalities for CHIPS are calculated annually according to a formula, several other factors are considered (municipality “funding levels” and historical percentages for counties, cities, towns and villages), but a major factor for a town in this allocation process is the Local Highway Inventory (LHI) mileage, and

WHEREAS, the LHI is an inventory of town-maintained roads/highways, and

WHEREAS, the Highway Superintendent has determined that the Town of Horseheads’ LHI is not complete and needs to be amended, and therefore

IT IS RESOLVED THAT, the Town hereby amends its LHI to include the following road and its correct length:

Wexford Court Extension 557 Feet long and 29 feet wide

And

RESOLVED THAT, the Highway Superintendent is authorized to take such action necessary to amend such LHI, including but not limited to notifying Chemung County, State of New York, and their respective applicable departments including but not limited to CHIPS; and

RESOLVED THAT, this Resolution shall take effect immediately.

ADOPTED this August 14, 2019 at the meeting of the Town Board of the Town of Horseheads.

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

At this portion of the meeting, a motion was made by Mr. Fischer and seconded by Mr. Lewis to go into executive session at 7:50 P.M. to discuss contract negotiations.

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

As there was no action taken during executive session, a motion was made by Mr. Lewis and seconded by Mr. Wilber to reconvene at 8:15 P.M.

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

As there was no further business to come before the Board, a motion was made by Mr. Lewis and seconded by Mr. Fischer, to adjourn at 8:16 P.M.

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

Respectfully Submitted,

Nancy C. Rohde, Town Clerk