

Village of Owego Board of Trustees Meeting  
Minutes of January 3, 2012

The regular meeting of the Village of Owego Board of Trustees was held on Tuesday, January 3, 2012 at 20 Elm Street, Owego, NY. The following people were in attendance:

Mayor:	Ed Arrington
Trustees:	Tom Clark
	Earl Hartman
	Jim Legursky
	Ann Lockwood
	Kevin Millar
	Doug Worden
Clerk-Treasurer:	Rod Marchewka
Police Chief :	Karen Vinti
Village Attorney:	Robert McKertich
WWTP Supt.	Ron Horton
DPW Supt.	Jeff Soules
Absent:	Fire Chief Ed Franz

Insert "A"

The meeting was called to order at 7:00 p.m. by Mayor Arrington followed by the Invocation and the Pledge of Allegiance.

Privilege of the Floor:

Robert Och – 5 Academy Street – The village of Owego is a quaint, small town. The Coolest in America. It would be a terrible mistake to dissolve the Police Department. Fracking and gas drilling will increase the need for more police protection. If you dissolve the police department, you will regret it.

Judy Riesbeck – 101 Wood Lawn Avenue – Did anyone look into this before you made a decision to dissolve the Village Police Department? The residents of the Village do not want you to do it. The police department has saved lives and responded well during the recent flooding – protecting property and the public.

Peggy Sayers – 370 Main Street – Keep the police department get rid of the Village.

SUBJECT: Insurance

Don Patterson from Partners Insurance spoke representing NYMIR (New York Municipal Insurance Reciprocal) regarding Flood Insurance for Village owned properties:

- 1) Owego Police Department/Village Police Justice – 90 Temple
- 2) Central Fire Station – North Avenue
- 3) Fire Station #2 – North Avenue
- 4) Croton Fire Station – Talcott Street
- 5) Village Clerk – 178 Main Street
- 6) Department of Public Works – 20 Elm Street

VBM 1-3-2012

Looking at flood elevation certificates (can be obtained by Williams & Edsell), especially for Fire Station #2 at a cost of \$350 to \$400 per building. If another flood happens and the village has no flood coverage FEMA will not cover any losses.

Flood Insurance takes effect 30 days after it is purchased.

**Motion by Trustee Millar, seconded by Trustee Worden, for the village to get estimates on flood elevation on village buildings. Roll Call Vote: Trustees Clark, Hartman, Legursky, Lockwood, Millar, Worden, and Mayor Arrington voted aye.**

**Motion Adopted 7-0**

**Motion by Trustee Millar, seconded by Trustee Lockwood, to purchase Flood Insurance for all village owned properties except for Station #2 (need an Elevation Certificate). Trustees Clark and Legursky voted no. Trustees Hartman, Lockwood, Millar, Worden, and Mayor Arrington voted aye.**

**Motion Adopted 5-2**

**Motion by Trustee Millar, seconded by Trustee Clark, to approve the payment of bills as submitted. Roll Call Vote: Trustees Clark, Hartman, Legursky, Lockwood, Millar, Worden, and Mayor Arrington voted aye.**

**Motion Adopted 7-0**

**Motion by Trustee Hartman, seconded by Trustee Clark, to authorize the Owego Fire Department to apply for a grant from the Mildred Faulkner Foundation for Communication Equipment. Roll Call Vote: Trustees Clark, Hartman, Legursky, Lockwood, Millar, Worden, and Mayor Arrington voted aye.**

**Motion Adopted 7-0**

**Motion by Trustee Hartman, seconded by Trustee Clark, to authorize the Owego Fire Department to apply for a grant from the Cooper Foundation for \$6,450 to purchase turn-out-gear. Roll Call Vote: Trustees Clark, Hartman, Legursky, Lockwood, Millar, Worden, and Mayor Arrington voted aye.**

**Motion Adopted 7-0**

**Motion by Trustee Hartman, seconded by Trustee Millar, to approve Local Law #6, Flood Damage Prevention, be sent to New York State for review and approval. Roll Call Vote: Trustees Clark, Hartman, Legursky, Lockwood, Millar, and Mayor Arrington voted aye. Trustee Worden abstained.**

**Motion Adopted 6-0-1**

**Motion by Trustee Clark, seconded by Trustee Legursky, to adopt the following resolution:  
WHEREAS, on November 7, 2011 this Board expressed a need for a local law to amend the Charter with respect to how compensation was set for elected officials; and WHEREAS, draft local law 2 of the year 2011, entitled "A Local Law To Amend The Village Charter Regarding the Compensation of the Mayor and Trustees" was presented to this board on December 19, 2011;  
NOW, THEREFORE, BE IT RESOLVED that, a public hearing on this local law be held before a quorum of this Board at 7pm on January 17, 2012; and BE IT FURTHER RESOLVED that, the Clerk-Treasurer is hereby authorized and directed to cause public notice of said hearing to be given as provided by law. Roll Call Vote: Trustees Clark, Hartman, Legursky, Lockwood, Millar, and Worden voted aye.**

**Motion Carried 6-0**

Trustee Clark:

- 1) Local Law passed out to board for ageing
- 2) Be on agenda for next meeting
- 3) Subject to Permissive Referendum
- 4) Section in Village Code would have to be changed

**VILLAGE OF OWEGO LOCAL LAW NO. 1 OF THE YEAR 2012**

**A LOCAL LAW TO ABOLISH THE VILLAGE POLICE DEPARTMENT**

Be it enacted by the Board of Trustees of the Village of Owego as follows:

Section 1. Legislative Intent

It is the intent of this local law to abolish the Police Department of the Village of Owego.

Section 2. Authority

This local law is adopted pursuant to Village Law §§ 8-800 and 9-902, Municipal Home Rule Law, §§ 10, 22 and 24, and the Charter of the Village of Owego.

Section 3. Abolition of Police Department.

(a) The Police Department of the Village of Owego, New York shall be and hereby is abolished as of the effective date of this local law.

(b) Section C-3 of the Charter of the Village of Owego, First Sentence, shall hereby be amended by deleting the phrase “one Chief of Police, and as many village policemen as the Board of Trustees shall deem necessary”.

(c) Article VI of Chapter 49 of the Code of the Village of Owego shall hereby be deleted in its entirety.

Section 4. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt there from.

Section 5. Repealer

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. Effective Date

In accordance with the provisions of Village Law §§ 8-800 and 9-902 and other applicable provisions of law, this local law is subject to permissive referendum. This local law shall not become operative or effective until

filed with the Secretary of State and unless and until thirty days have elapsed after its adoption and no petition protesting against this local law signed and authenticated as required by law has been filed with the Village Clerk of the Village of Owego, or if such petition is so filed, a proposition for approval of this local law has been submitted at the next general election or a special election for that purpose pursuant to said section and received the affirmative vote of a majority of the voters voting thereon.

Attorney Robert McKertich :

On the elimination of the Village Police Justice position – it would need a Local law subject to permissive referendum and the current village term is not up until April 2014.

There are outstanding grants that are under the Police Justice Department – what happens to those? How much money is involved?

Town would take over justice duties and any money the village use to receive would then go to the Town of Owego.

**Motion by Trustee Hartman, seconded by Trustee Clark, to approve the Village of Owego Board of Trustee's Minutes of December 5, 2011. Roll Call Vote: Trustees Hartman, Legursky, Lockwood, Millar, Worden, and Mayor Arrington voted aye. Trustee Clark abstained.**

**Motion Adopted 6-0-1**

**Motion by Trustee Clark, seconded by Trustee Millar, to approve the Village of Owego Board of Trustee's Minutes of December 19, 2011 pending incorporation of the following edit: Page 3, immediately following the motion by Trustee Hartman referencing tabling minutes, please add: Trustee Clark introduced Local law 2 of the Year 2011 regarding compensation of elected officials and asked members of the board to be prepared to discuss it at the next regular meeting. Copy incorporated into the minutes. Roll Call Vote: Trustees Clark, Hartman, Legursky, Lockwood, Millar, Worden, and Mayor Arrington voted aye.**

**Motion Adopted 7-0**

Discussion on reimbursement of paid sales tax on a sewer repair. Village Attorney feels it is not proper for the Village to pay any Sales Tax.

**Motion by Trustee Millar, seconded by Trustee Hartman, for the Village to reimburse the sales tax portion of the sewer repair bill to the Bucks. Roll Call Vote: Trustees Clark, Hartman, Legursky, Lockwood, Millar, and Worden voted aye.**

**Motion Adopted 6-0**

Trustee Hartman:

- Heat is now working at Central Fire Station
- Fire Fighter #1 starts on January 19, 2012

**Motion by Trustee Lockwood, seconded by Trustee Legursky, for the Village of Owego to bill Historical Owego Marketplace \$2,418.15 for expenses incurred by the Village of Owego for Lights on the River. Roll Call Vote: Trustees Clark, Hartman, Legursky, Lockwood, Millar, and Worden voted aye.**

**Motion Adopted 6-0**

VBM 1-3-2012

Trustee Millar:

- Brick Pond is being drained down 3 feet
- Clapper valves are all in working order

Chief Vinti:

Village Board Meeting Report for January 3, 2012 meeting:

Vehicle from Sleepy Hollow repairs are completed. A thank you note along with a photo of the vehicle was sent to Sleepy Hollow.

Received notice from the DCJS informing me that Domestic Incident Reports have not been filed with the State since 2006. Sent two mailings of reports compiled. The state now scans DIR's to a registry that will enable law enforcement to access and will assist in a more safe response to domestic incidents, improve the supervision of offenders on parole and probation and enhance the prosecution of domestic violence crimes.

Continuing to have difficulty manning shifts with number of officers and officers off for medical related issues.

- Beginning December 14, 2011 one employee is out for unknown length medical leave
- In January 2012 one employee is scheduled to be out for fourteen days

Had training in the KVS System to get an understanding of processing the department's bills. Have more hands on to keep track of spending and budget.

Mayor Arrington:

State of New York sent the following people:

3 people for the Waste Water Treatment Plant  
3 people for Department of Public Works  
1 person for the Clerk's Office – for book keeping

Privilege of the Floor:

Rick Holt – what is the average police response time? Chief Vinti responded – 2 ½ minutes

Trustee Legursky said it took OPD 45 minutes to respond to his house.

Rick Holt – has anyone from the Village Board contacted the Police Department for any input on dissolving the police department? Chief Vinti responded – no one from the board has ever contacted me on these issues.

Trustee Hartman - I have talked to Sheriff Howard and to some State Police personnel on this issue.

Trustee Legursky – In New York State, the County of Tioga Police Force is supposed to cover all of Tioga County including the Village of Owego.

**Motion by Trustee Millar, seconded by Trustee Lockwood, to adjourn at 8:45.**

**Unanimously Approved**