

Village of Owego Board of Trustees Meeting
Minutes of December 19, 2011

The regular meeting of the Village of Owego Board of Trustees was held on Monday, December 19, 2011 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 pledge of allegiance.

Privilege of the Floor:

John Loftus – there seems to be a beaver problem at the Brick Pond. Has anyone contacted Waterman Conservation Center about this? Also, there are six (6) Clapper valves at the Brick Pond creek/river, are they being maintained?

Trustee Lockwood to look into it with DPW Supt. Jeff Soules.

Motion by Trustee Millar, seconded by Trustee Lockwood, to approve the following Resolution approving Local Law No. 5-2011, WHEREAS, the Village of Owego ("Village Board") scheduled a public hearing for December 5, 2011 for Local Law No. 5 of the Year 2011 ("Local Law No. 5") entitled "A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village, and posted on the Village Clerk's sign board, and

WHEREAS, said public hearing was duly held at the Village Board Room, 20 Elm Street, Owego New York on the 5th day of December 2011 at 7:00 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to

Article 8 (State Environmental Quality Review Act)(“SEQRA”) the Village Board hereby declares itself lead agency and determines that adoption of the proposed Local Law does not constitute an action, as defined, and can be considered without further regard to SEQRA, and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law, and NOW, THEREFORE, the Village Board hereby adopts said Local Law as Local Law No. 5-2011 entitled “A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C”, a copy of which is attached hereto and made a part hereof, and

THEREFORE, the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State.

RESOLVED, that this resolution will take effect immediately.

Roll Call Vote: Trustees Hartman, Legursky, Lockwood, Millar, Worden, and Mayor Arrington voted aye. Trustee Clark voted no.

Motion Carried 6-1

Motion by Trustee Clark, seconded by Trustee Lockwood, to approve the \$7,200,000.00 Sewer Bond. Roll Call Vote: Trustees Clark, Hartman, Lockwood, Millar, Worden, and Mayor Arrington voted aye. Trustee Legursky voted no.

Motion Carried 6-1

Motion by Trustee Hartman, seconded by Trustee Millar, that the Village of Owego Board of Trustees approve the following people as members of the Village of Owego Fire Department in compliance with Village Charter Section §C-53, Duties of Trustees wherein are the statutes that the Trustees shall appoint said members, and WHEREAS, these persons have been investigated by their respective Fire Companies, Fire Chief Franz and approved by the Village of Owego Fire Board, none of which found reasons to withhold said memberships, BE IT THEREFORE resolved that the Village of Owego Board of Trustees hereby approve as members of the Village of Owego Fire Department:

- | | |
|---------------------------|------------------|
| Christina White | Company 3 |
| Lowell Hines | Company 3 |
| Kodi Woodward | Company 3 |
| Tom A. Craven, Jr. | Company 3 |

Unanimously Approved

Commissioners’ Reports:

Trustee Hartman –

- Thanks to the Fire Department for the Christmas party for the kids
- Central Station – electricity in now and being brought back on and upgraded
- Trucks are back from repair
- Classroom – Fire Department Training – seem to be going well
- Status on turn-out-gear – cleaned but not certified for use

- Reviewed the Tioga Fire Contract with the Fire Chief

A problem with the sewer at 166 Temple – owners paid a plumbing bill and it turned out to be a village problem – owner of property was reimbursed minus the sales tax. Village Attorney & WWTP Supt. Ron Horton to resolve this issue.

550 E. Main Street has been approved to be elevated for mitigation (elevated one story).

Motion by Trustee Millar, seconded by Trustee Lockwood, to approve the Village applying for a Long-term Recovery Grant from New York State. Roll Call Vote: Trustees Clark, Hartman, Lockwood, Millar, Worden, and Mayor Arrington voted yes. Trustee Legursky voted no.

Motion Carried 6-1

Trustee Legursky had a question – if some of the buildings need or should be on the Village list of projects to mitigate – need information

- Liquor License renewal for Original Italian Pizza

Motion by Trustee Hartman, seconded by Trustee Millar, to table minutes of December 5, 2011 until the next meeting. 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.

VILLAGE OF OWEGO LOCAL LAW NO. 2 OF THE YEAR 2011

A LOCAL LAW TO AMEND THE VILLAGE CHARTER REGARDING THE COMPENSATION OF THE MAYOR AND TRUSTEES

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

Section 1.

Section C-4 of the Village of Owego Charter, entitled “Compensation of Mayor and Trustees,” shall hereby be deleted in its entirety and replaced with the following:

“The compensation of the Mayor and each of the Trustees shall be established by resolution of the Board of Trustees at the first Board meeting following the effective date of this local law, and annually thereafter by resolution at the first Board meeting of each fiscal year.”

Section 2.

Except as hereinabove amended, the remainder of the Charter of the Village of Owego shall remain in full force and effect.

Section 3.

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 therefrom.

Section 4.

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

Section 5.

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Unanimously Approved

Motion by Trustee Clark, seconded by Trustee Legursky, to move that the Village Council be directed to draft a local law having the following key attributes with actual wording being left to Council's professional judgment:

- A. Abolish the Village of Owego Police Department**
- B. Modify the Village Charter as necessary to both abolish the Village of Owego Police Department and abolish the requirement for a Police Chief**
- C. Address the requirements for permissive referendum of NY Village Law §9-902**

Roll Call Vote: Trustees Clark, Hartman, Legursky, and Lockwood voted aye. Trustees Millar and Worden, and Mayor Arrington voted no.

Motion Carried 4-3

Motion by Trustee Legursky, seconded by Trustee Clark, to move that the Village Council be directed to draft a local law having the following key attributes with actual wording being left to Council's professional judgment:

- A. Abolish the Village of Owego Police Justice Department**
- B. Address the requirements for permissive referendum of NY Village Law §9-902**

Roll Call Vote: Trustees Clark, Hartman, Legursky, and Lockwood voted aye. Trustees Millar and Worden, and Mayor Arrington voted no.

Motion Carried 4-3

Trustee Hartman – need a work session on Police and Police Justice Issues.

Police Chief Vinti:

– I feel blind-sided by these motions -on cutting the police department – with pending gas drilling, now is not the time to downsize. Truck traffic, disorderly conduct, DWI's, disturbances, etc., will increase.

Village of Owego Police Department
Chief Karen L. Vinti
90 Temple Street Owego, NY 13827

Village Board Meeting Report for January 3, 2012:

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

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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.

WWTP Supt. Ron Horton:

- Pump stations – all pumps are now back on line

Mayor Arrington:

- Working on forming a Long-term Recovery Steering Committee
- Working with the Department of Labor on temporary hiring for the Sewer Department, Department of Public Works, and Clerk's office. These workers will be paid by New York State for 3 to 6 months on flood related work or reports to FEMA
- Awaiting word on small business loans for inventory etc.

Privilege of the Floor:

- Question on Appraisal Program
- Street sweeper – has it been on loan to NYS DEC because of the flood?

Motion by Trustee Millar, seconded by Trustee Hartman, to adjourn at 8:16 p.m.

Unanimously Approved