

Village of Owego Board of Trustees Meeting
Minutes of September 7, 2010

The regular meeting of the Village of Owego Board of Trustees was held on Tuesday, September 7, 2010 at 20 Elm Street, Owego, NY, starting at 7:00 p.m. The following people were in attendance:

Mayor:	Edward L. Arrington
Trustees:	Jane Woody
	Ken Smith
	Ann Lockwood
Clerk-Treasurer:	Rod Marchewka
DPW Supt:	Jeff Soules
WWTP Supt.:	Ron Horton
Fire Department Reps:	Scott Gurni
Police Chief:	Rick McCulskey
Absent:	Irene Graven (arrived at 9:00 p.m. for Executive Session)
	Connie Sternberg
	Tom Clark
	Jim Legursky

Insert "A" Visitor's List

At 7:00 p.m. the meeting was called to order by Mayor Arrington followed by the pledge of allegiance and invocation.

Privilege of the Floor

Bob McConnell – 82 Southside Drive – presented a petition against rezoning part of Southside Drive from R2 to industrial.

Kevin Millar – 78 Front Street – is the proposed sludge (composting) also going to be used by the Town of Owego, Town of Nichols, and Town of Waverly?

Mayor Arrington – the village has the option to take in sludge to help offset cost of operations.

Frank DeMara – 60 Front Street – there is going to be a meeting concerning sewer plant upgrades. Where is the meeting and where will the notices be posted?

Meeting will be at 7:00 p.m. (Thursday), September 16, 2010 at 56 Main Street (County Office Building). The meeting will be about sewer plant upgrades and mandates. Posting will be in the Tioga County Courier, Pennysaver, and on WEBO.

Mike Wheeler – Dog park proposal – Insert "B" – Rebecca Weitsman Memorial Dog Park

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Motion by Trustee Lockwood, seconded by Trustee Smith, authorizing the mayor to work with Mr. Weitzman to make the dog park agreement. Mr. Weitzman will pay all expenses on this project. Village attorney to review.

Unanimously Approved

Motion by Trustee Smith, seconded by Trustee Woody, to approve William Tuttle of 220 E. Temple Street for a 2009 home program - 100% deferred loan total cost \$25,793.00.

Unanimously Approved

Motion by Trustee Woody, seconded by Trustee Smith, to approve \$2,300 for Wade Harding's project at 10 Talcott Street (additional floor system cost) under the CDBG program.

Unanimously Approved

Motion by Trustee Woody, seconded by Trustee Lockwood, that the village subordinate the CDBG loan at 43 Talcott Street to Tioga State Bank so that the Godfrey's may refinance their home (2 years left on CDGB loan).

Unanimously Approved

Motion by Trustee Smith, seconded by Trustee Lockwood, to approve a parade permit for the Owego Fire Department for the 911 Memorial.

Unanimously Approved

Trustee Woody

- DPW sidewalk & street updates – sidewalks have been started. Expect to complete by 9-15-2010
- Skateboard Park – Rebuilding will be under way soon. Approximately \$1,900 for materials needed. Money will come from County Youth Funds

Sewer Department New Hires

Personnel Committee to meet on four (4) new applicants. Should have more information by next meeting (2 job openings). See following Memo:

Date: 8/13/10

To: Mayor Arrington, Sewer Commissioner and Personnel Committee

From: Ron Horton, Supt. WWTP

Re: New hires

Ed,

As you are aware the Chesapeake Bay Tributary Project is requiring the village to reduce the phosphorus levels in our effluent, as well as undertake an upgrade at the treatment

plant to address nitrogen reduction. These actions will require additional personnel at the facility to operate not only the treatment plant but maintain our collection system.

In the current FY10-11 I added an additional 2 employees to my budget in anticipation of the Chesapeake Bay requirements. I feel it is important that we put these employees on as soon as possible so they may be involved with the operation and upgrade of the treatment plant from the beginning of these new requirements. The new employees will also need at least one year of experience working at the plant before they can be sent to achieve their operator's license.

We have begun a full scale pilot project at the treatment plant designed to reduce our phosphorus levels. The early indications are that we will be operating our belt press daily to keep up with the additional production of bio-solids. This is a direct result of precipitating out phosphorus. The additional bio-solids production was anticipated and was one of the reasons I added additional monies to my full time employee line item. The operation of the press will in all practical terms remove one employee from my workforce as they will be dedicated to operating this equipment.

The reduction of phosphorus and upgrades to reduce our nitrogen levels will require greater process control by the operators of the facility. This will require that more time be spent in the laboratory monitoring the various parameters. Currently an average of 3-4 hours a day is spent on required laboratory testing and process controls. Many of the process controls that are currently done once a week will have to be done daily. It is likely that the number of hours spent on process controls and required testing will double. This will again have a negative impact on our department's ability to properly maintain the plant and collection system.

The village sewer department currently maintains 18.3 miles of sewer mains, over 1300 lateral connections, 8 pump stations and a total of 14 buildings. In addition we also are responsible for the operation and maintenance of the village's wastewater treatment plant. We also land apply an average of 550 tons of bio-solids annually. The department will be using more than half of its available manpower just to meet the additional workload brought on by the initial requirements of the Chesapeake Bay program. It is imperative that we add employees so that the rest of the system can continue to be maintained.

I have placed in my budget 2 new hires at a rate of \$13.00/hr plus benefits. I currently have 4 applicants for these positions. I would like to request that the personnel committee consider setting up interviews with these applicants so we may begin the hiring process.

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Motion by Trustee Woody, seconded by Trustee Smith, to approve going out to bid on a new filter belt press. Approximate cost \$200,000.00. Money to come from E.F.C. Funding. Old press is 45 years old. See following Memo:

Date: 8/27/10

To: Mayor Arrington, Sewer Commissioner

From: Ron Horton, Supt. WWTP

Re: Bid for new filter belt press

Ed,

I would like the Village Board of Trustee's permission to go out to bid on a new filter belt press.

Our current press is 45 years old and most of the parts are obsolete. In the past several months we have experienced many failures with this piece of equipment. This piece of equipment is critical in the production of the bio-solids at the treatment plant, without it we cannot process our bio-solids which then build up in the system and ultimately reduces the efficiency of the treatment process.

The press would be paid for using the remaining funds from the Sen. Schumer appropriation, EFC monies and if necessary the plant equipment reserve. One consideration of the bid package will be that this piece of equipment will also be capable of being moved out front and used at the compost facility when it is constructed.

If you or any other board member has any questions please contact me.

Ron

Unanimously Approved

Motion by Trustee Woody, seconded by Trustee Smith, to approve payment of bills for August, Home Grant and accounts payables.

Unanimously Approved

Motion by Trustee Lockwood, seconded by Trustee Smith, to approve the following transfers:

BOARD APPROVED TRANSFERS

FROM/TO	ACCOUNT#	ACCOUNT NAME	AMOUNT
FROM:	A.3090.00.000	STATE GRANT	\$45,000.00
TO:	A.6989.40.425	RESTORE NY	\$45,000.00
Michael McQueeney for 35 ½ Lake Street			
FROM:	A.9950.90.092	FIRE RESERVE	\$93,460.00
TO: BOND	A.9720.60.060	PRINCIPAL RESCUE TRUCK	\$93,460.00
FROM:	A.3410.20.205	PUMPER TRUCK	\$39,770.00
TO: LEASE	A.9875.60.060	LEASE PRINCIPAL PUMPER	\$31,014.44
	A.9785.70.070	LEASE INTEREST PUMPER	\$8,755.56

Unanimously Approved

Motion by Trustee Smith, seconded by Trustee Lockwood, to approve the minutes of August 2, and August 16, 2010. Trustee Woody voted No. Trustees Smith and Lockwood voted yes. Mayor Arrington voted yes.

Motion denied

Ron Horton – Pilot Program

Date: 7/22/10

To: Village Board of Trustee's

From: Ron Horton, Supt. WWTP

Re: Chesapeake Bay Tributary Strategy update

On July 8th US EPA sponsored a webinar to update the timetable and discuss the TMDL allocations to the states. I would like to share this information with you to keep you up to speed with the program.

- 6/11/10 – EPA sent a letter to the states requiring them to provide their outline of Phase 3 by no later than December 2010.
- 7/1/10 – Distributed draft TMDL allocations. Basin wide allocation of 190 million pounds per year of Total Nitrogen (TN) and 12.67 million pounds per year of Total Phosphorus (TP). NY's allocation is 8.23 million pounds per year of TN and 0.52 million pounds per year of TP.
- 8/15/10 – Sedimentation allocations will be sent to the states.
- 9/1/10 – Phase I Watershed Implementation Plan is due to EPA
- 9/24-11/8/10 – 45 day Public comment period on the Draft TMDL's
- 9/29-11/4/10 – Public meetings will be held across the entire watershed. There will be two meetings in NY. One in Elmira and the other in Binghamton dates TBD. In addition there will be webinars the public can take part in.
- 9/29-11/4/10 – Stakeholder meetings for local officials, WWTP's. These meetings will be scheduled before/after the public meetings in all jurisdictions.
- 11/29/10 – Jurisdictions final Phase I Watershed Implementation Plan to EPA.
- 12/31/10 – EPA publication of final TMDL in the Federal Register and on-line.

US EPA is the lead agency in this program but there are many others that contribute to the overall plan. However, it is EPA that sets the state allocation and the state is going to set the allocation for each plant. At this time there are 28 significant plants in NY and we are one of those.

We have done jar testing at the plant to find which product should do the most cost effective job of reducing our phosphorus to the level of 2.0 mg/L. This is the level that we are required to be achieving no later than January 1,

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2011. We will begin a full scale pilot program after August 1st to confirm the results of the jar testing. When the product has demonstrated it can achieve the levels we need we intend to make a more permanent installation.

It is being indicated by NYDEC that our phosphorus levels will be required to achieve an even greater level of reduction in the near future. As I stated we must be at 2.0 mg/L by January 1, 2011 and the state is looking at reducing that to at least 0.8 mg/L. Our overall plan for upgrades at the plant will allow us to achieve those goals.

I feel that it is important to make all the board members aware of the milestones that we will be required to address in the very near future. This will assist all of us as we move forward with the necessary upgrades and the questions the public may have for us. If you have any questions please feel to contact me.

Ron

Retirement System/Standard Work Day and Reporting Resolution (see below). Motion by Trustee Woody to approve the resolution but it dies for lack of a second motion.

Standard Work Day and Reporting Resolution

BE IT RESOLVED, that the Village of Owego Board of Trustees hereby established the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (hrs./day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Mayor	Edward L. Arrington	6 hrs. day	4/5/10-4/4/11	Y	20
Trustee	Thomas Clark	6 hrs. day	4/5/10-4/4/11	N	
Trustee	James Legursky	6 hrs. day	4/5/10-4/4/11	N	
Trustee	Ann Lockwood	6 hrs. day	4/5/10-4/4/11	N	
Trustee	Kenneth Smith	6 hrs. day	4/5/10-4/4/11	N	
Trustee	Constance Sternberg	6 hrs. day	4/5/10-4/4/11	N	
Trustee	Jane Woody	6 hrs. day	4/5/10-4/4/11	N	
Clerk-Treasurer	Rodney Marchewka	6 hrs. day	4/5/10-4/4/11	Y	20
Attorney	Irene Graven	6 hrs. day	4/5/10-4/4/11	Y	11.84
Acting Justice	Lynn Craig	6 hrs. day	4/5/10-4/4/11	Y	

On this _____ day of _____, 2010

(Signature of Clerk)

Dated enacted: _____

I, Rodney M. Marchewka, clerk of the governing board of the Village of Owego, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such

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board, at a legally convened meeting held on the ____ day of _____, 2010 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole o such original.

I certify that full board, consists of 7 members, and that _____ of such members were present at such meeting and that ____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Village of Owego

- Rezoning Southside Drive property from R2 to industrial

Motion by Trustee Woody to table rezoning until a written report is received from the Planning Board – dies for lack of a second vote.

Motion by Trustee Lockwood, seconded by Trustee Woody, to accept Planning Board Recommendations and not approve rezoning on the Southside from R2 to industrial.

Unanimously Approved

Chief McCulskey

- Police vests (see email below)

-----Original Message-----

From: Chief McCulskey [mailto:opdchief@stny.rr.com]

Sent: Monday, August 30, 2010 12:57 PM

To: Tom Clark; Ken Smith; Jim Legursky; Jane Woody; Ed Arrington; Connie Sternberg; Anne Lockwood

Cc: Rodney Marchewka

Subject: September 7th Board Meeting

Mayor/Trustees:

A proposal for the purchase of soft body armor has been placed on the agenda for the next board meeting. The request is for authorization and funding to purchase sixteen (16) sets of soft body armor, one set for each sworn member of the Department. I have been in contact with a sales representative from Starr Uniforms in Scranton, an approved NYS vendor, and have received a price quote of \$500.00/vest with a minimum purchase of 15 vests (for a total of \$8,000.00). This is less than the posted State bid price for these items.

I have attempted to budget for the replacement of body armor in the past three budgets but have not been successful in obtaining funds from either the Village or other sources. Body Armor has a five year compliance expectancy. All of the vests previously provide to Officers have exceeded the five year period and are no longer backed by the manufacture. Of the 16 officers; 8, including myself, have never been issued a vest by the Owego Police Department, the other 8 have vests that either have expired or will expire within a few months.

In order to remain in compliance with liability and safety concerns I am requesting that the Village allocate the \$8,000.00 so that we can purchase the new body armor in a timely manner.

There MAY be some partial funding available and I am researching two avenues (1) left over funding from a 2005 grant that Owego received and initially purchased vests under, and (2) the New York State Soft Body Armor Program that provides body armor to new hires.

The Federal Grant has expired but I have requested that they re-distribute the remaining \$1,500.00 that was unexpended in the 2005 Grant. The New York State Grant is a reimbursement program to cover costs AFTER receipt of funds (or rejection by the Federal Government).

The "worst case scenario" is that the Village will have to spend the entire \$8,000.00 to equip the Officers.

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The "best case scenario" is that we receive the Federal money (which must be applied to the new hire vests) and then reimbursement from New York State for the new hires. In that case, the cost to the Village will be only the \$4,000.00 for replacement vests with the remaining \$4,000.00 covered by the State and Federal grants.

Submitted,

Edward R. McCulskey
Chief of Police

Motion by Trustee Smith, seconded by Trustee Lockwood, to authorize the purchase soft body armor (16) up to a cost of \$8,000. Some money available in grants. Amended by Trustee Woody, seconded by Trustee Smith, not to exceed \$8,000.

Discussion

- 1) **Make sure all officers are working for the Village of Owego**
- 2) **Body armor is property of the Village of Owego**

Unanimously Approved

Motion by Trustee Woody, seconded by Trustee Lockwood, to hold an executive session to discuss negotiations, contracts, and personnel issues.

Unanimously Approved

Motion by Trustee Lockwood, seconded by Trustee Woody, to approve a single audit to be done by Ciashi, Dietershagen, Little, Mickelson, & Company C.L.P. C.P.A. at a cost of \$7,000. This audit is required because the village received more than \$500,000.00 in one fiscal year receiving federal money.

Unanimously Approved

Facilities Committee

See insert "D" – Facilities Committee Report II

Clerk

TO: Village Board of Trustees
FROM: Rod Marchewka, Clerk Treasurer
Date: September 7, 2010
RE: Trust of Florence S. Sweet

Approximations
Current Fund Balance: \$862,000
Expenses: \$149,000

Therefore, this fund will be exhausted in approximately 5 years.

Workplace Violence Classes- working on completing list of everyone who has taken the course or the refresher course (may need a make up class or two)

Fire Department PESH Violations – working on violations – most are complete.

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Mayor

- Letter from Office of Community Renewal – see insert “D” – NYS CDBG Project #875HR143-10
- Meeting held about bus stop on Front Street (fumes, litter, noise, etc). Will try to meet again in one month to review the situation
- Received a petition concerning 17 Fulton Street (currently owned by the County) code enforcement to look into this matter – see Insert “C” – Petition
- Trip to Cazenovia New York planned to look at their sewage treatment facility (very similar to proposed village sewer)

Privilege of the Floor

Jerry Houseworth – 84 Southside Drive – discussed possible sidewalks in Southside Drive area. Also, “No Jake-Brakes” sign for trucks in the area.

Bob O’Connell – truck breaking noise in Southside Drive area.

Lee Dunham – 330 Main Street – discussion on Halloween Saturday vs. Sunday? Halloween will be Sunday in the Village of Owego according to Mayor Arrington.

Into Executive Session at 8:45 p.m.

Back to Regular Session at 9:30 p.m.

Motion by Trustee Smith, seconded by Trustee Lockwood, that Leona Payne be approved for membership into Ahwaga Ladder Company #5. Trustees Smith, Lockwood and Mayor Arrington voted yes. Trustee Woody voted no.

Motion Denied

Motion by Trustee Woody that 4% salary increase for 5 non-union workers be approved. Motion dies for lack of a second.

Motion by Trustee Woody, seconded by Trustee Lockwood, to authorize the mayor to work with Attorney John Corcoran on the on-going police case and sign any legal documents.

Unanimously Approved

Motion by Trustee Smith, seconded by Trustee Woody, to accept the resolution on the Standard Working Day for Elected Officials. Motion dies for lack of a second.

Motion by Trustee Smith, seconded by Trustee Woody, to adjourn the meeting at 9:40 p.m.

Unanimously Approved