

Village of Owego Board of Trustees Meeting
Minutes of July 6, 2010

The regular meeting of the Village of Owego Board of Trustees was held on Tuesday, July 6, 2010 at 20 Elm Street, Owego, NY, starting at 7:00 p.m. The following people were in attendance:

Mayor:	Edward L. Arrington
Trustees:	Connie Sternberg
	Jane Woody (arrived at 9:15 p.m.)
	Tom Clark
	Ken Smith
	Ann Lockwood
	Jim Legursky

Clerk-Treasurer:	Rod Marchewka
WWTP Supt.:	Ron Horton
DPW Supt:	Jeff Soules
Village Attorney:	Irene Graven

Absent:	Fire Chief:	Ed Bidwell
	Police Chief:	Rick McCulskey

Insert "A" Visitor's List

The meeting was called to order by Mayor Arrington followed by the pledge of allegiance and invocation.

Privilege of the floor was offered:

Judy Riesbeck wrote the following letter:

July 6, 2010

Dear Village Board,

After attending June's last village board meeting, I have a question. There appears to be some residual confusion as to member status for those members who neglected to take the Harassment Class the village provided last year.

Some Owego Fire Department companies had these effected members vote in elections, and one was on Fire Board. These members were given every opportunity to attend a session of the course, but did not. I observed a discussion between the board and the village attorney at your last village board meeting and remain confused.

I would assume new members have until this year's course to comply, but what about the old members who chose not to take this class for whatever reason? After frequent problems within the department and, in fact, a physical assault of one of our members by others within the department, it is clear the fire

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department has had problems regarding harassment and violence. It would be foolish of us to assume this is miraculously over. It is not.

This has already caused problems on Fire Board during the recent elections in May and will continue to cause problems. With no clear direction from you regarding what you did when you voted on our department membership, there was indeed discrimination involved in the last department elections. Some departments interpreted your vote to include those effected members; other companies had already turned in their voter lists without them. This resulted in unequal treatment of our members concerning their right to vote.

I would advise that you take an up and down vote with what you intended for these members who chose not to take the class for whatever reason. The effected members deserve to know their status, as does the whole department. Even with elections over, we have yet to have a clarification of their status on fire calls, serving on fire board, or just hanging out at the station. Please clarify this for us tonight.

Thank you.

Judy Riesbeck
Village Resident

Moe McDowell – Chain of Command is not being followed on reporting incidents concerning the Owego Fire Department.

Mayor Arrington – discussion on members being reinstated. With the new Work Place Violence Work Shops being scheduled and the Fire Department updating their records the Fire Department membership questions will be addressed in full.

Motion by Trustee Clark, seconded by Trustee Lockwood, to approve the transfer of \$148,000 from the Florence Sweet Memorial Fund to pay for the EMT expenses for 2009-2010.

Unanimously Approved

CDBG – Request for a Release of Lien by Maureen O’Hara for 7 Fulton Street.

Motion by Trustee Legursky, seconded by Trustee Lockwood, to approve releasing Maureen O’Hara from Lien on 7 Fulton Street.

Motion by Trustee Clark, seconded by Trustee Smith, to table the above motion until more documentation is available. Trustee’s Clark, Smith, and Legursky voted yes, Trustees Lockwood and Sternberg voted no.

Motion Carried.

Vote on approving the Lien Release for Maureen O’Hara from 7 Fulton Street. Trustee’s Clark, Legursky, and Smith voted no. Trustee’s Lockwood and Sternberg voted yes.

Motion Denied

Motion by Trustee Sternberg, seconded by Trustee Clark, to change the last meeting in July from the 19th to the 26th.

Unanimously Approved

Motion by Trustee Clark, seconded by Trustee Lockwood, to hold a Public Hearing July 26, 2010 on Time Warner T.V. Franchise Agreement. Notice to be published in the appropriate papers.

Unanimously Approved

Motion by Trustee Clark, seconded by Trustee Sternberg, to rescind the previous motion to buy an ambulance from Gilbertsville Fire Department.

Unanimously Approved

Motion by Trustee Lockwood, seconded by Trustee Clark, to approve the following Resolution:

RESOLUTION

Expending Owego Fire Department Capital Reserve Funds Subject to Permissive Referendum

WHEREAS the Board of Trustees of the Village of Owego, duly convened in regular sessions, does hereby

RESOLVE, pursuant to the provisions of Section 6-c of the General Municipal Law of the State of New York that the Village Clerk-Treasurer be and hereby is authorized and directed to transfer from the Village's Fire Department Capital Reserve fund for equipment, duly established on the 18th day of March 1991, to the expense line item No. A3410.20 000 in the Annual Budget for year ending July 31, 2010, Seventeen Thousand Five Hundred Dollars (\$17,500.00) of the principal and accumulated interest in said Reserve fund for the purchase of a used ambulance from the Town of Gilbertsville.

This resolution shall be subject to a permissive referendum, as permitted by law.

The question of the adoption of the foregoing resolution was put to a vote on roll call, which resulted as follows:

Trustee Thomas Clark voting aye

Trustee James Legursky voting aye

Trustee Ann Lockwood voting aye

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Trustee Kenneth Smith	voting aye
Trustee Constance Sternberg	voting aye
Trustee Jane Woody	absent

Motion Carried

Motion by Trustee Sternberg, seconded by Trustee Clark, authorizing Village Attorney change section 169-5(A). This would set a minimum fee of not less than \$100 for accumulation of raw garbage or refuse.

Unanimously Approved

Clerk Treasurer

Copy of auditors report was given to the Board. The Auditor, Jan Nolis, can meet individually or as a board if there are any questions.

Mario's Pizza has applied for Their Liquor License Renewal.

Motion by Trustee Legursky, seconded by Trustee Clark to table payment of bills until the next board meeting.

Amend above motion to pay bills that are past due and that charge a service charge. Trustees Clark, Lockwood, Legursky, and Smith voted yes. Trustee Sternberg voted no.

Motion Carried (not paying bills)

Motion by Trustee Lockwood, seconded by Trustee Smith, to hold an executive session concerning land purchase and a personnel issue.

Unanimously Approved

Motion by Trustee Clark, seconded by Trustee Sternberg, that the minute's approval is split out by meeting.

Unanimously Approved

Minutes of 6-17-10, 6-21-10, and 6-28-10 be approved with appropriate corrections. The minutes of 6-15-10 stay on "hold".

Motion by Trustee Legursky, seconded by Trustee Clark, (untable) to bring back sidewalk repair for Depot Street at a 50/50 split.

Unanimously Approved

Mayor Arrington

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Trustee Lockwood appointed by the mayor to chair a committee on looking into 90 Temple Street. This includes fixing, renovating, or moving.

Trustee Lockwood would like a listing in chronological order of the Violence in the Workplace Classes offered by the Village.

Trustee Legursky

Questions on:

- 1) Chips Financing
- 2) Attorney returning e-mail
- 3) Payroll Clerk - Cindy Motter
- 4) Deputy Clerk Treasurer - appointed or not
- 5) Leaf/grass pickup

Motion by Trustee Sternberg, seconded by Trustee Clark, that the May Treasurer's Report be approved as submitted.

Unanimously Approved

Discussion:

- Is a light needed on at the Dean Street intersection?
- Trustee Woody arrived at meeting at 9:15 from work.
- Inquiry made to Comptrollers Office regarding expenditures from reserves. Village is obligated to follow Section 6-c General Municipal Law. This provides greater visibility for expenditures, mandates board approval and could result in a permissive referendum
- Waiting on written report from the Fire Department on PESH violations

Mayor Arrington

- Financing for the heavy rescue fire truck has been completed
- Workplace Violence classes are being scheduled (there will be approximately 9 sessions)

Jeff Soules

Motion by Trustee Woody, seconded by Trustee Legursky, for a zoning change request from Candy Cerretani for Southside Drive from and R-2 to business.

Motion by Trustee Clark, seconded by Trustee Woody, to table the motion until after Executive Session.

Unanimously Approved

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- Skyline Corral asked if their liability insurance could stay at \$1,000,000 and not have to go to \$2,000,000 because of added expense

Motion by Trustee Legursky, seconded by Trustee Lockwood, to approve Chandler Construction be awarded the sidewalk bid at a 50/50 owner split.

Unanimously Approved

Privilege of the Floor

- Judy Riesbeck thanked the board for looking into and working the fire department issues

9:45 p.m. out of Village Board Meeting and into Executive Session.

10:50 p.m. out of Executive Session and back into regular board meeting.

Motion by Trustee Clark, seconded by Trustee Lockwood, to un-table motion on re-zoning request for Southside Drive. Trustee's Clark, Lockwood, Legursky, Smith, Sternberg, and Woody voted no.

Motion Denied

- Discussed Superior Wells dust on West Avenue and putting oil on dust.
- Detailed retirement incentive information for next meeting

Motion by Trustee Woody, seconded by Trustee Clark, to adjourn at 11:05 p.m.

Unanimously Approved