

Village of Owego Board of Trustees Meeting
Minutes of November 02, 2009

The regular Village of Owego Board of Trustees Meeting was held on Monday, November 02, 2009 at the DPW Annex, 20 Elm Street, Owego, NY beginning at 7:00 p.m., with the following people in attendance:

Mayor: Edward Arrington

Trustees: Adam Jung
Jane Woody
Connie Sternberg
Melody Patterson
Grace Thomas

Deputy C/T: Lynne Mieczkowski
DPW Supt: Jeff Soules
Police Chief: Rick McCulskey

Village Attorney: Irene Graven

Absent: WWTP Superintendent Ron Horton
Trustee Erik Young

The meeting was opened with the Invocation and Pledge of Allegiance at 7:00 p.m.

Privilege of the floor was offered to those in attendance.

Kevin Millar, Village Resident from Front Street spoke to a private company's request to run a hydraulic fracturing water treatment plant on Taylor Road (using the old Trabucco property). This plant would process the chemical laced fracking water from natural gas drilling sites. Tioga County legislators have recommended it be approved/Town Board has tabled a decision.

Mayor Arrington spoke to this proposal and what the Village's concerns are with this business coming in. He also will send a letter outlining the Boards objections.

Motion by Trustee Jung seconded by Trustee Woody to hold an executive session for a specific personnel issue.

Unanimously Approved

Motion by Trustee Jung seconded by Trustee Thomas to hold an attorney/client session.

Unanimously Approved

Trustee Thomas

Motion by Trustee Thomas seconded by Trustee Jung to move the Village Election from March to November 2011; extending terms as necessary with elected officials taking office in January. Also to have 4 year staggered term for trustees but keeping the Mayor's term at 2 years. The election for three (3) trustees and Mayor taking place in the odd year.

- Extensive discussion on above motion was held

Village attorney stated that these election changes would require amendments to the Village Charter.

There may have to be three amendments to the Charter to affect the changes being considered that in turn, will require two or three different propositions that will go for a vote. Each individual issue must be a different proposition.

Trustee Sternberg spoke to the extension of trustee's terms.

Question also to be addressed; is the Clerk Treasurer's position – now a two year (2) year term being considered for a 4 year term? These changes may also affect the Village Justice.

Motion by Trustee Woody seconded by Trustee Patterson to table the prior motion regarding terms of trustees.

Trustees Woody, Sternberg, Jung, Thomas and Patterson voted aye. Mayor Arrington voted nay.

Motion Carried

Clerk Treasurer

Motion by Trustee Sternberg seconded by Trustee Jung approving the election legal for March 16, 2010 contingent on Trustee Ward 2 Erik Young to be a 1 year term to succeed Erik Young and to add justice; 4 year term to succeed David Boland.

Unanimously Approved

Motion by Trustee Thomas seconded by Trustee Patterson approving the parade permit for November 14, 2009 from the Historic Owego marketplace.

Unanimously Approved

Motion by Trustee Patterson seconded by Trustee Jung approving the minutes of September 21, 2009.

Unanimously Approved

Motion by Trustee Sternberg seconded by Trustee Jung approving the payment of bills as submitted.

Unanimously Approved

Motion by Trustee Woody seconded by Trustee Sternberg approving the resolution requesting Senator Thomas Libous and Assemblyman Gary D. Finch to sponsor legislation to amend subsection 2 of Section 23-0303 of the State of New York to allow governmental subdivisions of New York State to adopt local laws requiring permits and provision for financial security as to potential damage to local roads by vehicles involved in natural exploration traveling there on.

Unanimously Approved

Motion by Trustee Patterson seconded by Trustee Jung approving the following resolution:

WHEREAS, on September 30, 2009, the NYS Department of Environmental Conservation issued a draft Supplemental Generic Environmental Impact Statement (SGEIS) for potential natural gas drilling activities in the Marcellus Shale formation, allowing a 60 day public comment period and four public hearings, AND

WHEREAS, given that the SGEIS is an 800 plus page document, 60 days is too short a time period to allow the public and appointed and elected officials to have adequate time to read, study, and comment on this length document, with the added fact that many people in rural areas do not have access to high speed internet posting of the SGEIS which means only 50 days allowed for comment by people without high speed internet access.

WHEREAS, four public hearings is inadequate to fully allow the public to participate, NOW, THEREFORE BE IT

RESOLVED, that the Village of Owego strongly urges NYS DEC to lengthen the comment period to 180 days to allow citizens and officials adequate time to read and assess the document and compose appropriate comments, AND BE IT

FURTHER RESOLVED, that additional hearings be held around the state, especially in the counties affected, so that everyone has a chance to participate and to hear the testimony, AND BE IT

FURTHER RESOLVED, that a copy of this resolution shall be sent to Governor Patterson, DEC Commissioner Grannis, Senator James Seward, Assemblywoman Barbara Lifton, and Assemblyman Gary Finch. Senator Thomas W. Libous and Assemblyman Clifford W. Crouch,

Assemblyman Thomas F. O'Mara, Assemblywoman Donna A. Lupardo and the Tioga County Legislators.

Unanimously Approved

Motion by Trustee Sternberg seconded by Trustee Thomas approving the September Treasurer's Report.

Unanimously Approved

Trustee Jung

- Compiled a listing of comments on the Violence in the Work Place Training

Trustee Patterson

“Coolest Street” competition winners are:

3rd Place – Front Street

2nd Place – Chestnut Street

1st Place – Armstrong Place

Halloween Festival went exceptionally well – Trustee Patterson thanked Police Chief McCulskey and Sargeant Hogancamp for all their time and support to the event.

Mayor Arrington thanked Trustee Patterson for her time and dedication to this event Trustee Peterson made it all happen.

Trustee Patterson read a Proclamation that will accompany a 5 foot monument to honor fallen fire fighters and policeman of the Village of Owego.

PROCLAMATION

WHEREAS, The community of the Village of Owego would like to honor the fallen public safety and emergency personnel who served our area with diligence, dedication and strength, and

WHEREAS, Special recognition is given to the good work they did in serving others, the sacrifice of time away from their families and the knowledge that they laid their lives on the line for us, the community as a whole, daily for which we are eternally grateful, and

WHEREAS, the installation of a monument in Draper Park within the Village listing the names of the fallen will remind generations to come not to forget the sacrifice these men gave for the community,

NOW THEREFORE BE IT RESOLVED as Mayor of the Village of Owego, on behalf of the Citizens of our great community I honor these fallen hero's for the ultimate sacrifice they paid to the community in which they proudly served.

This monument will be dedicated in May of 2010.

Motion by Trustee Patterson seconded by Trustee Jung approving the Village of Owego erect a monument in Draper Park in memory of Owego's fallen firefighters and Owego policemen. Funds for monument to be expended from the DPW budget; or from the remaining Riverwalk funds.

Unanimously Approved

Trustee Young

Absent.

Trustee Sternberg

- Upstate Shredding fees (status) to be discussed at a later meeting
- Cell phones/Utility costs
- Flood Mitigation Signage
- 1st Meeting of Neighborhood Building Committee is scheduled for 11/6/2009

Trustee Thomas

- Spencer/Depot Street project status
- Slip lining on Spencer scheduled to begin 11-2-09

Motion by Trustee Woody seconded by Trustee Thomas to remove Jim Stam of Company 4 and Jim Rouselle of Company 5 due to their passing.

Unanimously Approved

Motion by Trustee Woody seconded by Trustee Patterson to accept the resignation of Shannon Jennison from the Fire Department.

Unanimously Approved

Motion by Trustee Woody seconded by Trustee Patterson to accept the resignation of Dave Radigan from the Fire Department. Mr. Radigan will continue to have EMS Mutual Aid agreement with the OFD Squad.

Unanimously Approved

Chief Bidwell

- Security for Central Fire
- Meeting with Computer Man personnel regarding the Fire Department computers
- Request from #5 Fire Company to have alcohol at the Annual Banquet in January 2010

Motion by Trustee Patterson seconded by Trustee Thomas to research the request of Fire Company #5 before a final decision is made. Trustees Woody, Sternberg, Thomas, Patterson, and Jung voting nay.

Motion Defeated

- List requested by Village Board of fire members is about 50% completed – to be finished by 1st meeting in December
- Four (4) other companies will be requesting the use of alcohol in the February and March time frame for events scheduled

OFD

- Lights on the River police coverage request (Village Board reviewed options 1 thru 5 as given by Chief McCulskey)

Motion by Trustee Jung seconded by Trustee Patterson that the Village recommend to the Tioga County Tourism Office, that either they contract with the Police Department or they (Tioga County Tourism) provide funds to pay.

Unanimously Approved

Mayor

- Status of River Walk
- Riverview Acquisition Company has purchased Perestam's building
- Preparing letter for Town Planning Board regarding opposition to proposed WWTP activity at the prior Trabucco Building on Taylor Road

Village Attorney

- Public Hearing regarding proposed Local Law #5, 2009, on Snow and Ice
- Hearing on 42-44 Temple Street (for removal of)
- In kind support to OHM Festivities by Village DPW personnel

Privilege of the floor was opened for those in attendance.

- Mr. David Ketchum spoke to the Fire Department personnel and those that are active trained, etc. – there is much time being spent by both sides – with no decisions coming forth-
- Chief Bidwell has been asked on a number of occasions if he needs more than 200 firemen. He has stated no. he needs active firemen
- Kevin Millar, Village Resident, Tree Survey done by Cornell students – presentation to be scheduled for 12/7/09 Village Board Meeting

Out of regular meeting at 8:55 p.m. and into Executive Session at 9:00 p.m.

Motion by Trustee Woody seconded by Trustee Thomas to come out of executive session at 9:40 p.m.

Unanimously Approved

Motion by Trustee Woody seconded by Trustee Sternberg approving the Mayor accept the resignations of those who did not take the “No Violence in the Workplace Training”, including OFD, OHPC, Zoning Board, DPW, OPD, excluding OFD members who are life members, on medical leave, serving in the military, or full-time college students.

Unanimously Approved

Motion by Trustee Woody seconded Trustee Patterson to suspend OFD lifetime members who did not take the “Violence in the Work Place Training” suspension is in effect until requirements are met and reviewed by Village Board.

Unanimously Approved

Motion by Trustee Woody seconded by Trustee Sternberg that the six fire department members discussed in the 11-2-09 executive session who did not take the Violence in the Work Place Training to be exempt at this time.

Unanimously Approved

Motion by Trustee Woody seconded by Trustee Sternberg that fire fighters are cleared for duty by a physician knowledgeable about the physical demands of fire fighting, the personal protective equipment used by fire fighters including but not limited to the various components of NFPA1582 standard on a comprehensive occupational medicine program for fire departments, also to give the Mayor authorization to sign such agreements for those services.

Unanimously Approved

Motion by Trustee Woody seconded by Trustee Jung to adjourn at 10:50 p.m.

Unanimously Approved