

Village of Owego Board of Trustees Meeting  
Minutes of June 15, 2009

The regular Village of Owego Board of Trustees Meeting and a scheduled Public Hearing on the 2009/2010 budget was held at the DPW Annex, 20 Elm Street, Owego, with the following people in attendance:

Mayor:	Edward Arrington
Trustees:	Michael Phelan Connie Sternberg Jane Woody Grace Thomas Melody Patterson
Clerk-Treasurer:	Lynne A. Mieczkowski
DPW Supt.	Jeff Soules
Police Chief:	Rick McCulskey
Fire Chief:	Edward Bidwell
WWTP:	Ron Horton
Absent:	Village Attorney, Irene Graven Trustee Adam Jung

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

The Public Hearing on the proposed 2009/2010 Budget was opened at 7:05 p.m.

The Clerk Treasurer reviewed the attached departments proposed budgets, estimated revenue, assessment number, and tax rate for 2009/2010 fiscal year.

**Motion by Trustee Sternberg seconded by Trustee Thomas approving the proposed budget as the Village of Owego Final Budget for Fiscal Year 2009-2010.**

**Unanimously Approved**

Public Hearing was closed at 7:10 p.m.

Gwen Smith part of WPI 1<sup>st</sup> Choice Realty came before the Village Board regarding the old sign currently hanging from 62-64 North Street. Her purpose in coming to the Village Board was to inform all board members of the issue her company is facing regarding trying to have a business sign hung at

62-64 North Avenue. She spoke to the signs on North Avenue and those she feels also should be questionable and possibly not in compliance. This business feels that the current sign frame should be able to be used, possibly with a variance given by the Zoning Board. The OHPC tabled the request; the company went then to the Planning and Zoning Boards to apply for a variance. Planning approved the request and the zoning board tabled the request - the issue being this sign (frame) is not grandfathered in. This company is only asking to utilize the frame for their business. Overall this company feels there may be some discrimination against them. This company is trying to invest in the Village of Owego. Why is one business allowed to place a sign on a building which is longer than defined in code book rules?

Clerk Treasurer

**Motion by Trustee Phelan seconded by Trustee Woody approving the parade permit for the Owego Historical Market Place - Strawberry Festival for June 20<sup>th</sup>, 2009.**

**Unanimously Approved**

- **Correspondence from Dale Weston Chair Tioga County Legislature**
- **Levi Frisbee – Tractor Event in Village (9/09) Mr. Frisbee will attend July 6<sup>th</sup> Village Board Meeting to provide more information to the Village Board**
- **Proclamation from New York Senate**
- **Minutes submitted for review – approval tabled until July 6<sup>th</sup> Village Board Meeting**

**Motion by Trustee Sternberg seconded by Trustee Patterson approving the May Treasurer's Report as submitted.**

**Unanimously Approved**

Trustee Patterson

No Report.

Trustee Phelan

- No updates on "Gas Drilling" at this time
- OHPC activity picking up. OHPC has been informed of Local Law #3 – regarding fences
- Clean-up Nite 6-16-09 – Rotary, Kiwanis, Trustees, Boy Scouts, OHM, and OHPC have signed on to help – beginning at 7:30 p.m.

Trustee Sternberg

- Hearing scheduled for Wednesday 6-17-09 on 495 East Main (unsafe building)
- Working on resolutions for 42/44 Temple Street and other unsafe properties in the Village
- Bishop Sheehan Housing Grant for Low Income and Seniors
- Currently in the Village there are 10 residential buildings closed for occupancy

- Flood Mitigation Meeting held on 6-15-09 – signs to be posted through-out the county marking designated areas as a flood hazard area and marking the 100 year flood elevation and the 2006 level
- Time Warner Franchise Agreement

Trustee Thomas

1. We have received approval from NY Dec on the plans and specs for the Spencer Avenue project
2. The grant application for the congressional appropriation has been signed and returned. EPA is waiting on changes to the language in the specs. Once that has been received approval to go to bid will follow
3. The final SPEDES permit has been received. The engineering report for nutrient reductions must be submitted to DEC by 1/01/10 and nutrient reductions to 12mg/L or less of total nitrogen and 2.0 mg/l or less of total phosphorus must be met by 1/01/11. Additional sampling requirements have been added. They include TKN, Ammonia, Nitrate, Nitrite, and Phosphorus weekly, these are currently done monthly. Twice daily sampling for total chlorine residual and quarterly sampling for total cyanide and total zinc
4. The village's interceptor project has been awarded 2<sup>nd</sup> place in the Public Works Category in NYCOM's Local Government Achievement Awards competition. The award will be presented to the village on June 30<sup>th</sup> at NYCOM's Annual Meeting

Trustee Woody

- Experiencing problems with the pool (loosing high levels of water). DPW Superintendent meeting with company to determine problem
- Southern Trails grant – Phase III has been denied

**Motion by Trustee Woody seconded by Trustee Patterson to declare Fire Engine “803” as surplus equipment.**

**Unanimously Approved**

**Motion by Trustee Woody seconded by Trustee Patterson to reinstate back into the Fire Department all lifetime members, military personnel, full-time college attendees, individuals on medical leave and those serving other service organizations out of the area. These would be those members who erroneously received a termination letter from Chief Taft between 5/28/09 to present date.**

**Unanimously Approved**

Mayor Arrington

- Violence in the Workplace Training
- \$150,000 has been obtained to repair portions of 90 Temple Street
- COPS Grant Awards to possibly be made December/January time frame

- REAP Village representative named John Hogan

Mayor Arrington at this time thanked each and every volunteer fire fighter for their continued service and support to the Village of Owego.

Mayor Arrington opened privilege of the floor.

Clerk Treasurer Lynne Mieczkowski read aloud a letter from Judy Riesbeck, fire department member and volunteer EMT.

Jim Franz, Owego resident voiced his opinion on where the meeting was being held. He feels that this clearly furthers the purpose of “closed government” – rather than “open government” for the people. Mr. Franz then asked that the meeting be taken outside where each and every resident can hear and be heard.

Patrick Gaven, 461 E. Main Street, spoke to the board stating his family has served the village for over 100 years. He feels that one volunteer kicked out of the Fire Department is one too many. If it's a Charter issue it can be fixed. Cost of gearing a member is \$1800.00: and the only firefighters who need equipment are those fighting fires (active). We are after the Village Board to:

- Reinstate all terminated members
- Change the Charter
- Rescind the by-laws

We are asking you to look at these issues and take the right steps to fix what has happened. The Village community wants the steps taken. Rest assured this is just the beginning – The Fire Department will take every action politically, legally, economically to right this wrong; this is not a threat but a fact.

Joe Fuller, 39 William Street, Owego, a member of the Fire Department for many years spoke to the need for the older volunteers (those who cannot participate in fires) many of those members work in public relations activities. The village has destroyed anyone coming in and wanting to be a fire member. The board has set it back years.

Ron Pasto, 530 East Main Street, spoke to the numbers outside at this meeting. How do we terminate volunteers; I have heard the Fire Department takes a back seat to no one; is the entire Village being run by everything that is stated in the Charter? How or why was this issue targeted.

Rich Watkins, Ross Street resident, stated he was ashamed of what is going on. People are being treated unjustly. He also believes that privilege of the floor should be granted at the beginning of the meeting.

Richard Franz, of Talcott Street, spoke of the pride he has for the Owego Fire Department and the Emergency Squad members. A fire department member for over 50 years; companies all have conflicts; but a lot of good things have been accomplished. This whole issue is being brought about by two or three individuals who have axes to grind; we need to fix the issues. The By-Laws that were given to the Village Board were not acceptable to the entire Fire Department. It is too bad the Village Board has had to get involved! The Village Board has been set up – we (the Fire Department) should step back and resolve the issue in a manner that can be constructively worked out and then come back to the Village Board.

VBM-06-15-2009

Michael McNaughton presented to the Village Board copies of OSHA Responses from New York State, a fact sheet for more information, insurance information, Chief Taft's termination letter info and over 750 signatures from Village residents.

Herb McDowell, village resident and Fire Department member stated this group is not here tonight for a fact finding mission. The Village Board noted at the last meeting to take action on 300 people; to remove people, and already its a mistake – If this board is man and women enough to make the vote, own up to it tonight and talk to these people, don't hide behind a cloak of silence.

A resident from Carmichael Hill Road (Renee Fox) spoke – she feels the decision made by the Board was made in haste; not thought out at all; there are implications happening brought on by the decisions of the Village Board – the Board needs to change the Charter.

Steve DuVarney – a member of 34 years – There were 2,039 calls last year. Don't turn away volunteers. No organization turns away people to help. Letters sent out were not even on Fire Department letterhead. What the Village is doing is wrong. Please take responsibility for what you have done.

Jim Franz, Attorney and resident of 321 Front Street, spoke to fire members doing prom parties to prevent tragedies – these volunteers do this all night long. He spoke to all types of volunteerism. He also stated that he does not believe that all the chiefs were involved in determining who was getting letters.

Walt Pianosi of 279 Prospect Street has given 41 years (35 active) in the Fire Department. My last endeavor was a cook. I believe this whole thing goes back to voting rights. Reinstate the members.

Sharon Ash, village resident, feels ashamed and embarrassed at what the Village Board has done.

Bill Franz, resident of 257 Prospect Street, has sat in trustee's positions and the mayor position over the years and has been fire chief and captain of the emergency squad – he stated he was present at the meeting because his two sons received termination letters from the village. He is irritated because of it being done. He also puts himself in the boards shoes. It is very uncomfortable for all of us. I believe a decision has been made without everyone having the correct information. I know the Charter and all the by-laws and know how everything should be procedurally done. Things were not done correctly; at the Village Board level or Fire Board level. Each of us have our pride – If the village does not want to reverse their decision then I ask you to stop, research it properly, then go ahead and make the final decision. This decision was made in haste – I think personally that it was the wrong decision – I apologize for any of the defamation. I have been very vocal tonight. It is wrong – swallow your pride and get it right. Let the firemen iron out the issues; the Village Board does not need to get involved.

Privilege of the floor was closed at 9:00 p.m.

Fire Chief Bidwell and Trustee Woody will be meeting to attempt to work the issues out.

Mayor Arrington thanked the individuals who had spoken. It is a very emotional issue – the Fire Chief and Trustees have heard your concerns.

Trustee Phelan stated for the record – that he had requested three times to have the meeting moved. He apologized on behalf of the Village Board and himself. Trustee Phelan also stated that he stands by the decisions (vote) that he made at the last few meetings.

Trustee Sternberg spoke stating that some of the people tonight requested the Trustees respond and there have been attempts by the Trustees to respond; and when we respond we are not listened to politely. We are yelled at and screamed at; we are threatened and intimidated. Under no condition should a Trustee be put in that position. This is a group that is difficult to manage because of the type of conduct demonstrated here tonight. We have not been able to finish one sentence in this business meeting tonight without being interrupted. I would be glad to meet with anyone; but I want to be treated with respect. I would like true and factual information. I do not understand why a group of people is saying this Village Board terminated more than 300 people. I sat here – the night of the meeting and I did not terminate 300 members. I voted to terminate 149 people based on the recommendation by the Chiefs (in consultation with Chief Taft). That is the structure of our Charter. That is how decisions are made.

Trustee Woody thanked everyone for giving their opinion. She will be working with Fire Chief Bidwell to work on the problems. Trustee Woody also apologized to those members who were terminated in error.

**Motion by Trustee Woody seconded by Trustee Patterson to adjourn at 9:30 p.m.**

**Unanimously Approved**