

Village of Owego Board of Trustees Meeting
Minutes of April 5, 2010

The regular meeting of the Village of Owego Board of Trustees was held on Monday, April 5, 2010 at 20 Elm Street, Owego, NY and included a Public Hearing on CDBG and a Village Annual Meeting followed by the Regular scheduled Board of Trustees Meeting. The following people were in attendance:

- | | |
|-------------------|-----------------------|
| Mayor: | Edward L. Arrington |
| Trustees: | Connie Sternberg |
| | Jane Woody |
| | Tom Clark |
| | Ken Smith |
| | Ann Lockwood |
| | Jim Legursky |
| Clerk-Treasurer: | Rod Marchewka |
| DPW Supt: | Jeff Soules |
| Police Chief: | Rick McCulskey |
| Fire Chief: | Ed Bidwell |
| Village Attorney: | Irene Graven |
| Absent: | WWTP Supt. Ron Horton |

Insert "A" Visitor's List

Regular Village of Owego Board Meeting opened at 7:45 p.m.

John Lisak, of 417 West Avenue, addressed the board about truck traffic on West Avenue. Mr. Lisak presented the board with a petition signed by concerned residents of the "Flats" area and letters outlining some of the concerns:

Insert attachment "C".

The Village will work with the area residents to coordinate a meeting with all parties involved (residents, owners, truckers, etc).

Trustee Woody commented that she is concerned about heavy truck traffic and the weight of the trucks that may cause damage to the foundation to her older home along with other older homes on the street. She also referenced the dust created may be a possible health concern with those with asthma or respiratory illness.

Privilege of the floor:

Lee Dunham expressed concerns about truck traffic on Main Street causing damage to the older home’s foundations, plaster, dust, etc.

Lee Dunham also expressed concern about new Lead Based Paint Law and how it will adversely affect the cost of having work done on houses built prior to 1978.

Clerk Treasurer

- Payment of bills

Motion by Trustee Woody, seconded by Trustee Legursky, approving payment of bills as is.

Unanimously Approved

Motion by Trustee Sternberg, seconded by Trustee Legursky, approving the following transfers:

APRIL 5, 2010 BOARD APPROVED TRANSFERS

FROM/TO	ACCOUNT #	ACCOUNT NAME	AMOUNT	
FROM:	A.3501	CHIPS	\$21,955.64	
TO:	A.5112.40.251	CHIPS	\$21,955.64	
FROM:	A.3090	STATE GRANTS	\$320,124.82	
FROM:	A.3090	STATE GRANTS	\$80,031.21	
FROM:	A.3090	STATE GRANTS	\$267,899.80	
FROM:	A.3090	STATE GRANTS	\$66,974.95	
TO:	A.6989.40.405	RIVERWALK	\$735,030.78	
FROM:	A.3090	STATE GRANTS	\$1,343.18	
TO:	A.3120.10.120	PART TIME SALARIES	\$1,343.18	
FROM:	A.2770	UNCLASSIFIED REVENUE	\$5,405.00	Skope Money
TO:	A.3620.40.094	DEMOLITION	\$5,405.00	
FROM:	A.3820	STATE AID YOUTH	\$1,815.00	
TO:	A.7145.40.400	RECREATION	\$1,815.00	

Unanimously Approved

Motion by Trustee Sternberg, seconded by Trustee Woody, to approve the following appointments:

Re-appointments:

Richard Price	Zoning Board of Appeals	5 year term	Board Motion
Gertrud Koral	Planning Board	2 year term	Board Motion
Stuart Howard	Planning Board	4 year term	Board Motion
Christine Baust	Historic Preservation	5 year term	Mayor Appoints
Jeff Smith	Historic Preservation	5 year term	Mayor Appoints
Kim Trahan	Historic Preservation	5 year term	Mayor Appoints
Jim Welsh	Historic Preservation	5 year term	Mayor Appoints

Appointments:

Grace Thomas	Zoning Board of Appeals	4 year term	Board Motion
Ray Rushing	Planning Board	3 year term	Board Motion

Motion by Trustee Clark, seconded by Trustee Lockwood, to table appointments. Trustees Clark, Lockwood, Smith and Legursky voted aye. Trustees Woody and Sternberg voted nay.

Motion Carried

Bid received from Paul Conti for old brush truck in the amount of \$339. Discussion by board of trustees was held.

Motion by Trustee Legursky, seconded by Trustee Clark, to reject bid on the 845 truck as submitted.

Unanimously Approved

Motion by Trustee Legursky, seconded by Trustee Woody, to direct the Fire Chief to take the truck to Weitsman and sell for scrap. Trustees Legursky, Clark, Smith, and Lockwood voting aye. Trustees Woody and Sternberg voting nay.

Motion Approved

- Correspondence from the Rainbow Trail concerning renewal of their Liquor License.

Motion by Trustee Sternberg, seconded by Trustee Clark, approving Heather Sirotkin, 88 Chestnut Street, for the Village’s CDBG Home Rehabilitation Program. Total amount approved \$25,750.

Unanimously Approved

Information:

- Flood Mitigation Grant – no update
- Adoption of new flood maps – no update

Trustee Clark

No report.

Trustee Woody

Motion by Trustee Woody, seconded by Trustee Lockwood, approving DPW purchase from New York State Contract a #69168 Jacobsen 628 2WD Turfcut Outfront Rotary Mower. Cost \$17,701.78. Money to come from accounts 5142.20.130 & 7110.20.130.

Unanimously Approved

DPW

Motion by Trustee Woody, seconded by Trustee Lockwood to authorize DPW to go out for bids on a Kubota/900 RTV for parks, DPW, and cemetery.

Unanimously Approved

OPD

Motion by Trustee Legursky, seconded by Trustee Smith, to purchase 2 long guns for police vehicles – cost \$1500. Union to buy holders. Trustees Legursky, Lockwood, Smith, Clark and Mayor Arrington voting aye. Trustee Woody voting nay.

Motion Carried

Motion by Trustee Smith, seconded by Trustee Legursky authorizing mayor to sign agreement for the Police Chief Canine Unit.

Motion by Trustee Woody, seconded by Trustee Sternberg to table action on K-9 Unit pending contract update. Trustees Lockwood, Clark, Smith, Sternberg, and Woody voting aye and Trustee Legursky voting nay.

Motion Carried

Fire Chief

- Fire Department cited by New York State Department of Labor for violations
- Fire Chief Ed Bidwell and Mayor Arrington to review and work on remedy and action needed to comply. Copy on file at Clerk’s Office.

Motion by Trustee Woody, seconded by Trustee Sternberg, to go into Executive Session regarding Fire Department – safety with questions for Village Attorney. Trustees Legursky, Clark, Smith, and Lockwood voted nay. Trustees Woody and Sternberg voted aye.

Motion denied

Motion by Trustee Woody, seconded by Trustee Sternberg, for executive session regarding personnel issues – safety. Trustees Lockwood, Smith, Clark, and Legursky voting nay. Trustees Woody and Sternberg voting aye.

Motion denied

Motion by Trustee Woody, seconded by Trustee Sternberg, to remove William Franz and Andy Hunt from the Owego Fire Department due to their displayed violence.

A discussion was held regarding these two individuals who had committed a criminal act and were found guilty but no action was taken by the Owego Fire Department. There was another OFD member who had something on his web page, someone printed this out and it ended up with the Fire Chief who then suspended the individual for one month. The two individuals found guilty had no consequences within OFD. Fire Chief did not discipline them at all.

Trustees Woody and Sternberg voted aye. Trustee's Clark, Lockwood, Smith, Legursky and Mayor Arrington voted nay.

Motion denied

Motion by Trustee Woody seconded by Trustee Clark, accepting new Fire Department member Kit Burdick into Company #4.

Trustee's Smith, Clark, Lockwood, Woody, Legursky voting aye. Trustee Sternberg voting nay.

Motion Carried

Motion by Trustee Woody, seconded by Trustee Sternberg, requesting the Mayor send a letter to Chief Bidwell forbidding any OFD member not geared, trained or current on all OSHA training not to be allowed to participate in activities of the Owego Fire Department.

Trustee's Woody, Sternberg voted aye. Trustee's Smith, Lockwood, Clark, Legursky voted nay.

Motion denied

Village Attorney

- Attorney Graven announced that the Village received a grant for the cemetery from the Historic Preservation in the amount of \$326,000. The village must match this amount.

Motion by Trustee Legursky, seconded by Trustee Lockwood, for the village to accept the grant, authorizing Mayor Arrington to sign documentation and to look for additional funds to help offset the Village's share. The grant will include work on walls, drainage, ditches, pipes, and monuments as needed.

Unanimously Approved

Privilege of the floor offered:

Lee Dunham – Board should work together on commissionerships.

Dick Franz – as a 58 year old member of the Owego Fire Department, he is tired of being picked on over Fire Department issues. Mr. Franz is proud of his service to the Village by himself and all members of his family.

Herb McDowell – Did not like the way things were handled by Trustee Woody toward the two mentioned members of the fire department and also by Mayor for allowing.

- Discussion on using the skate board park

Motion by Trustee Lockwood seconded by Trustee Legursky, for the Village of Owego Government Accountability Act as follows:

WHEREAS, the Village of Owego government must be responsible to the public, provide open communication, and follow up on requests;

WHEREAS, the Village of Owego government should be totally open so that the people, the owners of this village, the people who are going to pay for it, understand what the village government is doing;

WHEREAS, maintaining two year terms for village elections respects the rights of our citizens to limit the terms of their elected officials or extend them every two years. Taking away this right erodes the Village Board’s accountability and responsiveness to the owners of this village; Now, therefore, be it

Resolved by the Village of Owego Board, that the Board ---

- 1. Require opportunities to address the Board by the public to be switched back to the beginning and end of all board meetings;**
- 2. Require concerns brought to the Board to be addressed in writing within 5 business days;**
- 3. Require meeting minutes to be approved at the next regular Board meeting and posted on the Village web site. NO EXCEPTIONS.**
- 4. Require meeting agendas to be available on the Village web site at least the Tuesday prior to the next Board meeting; As a minimum, the agenda shall have the following content**
 - a. Call to Order**
 - b. Invocation and Pledge of Allegiance**
 - c. Roll call of trustees present**
 - d. Opening public address to the board**
 - e. Reading and approval of previous meeting minutes**
 - f. Commissioner reports**
 - g. Special orders**
 - h. Unfinished business**
 - i. New business**

- j. Announcements
 - k. Closing public address to the board
 - l. Adjournment
5. Require ALL meetings to be open to the best extent possible especially those with special orders;
 6. Wishes to maintain present Board term lengths to two years;
 7. Require all Board members to be provided the Village of Owego’s financial balance sheet position each Board meeting.

Trustees Smith, Clark, Lockwood, and Legursky voting aye. Trustee’s Woody and Sternberg voting nay.

Motion carried

Motion by Trustee Legursky, seconded by Trustee Lockwood, requesting a public hearing on the proposed Local Law listed below for the next Village Board Meeting, Monday, April 19, 2010.

Local Law

**Title Local Law #2, 2010, Owego Fire Department (OFD) Restoration Act
Village of Owego Charter Amendment, Chapter C-53, Duties of Trustees**

Village of Owego Charter, Chapter C-53 is amended to read as follows:

The Trustees shall procure fire engines and other necessary and convenient apparatus for the prevention and extinguishment of fires, and provide safe and convenient places for keeping the same. They shall establish and maintain a Fire Department and organize fire companies and a hook and ladder company; and shall appoint members of said companies; and shall make and prescribe bylaws for the organization, discipline and regulation of such Fire Department and companies, with penalties for the enforcement thereof. Said Fire Department shall consist of the chief and assistant engineers, and such companies with their officers.

Trustees Clark, Smith, Lockwood, and Legursky voted aye. Trustees Sternberg and Woody voted nay.

Motion carried

Motion by Trustee Lockwood, seconded by Trustee Clark to adjourn at 10:35 p.m.

Unanimously Approved