

Village of Owego Board of Trustees Meeting

A regularly scheduled Village of Owego Mayor and Board of Trustees meeting was held on Monday, November 21, 2016 beginning at 7:00 pm at 20 Elm Street, Owego, New York, 13827. The following people were in attendance:

Deputy Mayor/Trustee:	Earl Hartman
Trustees:	Rob Manville (7:15 to 7:18 for bond vote only)
	Phoebe Morris
	Ed Morton
	Mike Phelps
Clerk-Treasurer:	Rod Marchewka
Village Attorney:	Robert McKertich
Police Chief:	Karen Vinti
DPW Supt.:	Jeff Soules
Fire Chief:	Dan Gavin
Absent:	Mayor May
	Trustee Ceccherelli
	WWTP Supt. Horton

Insert "A" – Sign in Sheet

Pledge and invocation.

Public Comment:

None.

LeAnn Tinney – Tioga County Economic Development – attended the meeting for approval of the pilot program for the Gateway Project.

Formal discussion to bring the Nelson Gateway Financial Assistance Application (FAA) for the Gateway Project to the floor for discussion and vote. At this point there is no village active monies involved until the project receives the grants/funding for design, construction, contract completion and eventual occupancy permits at which time the Payment-In-Lieu-Of-Tax (PILOT) valuation will engage on behalf of the village. The FAA is on file at the clerk's office.

Motion by Trustee Morris, seconded by Trustee Morton, to accept the submitted Financial Assistance Application Nelson Development Group, LLC Cost/Benefit Analysis documents, Nine (9) pages and dated November 3, 2016, with amended PILOT schedule, as set forth on page seven (7) and Justification for Deviation From Uniform PILOT Policy as set out on page 8 as presented. This is the project commonly known as the Gateway Project that proposes to construct a new structure to infill the open space of 200-204 Front Street which was vacated by fire. Roll Call Vote: Deputy Mayor Hartman, Trustee Morris, Trustee Morton, Trustee Phelps voted aye.

Motion Carried 4-0

Motion by Trustee Morris, seconded by Trustee Morton, to approve a Discharge of Mortgage for Jonathan Evans and Erin Evans at 439 E. Main Street, Owego, NY in the amount of \$21,400.00. Roll Call Vote: Deputy Mayor Hartman, Trustee Morris, Trustee Morton, Trustee Phelps voted aye.

Motion Carried 4-0

Motion by Trustee Morris, seconded by Trustee Morton, to approve the Village of Owego Board of Trustees Meeting minutes of November 7, 2016 as submitted by the clerk-treasurer. Roll Call Vote: Deputy Mayor Hartman, Trustee Morris, Trustee Morton, Trustee Phelps voted aye.

Motion Carried 4-0

Motion by Trustee Morton, seconded by Trustee Morris, to approve the Letter of Resignation from Mike Lanning at the Waste Water Treatment Plant. Roll Call Vote: Deputy Mayor Hartman, Trustee Morris, Trustee Morton, Trustee Phelps voted aye.

Motion Carried 4-0

Motion by Trustee Phelps, seconded by Trustee Morris, to approve the Treasurer's Report for October as submitted by the clerk-treasurer. Roll Call Vote: Deputy Mayor Hartman, Trustee Morris, Trustee Morton, Trustee Phelps voted aye.

Motion Carried 4-0

Motion by Trustee Phelps, seconded by Trustee Morton, to approve the following Bond Resolution:

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$9,500,000 BONDS OF
THE VILLAGE OF OWEGO, TIOGA COUNTY, NEW YORK, TO PAY THE COST
OF ADDITIONAL PARTIAL RECONSTRUCTION AND IMPROVEMENT OF THE
VILLAGE WASTE WATER TREATMENT PLANT, CONSTITUTING A "PHASE II"
OF SUCH WORK, IN AND FOR SAID VILLAGE**

WHEREAS, on July 30, 2012, the Village Board of Trustees of the Village of Owego, Tioga County, New York, authorized the issuance of \$7,200,000 to finance the partial reconstruction and improvement of the Village Wastewater Treatment Plant;

WHEREAS, it has since been determined that additional Wastewater Treatment Plant work, constituting a second phase of such work ("Phase II") should be undertaken;

WHEREAS, it is presently contemplated that Phase II include provision of new autothermophilic aerobic digester tanks to the autothermophilic process, a new biofilter, gravity belt thickener and septage receiving station and construction of a new autothermophilic tank and a waste activated sludge and septage storage tank;

WHEREAS, provisions of the State Environmental Quality Review Act have been complied with respect to Phase II, and it has been determined to have no significant impact on the environment;

RESOLVED, by the Village Board of Trustees of the Village of Owego, Tioga County, New York, as follows:

Section 1. For paying the cost of the partial reconstruction and improvement of the Village Waste Water Treatment Plant, constituting a "Phase II" of such work, including the replacement of certain equipment therein and incidental work related thereto, in and for the Village of Owego, Tioga County, New York, including original equipment and incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$9,500,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$9,500,000 and the plan for the financing thereof is by the issuance of the \$9,500,000 bonds of the Village of Owego, Tioga County, New York, authorized to be issued pursuant to this

resolution, provided, however, the amount of bonds ultimately to be issued shall be reduced by the amount of any Federal or New York State aid received for the aforesaid class of objects or purposes.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years, and that the foregoing is not an assessable improvement.

Section 4. The faith and credit of said Village of Owego, Tioga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. Unless provision for the payment of principal and interest is made from other sources, an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Owego, Tioga County, New York, by the manual or facsimile signature of the Village Treasurer and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the Village Clerk.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Village; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full a quitittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of its Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. Upon this resolution taking effect, the same shall be published in full in the *Press & Sun Bulletin and the Tioga County Courier*, the official newspapers, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. This resolution is adopted subject to permissive referendum in accordance with Section 36.00 of the Local Finance Law and Article 9 of the Village Law.

Roll Call Vote: Deputy Mayor Hartman, Trustee Manville, Trustee Morris, Trustee Morton, and Trustee Phelps voted aye.

Motion Carried 5-0

Department Head Reports:

DPW Supt. Soules –

M E M O

To: Village of Owego Mayor Steve May and Village Board of Trustees

From: Superintendent of Public Works - Jeff Soules

Date: November 21, 2016

RE: DPW Activity Report

- Leaf machine repair
- Clean writing from sidewalk on Front Street
- Install Gates on Nature Trail
- Refuse pickup at 108 Chestnut Street
- Install signs on Nature Trail
- Put back up a knocked down no parking sign end of Temple Street
- Meeting with SmartWatt – LED lighting
- Meeting with Senator Fred Akshar
- Vacuum leaf piles throughout the Village
- Repair Catch Basin on going
- Clean street drains
- Sweep for Town of Owego
- Code violations for residential refuse & mowing – on going
- Forever green property maintenance – on going
- Measure DSNY cut outs on going
- Sweeping on going
- Repair DPW equipment
- Pot hole patching on going
- Brush and leaf pick up on going
- Planning, Zoning and Historic Preservation meetings scheduled

Any questions or concerns please call me.

VOOBM 11-21-2016

Police Chief Vinti –

Village board meeting report for November 21, 2016

With Officer Cole's resignation, his last day was November 11, 2016; I contacted Civil Service to canvas for eligible candidates. A list has been certified.

Officer Woodburn successfully completed "Persons with Disabilities Training" a train the trainer class. So that he may train others.

Chief attended training in Saratoga Springs in October 2016.

Repeater for police radios has been malfunctioning. The unit is upstairs from police headquarters in the courtroom area and police do not have access to attempt to restart the unit. Over the weekend it was necessary to call in the court clerk to open the office. Arrangements are being made to allow access to authorized personnel as this is a potential problem.

Vehicle 751 the Explorer is out of service and currently at Royal who is working with Ford to figure out if the repair is covered under warranty.

As of this report, the budget line item for "REPAIRS" has been exhausted. This is mainly due to the unplanned extensive repairs for vehicle 752, the 2011 Crown Victoria.

Planning for Lights on the River is near completion. Chief has worked with the planning committee, NYSDOT, Fire Police and DPW. A few changes this year is there will not be a parade, only a short escort from the Court House Square to the Elks Lodge on Front St. A new traffic pattern for the event in which there will not be a left turn allowed at Front St. from the bridge, Park St. and Front St. to Court.

Respectfully,

K.L. Vinti
Chief of Police

Trustee Reports:

Trustee Phelps –

- School crossing guard discussion
- OFD is working on inventory and they will need to purchase equipment that is mandated by the state

Trustee Hartman –

November 21, 2016 VOB Mtg.

Commissioner-Trustee Report Summaries

Village of Owego, New York
Earl Hartman Trustee Ward 2/ Deputy Mayor/Commissioner of: OHPC, Planning & Zoning/Personnel

Electronic copies of full report has been filed with the Clerk-Treasurer

Commissioner Report:

OHPC:

- OHPC met on November 16, 2016 to hear and deliberate on petitioning for new signage at 35 Lake Street, Entrust Wealth Management business. There were additional information needed on the proposed signage and the petitioners agreed to reconvene with OHPC at 6:30 on November 21, 2016 at 20 Elm Street to finalize the approval process. (OHPC Attendees: Mark Trabucco (chair), Kris Stevens, Jeff Smith, Nadine Bigsby, Laura Eberly, and Dick VanHall
- Following the 35 Lake Street application meeting the OHPC went into an open update training session with Mr. James Finelli from the State Historic Preservation Office on the topics of National and State Preservation, the Certified Local Government program, with some inclusion of our local laws and guidelines. It was a good presentation but public attendance was less than hoped for. Public attending was JoAnne Walters of the Owego Pennysaver, Judith Hartman newly appointed Village Historian, Emma Sedore Tioga County Historian, Trustee Phoebe Morris and Trustee Earl Hartman.

PLANNING / ZONING:

- Members of the Planning Board recently attend a Coughlin & Gerhart LLP seminar structured specifically for Planning Boards that outlined their duties, responsibilities and proper procedural processes that needed to be followed. Report back from the Board's Chair is that it was an excellent and very informative seminar.

Trustee Report:

Attended:

- Attended the November 21, 2016 1:30 pm public meeting of the Upper Susquehanna River Basin Study - Owego Meeting that outlined the Army Corp of Engineers program process for investigating the Upper Susquehanna River Basin (NYS section only) to further build upon the FEMA flood plain studies and mapping; to look at and recommend possible project areas along the Upper Susquehanna River Basin Study and then make project cost analysis for each proposed site against that sites population density and economic value importance. This data will then be presented to the NYS Legislature and the US Congress for final project selection and approval.
The project scoping, investigations and definitions phase is just getting started and is expected to be completed by July/August 2019. Current budget allocation is approximately \$3 million
The total project from design to field construction work would most likely be a multiple phased/years process and could be 20 years before all phase were completed.

Submitted: November 21, 2016

Cc: Clerk/Treasurer, ERH files

Public Comment

The Board discussed with Police Officer Woodburn streets that may need a lower speed limit.

Motion by Trustee Phelps, seconded by Trustee Morris, to adjourn at 7:45 pm.

