

Village of Owego Board of Trustees Meeting

A Special Village meeting was held on Monday, October 26, 2015 at 7:00 pm at 56 Main Street, Owego, New York, 13827. The following people were in attendance:

Mayor:	Kevin Millar
Trustees:	Jenny Ceccherelli
	Earl Hartman
	Rob Manville
	Steve May
	Phoebe Morris
	Mike Phelps

Clerk-Treasurer:	Rod Marchewka
Village Attorney:	Robert McKertich
Fire Chief:	Dan Gavin

Town of Owego:

Town Supervisor:	Don Castellucci
Town Councilman:	Dean Morgan
	Craig Jochum
Town Attorney:	Irene Graven

Town of Tioga:

Town Supervisor:	Lewis Zorn
Town Councilman:	Robert Klossner
	Gerald Hyatt
	Robert Strong
	Drew Griffin

Insert "A" – Sign In Sheet.

7:05 pm - Pledge

Public Comment:

Thomas Nyth – 12 Beechwood Lane – becoming a separate fire district does not make sense. It amounts to taxation without representation – we should have one fire district under one management.

Public Comment Closed.

Village of Owego

**Motion by Trustee Hartman, seconded by Trustee May, to approve the following Resolution:**

**RESOLUTION AND ORDER SETTING A JOINT PUBLIC HEARING ON THE PROPOSED  
FORMATION OF JOINT FIRE DISTRICT**

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In the Matter of the

RESOLUTION AND ORDER  
SETTING A JOINT PUBLIC  
HEARING ON THE FORMATION  
OF JOINT FIRE DISTRICT

Establishment of the OWEGO - TIOGA  
JOINT FIRE DISTRICT, in the Town of  
Tioga, the Town of Owego, and the  
Village of Owego, County of Tioga  
State of New York.

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WHEREAS, the Town Board of the Town of Tioga, the Town Board of the Town of Owego and the Board of Trustees of the Village of Owego having duly convened this date, October 26, 2015, in joint session for the purpose of jointly considering the formation of a joint fire district pursuant to the provisions of section 189-a of the Town Law and section 22-2210 of the Village Law;

WHEREAS, such joint district is proposed to include all of the Village of Owego and all of the Town of Tioga's "Owego Fire Protection District" encompassing the following territory:

**BEGINNING** at a point in the westerly line of the Village of Owego and the easterly line of the Town of Tioga at the current southerly boundary of the highway (Route 17C).  
**THENCE** S 66°52'53" W, 150.00 feet along the southerly boundary of the highway to appoint.  
**THENCE** N 22°58'37" W, 40.03 feet to a point in the southerly boundary of the highway, as it existed prior to 1930.  
**THENCE** N 64°58'50" E, 137.20 feet along the southerly boundary of the highway, as it existed prior to 1930, to a point in the easterly line of the Town of Tioga.  
**THENCE** S 39°07'01" E, 46.37 feet along the easterly line of the Town of Tioga to the Point of Beginning.  
**CONTAINING** 6,087 square feet (0.140 acre) of land as shown on a map by Scott E. Edsall. L.S. No. 49784, dated May 5, 2015.

WHEREAS, the Town Board of the Town of Tioga, the Town Board of the Town of Owego, and the Board of Trustees of the Village of Owego are considering the formation of such joint fire district and plan to hold a joint public hearing for the purpose of taking public comment on the formation of the joint fire district;

WHEREAS, the Town Board of the Town of Tioga, the Town Board of the Town of Owego, and the Board of Trustees of the Village of Owego shall, following the joint public hearing, meet jointly, on January 6, 2016 for the purpose of considering the adoption of a resolution and order approving the formation of the Owego – Tioga Joint Fire District.

**NOW THEREFORE**, BE IT HEREBY RESOLVED AND ORDERED, that it is in the public interest to hold a joint public hearing at one location within the proposed Owego - Tioga Joint Fire District to take comment on the proposed formation of a joint fire district; and it is further

RESOLVED, that such joint public hearing shall be held on the 23<sup>rd</sup> day of November, 2015, at 7:00 p.m. at the Edward D. Hubbard Auditorium at 56 Main Street, Owego, New York, which shall be within thirty (30) days of this joint meeting, at which time the Boards shall hear all those wishing to be heard on the question of the formation of said joint fire district; and it is further

RESOLVED, that the Town Board of the Town of Tioga, the Town Board of the Town of Owego, and the Board of Trustees of the Village of Owego shall cause Notice of a Joint Public Hearing to be published in the Tioga County Courier, a newspaper having general circulation in the town and in the village of Owego and in the town of Tioga, at least once at least ten days prior to the date of the joint public hearing, in accordance with law; and it is further

RESOLVED, that Clerk of the Town of Tioga, Clerk of the Town of Owego, and the Clerk of the Village of Owego are hereby directed to post Notice of a Joint Public Hearing in at least five conspicuous public places within each or their municipal boundaries, at least ten days prior to the date of the joint public hearing, in accordance with the law; and it is further

RESOLVED, that in each municipality the town or village sign board maintained by the Clerk of the municipality and the website maintained by the municipality may constitute one of the conspicuous public locations; and it is further

RESOLVED, that the Clerks of the Town of Owego, Clerk of the Town of Tioga and the Clerk of the Village of Owego are hereby directed to serve notice of the joint public hearing upon the members of their respective municipal boards by mail, addressed to their last known post office mailing addresses, at least ten days prior to the date of the joint public hearing; and it is further

RESOLVED, that the Notice of Joint Public Hearing shall be as follows:

**PLEASE TAKE NOTICE THAT** there shall be a joint public hearing of the governing boards of the Town of Tioga, Town of Owego and the Village of Owego for the purposes of taking public comment on the proposed formation of a joint fire district, to be called the Owego – Tioga Joint Fire District. Such joint fire district is proposed to encompass all of the Village of Owego and all of the Town of Tioga’s “Owego Fire Protection District”. The joint public hearing shall be held on the 23<sup>rd</sup> day of November, 2015, at the Edward D. Hubbard Auditorium at 56 Main

Street, Owego, New York, at 7:00 p.m. All persons interested in the establishment of the joint fire district may be heard. The objects and purposes of such joint fire district is to permit the efficient operation of fire protection for the all of the territory of the village and the territory now encompassed by the Town of Owego Fire Protection District.

and it is further

RESOLVED, that the Notice of the subsequent joint public meeting of the boards of the Town of Tioga, Town of Owego and the Village of Owego, shall be as follows:

**PLEASE TAKE NOTICE** that a joint public meeting of the Boards of the Town of Tioga, Town of Owego and the Village of Owego shall take place at the Edward D. Hubbard Auditorium at 56 Main Street, Owego, New York, at 7:00 p.m. on January 6, 2016, for the purposes of considering the formation of the Owego – Tioga Joint Fire District.

This resolution has been approved by at least a majority of each municipal board as indicated by their signatures on this document.

Questions:

Trustee Phelps – can we separate EMS from Fire – making two different departments?

Attorney McKertich – Cannot do that, it would take a different procedure.

Trustee Morris – Do not vote for this for the following reasons:

- No village oversight
- Not better managed
- Does not solve problem
- Not enough information

Trustee Manville – Are we just setting dates for next meetings?

Attorney McKertich – Yes.

Trustee Hartman – I disagree – the fire department has given us information. They brought forth plans three different times.

Trustee Ceccherelli – A Fire District is an added layer of bureaucracy.

Trustee Hartman – The Village of Owego should be maintaining the fire department buildings better. Current and past boards have not done enough.

Fire Chief Gavin – Our fire department has done electrical, painting, cleaning and repair costs out of our own budget.

Dean Morgan – Would like to see a finalized budget, tax rate, and the wholly-exempt properties that will have to pay into the fire district.

**Roll Call Vote:**

<b>Trustee Ceccherelli</b>	-	<b>No</b>
<b>Trustee Hartman</b>	-	<b>Yes</b>

<b>Trustee Manville</b>	-	<b>Yes</b>
<b>Trustee May</b>	-	<b>Yes</b>
<b>Trustee Morris</b>	-	<b>No</b>
<b>Trustee Phelps</b>	-	<b>Yes</b>
<b>Mayor Millar</b>	-	<b>No</b>

**Motion Carried 4-3**

**Town of Owego:**

**Motion by Councilman Jochum, seconded by Councilman Morgan, to approve the following motion:**

**RESOLUTION AND ORDER SETTING A JOINT PUBLIC HEARING ON THE PROPOSED FORMATION OF JOINT FIRE DISTRICT**

In the Matter of the

RESOLUTION AND ORDER  
SETTING A JOINT PULIC  
HEARING ON THE FORMATION  
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JOINT FIRE DISTRICT, in the Town of  
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Village of Owego, County of Tioga  
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WHEREAS, such joint district is proposed to include all of the Village of Owego and all of the Town of Tioga's "Owego Fire Protection District" encompassing the following territory:

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**THENCE** S 39°07'01" E, 46.37 feet along the easterly line of the Town of Tioga to the Point of Beginning.  
**CONTAINING** 6,087 square feet (0.140 acre) of land as shown on a map by Scott E. Edsall. L.S. No. 49784, dated May 5, 2015.

WHEREAS, the Town Board of the Town of Tioga, the Town Board of the Town of Owego, and the Board of Trustees of the Village of Owego are considering the formation of such joint fire district and plan to hold a joint public hearing for the purpose of taking public comment on the formation of the joint fire district;

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RESOLVED, that such joint public hearing shall be held on the 23<sup>rd</sup> day of November, 2015, at 7:00 p.m. at the Edward D. Hubbard Auditorium at 56 Main Street, Owego, New York, which shall be within thirty (30) days of this joint meeting, at which time the Boards shall hear all those wishing to be heard on the question of the formation of said joint fire district; and it is further

RESOLVED, that the Town Board of the Town of Tioga, the Town Board of the Town of Owego, and the Board of Trustees of the Village of Owego shall cause Notice of a Joint Public Hearing to be published in the Tioga County Courier, a newspaper having general circulation in the town and in the village of Owego and in the town of Tioga, at least once at least ten days prior to the date of the joint public hearing, in accordance with law; and it is further

RESOLVED, that Clerk of the Town of Tioga, Clerk of the Town of Owego, and the Clerk of the Village of Owego are hereby directed to post Notice of a Joint Public Hearing in at least five conspicuous public places within each or their municipal boundaries, at least ten days prior to the date of the joint public hearing, in accordance with the law; and it is further

RESOLVED, that in each municipality the town or village sign board maintained by the Clerk of the municipality and the website maintained by the municipality may constitute one of the conspicuous public locations; and it is further

RESOLVED, that the Clerks of the Town of Owego, Clerk of the Town of Tioga and the Clerk of the Village of Owego are hereby directed to serve notice of the joint public hearing upon the members of their respective municipal boards by mail, addressed to their last known post office mailing addresses, at least ten days prior to the date of the joint public hearing; and it is further

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**Roll Call Vote:**

<b>Supervisor Castellucci -</b>	<b>Yes</b>
<b>Councilman Jochum -</b>	<b>Yes</b>
<b>Councilman Morgan -</b>	<b>Yes</b>

**Motion Carried 3-0**

**Town of Tioga:**

**Motion by Councilman Strong, seconded by Councilman Hyatt, to approve the following Resolution:**

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This resolution has been approved by at least a majority of each municipal board as indicated by their signatures on this document.

**Roll Call Vote:**

<b>Supervisor Lewis Zorn</b>	-	<b>Yes</b>
<b>Councilman Robert Klossner</b>	-	<b>Yes</b>
<b>Councilman Gerald Hyatt</b>	-	<b>Yes</b>
<b>Councilman Strong</b>	-	<b>Yes</b>
<b>Councilman Griffin</b>	-	<b>Yes</b>

**Motion Carried 5-0**

**Meeting adjourned at 7:40 pm.**

