

Village of Owego Board of Trustees Meeting

A regularly scheduled Village of Owego Mayor and Board of Trustees meeting was held on Monday, December 7, 2015 at 7:00 pm at 20 Elm Street, Owego, New York, 13827. The following people were in attendance:

Mayor:	Kevin Millar
Trustees:	Earl Hartman
	Rob Manville
	Steve May
	Phoebe Morris
	Mike Phelps
Clerk-Treasurer:	Rod Marchewka
Village Attorney:	Robert McKertich
DPW Supt.:	Jeff Soules
Police Chief:	Karen Vinti
WWTP Supt.:	Ron Horton
Fire Chief:	Dan Gavin
Absent:	Trustee Ceccherelli

Sign in Sheet – Insert “A”.

Pledge – Moment of Silence for Pearl Harbor.

7:02 pm - Public Hearing on Armstrong Place – Parking West Side Only

Dave Woodburn – can you park any direction? No only facing south (toward Front Street).

No further questions.

Public Hearing closed at 7:05 pm.

**Motion by Trustee May, seconded by Trustee Morris, to approve the following resolution:**

**VILLAGE OF OWEGO LOCAL LAW NO. 8 OF THE YEAR 2015**

**A LOCAL LAW AMENDING THE VILLAGE OF OWEGO VEHICLE AND TRAFFIC LAW TO PROHIBIT PARKING ON THE EAST SIDE OF ARMSTRONG PLACE**

**Be it enacted by the Board of Trustees of the Village of Owego as follows:**

**Section 1.      Amendment to Section 187-24 of the Village Code**

**Section 187-24 of the Code of the Village of Owego shall hereby be amended by adding the following:**

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Armstrong Place	East	Entire Length

**Section 2.      Remainder**

Except as hereinabove amended, the remainder of the Code of the Village of Owego shall remain in full force and effect.

**Section 3. Separability**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

**Section 4. Effective Date**

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.

Motion Carried 6-0

Public Comment:

Paul Bennett – 143 Temple Street – asked about the house at 90 Spencer Avenue – referred to code officer.

On the tear down of 145 Temple Street – Mr. Bennett would be interested in taking care of the property as he lives next to it. Own? Or Lease? Attorney McKertich will look into this.

Rusty Fuller – says he has done a financial analysis of both the fire department and the police department. The fire department would have an increase of 20%. The police department – sheriff budget would have to go from \$600,000.00 to approximately \$950,000.00.

Trustee May would like a copy of Mr. Fuller’s information so that he can check for himself.

Dave Woodburn – 25 Armstrong Place – does the village board have legal authority to spend money on a police survey?

Attorney McKertich – the village board has voted to do the survey – it is a legal expense.

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

**RESOLUTION APPROVING A DEMOLITION BID**

At a meeting of the Village Board of the Village of Owego held at the Village Board Room, 20 Elm Street, Owego, New York on the 7<sup>th</sup> day of December 2015, the following resolution was offered:

WHEREAS, on October 28, 2015, the Village of Owego advertised seeking bids for the demolition and removal of structures, asbestos abatement, air monitoring, and site restoration work on up to nine properties located in the Village of Owego that were affected by the 2011 flood; and

WHEREAS, on or about November 16, 2015, the Village of Owego received three bids in response to the bid advertisement as follows: All Around Storage at \$105,943; LCP Group, Inc. at \$109,724; and Dan’s Hauling and Demo at \$196,402; and

WHEREAS, the Village has reviewed the bid by All Around Storage and has determined that the bidder did not provide documentation demonstrating that it has either been licensed as an asbestos

abatement contractor for four or more years or that it employs a certified asbestos supervisor who has been certified for four or more years to oversee the abatement work; and

WHEREAS, the Village has reviewed the bid submitted by LCP Group, Inc. and has determined that the bid is in compliance with the bid specifications; and

NOW THEREFORE, BE IT RESOLVED that the Village Board of the Village of Owego hereby determines that the All Around Storage bid is rejected because (1) it is not in compliance with the bid specifications, (2) that such non-compliance is material and may not be waived, and (3) that even if the non-compliance were not material, the Village would exercise its discretion not to waive said non-compliance because it is in the Village's interests to ensure that experienced asbestos abatement personnel are engaged to oversee the abatement work in order to protect the public health, safety and welfare; and

BE IT FURTHER RESOLVED that the Village Board of the Village of Owego hereby determines that the bid for the above-referenced demolition project is awarded to LCP Group, Inc.; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.

Motion Carried 6-0

Motion by Trustee May, seconded by Trustee Morris, to approve the hiring of Crawford & Sterns to do engineering in the Evergreen Cemetery to comply with historic preservation guidelines at a cost of \$24,950.00 (grant to pay 50%). Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.

Motion Carried 6-0

Motion by Trustee Morris, seconded by Trustee May, to approve the Discharge of Mortgage (CDBG) from Jamie Signs at 25 Academy Street contingent on Attorney McKertich review and approval. Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.

Motion Carried 6-0

Motion by Trustee Hartman, seconded by Trustee Morris, to approve the upgrade of the Water Street pump station (pumps and control panel) at a cost of \$25,000.00. Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.

Motion Carried 6-0

Motion by Trustee Hartman, seconded by Trustee May, to approve the waste water treatment plant superintendent to make application for NYDEC Asset Management Pilot Program. Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.

Motion Carried 6-0

Motion by Trustee Morris, seconded by Trustee May, authorizing Attorney McKertich draw up a new Local Law to change the aged exemption from \$10,000.00 to \$15,000.00 to \$16,000 to \$22,300.00. Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.

Motion Carried 6-0

Attorney McKertich talked with Siena College – the questions and answers should not be just “yes” or “no”. They should have an option such as “approve”, “disagree”, “strongly”, etc.

Motion by Trustee May, seconded by Trustee Manville, to send out survey with options.

Trustee Morris – this is a waste of tax payer money.

Trustee Hartman – survey should be of a singular focus.

**Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Phelps voted aye. Trustee Morris and Mayor Millar voted no.**

**Motion Carried 4-2**

**Motion by Trustee Hartman, seconded by Trustee May, to approve the DPW Reserve Fund transfer \$15,000.00 from budget to A.9950.90.902. Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.**

**Motion Carried 6-0**

**Motion by Trustee May, seconded by Trustee Morris, to approve the Owego Police Department reserve fund transfer of \$8,000.00 from budget to A.9950.90.901. Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.**

**Motion Carried 6-0**

Discussion on the resolution for January 6, 2016 for the Fire District Resolution.

Attorney McKertich is working on proposed changes also working with the Fire Department Lawyer (Garwood). Would like to see both questions on the election ballot:

- 1) Yes/No Fire District
- 2) Yes/No Abolish the Owego Fire Department so that they can become a district. If the Owego Fire Department does become a district there will have to be a transfer of functional analysis done and how it would affect the Tax Cap.

**Motion by Trustee Hartman, seconded by Trustee May, approving the village advertise for an additional Public Hearing on January 4, 2016.**

**Will need a resolution that would abolish the Village Fire Department so that they could become a Fire District. Cannot have one without the other. Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Phelps, voted aye. Trustee Morris and Mayor Millar voted no.**

**Motion Carried 4-2**

Information item:

Received a request from the Owego Convenience Store/Gas Station located at 105 Southside to apply for a beer license (copy given to the Owego Police Department).

**Motion by Trustee May, seconded by Trustee Morris, to approve the Village of Owego Board of Trustees Meeting Minutes of November 16, 2015 as submitted by the clerk-treasurer. Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.**

**Motion Carried 6-0**

**Motion by Trustee Morris, seconded by Mayor Millar, to approve the Village of Owego Board of Trustees Meeting Minutes of November 23, 2015 as submitted by the clerk-treasurer. Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye. Trustee May abstained.**

**Motion Carried 5-0-1**

**Motion by Trustee May, seconded by Trustee Morris, to approve the Village of Owego Board of Trustees Meeting Minutes of November 30, 2015 as submitted by the clerk-treasurer. Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.**

**Motion Carried 6-0**

**Motion** by Trustee Hartman, seconded by Trustee May, to approve the Payment of Bills as submitted by the Clerk-Treasurer with the voiding of check #1303 (\$39,769.14) made payable to Rod Marchewka instead of Chris Marchewka in error.

General Fund	-	\$404,847.80 (\$444,616.94 less \$39,769.14 Voided Check)
Sewer Fund	-	\$58,281.69
Sewer Plant Upgrade	-	\$264,333.21

**Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.**

**Motion Carried 6-0**

Department Head Reports:

Police Chief Vinti –

- Attended class on Executive Training and Fair and Impartial Policing training
- Lights on the River was very successful. Thanks to DPW for putting up the lighted snow fence on Court Street. It really helped with crowd control
- The Owego Elementary School would like a parade on January 6, 2015 at 8:30 am to welcome the kids to their new elementary school. I met with the superintendent of Owego Apalachin School District and he will be submitting a parade permit so all details will be known by the board meeting on December 21<sup>st</sup>.

WWTP Supt. Horton –

Date: 12/4/15

To: Village Board of Trustee’s

From: Ron Horton, Supt. WWTP

Re: Department update

1. Job meeting was held on the 24<sup>th</sup>.
2. RAS pumps #3 and #4 and WAS pumps #1 and #2 were started up. Initial training on VFD operation was provided and videoed for future use by plant personnel. Another training session will be scheduled when the SCADA system is installed.
3. Work continues in headworks building, equipment has been removed and the new manual bar screen has been installed. Work on installation of mechanical bar screen has begun. Painting in the headworks building has begun.
4. BCA’s study on Septic Receiving project is on schedule with a January completion date.
5. NY DEC is offering a free pilot program to 10 WWTP’s in NY for a complete Asset Management Program. Applications are due no later than January 20, 2016.

Correction on his report – they have not started up the return sludge pumps yet.

Trustee Reports:

Trustee Hartman –

**Motion** by Trustee Hartman, seconded by Trustee Manville, to approve the following new Owego Fire Department members:

<i>Thomas Moch</i>	-	<i>Company #2</i>	-	<i>118 Halstead Avenue</i>
<i>Marinna Minoia</i>	-	<i>Company #5</i>	-	<i>604 Stanton Hill Road</i>
<i>David Strickland</i>	-	<i>Company #3</i>	-	<i>30 Paige Street</i>

**Roll Call Vote: Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.**

**December 7, 2015 VOB Mtg.**

**Commissioner Report Summaries**

Village of Owego, New York  
Earl Hartman Trustee Ward 2/ Commissioner of: OFD, Planning & Zoning

**Note to File:** Electronic copies of full report has been filed with the Clerk-Treasurer

---

**OFD:**

- OFDEMS has the following in the EMT Medics 'program: CFR (2) EMT-B (2) EMT-CC (2) will be taking their finals skill and written exams over the next two weeks
- OFD had two members in FO1 training at the NYS State Fire Academy in Montour Fall this past week.
- (12) FF & EMS personnel were trained in school bus extrication by NYS Fire and EMS Instructors of three day, Dec. 1, 2 and 3<sup>rd</sup> at the OFD Training facilities.
- Three new members before Village Board: Thomas Moch, Marinna Minoia and David Strickland.
- OFDEMS Volunteers facilities work (which often includes providing the materials):
  - a) Ambulance 831 replacement – The OFDEMS volunteers have been preparing the used ambulance bought from Sherburne for going into service. By doing this preparation work themselves it is saving the Village taxpayer, based on quotes received, approximately \$8,000.
  - b) Downs stairs bathroom has been enclosed and a new service sink installed.
  - c) Once again, examples of the efforts the OFD volunteers do to hold down cost for the taxpayers.

**PLANNING / ZONING:**

- Was out of town for last P & Z meeting. Will provide an update at Dec. 21, 2015 meeting.

**WWTP- EDU's**

- Will be providing the requested data this week to the constituents that asked for it.

Submitted: December 7, 2015  
Cc: Clerk/Treasurer, ERH files

Trustee Phelps –

Need to have a sign on Spruce Street – “no parking here to corner”  
Have we looked into generators for the fire department? Supt. Soules – still working on that.

Roof repair a central station?  
Supt. Soules – called the original company – they will go look at it soon – it is no longer under warranty.

How about ice shields on Station #2?  
Supt. Soules – we can look into it.

Trustee Manville –

Nature Trail by Owego Creek has a lot of debris and tires.

Who do people contact about the New Owego Gardens Apartments? Either IDA, LeAnn Tinney, or Julie at 585-287-5777.

EDU consensus of the board would you go back to consumption base if you could?  
Consensus – yes.

Trustee Manville – why don't we have Attorney McKertich write a Local Law so that United Water (SUEZ) has to give us the readings, so that we can go back to billing the way we used to?

VOOBM 12-7-2015

Attorney McKertich will look into this – may be very costly to challenge the PSC and SUEZ but it can be looked into.

Trustee Manville – can we find the original Franchise Agreement between United Water and the Village of Owego?

Trustee May – do we own or rent the fire hydrants? Rent from SUEZ.

Pot holes on McMaster and Delphine that need to be fixed. Supt. Soules to take care of it.

Trustee Morris – website is under revision and review.

Public Comment:

None

Meeting adjourned at 8:35 pm

