Village of Owego Board of Trustees Meeting

A public hearing and regularly scheduled Village of Owego Mayor and Board of Trustees meeting was held on Monday, June 15, 2015 at 7:00 pm at 20 Elm 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
DPW Supt.:	Jeffrey Soules
Code Enforcement Officer:	Jim Mead
WWTP Supt.:	Ron Horton
Absent:	Police Chief Vinti

Pledge and invocation.

Insert "A" – Sign in sheet.

7:00 pm Public Hearing – Unsafe Building – 134 McMaster Street

Code Enforcement Officer Jim Mead stated that he has been the code officer for the Village of Owego since May of 2008 and that he is familiar with the code problems at 134 McMaster Street. Some of the problems include:

1) General state of dis-repair
2) Flood damage
3) Roof & foundation problems

There have been Orders of Remedy issued in June 2013, August 2013, and January 2015. The owner/contractor has walked away from this property leaving the neighborhood with a mess.

Village Attorney McKertich offered Exhibit A (on file at the clerk's office) Certified Notice of a Notice of Unsafe Structure and Exhibit B (on file at the clerk's office) inspection of 134 McMaster by James Mead, Code Enforcement Officer. Exhibit C (on file at the clerk's office) Photo explanation of 134 McMaster Street – with New York State Property Maintenance Code Sections taken by Code Officer Jim Mead.

Attorney McKertich asked James Mead for his conclusion on 134 McMaster Street.

James Mead stated – the building is unsafe and is a hazard to the public.

Public Comment:

None

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

RESOLUTION

WHEREAS, the Superintendent of Public Works has issued a report determining that the structure located at 134 McMaster Street, Owego, New York, Tax Map No. 128-08-1-62 is unsafe or dangerous to the public, pursuant to §98-6 of the Village Code of the Village of Owego, and has ordered it to be made safe and secure or removed; and

WHEREAS, on June 15, 2015, the village Board of Trustees held a public hearing in regard to the structure at 134 McMaster Street; and

WHEREAS, notice of said public hearing has been published in the official newspaper, filed at the County Clerk's Office and served in accordance with the Village Code; and

WHEREAS, after due-deliberation, the Village Board finds that the roof, foundation, exterior walls and windows of this structure are in disrepair and are unsafe.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Part 617 of the regulations pertaining to the State Environmental Quality Review Act ("SEQR"), it has been determined by the Village Board that the removal of the structure at 134 McMaster Street constitutes an Unlisted Action, as defined under the SEQR regulations. Said removal will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to this action; and

BE IT FURTHER RESOLVED that the Village Board of the Village of Owego hereby determines that the structure at 134 McMaster Street is unsafe or dangerous to the public and orders it to be removed. Because the property owner has neglected or refused to repair or remove the same within the time provided, the Village Board hereby determines that it may remove said building by whatever means it deems appropriate and may assess all costs and expenses incurred by the Village in connection with the proceeding, including the cost of actually removing said building, against the land on which said building is located; and

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

CERTIFICATION

I, Rodney Marchewka, do hereby certify that I am the Village Clerk of the Village of Owego and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board of the Village of Owego at a meeting thereof held at the Village Board Room, 20 Elm Street, Owego New York on the 15th day of June, 2015. Said resolution was adopted by the following roll call vote:

Mayor Millar	Aye
Trustee Ceccherelli	Aye
Trustee Hartman	Aye
Trustee Manville	Aye
Trustee May	Aye
Trustee Morris	Aye
Trustee Phelps	Aye

Dated: June 15, 2015

(Seal)

Rodney Marchewka, Village Clerk-Treasurer

Motion Carried 7-0

A Short Environmental Assessment Form Part No. 2 – Impact Assessment was reviewed and filled out. All 11 questions were checked "No". Second box that based on the information and analysis above, and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts.

7:10 pm Public Hearing – Re-zoning Owego Gardens

No public comment.

A Local Law amending the zoning code to allow multiple dwellings in the office park district.

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

VILLAGE OF OWEGO
A RESOLUTION APPROVING LOCAL LAW No. 2-2015

At a regular meeting of the Village Board of the Village of Owego, held at the Village Board Room, 20 Elm Street, Owego, New York on the 15th day of June, 2015, the following resolution was offered and seconded:

WHEREAS, the Village of Owego scheduled a public hearing for June 15, 2015, for Local Law No. 2 of the Year 2015 entitled "A Local Law Amending the Zoning Code to Allow Multiple Dwellings in the Office Park District"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Village and posted on the Village Clerk's signboard; and

WHEREAS, the County Planning Board and the Village Planning Board each recommended approval of said Local Law; and

WHEREAS, a public hearing was duly held at the Village Board Room, 20 Elm Street, Owego, New York on the 15th day of June, 2015 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that, the Village Board hereby adopts said Local Law as Local Law No. 2-2015 entitled "A Local Law Amending the Zoning Code to Allow Multiple Dwellings in the Office Park District; and

RESOLVED, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Village Board of the Village of Owego that adoption of the proposed Local Law constitutes an Unlisted Action, as defined under said regulations. The action does not constitute a Type I action under 617.4(b)(2) (multiple dwellings already allowed) or 617.4(b)(3) (not requested by applicant). The Village Board has considered the possible environmental impacts of the Local Law. The adoption of said Local Law will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the Local Law; and

RESOLVED that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

RESOLVED that this resolution will take effect immediately.

CERTIFICATION

I, Rodney Marchewka, do hereby certify that I am the Village Clerk of the Village of Owego and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board of the Village of Owego at a meeting thereof held at the Village Board Room, 20 Elm Street, Owego New York on the 1st day of June, 2015. Said resolution was adopted by the following roll call vote:

Mayor Millar ~~Aye~~
Trustee Ceccherelli ~~Aye~~
Trustee Hartman ~~Aye~~
Trustee Manville ~~Aye~~
Trustee May ~~Recused~~
Trustee Morris ~~Aye~~
Trustee Phelps ~~Aye~~

Dated: June 15, 2015 **(Seal)**

Rodney Marchewka, Village Clerk-Treasurer

7:20 pm – Public Hearing – 2015-2016 Village of Owego Budget

No public comments.

Motion by Trustee Hartman, seconded by Trustee Ceccherelli, to reject the tentative budget. Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee May, Trustee Morris, Trustee Phelps, and Mayor Millar voted aye.

Motion Carried 7-0

Motion by Trustee Hartman, seconded by Trustee Ceccherelli, to approve the budget with modifications recommended after the June 11, 2015 meeting on the budget as follows:

Fire Department		
Equipment Repair	A.3410.40.561	+ $7,000.00
Replacement Equipment	A.3410.40.431	+$10,000.00
Public Works		
DPW Reserve	A.9950.90.902	+ $15,000.00
Police Department		
OPD Reserve	A.9950.90.901	+ $8,000.00
Prisoner Food	A.3120.40.360	- $2,475.00

Revenue		
Appropriated Fund Balance	**A.1005**	**+$37,525.00**

Fiscal 2016 BUDGET

Total Expenses	**$3,337,045**
Total Revenues	**$1,236,418**
To be raised by taxes	**$2,100,627**
Total assessment	**110,446,958**

Proposed tax rate	**19.02**
Last year's tax rate	**18.78**
Increase of	**.24**

(Divide difference of 19.02 & 18.78)

(.24 divided by 18.78 – 1.28)

1.28% increase

Increase .24 per thousand

Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee Morris, and Mayor Millar voted aye. Trustee May abstained. Trustee Phelps passed and then voted no.

Motion Carried 4-2-1

Public Comment:

A tree at 134 McMaster Street should be removed – DPW will look into it

<u>Motion</u> by Trustee Ceccherelli, seconded by Trustee Morris, to approve the following budget amendments:

BUDGET AMENDMENTS
June 15, 2015

From:	**A.2680, Insurance Recovery**	**$2,372.41**
To:	**A.3120.40.560, Equipment Repair**	
From:	**A.4960, FEMA**	**$2,291.25**

To: A.8668.40.446, Elevation

From:	**A.3501, Chips**	**$71,019.28**
To:	**A.5112.40.251, Chips**	
From:	**A.2680, Insurance Recovery**	**$276,847.88**
To:	**A.3410.20.206, Rescue Truck**	
YTD Adjusted Budget Figure		**$4,077,549.22**

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

Motion Carried 5-1-1

<u>Motion</u> by Trustee Hartman, seconded by Trustee Morris, to approve the following Owego Fire Department Members:

Be it so moved that the Village of Owego Board of Trustees herein approves the following person(s) as member(s) of the Village of Owego Fire Department in compliance with Village Charter Section § C-53, Duties of Trustees wherein it is stipulated that the Trustees shall appoint said members, and
Whereas, the person(s) has been investigated by their respective Company, the Fire Chief and approved by the Owego Fire Department's Fire Board, none of which found reasons to withhold said membership(s),

Be it therefore resolved that the Village of Owego Board of Trustees hereby approves as a member(s) of the Owego Fire Department the following person(s)

Angelyn C. Starr, 145 Dean Street Village of Owego NY	**–**	**Company #1**
Erika Keith, 3481 Sherry-Lipe Rd., Newark Valley NY	**–**	**Company #2**
Bryan Keller 9169 St. Rt. 38, Newark Valley NY	**–**	**Company #2**
Michelle A. Coates, 2744 St. Rt. 434, Apalachin NY	**–**	**Company #5**
Jessica Jones, St. Rt. 96, Owego NY (Junior Firefighter)	**-**	**Company #5**
Jacob Zlinsky, 491 Strong Rd., Owego NY	**-**	**Company #5**

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

Motion Carried 7-0

<u>Motion</u> by Trustee Hartman, seconded by Trustee Ceccherelli, to approve the following Owego Fire Department Officers as follows:

Be it so moved that the Village of Owego Board of Trustees herein approves the following person(s) as Chiefs, aka, Chief Engineer(s) and/or senior officers of the Owego Fire Department Village of Owego Corporation; in compliance with Village Charter Section § C-53, Duties of Trustees wherein it is stipulated that the Trustees shall be the approving agency of the Chiefs, aka, Chief Engineer(s) and senior officers as put forward by the Owego Fire Department's Fire Board, and

Whereas, the Owego Fire Board having held its general membership's elections of officers on the 27 day of May, 2015 for the 2015/2016 Corporate calendar year, in accordance with its NYS Charter and by-laws, and

Whereas, the slate of officers has been duly brought before the Owego Fire Board for challenges and having found none,

Be it therefore resolved that the Village of Owego Board of Trustees hereby approves as the Chiefs, aka, Chief Engineer(s) and Senior Officers of the Owego Fire Department the following persons to their respect posts and authority:

871 – Chief:	**Daniel Gavin**
872 - 1st Assistant Chief:	**James Morris**
873 – 2nd assistant Chief:	**Jeff Hiller**
874 – Deputy Chief, Admin:	**Stephanie Cole**
Treasurer:	**Dennis Reynolds**
Secretary:	**Lori Wagner**

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

Motion Carried 7-0

Adjusting start date of Justin Cole – Officer Cole was to start on August 1, 2015.

Motion by Trustee Ceccherelli, seconded by Trustee Morris, to adjust Officer Cole's start date to June 29, 2015.

Trustee Phelps feels there could be liability issues.

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

Motion Denied 3-4

Motion by Trustee Ceccherelli, seconded by Trustee Morris, to approve the Village of Owego Board of Trustees minutes of June 1, 2015 as submitted by the clerk-treasurer with one correction to page #2 (removing Trustee May's name on a roll call vote). Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee Morris, and Mayor Millar voted aye. Trustees May and Phelps abstained.

Motion Carried 5-0-2

Department Head Reports:

DPW Supt. Jeff Soules -

M EM O

To: Village of Owego Mayor Kevin Millar and Village Board of Trustees
From: Superintendent of Public Works - Jeff Soules
Date: June 14, 2015
RE: DPW Activity Report

- Met with Broome Bituminous & Suit Kote re: paving schedule –dates still pending
- Met with Homeland Security, H2O, 3D, FEMA for PW closeouts

- Met with DOT – underpass
- Budget meeting
- Met with elevation residents
- Met with County re: village properties
- Repairs to waterline
- Generator tear down, concrete pad installation for new generator at OPD
- Scrap taken to Weitsman
- Clean ditch Mountain Road
- Make 25 trash cans for Strawberry Festival
- Clean cemetery drains
- Flags out for Flag Day
- Sweeper out
- Code violations for residential refuse/high grass - ongoing
- Forever green property maintenance - ongoing
- Measure DSNY cut outs on going
- Repair DPW equipment
- Cemetery burials
- Pot hole patching ongoing
- Brush and leaf pick up ongoing
- Planning, Zoning and Historic Preservation meetings scheduled

Any questions or concerns please call me.

- Street paving plant sent out
- Approved a request from Newark Valley to use the village street sweeper to help them out after the recent storm (municipal mutual aid agreement)

WWTP Supt. Horton –

Date: 6/15/15

To: Village Board of Trustee's

From: Ron Horton, Supt. WWTP

Re: Department Update

1. Footer for headworks building has been poured.
2. Soil testing and reinforcement placement was inspected by CME from Horseheads, NY. No problems with headworks building. Soil for blower building did not pass inspection. 2 options are being considered by the contractor to submit for review by BCA. The change will most likely be paid from the general contractor's field allowance line item in the contract.
3. Began removing center wall from drying beds. Materials purchased to bury bio-solids line from digester building to press room.
4. Tentative schedule for insulation of press room is the week of July 6th.
5. Monthly job meeting scheduled for June 24th.
6. Met with village board, BCA and contract haulers about a regional septic receiving station.

- Jet rodder truck had a major malfunction – expected cost $3,000 plus town has offered us theirs if we need one in an emergency

Trustee Hartman –

- Would like DPW to remove hanging gutter from #3 station
- Station #2 – needs work on door closure

Trustee Ceccherelli – no report

Trustee Hartman – no report

Trustee Phelps – no report

Trustee Manville –

- Working with a committee of trustees on sewer billing and EDU's. Would like to continue the consumption approach – it may take some time

Trustee May –

- Passed out a presentation to fellow tax payers (copy is on file at the clerk's office)

Discussion on mass mailing brochure.

Trustee May has discussed it with the Attorney McKertich who has advised Trustee May on certain changes that should be made.

Motion by Trustee May, seconded by Trustee Phelps, to mail the mass mailing with modification. Roll Call Vote: Trustee Ceccherelli, Trustee Morris, and Mayor Millar voted aye. Trustees Hartman, Manville, May, and Phelps voted no.

Motion Denied 3-4

Trustee May and Trustee Phelps withdrew motion on mass mailing. The mass mailing on Village of Owego Police Options to be planned on agenda for July 6, 2015 village board meeting.

Trustee Morris – no report

Public Comment:

Theresa Gosart – 69 Paige Street – I did not get a mailing last time. Why? These mailings seem inaccurate and full of mistakes.

Motion by Trustee Morris, seconded by Trustee Ceccherelli, to adjourn at 8:25 pm.

Unanimously Approved.

"A"

MEETING DATE: 6-15-15

NAME	ADDRESS	PHONE #	COMPANY REPRESENTED
Ryan Lockerman	34 Teasy St	242-2479	
Barb Kolozyk	130 McNaught St	687 2096	
Jamie Striley	72 West Ave		
Tom / Brittany Woodburn	133 Fox street	972-7574	OPD
Theresa Gosart	69 Paige	595-4072	