

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 20, 2016 at 7:00 pm at 20 Elm Street, Owego, New York, 13827. The following people were in attendance:

Mayor:	Steve May
Deputy Mayor/Trustee:	Earl Hartman
Trustees:	Jenny Ceccherelli
	Rob Manville
	Phoebe Morris
	Ed Morton
	Mike Phelps
Clerk-Treasurer:	Rod Marchewka
Village Attorney:	Robert McKertich
Police Chief:	Karen Vinti
DPW Supt.:	Jeff Soules
WWTP Supt.:	Ron Horton

Insert "A" – Sign in Sheet

Pledge and invocation.

7:00 pm – Public Hearing on the 2016-2017 Budget

Owego Police Benevolent Association

June 20, 2016

Mayor Steve May and Village Board of Trustees
Village of Owego
178 Main Street
Owego NY 13827

Dear Mayor May and Members of the Village Board:

I am submitting this statement on behalf of the Owego Police Benevolent Association (PBA) to provide additional comments with respect to the proposed 2016/2017 Police Department budget and the Board's decision to abolish two full-time police officer positions effective August 1, 2016.

Needless to say, the PBA is very disappointed over the refusal of the Board to re-establish these positions. While the PBA raised many legitimate concerns and reasons why these positions are so essential in its statement to the Board at its last meeting, the PBA is compelled to once again raise the issue of police officer safety.

Back in 1980, when the Bureau of Municipal Police of DCJS conducted a study of the Village Police Department, it found that the necessary staffing consisted of ten patrol officers, five sergeants, one lieutenant and one Chief.

The 2016/2017 budget has only four police officers, one sergeant, one Chief and two part-time police officers who can only work up to twenty hours a week as permitted by Civil Service law. No doubt, the safety of Village officers and their protection of the public are going to be severely

compromised. That is because on all day tours an officer will be working alone and four days each week an officer will be working alone on the evening and midnight tours. When two officers are working back up is minute's way. When working alone, the only backup an officer can expect is from the State Police or Sheriff's Department. Neither is reliable simply because they have limited patrol staff and their own large jurisdictional responsibilities. Depending upon their staffing on a particular day and their location in the County, it could take hours for back up to arrive.

The Village of Owego is a great rural community. But it has its share of serious and violent crime. It is also the seat of Tioga County and large numbers of people come through the Village daily for work, shopping and to just pass through when travelling in this part of the State. These factors, as well as the Appalachian School District, cause the daytime population of the Village to increase greatly. The responsibility of the Village Police Department is to keep those in the Village safe. When so woefully understaffed, the job is unnecessarily tough.

According to the National Law Enforcement Officers Memorial Fund, thus far in 2016, 45 police officers have lost their lives while performing their duties. In 2015, 123 police officers lost their lives, 45 of whom were shot. In 2014, 122 police officers died. These deaths did not just occur in large metropolitan areas. Officers in rural areas in New York State and throughout the country have been killed performing their duties. Vehicle stops and domestic violence calls, both of which are routinely handled by Village Police Officers, present situations that can easily endanger responding officers.

The Federal Department of Justice COPS program has issued a report recognizing that the loss of police staff impacts the existing staff of police officers in various ways, "such as creating larger patrol areas to cover, decreasing the number of backup officers, and increasing stress due to a myriad of factors experienced in the field. Most importantly, these changes impact officer safety, wellness, and health. At a time when an agency's most important resource is its personnel, officers are expected to continue providing quality and efficient services..." (see "Officer Safety and Wellness: An Overview of the Issues," by Mora L. Fiedler 2011).

Professional police agencies at the state and federal level stress that determining proper staffing levels is a complex exercise that must be carefully studied by a municipality (see for example, "Staffing the Small Department: Taking Stock of Existing Benchmarks and Promising Approaches," The Police Chief, June 2016; "Determining Police Staffing and Deployment," ICMA Center for Public Safety Management). No study has been conducted by the Village Board to determine the necessary staffing levels or the detrimental effect of low staffing on the public and existing police officers.

The PBA strongly appeals to the Village Board to consider the safety of its police officers and the public and to fund the Police Department so that staffing levels to at least consist of one Chief, one sergeant and six full-time police officers.

Respectfully submitted,

Owego Police Benevolent Association

By: Brett Kobylarz, President

Thomas Woodburn, Vice President

Luke Schulze – 121 Temple – disappointed that the board is getting rid of two police positions.

They act like a first responder they are on the scene within minutes. They could be the difference between life and death.

How was the decision made to eliminate these two positions? Was it behind closed doors?

Ted Brainard – 18 Fox Street – money versus lives. You should expand the OPD. Did you lie to the taxpayers?

Doug Worden – 72 McMaster Street – OPD saved the life of a young girl who overdosed this weekend.

Don't put the political gains of a few over the safety of the village residents.

Steve Jackson – 70 Liberty Street - this is not rocket science – why are people kept in the dark about cuts? How does this happen. What is the 5 year plan? What is the master plan?

Sandy Dunbar – 3969 Waverly Road – this board has consistently blocked to fill positions at OPD.

Jim Balshuweit – 6 Beardslee Lane - I own a business downtown but I don't have a say in how things run. Police protection is not a commodity, it is a necessity.

Rickie Lynn – Lexington Police Department - my goal is to move back to the village when I retire. Will there be anything left? Homeowner's insurance premiums are partially based on police departments. Too much heroin in the world today, for a crime all you need is: offender/victim/opportunity.

Doug Worden – 73 McMaster Street - raise taxes, it's only about \$45.00 per year per household to keep these two positions.

Rusty Fuller – 70 North Avenue – disputed figures comparing costs for OPD by the trustees. He compared the Sheriff's Department vs OPD and his numbers show a vast difference.

Fran Dunbar – 3969 Waverly Road – my whole life I've felt safe in Owego – keep it safe for our children and grandchildren.

Dave Woodburn – turned in two petitions, individual and business. The petition is to insist that the Owego Village Board of Trustees and Mayor revise the proposed Village of Owego 2016-2017 budget to include funding for the eliminated OPD officer positions. (Copy of petitions are on file at the clerk's office).

Public Hearing on budget closed at 7:45 pm.

Smartwatt Energy Proposal –

Greg Royer, Account Executive for Smartwatt – passed out a copy of the Village of Owego Street Light Project (copy is on file at the clerk's office). He outlined the project cost vs savings and he needs a letter of intent from the village.

Attorney McKertich – we need a little more time to review the proposal. The Steps include:

- 1) Award Smartwatt the contract
- 2) Letter of Intent

Attorney McKertich to work with Smartwatt on drawing up a contract by July 5th meeting.

Public Comment:

None.

Motion by Trustee Hartman, seconded by Trustee Morris, to approve the Liquor License Request from Tioga County Agricultural Society for the fairgrounds during the Tioga County Fair. Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee Morris, Trustee Morton, Trustee Phelps, and Mayor May voted aye.

Motion Carried 7-0

Discussion on shared facility - will look at village sites June 27, 2016 at 6:00 pm – meet at 20 Elm Street.

Motion by Trustee Hartman, seconded by Trustee Morris, to approve a Letter of Intent with Renovus Energy. The village will be held harmless. Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee Morris, Trustee Morton, Trustee Phelps, and Mayor May voted aye.

Motion Carried 7-0

Motion by Trustee Ceccherelli, seconded by Trustee Manville, to reimburse TOI for \$5,000.00 for their work on the CDBG grant (advertising site work, etc.). The village will give back grant award due to freeze on funds caused by overdue AUD. Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee Morris, Trustee Morton, Trustee Phelps, and Mayor May voted aye.

Motion Carried 7-0

Vote on 2016-2017 Village Budget – Mayor May made the following cuts:

Office Supplies	A.1210.40.410	\$300.00
Telephone	A.1210.40.660	\$700.00
Training	A.1210.40.733	\$2,000.00
Auditor	A.1320.40.140	\$8,500.00
Attorney	A.1450.40.140	\$5,000.00
Fire Reserve	A.9950.90.092	\$4,000.00
Total Decrease		\$20,500.00

Motion by Mayor May, seconded by Trustee Hartman, to approve the 2016-2017 Village of Owego Budget with changes:

Total Expenses	\$3,234,535.00
Total Revenue	\$1,167,100.00
To Be Raised by Taxes	\$2,067,435.00
Total Assessment	\$109,381,472.00
Proposed Tax Rate	\$18.90
Last Year's Tax Rate	\$19.04
Decrease of	.14 per thousand
Divide Difference of \$18.90 and \$19.04 (.14 divided by \$19.04)	Decrease of \$.0005

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

Motion Carried 5-2

Motion by Mayor May, seconded by Trustee Ceccherelli, to approve the Village of Owego Board of Trustees Meeting Minutes of June 6, 2016. Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee Morris, Trustee Morton, Trustee Phelps, and Mayor May voted aye.

Motion Carried 7-0

Motion by Trustee Hartman, seconded by Trustee Morton, to approve the Village of Owego Board of Trustees Meeting Minutes of June 15, 2016. Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee Morris, Trustee Morton, Trustee Phelps, and Mayor May voted aye.

Motion Carried 7-0

Motion by Trustee Morris, seconded by Trustee Morton, to approve the Treasurer's Report as submitted by the clerk-treasurer for the month of May 2016. Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee Morris, Trustee Morton, Trustee Phelps, and Mayor May voted aye.

Motion Carried 7-0

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: June 17, 2016

RE: DPW Activity Report

- Repair waterline Marvin Park
- Sweep parade route for Strawberry Festival
- Put out barricades, cones, no parking signs for Strawberry Festival
- Ready for 5K run
- Ready area for fireworks
- Repair OPD ramp
- Flags out for Flag Day
- Mow Montrose Turnpike, Mountain Road road edges
- Ready for softball tournament in Marvin Park
- Mow Nature Trail
- Burials in Evergreen
- Clean, repair and fill municipal pool and ready for opening
- Scheduled pool inspection
- Code violations for residential refuse & mowing - ongoing
- Forever green property maintenance - ongoing
- Measure DSNY cut outs on going
- Sweeping ongoing
- Repair DPW equipment
- Pot hole patching ongoing
- Brush and leaf pick up ongoing
- Planning, Zoning and Historic Preservation meetings scheduled

Any questions or concerns please call me.

WWTP Supt. Horton –

Date: 6/17/16

To: Village Board of Trustee's

From: Ron Horton, Supt. WWTP

Re: Department update

1. Hauled 26 loads of bio-solids to Klett's Farm.
2. Began to replace pump rails at Lackawanna Ave. pump station.
3. Electrical work continues for start-up.
4. Worked with Smith & Loveless to resolve a program issue with the PISTA grit removal system. System has worked fine since the changes have been made.

OPD Chief Vinti –

Village board meeting report for June 20, 2016

Officer Woodburn attended and completed his bicycle training course in Ithaca. He also completed his third and final week of the International Association of Chiefs of Police Leadership course.

Officers Starzak and Cole have each completed their 160 hours of field training.

I have letters of resignations from Officers Dibble and Tagliavento.

Between Friday night and Saturday's events for Owego Strawberry Festival officers worked a total of 147 hrs.

Preceding the festival, the evening and night shift handed out over 300 flyers to residents and business owners.

There will be a follow-up meeting with the Strawberry Festival Committee in the next few weeks and I will be able to provide more information at that time.

Following the festival Officer Cole assisted the Sheriff's office outside the Village at the Hampton Inn for a disturbance and motor vehicle accident as there were no other cars available to assist the lone deputy.

On Sunday, Officers Buemi and Cole responded to a reported overdose; they arrived first on scene, while caller was still on the phone with 911 and administered Narcan and the subject became responsive again. Officers assisted the subject until EMS arrived a short time later. This type of incident occurs often and officers have had numerous saves.

One of my officers was approached by a Trustee/EMS personnel and asked an officer about officers responding to squad calls. First and foremost this is for the safety of EMS personal that was initiated by Chief Franz as a response to EMS being violently targeted when arriving on scene in other areas of the state. Secondly, my officers are often times able to administer first aid to victims and/or report to dispatch the conditions of the victim. My officers respond when they are available and no other calls are neglected. As Chief, I will decide what calls the officers respond to.

Along the same line, two of my officers were recently approached by a Trustee attempting to explain the reasoning behind the cuts to the police department personnel. This trustee went on to explain how he intends to build the department with the foundation of three specific officers which he named. I find it completely inappropriate to discuss the politics surrounding these cuts with officers who were on duty. Besides demeaning certain officers by not mentioning them, it does nothing positive for my department or our Village or for the morale of my officers. I am requesting on their behalf that this course of action cease.

I am continuing to have difficulty filling shifts with the manpower issues. In an effort to keep two officers on each shift I am still using a considerable amount of overtime and part time funds. As of this report I have overspent overtime line by \$40,395.68 and Part time line by \$28,078.

Finally,

What is the plan? Every member of this board received the schedule for the rest of the year. I have not heard any feedback or questions? Are you comfortable putting new officers or even seasoned officers on patrol by themselves?

Still no response to the email and report given to the board in May regarding hiring part time officers. No action taken for our retirees waivers expiring.

Respectfully,

K.L. Vinti
Chief of Police

Trustee Reports:

Trustee Ceccherelli – The 5k at the Strawberry Festival went smoothly. They had a lot of volunteers.

Mark Trabucco has volunteered to paint the fire department clock tower. Attorney McKertich to put something into writing regarding this.

Trustee Morris – Chief Vinti does not have the manpower to cover all shifts.

Question directed to Mayor May – what are your plans to fix this problem?

The board did not fill the bookkeeper position when it became vacant.

Mayor May –

June 20, 2016

Mayor's Report at the June 20, 2016 Village Board Meeting.

The NYS Financial Restructuring Board has issued a draft report regarding our village finances. While the report is currently required to be confidential, it will be made public soon as possible. The report states that the village is in SIGNIFICANT FINANCIAL STRESS and recommends consolidation and shared services.

One thing the state has offered is grant funding to assist with consolidation efforts, including consolidation of the village and county police services. This is something that I will be and have been exploring and I intend to present a plan to the village board at the first July Meeting.

Public Comment:

Ann Stout – Tioga County Courier – would like a copy of the passed budget.

Will the mayor recues himself on votes regarding sheriff department issues because of conflict of interest?

Attorney McKertich – no votes yet – not sure there is a conflict.

Steve Jackson – you spent more time talking about street lights than police issues. You have let me down.

Tom Woodburn – Any information on FEMA costs yet? Will LCP be filling lots in with top soil?

As a village police officer, I would invite the board to sign a waiver and ride along with OPD. How about looking into charging for parking? It would bring in enough money to pay for a parking officer.

Mr. Woodburn – I will stay with the village – this is my town and I plan on staying in this department and moving up, that’s my goal.

Doug Worden – 5 trustees are looking but not listening to the people.

Motion by Trustee Ceccherelli, seconded by Trustee Hartman, to go into executive session to discuss pending litigation. Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee Morris, Trustee Morton, Trustee Phelps, and Mayor May voted aye.

Motion Carried 7-0

9:22 pm - into executive session

9:45 pm - back in regular session

Motion by Trustee Hartman, seconded by Trustee Manville, to authorize the village attorney to appeal the ruling of the Woodburn/Bennett survey lawsuit. Roll Call Vote: Trustee Ceccherelli, Trustee Hartman, Trustee Manville, Trustee Morton, and Mayor May voted aye. Trustee Phelps abstained. Trustee Morris voted no.

Motion Carried 5-1-1

Motion by Trustee Ceccherelli, seconded by Trustee Manville, to adjourn at 9:50 pm.

Unanimously Approved

