

February 3, 2009  
4:30 p.m.  
Town Hall, Route 434  
Owego, New York

REGULAR MEETING OF THE OWEGO TOWN BOARD

Present: Supervisor Carol B. Sweeney  
Council: Dean A. Morgan, John P. Schumacher and Lynne L. Davis

Absent: Donald Castellucci, Jr.

**A. Call to order, roll call and the Pledge of Allegiance.**

Supervisor Sweeney called the meeting to order and Led the Pledge of Allegiance.

**B. Minutes of the previous meeting**

**C. Consideration of Bids**

**1 Depot Street Well and Control Building Reconstruction**

Mick Trivisonno, Director of Utilities, reviewed the bids for the Depot Street Well and Control Building Reconstruction:

<u>Name of Bidder</u>	<u>Base Bid</u>	<u>Alternate 1(deducted)</u>
Streeters Associates Elmira, New York	799,000.00	11,300.00
J.N. Giammarino Binghamton, New York	730950.00	29,320.00
Diekow Electric Marathon, New York	729,000.00	12,959.05
Gary Dyer Excavating Endicott, New York	670,125.00	25,407.00
Edger Enterprises Elmira Heights, New York	795,792.50	9275.00
Procon Contracting Vestal, New York	666,000.00	14,635.00
Vacri Construction Binghamton, New York	1,030,000.00	0.00

G. DeVincentis  
Binghamton, New York

695,000.00

6,770.00

**Motion by Morgan, seconded by Davis and unanimously carried on the recommendation of Tim Steed, Project Engineer for Hunt Engineering, and contingent upon the Town Attorney's review, the contract was awarded to Gary Dyer who submitted the low bid (due to selection of Alternate 1) and the Supervisor was authorized to sign any and all documents.**

#### **D. Public Hearing (none)**

#### **E. Reports of Department Heads**

Debra Standinger, Planning & Zoning Administrator, stated that Ron Schmidt and Michael Katchmir will start Fire Safety Inspections starting next week. The Planning & Zoning Committee will be making recommendations to update the Town Code.

Mick Trivisonno, Director of Utilities, reviewed the workshop on the infiltration study and recommended that the Town enter into an agreement with Hunt Engineers to conduct a study in accordance with the proposal submitted on December 17 by Hunt Engineers.

**Motion by Morgan, seconded by Davis and unanimously carried, the Supervisor was authorized to sign the Infiltration and Inflow Study with Hunt Engineers.**

It was suggested that a group be formed consisting of Sewer Plant Treatment Operators who will be impacted by the Chesapeake Bay Watershed Rules and Regulations.

Dave Ferris, Highway Superintendent, reviewed two repaving projects that could be forwarded to BMTS one for Main Street and one for Lillie Hill.

**Motion by Schumacher, seconded by Morgan and unanimously carried, the repaving proposals for Main Street and Lillie Hill Road prepared by Dave Ferris, Highway Superintendent will be submitted to BMTS to be considered as part of the Federal Stimulus Package.**

**Motion by Morgan, seconded by Davis and unanimously carried, the Highway Superintendent was authorized to attend the Highway Superintendents Advocacy Day in Albany, with all reasonable expenses paid. Ferris will be sharing a room and taking a bus.**

Supervisor's Report - February 3, 2009

1. I attended the Tioga County Transit Advisory Meeting and the new provider, Tioga Transport, was there. Even though gasoline prices have gone down the ridership for Tioga County is still up considerably from a year ago. Ridership for December 2008 was up 21.2% over ridership for December 2007. The public transit buses are also going to be having advertisement on them in limited areas: a strip along the top and a small part along the side. There are 7 new buses

coming in to the County in the next two weeks. Five more buses will be replaced this year.

2. Cheri filed the AUD for the Six Town Landfill with the State Comptroller's office. This is the last AUD that will have to be filed for the Six Town Landfill since we closed that out last year.

3. I attended the United Way Annual Dinner and I have the 2008 Annual Report if anyone wants to review that. The Town of Owego received a certificate which will be hung here at the Town Hall.

4. The Town has been granted a time extension for PW 4625 - Depot Street Wellhouse - till May 30, 2010.

## **G. Presentation of Petitions, Communications and Notices**

### **1. Time Warner - rate change**

A 5% rate increase for the core package of services was reviewed.

### **2. Municipal Solutions RE :NYSDOH Intended Use Plan Updates**

Supervisor Sweeney stated that any water projects to be considered need to be added soon.

### **3. NYSDOT RE: Route 38B Crocker Creek Bridge**

The Town will request where the onsite detour will be placed.

### **4. Apalachin Fire Department - Parade Invitation**

Those who are interested in participating in the parade need to notify the Parade Committee directly.

### **5. NYSEG RE: Street reconditioning and repaving projects**

The Director of Utilities and Highway Superintendent will contact Rick Powell regarding the repaving and reconditioning of Lancaster and Newberry Drives in Crestview Heights and other projects planned for this year.

## **H. Abstracts**

**Motion by Morgan, seconded by Schumacher and on a roll call vote unanimously carried, the following bills were approved for payment with the exception of Voucher 90156, Check #209646 in the amount of \$333.48 payable to the US Postal Service:**

**Check Numbers #209644-20972**

**HM Capital Reserve Machinery Check #134**

**IC Digester Cover Check #138**

<b>General Fund</b>	<b>68834.16</b>
<b>General Fund Town Outside</b>	<b>7984.64</b>
<b>Highway - Town Outside</b>	<b>105082.68</b>
<b>Water Districts</b>	<b>19917.79</b>
<b>Route 38 Water</b>	<b>535.31</b>
<b>Sewer Districts</b>	<b>18444.05</b>
<b>Route 38 Sewer</b>	<b>7981.57</b>
<b>HM Capital Reserve-Machinery</b>	<b>42699.13</b>
<b>IC Digester Cover</b>	<b><u>4210.00</u></b>
<b>TOTAL ALL FUNDS</b>	<b>275689.33</b>

**I. Unfinished Business**

**1. Youth Bureau Funding**

A Meeting will be held on February 5 at 5:00 p.m. regarding the future of Youth Bureau Funding.

**J. Reports of Standing Committees (none given)**

**K. Presentation of Motions, Resolutions and New Business**

**1. Resolution RE: Tractor Mower Combination**

**Motion by Morgan, seconded by Davis and unanimously carried, the following resolution was adopted:**

**WHEREAS the Town of Owego Highway Superintendent wishes to purchase a MT455 Challenger Tractor Mower Combo at a total cost of \$78,113.26; and**

**WHEREAS an appropriation of \$78,113.26 from the Capital Reserve Machinery Equipment Fund is necessary to pay for said dump truck;**

**NOW, THEREFORE, BE IT**

**RESOLVED that payment be made to Milton Cat from the Capital Reserve Machinery Equipment Fund, Account No. HM.5131.2000 in the amount of \$78,113.26; and be it further**

**RESOLVED that this resolution is adopted subject to permissive referendum as provided in Town Law Article 7; and it is further**

**RESOLVED that within ten days of the adoption of this resolution the Town Clerk shall post and publish a notice setting forth the date of the adoption of the resolution and an abstract of the resolution stating the purpose and the effect thereof and that such**

**resolution was adopted subject to permissive referendum.**

## **2. Historian Request - use of Town Hall Meeting Room**

Emma Sedore, Town Historian, was requesting the use of the Town Hall Meeting Room on Saturday, March 14, 2009, for a Region 10 Historian Conference from 9:00 a.m. to 2:00 p.m.

**Motion by Schumacher, seconded by Morgan and unanimously carried, the Public Historians of NYS Region 10 were granted permission to use the Town Hall Meeting Room on Saturday, March 14, 2009, for a Region 10 Historian Conference.**

## **3. Appoint Alternate Planning & Zoning Members**

**Motion by Morgan, seconded by Davis and unanimously carried, the following resolution was adopted:**

**WHEREAS the Town Board of the Town of Owego has adopted a local law permitting the appointment of alternate members of the Town of Owego Planning Board; and**

**WHEREAS the Town Board of the Town of Owego wishes to appoint an alternate member of the Town of Owego Planning Board for a term of one year;**

**NOW, THEREFORE, BE IT**

**RESOLVED the Town Board of the Town of Owego appoints Albert Stephens to serve as an alternate member of the Town of Owego Planning Board, to serve in the event a regular member of the Planning Board is unable to participate in an application due to a conflict of interest; and it is further**

**RESOLVED that Albert Stephens shall serve as such alternate member of the Town of Owego Planning Board for a term of one year and be compensated at a rate of \$66.00 per meeting attended.**

**Motion by Schumacher, seconded by Morgan and unanimously carried, the following resolution was adopted:**

**WHEREAS the Town Board of the Town of Owego has adopted a local law permitting the appointment of alternate members of the Town of Owego Planning Board; and**

**WHEREAS the Town Board of the Town of Owego wishes to appoint an alternate member of the Town of Owego Planning Board for a term of one year;**

**NOW, THEREFORE, BE IT**

**RESOLVED** the Town Board of the Town of Owego appoints Barbara Roberts to serve as an alternate member of the Town of Owego Planning Board, to serve in the event a regular member of the Planning Board is unable to participate in an application due to a conflict of interest; and it is further

**RESOLVED** that Barbara Roberts shall serve as such alternate member of the Town of Owego Planning Board for a term of one year and be compensated at a rate of \$66.00 per meeting attended.

Motion by Morgan, seconded by Davis and unanimously carried, the following resolution was adopted:

**WHEREAS** the Town Board of the Town of Owego has adopted a local law permitting the appointment of alternate members of the Zoning Board of Appeals; and

**WHEREAS** the Town Board of the Town of Owego wishes to appoint an alternate member of the Zoning Board of Appeals for a term of one year;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board of the Town of Owego appoints Tom Doty to serve in the event a regular member of the Zoning Board of Appeals is unable to participate in an application; and it is further

**RESOLVED** that Tom Doty shall serve as such alternate member of the Zoning Board of Appeals for a term of one year and be compensated at a rate of \$66.00 per meeting attended.

Motion by Davis, seconded by Schumacher and unanimously carried, the following resolution was adopted:

**WHEREAS** the Town Board of the Town of Owego has adopted a local law permitting the appointment of alternate members of the Zoning Board of Appeals; and

**WHEREAS** the Town Board of the Town of Owego wishes to appoint an alternate member of the Zoning Board of Appeals for a term of one year;

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town Board of the Town of Owego appoints Dan Myers to serve in the event a regular member of the Zoning Board of Appeals is unable to participate in an application; and it is further

**RESOLVED** that Dan Myers shall serve as such alternate member of the Zoning Board of Appeals for a term of one year and be compensated at a rate of \$66.00 per meeting attended.

#### **4. Tentative Agreement to spend Town Highway Funds**

Dave Ferris requested that this matter be addressed in April when blacktop rates for the new construction season should be available.

#### **L. Second privilege of the floor**

With no one wishing to be heard, the second privilege of the floor was closed.

#### **M. Executive Session RE: Union Negotiations, Individual Personnel Matter, lease of real property and purchase of real property.**

**Motion by Schumacher, seconded by Morgan and unanimously carried, the Board entered Executive Session at 5:30 p.m.**

Supervisor Sweeney reconvened the meeting at 6:04 p.m.

**Motion by Schumacher, the meeting was adjourned at 6:04 p.m.**

Respectfully submitted,

Michael E. Zimmer  
Town Clerk