

March 2, 2010
7:00 p.m.
Town Hall, 2354 State Route 434
Apalachin, New York

Regular Meeting of the Owego Town Board

Present: Supervisor Donald Castellucci, Jr.
Council: Dean A. Morgan, James M. Hamlin & John P. Schumacher

Absent: Councilman Lynn L. Davis

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

Supervisor Castellucci called the meeting to and Mike Zimmer, Town Clerk, led the Pledge of Allegiance.

B. Minutes of the previous meeting - None

C. Consideration of Bids - None

D. Public Hearing - None

E. Reports of Department Heads

The following Department Heads were present:

Mark Clark, Highway Superintendent
Scott Vasisko, Parks Maintenance Supervisor
Andrea Klett, Assessor
Debra Standing, Planning & Zoning Administrator
Judy Quigley, Attorney
Mike Zimmer, Town Clerk/Tax Receiver
Don Castellucci, Supervisor

The Parks Maintenance Supervisor reported on events tentatively scheduled for this year. A discussion was held regarding certain events which will require proof of insurance and the execution of a contract.

Motion by Morgan, seconded by Hamlin and unanimously carried, a public hearing is scheduled for Tuesday, March 16, 2010, regarding a Franchise Agreement with the Apalachin Youth Athletic Association which will allow the installation of outfield signs with advertising as a fund raiser for the Association.

A discussion was held regarding a contract with the AYAA for use of Muth Park.
The Planning and Zoning Administrator stated that the Attorney for Jim Jackson has not yet submitted

plans and drawings for his motocross project off Route 17c. It was the consensus of the Board not to schedule the public hearing until all the required documents are submitted.

In addition to her report several resolutions regarding alternate members of the both the Town Planning Board and the Zoning Board of Appeals were presented.

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 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 Craig Wademan 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 Craig Wademan 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 Hamlin, 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 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.

Motion by Schumacher, seconded by Hamlin 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 Hamlin 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 Thomas Doty 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 Thomas Doty 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.

The Planning and Zoning Administrator, gave an overview of the Amish Crafts LLC intention to display Sheds and sundry items at property identified as 142.10-1-6.30 located on the north side of Route 434 near Sweeney's Market. It was reported that Mick Trivisonno, Director of Utilities, had no problem with the project since the property would be used for display only and no pollutants would be used or stored.

Motion by Morgan, seconded by Hamlin and unanimously carried, the Well Head Protection Permit for Amish Crafts, LLC, for a display of sheds and sundry items with no pollutants used or stored on the property identified as 142.10-1-6.30 was approved.

In addition to her report Standinger stated that a Special Meeting of the Zoning Board of Appeals is scheduled to be held at the Hubbard Auditorium at 56 Main Street, on Wednesday, March 10, 2010, to accommodate the anticipated attendance regarding the Patriot Natural Gas Drilling Project.

Supervisor's Report

3/02/2010

Retirement logs are due at the end of the month. Please get them to Ruth as soon as possible so we can comply with the new regulations.

There will be changes to the Health Insurance in 2010 with no cost increases. Also there is no change in deductibles. I will have Ruth send out information as necessary to department heads and union reps to keep employees informed.

The Planning and Zoning report is on file in my office.

The Town Clerk's report is on file in my office.

Ruth and I met with the Partners Ins and went over the policy. NYMIR is going to be offering online classes to meet the requirements for the training for planning and zoning members.

Cheri and I met with representatives from M and T bank and went over our current services, including some fraud prevention tools available to the Town. Cheri is going to work with them on these programs.

Tioga Opportunities "Every Person Counts" Expo March 16 from 1:30 - 6:00 pm.

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

WHEREAS the Town of Owego Highway Department wishes to have PJ Electric remove old lighting and install new lighting in the mechanic's bay at the Highway Garage at a total cost of \$5995.00; and

WHEREAS an appropriation of \$5995.00 from the Highway Garage Construction Reserve Fund, Account No. HT.5132.4410 is necessary to pay for said lighting project;

NOW, THEREFORE, BE IT

RESOLVED that payment be made to PJ Electric from the Highway Garage Construction Reserve Fund, Account No. HT.5132.4410 in the amount of \$5995.00 for said lighting project.

F. Privilege of the floor - with no one wishing to be heard, the privilege of the floor was closed.

G. Presentation of Petitions, Communications, Transfers and Notices

1. Appropriation Transfers

Motion by Morgan, seconded by Hamlin and unanimously carried, the following Transfers were approved:

APPROPRIATION TRANSFERS
MARCH 2, 2010

GENERAL FUND - TOWN WIDE

\$979.00	from A.1010.4143	Town Board - School/Dues/Travel
	to A.5010.4143	Street Admin - School/Dues/Travel

TOWN OUTSIDE - HIGHWAY

\$3,000.00	from DB.5140.4410	Hwy Misc. - Contract for Services
	to DB.5140.4100	Hwy Misc. - Material & Supplies

WATER

\$8,600.00	from F.9741.4006	Dump Truck - Principal
	to F.8340.2000	Water Trans. Dist - Equipment

\$1,296.00	from F.9741.4007	Dump Truck - Interest
	to F.8340.2000	Water Trans. Dist - Equipment

\$384.00	from F.9741.4101	Dump Truck - Contractual Expense
	to F.8340.2000	Water Trans. Dist - Equipment

RT 38 WATER

\$1,800.00	from FA.9741.4006	Dump Truck - Principal
	to FA.8340.2000	Water Trans. Dist - Equipment

\$54.00	from FA.9741.4007	Dump Truck - Interest
	to FA.8340.2000	Water Trans. Dist - Equipment

\$16.00	from FA.9741.4101	Dump Truck - Contractual Expense
	to FA.8340.2000	Water Trans. Dist - Equipment

SEWER

\$9,500.00	from G.9748.4006	Dump Truck - Principal
	to G.8120.2000	Sewer Coll. System - Equipment
\$1,431.00	from G.9748.4007	Dump Truck - Interest
	to G.8120.2000	Sewer Coll. System - Equipment
\$384.00	from G.9748.4101	Dump Truck - Contractual Expense
	to G.8120.2000	Sewer Coll. System - Equipment

RT 38 SEWER

\$1,800.00	from GA.9748.4006	Dump Truck - Principal
	to GA.8120.2000	Sewer Coll. System - Equipment
\$54.00	from GA.9748.4007	Dump Truck - Interest
	to GA.8120.2000	Sewer Coll. System - Equipment
\$16.00	from GA.9748.4101	Dump Truck - Contractual Expense
	to GA.8120.2000	Sewer Coll. System - Equipment

H. Abstracts

Motion by Hamlin, seconded by Morgan and on a roll call vote unanimously carried, the following bills were approved for payment:

General Fund - Town Wide	\$60196.29
General Fund - Town Outside	125381.42
Highway - Town Outside	38453.11
Water Districts	28880.13
Route 38 Water	1138.24
Sewer Districts	26398.70
Route 38 Sewer	<u>1178.12</u>
TOTAL ALL FUNDS	\$281626.01

J. Reports of Standing Committees

Councilman Schumacher updated the Board on the Bandshell cover and the possible replacement of the "honey wagon" used to remove gray water from stationary campers in the Hickories Park.

Councilman Hamlin raised several questions regarding a hard shell cover versus the soft shell

Bandshell cover.

K. Presentation of Resolutions, Motions and New Business

1. Letter of request for land purchase - Forest Hill Road

A discussion was held regarding the request from several residents for the purchase of a stub street that was never installed between their properties. Questions were raised regarding ownership and the deed. Research must be conducted before considering the request. This matter was referred to the Planning & Zoning and Highway Committees.

2. Resolution - Capital Reserve Machinery Equipment Fund (purchase of Highway truck)

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

WHEREAS the Town of Owego Highway Superintendent wishes to purchase a 2011 Ford F-450 4x2 crew cab dump truck at a total cost of \$45,044.03; and

WHEREAS an appropriation of \$45,044.03 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 Van Bortel Ford from the Capital Reserve Machinery Equipment Fund, Account No. HM.5131.2000 in the amount of \$45,044.03; 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.

Motion by Castellucci, second by Schumacher and unanimously carried, an Executive Session was added to the agenda for consideration of a personnel matter.

Motion by Morgan, seconded by Hamlin and unanimously carried, the Board entered into Executive Session regarding an individual personnel matter at 7:39 p.m.

Supervisor Castellucci reconvened the meeting at 7:50 p.m.

Motion by Morgan the meeting was adjourned at 7:50 p.m.
Respectfully submitted,

Michael E. Zimmer
Town Clerk