

March 16, 2010  
7:00 p.m.  
Town Hall, Route 434  
Owego, New York

AGENDA  
REGULAR MEETING OF THE OWEGO TOWN BOARD

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

Absent: Councilman Lynne M. Davis

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

Supervisor Castellucci called the meeting to order and Councilman Schumacher led the Pledge of Allegiance.

**B. Minutes of the previous meeting**

The consensus of the Board was to review the minutes and accept or correct them at the next meeting.

**C. Consideration of Bids (none)**

**D. Public Hearing**

**1. Franchise Agreement with AYAA - installation of outfield advertising signs**

Supervisor Castellucci opened the public hearing on the Franchise Agreement with the AYAA for the erection of outfield signs at Muth Park.

**Motion by Schumacher, seconded by Morgan, with no one wishing to be heard the public hearing was closed.**

**E. Reports of Department Heads**

The following Department Heads were present:

Mark Clark, Highway Superintendent  
Scott Vasisko, Parks Maintenance Supervisor  
Mick Trivisonno, Director of Utilities  
Judy Quigley, Town Attorney  
Donald Castellucci, Jr. Supervisor  
Michael Zimmer, Town Clerk/Tax Receiver

On behalf of the Planning and Zoning Administrator, Councilman Morgan read a memo stating

that the property on Forest Hill Road that two neighbors were interested in purchasing from the Town is not owned by the Town; therefore, no action will be taken and the neighbors will be advised.

The Highway Superintendent stated that he needs to rent a street sweeper for two months. Currently the rental fee is \$9150.00 per month. He also reported that C & S Sweeping had a used sweeper available for \$17,000.00. Clark had checked with the former owner to get an opinion on the machine. A discussion followed, the consensus was to lease the machine and have the rental charge applied towards the purchase. If competitive bidding is required, the Highway Superintendent will advertise and bids are due back by April 5 at 11:00 a.m.

Included in his report, Clark spoke on changing the work schedule from five eight hours days to four ten hour days. A majority of his crew was in favor of this new schedule which will be in effect from April 12 to September 7, 2010, after which the schedule will revert back to five eight hour days.

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

**WHEREAS, the Town of Owego Parks Department wishes to purchase a 300 Gallon Honey Wagon with a Honda Gas Engine at a cost of up to \$6,050.00 from Phelps Honey Wagon; and**

**WHEREAS, it appears appropriate to pay for said honey wagon from the Capital Reserve for Park Equipment, Account Number HP.7140.2000;**

**NOW, THEREFORE, BE IT**

**RESOLVED, that payment be made to Phelps Honey Wagon from the Capital Reserve for Park Equipment in the amount up to \$6,050.00 for said honey wagon.**

The Director of Utilities, stated that Water and Sewer Revenue for the current time period is less than last year, which was lower than the previous year. He suggested looking at increasing rates to make up the loss of revenue.

**Motion by Morgan, seconded by Hamlin and unanimously carried, the Attorney's fee of \$350.00 for Registration to the Office of Court Administration in order to practice law in NYS was approved for payment.**

The Attorney also reported that Michael Richardson, Labor Relations Consultant, requested a meeting with the Board. A tentative meeting is scheduled for Tuesday, April 6, at 6:00 p.m.

Supervisor Castellucci stated that the Borough of Little Meadows is ready to proceed with the agreement regarding replacing the culvert pipe on Bolles Hill Road. The Town Attorney stated that she has never heard from the Little Meadows Attorney regarding revisions to the agreement. She suggested that the Board authorize the Supervisor to sign the agreement, vote to accept it and then submit back to Little Meadows then unto the Attorney General.

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

**WHEREAS, the Town of Owego, upon approval of the New York State Attorney General, wishes to enter into an agreement with the Borough of Little Meadows, Pennsylvania for the Town of Owego Highway Department to install a culvert pipe on the Bolles Hill Road bridge and to provide snow removal and maintenance on the portions of Bolles Hill Road and Frank Mead Road which are within the boundary of the Borough of Little Meadows, Pennsylvania; and**

**WHEREAS a public hearing was had on said matter on December 1, 2009, at which time anyone wishing to comment was able to do so;**

**NOW, THEREFORE, BE IT**

**RESOLVED that the Town Board of the Town of Owego authorizes and directs the Supervisor to execute the agreement between the Town of Owego and the Borough of Little Meadows, Pennsylvania, upon approval of the New York State Attorney General.**

**Supervisor's Report**

**3/16/2010**

Received Census 2010 info regarding job opportunities

I attended the BMTS meeting. Committee is evaluating possible project. The planning committee will review and rank them for committee review.

I received the AOT booklet with the official adopted resolutions. It is on file in my office

John Schumacher and I are attending the Natural Gas Summit in Broome County on March 18<sup>th</sup>.

We had our second department head meeting on March 15. It is a good forum to get issues and ideas on the table.

I received a telephone call from Paul Conti regarding the bidding of equipment. I will refer the call to Judy and John Schumacher. Judy will send a letter to Mr. Conti regarding the bidding process.

**F. Privilege of the floor**

With no one wishing to be heard, Privilege of the Floor was closed.

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

**1. Monthly Statement of the Supervisor**

The Monthly Statement of the Supervisor is now on file with the Town Clerk.

**2. Highway Department - Burr Truck estimate with OGS discount**

**Motion by Hamlin, seconded by Schumacher and unanimously carried, a voucher will be issued for the purchase of a 2010 GMC 5500 at a price not to exceed \$43988.69 from Burr Truck with the OGS discount.**

**3. Letter - Tioga County Treasurer RE: negative adjustment to sales tax**

Supervisor Castellucci reviewed the letter regarding the possible overcharge of sales that was appealed throught the Court System and as a result our April Sales Tax Check will be less 60% which will have a huge negative impact on our Sales Tax Revenue.

**4. Letter - Edward Arrington, Village of Owego Mayor RE: potential truck traffic**

Since the Patriot Wastewater Facility is a non issue. the letter was not reviewed.

**H. Abstracts**

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

<b>General Fund Town Wide</b>	<b>\$14790.99</b>
<b>General Fund Town Outside</b>	<b>19012.33</b>
<b>Highway Town Outside</b>	<b>36027.13</b>
<b>Water Districts</b>	<b>24219.85</b>
<b>Route 38 Water</b>	<b>2004.06</b>
<b>Sewer Districts</b>	<b>30674.66</b>
<b>Route 38 Sewer</b>	<b>208.29</b>
<b>Shady Hill Water Project</b>	<b>2039.73</b>
<b>Lighting District 1</b>	<b>445.41</b>
“ ” 2	956.14
“ ” 3	856.32
“ ” 4b	158.80
“ ” 5	519.66
“ ” 6	1262.86
“ ” 7	163.09
“ ” 8	108.34
“ ” 9	48.58
“ ” 4a	52.40
“ ” 10	<u>67.69</u>
<b>TOTAL ALL FUNDS</b>	<b>\$133616.33</b>

**I. Unfinished Business**

## **J. Reports of Standing Committees**

Councilman Schumacher, Parks Committee Chair, stated that the Parks Maintenance Supervisor and Councilman Hamlin, they are investigating financing and possible sponsorship of the bandshell cover.

Councilman Morgan, Chair, Water & Sewer Committee, reported on the Broome Tioga Stormwater Coalition.

**Motion by Morgan, seconded by Schumacher and unanimously carried, the Supervisor was authorized to sign the Annual DEC Stormwater Report pertaining to the Town of Owego as prepared by the Broome Tioga Stormwater Coalition.**

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

### **1. Labor Relations Consultant Agreement - Michael Richardson**

**Motion by Morgan, seconded by Hamlin and unanimously carried, Michael Richards, Labor Relations Consultant, was hired at \$150.00 excluding mileage and tolls which will be billed separately.**

### **2. Resolution RE: JWC Grinder**

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

**WHEREAS the Town of Owego Utilities Department wishes to have Gehring Pumps rebuild the JWC grinder at WPCP #1 at a cost not to exceed \$19,776.19; and**

**WHEREAS an appropriation of up to \$19,776.19 from the Sewer Treatment Plant Repair and Upkeep Fund, Account No. HC.8130.4110 is necessary to pay for the rebuilding of the JWC grinder;**

**NOW, THEREFORE, BE IT**

**RESOLVED that payment be made to Gehring Pumps from the Sewer Treatment Plant Repair and Upkeep Fund, Account No. HC.8130.4110 in the amount of up to \$19,776.19; 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.**

### **3. Resolution RE: AYAA Franchise Agreement**

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

**WHEREAS the Apalachin Youth Athletic Association has requested that the Town grant it a franchise from April 2010 through September 30, 2010, to post advertising signs at Muth Park; and**

**WHEREAS notice of public hearing was duly posted and published pursuant to Town Law; and**

**WHEREAS a public hearing was held on March 16, 2010, at which time the public was heard concerning the granting of such franchise;**

**NOW, THEREFORE, BE IT**

**RESOLVED that the Town Board of the Town of Owego authorizes and directs the Supervisor to execute the Revocable License (Franchise) Agreement between the Town of Owego and the Apalachin Youth Athletic Association.**

### **4. AYAA use of Muth Park Agreement**

**Motion by Schumacher, seconded by Hamlin and unanimously carried, the Supervisor was authorized to sign the agreement with the AYAA regarding the use of Muth Park.**

### **5. Resolution RE: Increase in Water and Sewer Budgets**

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

**WHEREAS the Town of Owego Utilities Department must increase the Town Water and Sewer budgets in order to pay for the 2009 Sterling dump truck;**

**NOW, THEREFORE, BE IT**

**RESOLVED that pursuant to Town Law Section 112, the Town Board of the Town of Owego does hereby increase the Town Water and Sewer budgets as follows:**

**From: Fund Balance, F.909 \$46,146.88**

**To: Water Transmission Dist. Equip., F.8340.2000 - \$46,146.88**

**AND**

**From: Fund Balance G.909 \$45,111.88**

**To: Sewer Collection System Equipment, G.8120.2000 - \$45,111.88**

**6. Memorandum of Understanding - Teamster's Contract**

**Motion by Hamlin, seconded by Morgan and unanimously carried, the Supervisor was authorized to sign the Memorandum of Understanding with the Teamsters regarding the call out procedure for snow removal.**

**L. Second Privilege of the floor**

With no one wishing to be heard, the second Privilege of the Floor was closed.

**Motion by Morgan, seconded by Hamlin and unanimously carried, the Board entered Executive Session regarding the lease of town property at 8:18 p.m.**

**Supervisor Castellucci reconvened the meeting at 8:29 p.m.**

**N. Adjournment**

**Motion by Morgan the meeting was adjourned at 8:29 p.m.**

Respectfully submitted,

Michael E. Zimmer  
Town Clerk