

April 6, 2010
7:00 p.m.
Town Hall
2354 State Route 434
Apalachin, NY

Present: Supervisor Donald Castellucci, Jr.
Council: Dean Morgan, James Hamlin and Lynne Davis

Absent: John Schumacher

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

Supervisor Castellucci called the meeting to order. Debra Standinger, Planning & Zoning Administrator led the Pledge of Allegiance.

B. Minutes of the previous meetings: 2/23, 3/2, 3/16, 3/22 and 3/26

The Minutes of the 2/23, 03/02, 03/16 and 03/22 were placed on file as presented.

Motion by Morgan, seconded by Hamlin and unanimously carried, the Minutes of the Special Meeting held on 03/26 were approved.

C. Consideration of Bids

1. Street Sweeper

One bid was received for the purchase of a used 1994 Pelican Street Sweeper.

Joe Johnson Equipment	\$8500.00
Rochester, NY	

Motion by Morgan, seconded by Hamlin and unanimously carried, the sole bid for the purchase of a 1994 used Pelican Street Sweeper having met all specifications was accepted in the amount of \$8500.00.

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 Standinger, Planning & Zoning Administrator
Judy Quigley, Town Attorney
Donald Castellucci, Jr., Supervisor
Michael Zimmer, Town Clerk/Receiver of Taxes

The Parks Maintenance Supervisor reported that installation of the playground equipment at Muth Park should start around April 19. The playground equipment vendor has offered to paint the flag pole in the Muth Park.

The Assessor stated that her department is getting the 2010 Assessment Roll finished.

The Planning & Zoning Administrator stated Tioga County was one of two counties in the Boston Region of the Census where over 74% of the initial mailing census forms have been returned. She is currently completing the Stormwater Report.

The Town Attorney requested the Board to re-approve the resolution authorizing the Supervisor to sign the agreement with the Borough of Little Meadows regarding the Bolles Hill Road Bridge.

The Attorney updated the Board on the information she had regarding this project and the amount of time spent trying to contact the Little Meadows Attorney for the required legal opinion.

Motion by Hamlin, seconded by Morgan and unanimously carried, the following resolution was re-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.

Dave Stetson, Little Meadows Councilman, stated that the Commonwealth of Pennsylvania is prepared to officially close the Bolles Hill Road Bridge on April 30. The Bridge will remain closed until such time the legal requirements for its fixture are filed and approved.

The Town Clerk stated that at a recent meeting the Tioga County Town Clerks Association discussed the Apalachin Fire Districts intent to build a 4.1 million dollar station. The Association strongly supports having any and all agencies that place taxes on the Town and County Tax Bills be involved

with the Council of Governments to improve communications should any or all tax authority members decide to proceed with substantial increases in an effort to lighten the blow on the taxpayer.

Supervisor Castellucci's Report included:

Supervisor's Report – April 6, 2010

1. I attended the COG meeting. We received information on the new federal regulations regarding lead abatement. Also, you received an email from me regarding Lobby Day in conjunction with the Broome County Assn. of Towns and Villages on April 22nd. I need to know as soon as possible if you plan on attending.
2. We need to appoint a Reap Board member.
3. Dean and I attended an award ceremony for Brianna Cart and here efforts with Angels Over Iraq and Afghanistan.
4. I received a letter regarding property on Valley View Road. I would like to refer it to the Planning and Zoning committee.
5. Please get your calendars to Ruth regarding the retirement system requirements if you have not done so already. I would like to comply with that as soon as possible.
6. The Monthly Report of the Town Clerk is on file in my office.
7. The Monthly Report of the Planning and Zoning Administrator is on file in my office.
8. I received a letter from Robert Henning regarding highway issues. I believe everyone received it. I would like to refer that to the Highway Committee with a response back.

F. Privilege of the floor

Mr. Gowan expressed his appreciation to Bolles Hill Road area neighbors who have joined forces since last June regarding the replacement of the Bolles Hill Road Bridge.

Jerry Gorski, Tilbury Hill Road, wished to address the proposed Moto-cross track on Jackson's property. He reviewed information regarding decibels and questioned how this would be regulated. He was informed that in order for his comments to be placed on the record, he needed to attend the Public Hearing on the Moto-cross Track on April 20 at the Town Hall at 7:00 p.m.

Mrs. Ebert, Tilbury Hill Road, presented pictures of property owned by Michael McCann on Route 17c that is resembling a dump or landfill. Either way, she requested the Town take action to eliminate the blight. The Town Attorney explained that in the past the Town had no authority to mandate the clean up. However, with recent legislation the Town has the ability to revisit this matter, possibly cleaning it

up and having the costs placed on the Town and County Tax bill for the property.

G. Presentation of Petitions, Communications, Notices and Transfers

1. Transfers

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

APPROPRIATION TRANSFERS
April 6, 2010

GENERAL FUND - TOWN WIDE

\$1,385.00	from	A.1110.4100	Justices - Material & supplies
	to	A.1110.4410	Justices - Contracts for Services
\$159.64	from	A.3310.4100	Traffic Control - Material & Supplies
	to	A.5010.4410	Street Admin - Contracts for Services
\$200.00	from	A.5132.2000	Hwy Garage - Equipment
	to	A.5010.4410	Street Admin - Contracts for Services
\$400.00	from	A.5132.4100	Hwy Garage - Material & Supplies
	to	A.5132.4410	Hwy Garage - Contracts for Services

TOWN OUTSIDE - HIGHWAY

\$2,559.12	from	DB.5140.4410	Hwy Misc. - Contract for Services
	to	DB.5110.4100	Hwy Repairs - Material & Supplies
\$1500.00	from	DB.5140.4410	Hwy Misc. - Contract for Services
	to	DB.5130.4410	Hwy Machinery - Contract for Services
\$17,000.00	from	DB.5110.5001	Hwy Repairs - Resurfacing & Paving
	to	DB.5130.4410	Hwy Machinery - Contract for Services

2. Local Pipeline Emergency Response Program - reviewed

3. NYSDEC - Chesapeake Bay Watershed - The Utilities Superintendent, Councilmen Morgan and Schumacher will attend the April 21 Meeting at the Town of Chenango.

4. Request from Strawberry Festival re: use of Hickories Park for parking

The Park Superintendent will work with the Historic Market Place regarding this request.

5. Permission for Tax Receiver to attend Annual Training

Motion by Morgan, seconded by Schumacher and unanimously carried, Michael Zimmer, Tax Receiver, will attend the NYS Association of Tax Receivers and Collectors Training Seminar, June 13-16, in Lake Placid, New York, with all reasonable expenses paid.

H. Abstracts

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

General Fund - Townwide	\$71137.76
General Fund - Town Outside	7014.03
Highway - Town Outside	90297.15
Water Districts	13577.30
Route 38 Water	2005.99
Sewer Districts	30844.65
Route 38 Sewer	412.63
Total all Funds	\$215289.51

I. Unfinished Business - none

J. Reports of Standing Committees - none

K. Presentation of Motions, New Business and Resolutions

1. Civil Service - creation of new position

Motion by Morgan, seconded by Davis and unanimously carried, the position of MEO - 1 was created.

2. Civil Service - change in job classification

Motion by Morgan, seconded by Hamlin and unanimously carried, agenda item K. 2. Civil Service - change in classification will be discussed in Executive Session later in the meeting.

3. Town Historian's Activity Report

Supervisor Castellucci stated that in the Historian's Report was Emma Sedore's intent to resign. He expressed his gratitude on behalf of the Town for all her efforts in the this position.

Motion by Hamlin, seconded by Davis and unanimously carried, the 2009 Town Historian's Report submitted by Emma Sedore was accepted.

4. Resolution RE: purchase of 2010 GMC 5500 Truck

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

WHEREAS the Town of Owego Highway Superintendent wishes to purchase a 2010 GMC 5500 truck at a total cost of \$42,178.49; and

WHEREAS an appropriation of \$42,178.49 from the Capital Reserve Machinery Equipment Fund is necessary to pay for said truck;

NOW, THEREFORE, BE IT

RESOLVED that payment be made to Burr Truck & Trailer Sales, Inc. from the Capital Reserve Machinery Equipment Fund, Account No. HM.5131.2000 in the amount of \$42,178.49; 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.

5. MEMO - Change in hours - Highway Department

Supervisor Castellucci reviewed the memo from the Highway Superintendent regarding the change in department hours from a four ten hour days for the crew effective April 12, 2010 until Labor Day. The Highway Secretary will continue to work five eight hour days and will report to the Town Hall on Fridays.

6. Appointment to Board of Ethics

Supervisor Castellucci stated that with the appointment of James Hamlin to the Town Board leaving a vacancy on the Ethics Board, he was nominating Vince Colapietro to the Board of Ethics.

Motion by Hamlin, seconded by Davis and unanimously carried, Vince Colapietro was appointed to the Board of Ethics.

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 an individual personnel matter at 8:15 p.m.

Councilman Morgan reconvened the meeting at 8:30 p.m.

Motion by Morgan, seconded by Hamlin and unanimously carried, Dennis Crawford was appointed as a MEO 1 Operator retroactive to March 30 at \$15.35 hr. for a probationary period of 52 weeks.

N. Adjournment

Motion by Morgan the meeting was adjourned at 8:32 p.m.

Respectfully submitted,

Michael E. Zimmer
Town Clerk