

April 7, 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, Donald Castellucci, Jr.
John P. Schumacher and Lynne L. Davis

Absent: None

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

Supervisor Sweeney called the meeting to order and led the Pledge of Allegiance. She called for a moment of silence for the victims of the shooting spree at the American Civic Association in Binghamton on Friday, April 3, 2009.

B. Minutes of the previous meeting.

The Minutes of the previous meeting were placed on file as presented.

C. Consideration of Bids (none)

D. Public Hearing (none)

E. Report of Department Heads

The following Department Heads were present:
Debra Standing, Planning and Zoning
Scott Vasisko, Parks Maintenance Superintendent
Mick Trivisonno, Director of Utilities
Dave Ferris, Highway Superintendent
Judy Quigley, Town Attorney
Carol Sweeney, Supervisor
Mike Zimmer, Town Clerk/Receiver of Taxes

Debra Standing, Planning & Zoning Administrator, reported having received approval from FEMA \$50,000.00 the Apalachin Stream Bank Stabilization Project. This money is a matching grant and will put with the funds from Senator Libous.;therefore, the project will incur no cost to the town.

Motion by Morgan, seconded by Castellucci to authorize the Supervisor to sign the Agreement for Services by and between the Town of Owego and the Tioga County Soil & Water Conservation District.

Motion carried with four yes votes and Councilman Schumacher abstaining.

Scott Vasisko, Parks Maintenance Supervisor, announced that seasonal camping reservations start April 13. He also reviewed a verbal request for use of the park that would benefit the ASPCA.

Motion by Schumacher, seconded by Morgan and unanimously carried, Cindy Short was authorized to use the Hickories Park on April 26 for an ASPCA fundraiser subject to the Town being listed as additional insured and approval by the Town Attorney.

Mick Trivisonno, Director of Utilities, gave an update on the construction of the Depot Street Well Project. He also updated the Board regarding recent leaks in the water lines involving William Street and Pennsylvania Ave.

Dave Ferris, Highway Superintendent, reported on well drilling projects.

Judy Quigley, Town Attorney, stated that she was asked to research the use of a credit/debit card service for the use of residents wishing to use a credit card to make payments. The Board recommended that one such service be utilized by the Town. The Town Clerk was requested to contact the company currently interested for a possible demonstration.

Supervisor Sweeney's report consisted of the following:

1. The Planning and Zoning and Town Clerk's March monthly reports are on file in my office.
2. Our Auditors were in the week of March 23rd to do our annual audit. Thanks to Cheri and Ruth and all the departments that cooperated.
3. We just received a payment from FEMA and SEMO for \$130,087.94 for the rest of the 2006 flood damage to the Apalachin Sewage Treatment Plant. We will now be going after reimbursement from NYMIR to see if they will cover what FEMA didn't.
4. I distributed to everyone a resolution that came in from Broome County via Judy concerning amending the Environmental Conservation Law to allow local governments to adopt local laws requiring permits and provision for financial security as to potential damage to local roads by vehicles involved in natural gas exploration.
5. I also distributed notice about the Accessibility Training being sponsored by Tioga County. Who from the Town will be going?
6. I received notice from Tioga County that the Sales Tax revenue for the first two months of 2009 is down 9.47% compared to the first two months of 2008.
7. At the GFOA conference that Cheri and I attended last week we attended many informative sessions. One of the sessions was on the new requirement for Retirement Reporting for Elected and Appointed Officials. This will take effect for terms of office that start after July 1, 2009.

The requirement is that the official must prepare a 90 day log (instead of 30) of time spent on the job within the first 150 days of the new term. Each councilman will be accorded credit for service according to their individual record not an average of the four councilmen's times. The town board has to pass the standard workday resolution and it has to be posted on the Town's website. After this initial 90 day log is done it doesn't need to be done every term but at least every eight years or whenever a new person takes office.

We also talked to some firms that do GASB 45 actuarial assessments and we are going to evaluate the option of purchasing a software program to do this evaluation. We will be coming back to you with a recommendation in the coming months.

8. I have made some phone calls to our federal elected officials concerning the proposal by Defense Secretary Robert Gates concerning cancelling the Presidential Helicopter program but wanted to know if the Board wants me to send a letter or e-mail on behalf of the Board concerning this proposal to eliminate the program.

F. Privilege of the floor

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

1. Time Warner - cable ownership

The notice of the completed transaction and announcement of Time Warner Cable being publically traded.

2. Time Warner - Franchise Renewal

The Town was given notice that the current Franchise Agreement will expire on December 17, 2011 and that Time Warner wanted to initiate discussion on the franchise renewal.

3. Tioga County Council On the Arts - Hickories Parks Summer Concert Series

The 2009 Summer Concert Series was published.

4. The Monthly Statement of the Supervisor

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

H. Abstracts

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

**General Fund Check #209926-210008
IB Water Tank Repair/Replace Check #168**

IC Digester Cover Check #142

General Fund	59643.86
General Fund Town Outside	5579.14
Highway - Town Outside	70883.32
Water Districts	27412.23
Route 38 Water	589.18
Sewer Districts	30342.33
Route 38 Water	429.58
Water Tank Repair/Replace	3945.00
Digester Cover	<u>2350.00</u>
TOTAL ALL FUNDS	\$201174.64

I. Unfinished Business (none)

J. Reports of Standing Committees

Councilman Schumacher requested that an individual personnel matter be added to the Executive Session.

Councilman Morgan updated the Board on the Tire Clean Up Project.

Councilman Castellucci reviewed a thank you from residents of the Crestview Heights Subdivision for ice and snow removal.

Motion by Morgan, seconded by Davis and unanimously carried, Councilman Castellucci was granted permission to attend the Ninth Annual Town Finance School sponsored by the Association of Towns and the Office of the State Comptroller, May 13-15, 2009, in Saratoga with all reasonable expenses paid.

K. Presentation of Motions, Resolutions and New Business

1. Van Fossen easement

Motion by Schumacher, seconded by Castellucci and unanimously carried, the Supervisor was authorized to sign the Encroachment Agreement as outlined by the Town Attorney.

2. Annual Safety Training

All Department Heads will be sent new updated Annual Safety Training material. The Department Head and his/her employees are to complete the training, sign a training certification form and have it filed in the employees respective personnel file.

3. Memo of Understanding RE: condemnation proceedings

Due to unwritten municipal cooperation, no action will be taken at this time.

4. 607 Customz Car Show

Motion by Schumacher, seconded by Castellucci and unanimously carried, pending a letter of intent by the organizer of the 607 Customz Car Show with the Town listed as additional insured on the policy, the car show was approved for May 23, 2009.

5. Resolution RE: Cliff Hogg

6. Resolution RE: Dave Hogg

Agenda items K. 5. and K. 6. were presented at the same time

Motion by Morgan, seconded by Castellucci and unanimously carried, the following resolutions were adopted:

WHEREAS Cliff Hogg has been a member of the Apalachin Fire Department for the past 50 years, having joined in October 1958; and

WHEREAS Cliff served as Lieutenant on the emergency squad and helped with training and procedure; and

WHEREAS over the years he has taken part in the Apalachin Firemen's Field Days and was a part of the first Field Days held in 1959; and

WHEREAS Cliff was one of the first fire fighters to wear new SCBAS that were purchased by the Department in the 1960s; and

WHEREAS in the spirit of friendly competition, Cliff initiated contests between Station 1 and Station 2 to see who could respond to calls first, which seemed always to result in a draw; and

WHEREAS Cliff's contribution to the safety and well-being of the community through his active involvement in the Apalachin Fire Department for the past 50 years is a service that deserves recognition and expressions of gratitude by all residents in the community;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Owego, on behalf of the Town of Owego and its residents, does hereby want to recognize, commend, and express appreciation to Cliff Hogg for his service to the community by his active involvement in the Apalachin Fire Department for 50 years.

WHEREAS Dave Hogg has been a member of the Apalachin Fire Department for the past 50 years, having joined in October 1958; and

WHEREAS Dave served as Chief from 1990-1993, 1st Assistant Chief in 1989, and as

Lieutenant on 102; and

WHEREAS over the years he has taken part in the Apalachin Firemen's Field Days and was a part of the first Field Days held in 1959; and

WHEREAS Dave was one of the first fire fighters to wear new SCBAS that were purchased by the Department in the 1960s; and

WHEREAS in the spirit of friendly competition, Dave initiated contests between Station 1 and Station 2 to see who could respond to calls first, which seemed always to result in a draw; and

WHEREAS Dave's contribution to the safety and well-being of the community through his active involvement in the Apalachin Fire Department for the past 50 years is a service that deserves recognition and expressions of gratitude by all residents in the community;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Owego on behalf of the Town of Owego and its residents, does hereby want to recognize, commend, and express appreciation to Dave Hogg for his service to the community by his active involvement in the Apalachin Fire Department for 50 years.

7. Merit Raise - Utilities Employee

Motion by Morgan, seconded by Davis and unanimously carried, Jeff Parker, Chief Wastewater Treatment Plant Operator was awarded a .60/hr. merit raise effective 03/30/2009.

L. Second Privilege of the floor

M. Executive Session - lease of Town property

Motion by Morgan seconded by Davis and unanimously carried, the Board entered into Executive Session at 5:50 p.m. regarding the lease of town property and an individual personnel matter.

Supervisor Sweeney reconvened the meeting at 6 PM..

N. Adjournment

Motion by Morgan, meeting was adjourned at 6 PM..

Respectfully submitted,

Michael E. Zimmer
Town Clerk