

May 19, 2009
7:00 p.m.
Town Hall, Route 434
Owego, New York

REGULAR MEETING OF THE OWEGO TOWN BOARD

Present: Supervisor Carol B. Sweeney
Councilmen: Dean Morgan and John Schumacher
Donald Castellucci, Jr. (Arrived at
7:45 p.m.)
Absent: Lynne Davis

A. Call to Order, Roll Call and the Pledge of Allegiance.

Supervisor Sweeney opened the meeting and led the Pledge of Allegiance.

B. Minutes of the Previous Meeting

The minutes of the previous meeting were tabled and placed on the June 2 agenda.

C. Consideration of Bids

None

D. Public Hearing

1. Order - Extension 25 Consolidated Water District

Supervisor Sweeney opened the Public Hearing.

Michael Trivisonno, Director of Utilities, presented an overview regarding the Establishment of Extension No. 25 of the Consolidated Water District in the Town of Owego.

Motion by Schumacher, seconded by Morgan, and unanimously carried with no one in attendance wishing to speak, the Public Hearing regarding Extension 25 Consolidated Water District was closed.

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

At a regular meeting of the Town Board of the Town of Owego, in

be heard were heard; and

WHEREAS, it is the intention of the petitioner to construct said water line solely at his own expense and to connect with the water line of said Town of Owego Consolidated Water District, now, after due deliberation, it is

RESOLVED AND DETERMINED:

(a) That the notice of hearing was published and posted as required by law, and is otherwise sufficient;

(b) That all property and the property owner within the proposed extension are benefitted thereby;

(c) That all property and the property owner benefitted are included within the limits of the proposed extension;

(d) That it is in the public interest to establish said extension; and be it further

RESOLVED AND DETERMINED:

That the establishment of the proposed extension as set forth in said petition, map and plan be approved; that the improvements therein mentioned be constructed by the petitioner; and such extension shall be known and designated as Extension No. 25 to the Consolidated Water District of the Town of Owego and shall be bounded and described as set forth in Schedule A attached hereto and made a part hereof; and be it further

RESOLVED AND DETERMINED:

That the water line for said water extension is to be constructed by the petitioner, wholly at his own expense; that the cost of connecting the same with the Town of Owego water system shall be borne by the petitioner; and be it further

RESOLVED AND DETERMINED:

That the Town Clerk be, and hereby is, authorized and directed to file a certified copy of this resolution in the Office of the Clerk of the County of Tioga, which is the County in which the said Town of Owego is located, and in the Office of the State Department of Audit and Control, within ten days after the adoption of this Resolution, pursuant to the provision of

Section 195 of the Town Law.

E. Reports of Department Heads

The following Department Heads were in attendance:

Andrea Klett, Assessor

David Ferris, Highway Superintendent

Michael Trivisonno, Director of Utilities

Scott Vasisko, Parks Superintendent

Judith Quigley, Town Attorney

Carol Sweeney, Town Supervisor

Andrea Klett, Assessor, reported there are eight appointments scheduled for Grievance Day on Tuesday, May 26.

Scott Vasisko, Park Superintendent, reported Hickories Park is very busy with many camp sites rented for the upcoming holiday weekend. Twenty-two of the thirty seasonal camp sites are rented. Four summer staff temporary employees have been hired. The Sheriff's Department will patrol the Park on Friday and Saturday this Memorial Day Weekend.

Michael Trivisonno, Director of Utilities, reported work is progressing slowly at the Depot Street Pump Station. There were water main breaks on Overbrook Drive and Debra Lee Drive. Smoke testing has been pushed back to Tuesday, June 2. Saturday's heavy rains caused some flooding on Dover Drive and Canterbury Drive.

David Ferris, Highway Superintendent, reported there were a few minor problems with plugged culverts and washouts due to the heavy rains on Saturday. Ferris reviewed his department's paving schedule noting they are working now while the material costs are low. Ferris purchased off a NYSOGS contract a 3/4 ton all wheel drive truck with mechanic's boxes for \$25,143.50 to replace the mechanic's truck.

Carol Sweeney, Town Supervisor. The Supervisor's report included the following:

1. We had a BMTS Policy committee where we updated the Transportation Improvement Program (TIP) to reflect more of the projects that will use stimulus funds. Also I was recently informed that the BMTS TIP subcommittee changed funding for the Vestal Rail Trail Section 2 from the Transportation Enhancement Program to Federal Stimulus Funds thereby giving Vestal the funds to build the bridge over the creek that is needed.

2. The Town received a check for \$18,984.33 from the County's Health Insurance Consortium for the Town's Medicare Part D subsidy for the 2007 Plan Year.
3. We received our sales tax revenue for April and it was about the same amount that we received in April 2008.
4. I received notification today under the WARN Act Notice from Lockheed Martin Systems Integration - Owego to institute layoffs of 128 jobs on August 17, 2009.

F. Privilege of the Floor

Supervisor Sweeney opened Privilege of the Floor.

With the Board's permission, Agenda Item **K-4. Tioga County Emergency Management Flood Signage.**

Richard LeCount, Director, Emergency Management Office, requested permission to place three emergency management flood signs in two locations in the Town. There will be three signs showing the 2005 flood level, the 2006 flood level and the base flood elevation. LeCount would like these signs to be placed at Sewer Treatment Plant No. 2 and at Hickories Park.

The Town Board will contact Mr. LeCount regarding the actual placement of the signs.

Motion by Morgan, seconded by Schumacher and unanimously carried, Richard LeCount, Director, Emergency Management Office, was authorized to place Tioga County Emergency Management Flood signage in two locations in the Town of Owego.

After all who wished to speak were heard, Supervisor Sweeney closed Privilege of the Floor.

G. Presentation of Petitions, Communications, Notices and Transfers

1. Empire State Development - Regional Blue Print Fund

Supervisor Sweeney reviewed the various types of grants available and the application process required for the Empire State Development Upstate Regional Blueprint Fund.

2. Supervisor's Report

The Supervisor's Monthly Report is on file with the Town Clerk.

H. Abstracts

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

General Fund	\$ 4,418.11
General Fund - Town Outside	8,563.50
Highway - Town Outside	25,128.24
Water Districts	123,942.20
Route 38 Water	163.67
Sewer Districts	41,865.66
Route 38 Sewer	55.20
Digester Cover	21,246.65
Lighting District 1	369.90
Lighting District 2	861.05
Lighting District 3	734.59
Lighting District 4B	138.27
Lighting District 5	449.94
Lighting District 6	1,143.24
Lighting District 7	144.33
Lighting District 8	92.78
Lighting District 9	43.05
Lighting District 4A	43.43
Lighting District 10	<u>59.96</u>
GRAND TOTAL	\$229,463.77

I. Unfinished Business

None

J. Reports of Standing Committees

Dean Morgan, Building Committee, reported the Tire Clean Up went well. Morgan expressed his appreciation to Scott Vasisko, Park Superintendent, and his crew William Davidson and Richard Horton for their participation. Morgan stated that three days of collection were sufficient. Morgan praised the County workers and stated many residents expressed their appreciation for this service. The Board will discuss distribution of the funds collected.

K. Presentation of Resolutions, Motions and New Business

1. Fireworks Contract

Motion by Schumacher, seconded by Morgan and unanimously carried, Agenda Item K-1. Fireworks Contract was tabled and will be placed on the June 2 agenda.

2. Exit 65 Lights

Councilman Morgan reviewed the memo from Thomas Standard, NYSEG, regarding permanent repairs to the lighting circuits at Exit 65.

Motion by Morgan, seconded by Schumacher and unanimously carried, the Supervisor was authorized to send a letter to NYSDOT Region 9 requesting the use of the spare conduit attached to the side of the overpass that crosses Route 17 to permanently repair the lighting circuits at Exit 65.

Councilman Castellucci arrived at 7:45 p.m.

3. CornerStone Phone Proposal and Fire Alarm System

Supervisor Sweeney reviewed the proposal for long distance and local telephone rates for the Town Hall, Highway Department and Parks Department and the security proposal for fire alarm/smoke alarm system maintenance for the Town Hall submitted by CornerStone Telephone Company. Supervisor Sweeney noted the savings offered by these proposals and read the comments she received from references.

A discussion followed regarding ownership of the telephone lines, waiving of the installation fees and the continuation of current services offered. A workshop will be scheduled to discuss this matter further.

Motion by Schumacher, seconded by Morgan and unanimously carried, Agenda Item K-3. CornerStone Phone Proposal and Fire Alarm System was tabled and will be placed on the June 2 agenda.

5. Resolution to pay Final Retainage to Pinnacle

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

WHEREAS Pinnacle Construction, Inc. has completed construction of the digester covers and clarifiers for Sewer Treatment Plant No. 2 in Apalachin for the Town of Owego Consolidated Sewer District;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Owego does hereby authorize final payment to Pinnacle Construction, Inc. For said project.

6. Resolution - Chemung Canal Money Market Accountant

Motion by Morgan, seconded by Castellucci and unanimously carried, the following resolution of lodge, association or other similar organization between Chemung Canal Trust Company and the Town of Owego Public Fund Money Market was adopted:

The Association named on this resolution resolves that,

(1)The Financial Institution is designated as a depository for the funds of the Association and to provide other financial accommodations indicated in this resolution.

(2)This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Association and certified to the Financial Institution as governing the operation of this association's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.

(3)The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Association. Any Agent, so long as they act in a representative capacity as an Agent of the Association, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.

(4)All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Association with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.

(5)The Association agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Association. The Association authorizes the Financial Institution, at any time, to charge the Association for all

checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

(6) The Association acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Association to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.

(7) The Association acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Association with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Association authorizes each Agent to have custody of the Association's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

7. CPR - Training

Supervisor Sweeney was contacted by Connie Fedorowicz, EMS Coordinator, regarding CPR training and re-certification for Town employees.

Motion by Morgan, seconded by Castellucci and unanimously carried, Town employees were authorized to receive CPR Training at the Town Hall on June 17.

L. Second Privilege of the Floor

Supervisor Sweeney opened the second Privilege of the Floor.

With no one in attendance wishing to speak, Supervisor Sweeney closed the second Privilege of the Floor.

M. Executive Session RE: an Individual Personnel Matter

Motion by Morgan, seconded by Castellucci and unanimously carried, the Board entered Executive Session regarding an Individual Personnel Matter at 7:58 p.m.

Supervisor Sweeney reconvened the meeting at 8:12 p.m.

Motion by Castellucci, seconded by Morgan and unanimously carried, a new HEO-I position was created and one MEO-III position was eliminated retroactive to May 11, 2009.

Motion by Castellucci, seconded by Morgan and unanimously carried, Thomas Field was promoted to HEO-I at a salary of \$18.52/hour retroactive to May 11, 2009.

N. Adjournment

Motion by Schumacher the meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Loretta P. Marchewka
Deputy Town Clerk