

June 16, 2009
7:00 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. Schmacher
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.

B. Minutes of the previous meeting

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

C. Consideration of Bids

(None)

D. Public hearing

1. Town Board Special Permit #1-2009 Tioga County Historical Society Civil War Re-Enactment

Supervisor Sweeney opened the public hearing. Debra Standing, Planning & Zoning Administrator, gave an overview of the Civil War Festival to be held August 29 and 30 on Gaskill Road. Standing reviewed letters from the Tioga County Health Department regarding potable water and Port-a-Johns and a letter from the Tioga County Sheriff's Department that did not find problems with this permit.

Motion by Schmacher, seconded by Morgan and unanimously carried, with no one wishing to be heard, the public hearing was closed.

Debra Standing, Planning & Zoning Administrator, reviewed the Short Environmental Assessment Form.

Motion by Schumacher, seconded by Davis and unanimously carried, having determined that the proposed action of a Civil War Re-Enactment would not have a negative impact on the environment, the Supervisor was authorized to sign a negative declaration.

Motion by Schumacher, seconded by Davis and unanimously carried, a Special Permit for

the Festival and Civil War Re-enactment on Gaskill Road was granted for an indefinite period of time to the Tioga County Historical Society.

G. Reports of Department Heads

Debra Standinger, Planning and Zoning Administrator, gave an update on the SEMO funding for the Apalachin Creek Stabilization Project. Dave Ferris, Highway Superintendent, stated that the project may not happen this year.

It was decided that “No Trespassing” signs need to be installed around the retention pond on Azalea Drive in the Tioga Terrace Subdivision.

With permission of the Board, Agenda Item K. 1 In Service Training - Code Enforcement officers was moved to this time.

Motion by Schumacher, seconded by Morgan and unanimously carried, Mike Katchmir, Ron Schmidt and Debra Standinger, were authorized to attend In Service Training on August 11, September 9 and November 24 with all reasonable expenses paid.

Scott Vasisko, Parks Maintenance Supervisor, stated that his department will start to work on the dug outs at Muth Park.

Mick Trivisonno, Director of Utilities, stated that the smoke testing to locate rain gutters connected to the Town Sewer System proved futile to date. Trivisonno also gave an update on the Chesapeake Bay Clean Up and the possible repercussions to municipalities that are located along the river.

Dave Ferris, Highway Superintendent, updated the Board on the purchase of a GMC 5500 Dump Truck Snow Plow combination from the State Bid PC67255. Ferris noted that the purchase will replace trucks 16 and 29 which will be placed for sale or sold at a auction.

Included in his report Ferris updated the Board on a portion of Allen Glen Road that is breaking down and has a 150' drop.

Mike Zimmer, Town Clerk/Tax Receiver, updated the Board on the cost of duplicate tax receipts from the County.

Supervisor Sweeney’s report included the following:

1. We received a response back from NYS DOT Region 9 that they will allow the use of the spare conduit on the Hiawatha Bridge to help restore the lights on Route 17 at Exit 65. Dave or Frank are going to meet with NYSEG, on site, on June 23rd at 9 am. Then the Town will need to get a Highway Work Permit for this.
2. The Town of Owego received a recognition plague from Tobacco Free Broome and Tioga and Reality Check for our smoke free playgrounds. We will post this plague in the town hall.

3. I wanted the board to know that the Town has not received any rent payments for April, May or June from New York State for the State Police rental. We have contacted our State Police contact and have been told that they are waiting for the State Comptroller's office to OK the payments.

4. The Flood Mitigation Think Tank is still waiting on the location of the Flood Signs that were approved on May 19th. I have the pictures of the signs. Is the Park's Committee going to contact Dick LeCount? Also, it appears as if the State may be cutting back on the amount of money for the Catskills Flood Buyout? Tioga County was awarded \$750,000 and Dick received word currently they are proposing to cut that back to \$468,000.

F. Privilege of the floor

With permission of the Board Agenda Item I. Tobacco Free Broome and Tioga - Proclamation was moved to this time.

Deborah Lyscek, Tioga County Health Department, requested to appear before the Board to clarify any misunderstandings regarding the voluntary removal of tobacco items that currently are located under four feet from the floor and also appear on shelves that offer snacks and candy. Lyscek explained that businesses will voluntarily comply. Questions were raised regarding alcohol advertising. Councilman Castellucci stated that government should not interfere. Supervisor Sweeney noted that this matter will fail if voted upon by those present since it was a 2 - 2 tied vote at the last meeting and Councilman Castellucci would be the third negative vote.

Stella Reschke, Tioga County Tourism, stated she has received a request from Destinations USA to use one site with water and electric in the Hickories Park for up to two weeks in exchange for \$5000.00 worth of web advertising for the Hickories Park. The project will run from August 2 - 16.

Motion by Schumacher, seconded by Castellucci and unanimously carried, the matter regarding accommodations for Destinations USA while filming the Owego area was referred to the Parks Committee for a decision.

Councilman Castellucci left the meeting at 8:04 p.m.

G. Presentation of Petitions, Communications and Notices

1. 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 Davis and on a roll call vote unanimously carried, the following bills were approved for payment:

General Fund-Town Wide	12797.56
General Fund - Town Outside	6109.37
Highway - Highway Town	358845.50
Water Districts	159054.69
Route 38 Water	322.15
Sewer Districts	12559.32
Route 38 Sewer	200.93
Lighting District 1	344.30
“ ” 2	826.63
“ ” 3	690.53
“ ” 4b	130.87
“ ” 5	424.76
“ ” 6	1099.96
“ ” 7	137.54
“ ” 8	87.17
“ ” 9	41.07
“ ” 4a	40.21
“ ” 10	<u>57.19</u>
Total All Funds	553769.75

K. Presentation of Resolutions, Motions and New Business

2. Route 38 Rate Increase - Effective July 1

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

WHEREAS the Town Board of the Town of Owego is authorized under Section 95-46 of the Owego Town Code to establish sewer rates for the sewer districts and extensions thereof in the Town of Owego;

NOW, THEREFORE, BE IT

RESOLVED that effective with the July 1, 2009 billing, the sewer rate for properties connected to the sewer system in the Route 38 Sewer District shall be \$9.27 per thousand gallons of water used, based upon the water meter reading; and it is further

RESOLVED that the flat rate for sewer users in the Route 38 Sewer District that are not metered water users and users who use less than 23,188 gallons shall be \$216.19 per billing cycle; and it is further

RESOLVED that the capital charge for the Route 38 Sewer District shall be \$30.00 per year or \$7.50 per billing cycle.

L. Second Privilege of the floor

With no one wishing to be heard second privilege of the floor was closed.

M. Executive Session - Cammarata v. Town and an individual personnel matter.

Motion by Schumacher, seconded by Morgan and unanimously carried, the Board entered Executive Session regarding: Cammarata v. Town and an individual personnel matter at 8:07 p.m.

Supervisor Sweeney reconvened the meeting at 8:27 p.m.

Motion by Morgan the meeting was adjourned at 8:27 p.m.

Respectfully submitted,

Michael E. Zimmer
Town Clerk