

August 4, 2009
3:00 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 and Lynn L. Davis

Absent: Councilmen: John P. Schumacher and Donald Castellucci, Jr.

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

Motion by Morgan, seconded by Davis and unanimously carried, the minutes of the July 21 meeting were placed on file as presented.

Motion by Davis, seconded by Morgan and unanimously carried, the minutes of the July 28 meeting were placed on file as presented.

C. Consideration of bids

1. Apalachin Creek Stabilization Project

Dave Ferris, Highway Superintendent, reviewed the following bids:

Allis Development, LLC Vestal New York	\$102,000.00
J. B. Excavation Services, Inc. Apalachin, New York	49,885.00
Mano Construction, Inc. Ridgeway, Pennsylvania	71,592.00
ZMK Construction, Inc.	88,000.00

Motion by Morgan, seconded by Davis and unanimously carried, based on the recommendation of the Highway Superintendent, the low bid submitted by JB Excavation in the amount of \$49,885.00 which is below the amount budgeted, was accepted.

D. Public Hearing (None)

E. Reports of Department Heads

Andrea Klett, Assessor, gave an update on the deeds being recorded.

Dave Ferris, Highway Superintendent, gave an update on the Allen Glen Road Project

Michael Zimmer, Town Clerk, stated that numerous complaints have been given to his office and the Dog Control Officers regarding the census. Zimmer noted that the \$5.00 census charge is mandated against dog owners that have failed to ever license their dog(s). This is a New York State mandated charge.

Supervisor Sweeney's report included:

1. We just received a \$7500 check from NYS for the State Police rent from April through August.
2. We received a request from Marilena Benko for a block party on Maryvale Drive and Springtree Blvd. in Apalachin for Saturday, September 5th with a rain date of Sept. 6th. Can we authorize this block party now so they can continue planning?
3. We just received word that EFC will be putting the Town into SMRF (Short term market rate financing) at the end of this month for the digester covers project. Half of the dollar amount financed will be charged 0% interest and the other half will be charged 0.92% interest. Much better than the BAN rate that we have right now. When this happens they will add 1,000 points to our score which will make us eligible for the next EFC pool.
4. USDA came yesterday for the Civil Rights Compliance Review for the Town so whoever received a survey needs to get the survey back to me as soon as possible. Thanks to Mick for his cooperation with this.
5. At the last Flood Mitigation Task Force meeting we were informed that the new FEMA preliminary Flood Risk maps would be issued by September 30, 2009. There is a statutory 90-day appeals period for any location that has a new Base Flood Elevation.

Motion by Morgan, seconded by Davis and unanimously carried, Maryvale Drive and Springtree Blvd. residents were authorized to conduct a block party on September 5 with a rain date of September 6 for their annual block party contingent upon all emergency personnel being notified.

F. Privilege of the floor

With permission of the Board Agenda Item C. 1. Letter - Little Meadows Borough, RE: Bolles Hill Road was moved to this time

Supervisor Sweeney and Dave Ferris, Highway Superintendent, reviewed a notice from the Little Meadows Borough regarding the removal of pipes which would mean closure of the small bridge

at the bottom of Bolles Hill Road. The Little Meadows Borough will conduct a meeting at the community center on Monday, August 10, at 7:00 p.m. to discuss options to keep the bridge open and to satisfy Pennsylvania's Environmental Protection.

The following persons were in attendance regarding this matter:
David Infantine, Bob Gemmel, Donna Gemmel, GraceAnn Yard, Betty Bridge, Fred Sigler, Brandy Brown, Darin Brown, Chris Hellman, Bonita Hellman, David Hellman, Gerald Corson, Dave Diehl, Sue Diehl, Jackie Kelly, Anne Hoffman, Cindy Brookes, George Brookes, Paul Houle, Jr. and Elizabeth Comstock.

The Highway Superintendent stated that he planned to attend the meeting.

Supervisor Sweeney stated that she has a listing of the Little Meadow Council members and contacts.

Various residents voiced their opinion regarding the bridge.

After all who wished to speak were heard, the privilege of the floor was closed.

G. Presentation of petitions, communications, transfers and notices

2. Letter - Tioga County Civil Service RE: Section 211 RSSL (letter reviewed)

H. Abstracts

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

A.	General Fund Town Wide	\$5825.35
B	General Fund Town Outside	5763.06
DB	Highway Town	308811.14
F	Water Route	10286.13
FA	Route 38 Water	105.88
G	Sewer Districts	28082.61
GA	Route 38 Sewer	8173.74
IB	Water Tank Replace/Repair	344.12
IC	Digester Cover	1675.89
	Grand Total	369607.92

I. Unfinished Business

1. Inergys Energy - Mega Rate Quotes

After a lengthy discussion, it was the consensus of the Board to stay with variable rates for electricity.

J. Reports of Standing Committees

Councilman Morgan questioned if the pipes on Bolles Hill Road belonged to the Town and if so will they will be removed prior to the bridge being closed.

Councilman Morgan reviewed a merit raise of .60/hour for Don Hardic, Wastewater Plant Operator II. A memo from Mick Trivisonno, Department Head, states that Don has worked hard to understand and comprehend the ever changing operations at both treatment plants, especially with the new Chesapeake Bay Regulations.

Motion by Morgan, seconded by Davis and unanimously carried, Don Hardic, Wastewater Treatment Plant Operator II, was awarded a merit raise of .60/hr.

K. Presentation of Resolutions, Motions and New Business

1. Mark C. Lepkowski Scholarship Fundraiser at Hickories Park

A discussion was held.

Motion by Morgan, seconded by Davis and unanimously carried, the Mark Lepkowski Memorial Scholarship Fund Committee was granted permission to use the Doris B. Scott Memorial Bandshell, Saturday, September 12, contingent upon approval by Scott Vasisko, Parks Maintenance Supervisor, and payment of the \$250.00 Bandshell rental agreement.

2. Resolution RE: Decennial Census

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

WHEREAS: The next Decennial Census, as required by the United States Constitution, will take place in April 2010 and Town of Owego's political representation to the United States House of Representatives, state government and local governments is determined by each Decennial Census; and

1.WHEREAS: Town of Owego encourages residents to respond to the U. S. Census and the importance of counting of each resident in the 2010 Census and;

WHEREAS: Town of Owego will work in partnership with the U. S. Census Bureau and the Tioga County Complete Count Committee; and

WHEREAS: The purpose of the Tioga County Complete Count Committee is to make all Tioga County residents aware of the importance of the completing the census form in and mailing the form back to the U. S. Census Bureau on April 1, 2010 and targeting awareness efforts to hard-to-reach populations indigenous to Tioga County; therefore be it

RESOLVED: That the Owego Town Board hereby proclaims support to the U. S. 2010 Census and related promotional activities of the Tioga County Complete Count Committee.

3. 2009 Justice Court Assistance Program Application

Motion by Morgan, seconded by Davis and unanimously carried, the Town Board does hereby support the Owego Town Justice Court in its efforts to obtain funding from the Justice Court Assistance Program to enhance the video surveillance system and ink for the fax machine which was previously supplied by the State.

4. Resolution RE: Highway Purchase of Snow Plow Equipment

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

WHEREAS the Town of Owego Highway Superintendent wishes to purchase snow plow equipment for 2009 GMC 5500 pickup truck at a total cost of \$7,480.70; and

WHEREAS an appropriation of \$7,480.70 from the Capital Reserve Highway Fund, Account No. HM.5131.2000 is necessary to pay for said snow plow equipment;

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 \$7,480.70.

L. Second Privilege of the floor

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

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M. Executive Session

1. Central NY Oil and Gas v. Town of Owego

2. Individual Personnel Matters

Motion by Morgan, seconded by Davis and unanimously carried, the Board entered into Executive Session regarding Central NY Oil and Gas vs. Town of Owego and an individual personnel matters at 4:25 p.m.

Supervisor Sweeney reconvened the meeting at 4:46 p.m.

Motion by Morgan the meeting was adjourned at 4:46 p.m.

Respectfully submitted,

Michael E. Zimmer
Town Clerk