

October 6, 2009
4:30 p.m.
Town Hall Meeting Room
2354 State Route 434
Apalachin, NY

REGULAR MEETING OF THE OWEGO TOWN BOARD

Present: Supervisor Carol B. Sweeney
Councilmen: Lynne L. Davis, Dean A. Morgan
and John P. Schumacher

Absent: 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

Minutes of the Regular Board Meeting of September 15, 2009, and the Special Board Meeting October 1, 2009, were placed on file as presented.

C. Consideration of Bids

None

D. Public Hearing

1. Water District Extension 26

Supervisor Sweeney opened the Public Hearing on Water District Extension 26.

Michael Trivisonno, Director of Utilities, gave an overview of Extension 26 to the Water District.

Motion by Morgan, seconded by Davis and unanimously carried, with no one in attendance wishing to speak, the Supervisor closed the Public Hearing on Water District Extension 26.

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

Route 434, Apalachin, New York, at which time all those wishing to be heard were heard; and

WHEREAS, said water line will be constructed at the expense of the Town of Owego Consolidated Water District, which extension will cost no more than \$2000.00, in exchange for which the petitioner will permit the installation on his property of a meter/check valve pit, 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;

© 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 Town of Owego Consolidated Water District; and such extension shall be known and designated as Extension No. 26 to the Consolidated Water District of the Town of Owego and shall be bounded and described as set forth in Schedule A and Schedule B 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 Town of Owego Consolidated Water District, which extension will cost no more than \$2000.00, in exchange for which the petitioner will permit the installation on his property of a meter/check valve pit; 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.

Dated:

Carol B. Sweeney

Lynne Davis

Dean Morgan

John Schumacher

Michael Trivisonno, Director of Utilities, questioned whether this project required SEQR review. Debra Standinger, Planning and Zoning Administrator, stated that water extensions are a Type II Action and no further environmental review is required.

E. Reports of Department Heads

The following Department Heads were present:

David Ferris, Highway Superintendent

Andrea Klett, Town Assessor

Judith Quigley, Town Attorney

Debra Standinger, Planning and Zoning Administrator

Michael Trivisonno, Director of Utilities

Andrea Klett, Town Assessor reported that her department mailed out the Aged Exemption Renewals and Enhanced Star Forms on Friday. Thus far, they have received a good response from the public in person and through the mail.

Debra Standinger, Planning and Zoning Administrator reported on the following:

-Standinger attended a Local Emergency Management Meeting and received an overview of the Tioga County HAZMET Team.

-Standinger and Supervisor Sweeney attended a Flood Mitigation Meeting to determine the locations for 10 flood area signs to be placed throughout Tioga County.

- New Flood Maps, which are very usable, arrived on Friday. FEMA and the DEC will meet on November 18 at 6:00 p.m. at the Town Hall to explain the mapping process to the community leaders. The maps must be adopted before they can go to final production.
- Standinger received a zoning change request for Jewett Hill Road. The residents want to have horses in what is now zoned residential. Standinger stated the parcel is contiguous to an agriculture zoning district. The request will be forwarded to the Planning Board for a recommendation.
- The property at the end of Glann Road has been cleaned up.

Michael Trivisonno, Water and Sewer Administrator reported on the following:

- An update on the smoke testing revealed that only one roof leader was found. Sump pump usage will be investigated.
- There was a mini start up on the Depot Street Pump.
- Adam Weitsman, Upstate Shredding, must apply for an Industrial Wastewater User Permit Application due to a consent order with the DEC. Trivisonno and Ronald Horton, Village of Owego Wastewater Treatment Plant Director, have discussed the issuance of the permit.

Motion by Schumacher, seconded by Sweeney and unanimously carried, the agreement with the Village of Owego regarding an Industrial Wastewater User Permit for Adam Weitsman of Upstate Shredding was referred to the Water and Sewer Committee.

David Ferris, Highway Superintendent presented an update on road work noting his department is finished with major road work projects for this year.

The Supervisor's Report included the following:

Motion by Morgan, seconded by Schumacher and unanimously carried, the NYS Assembly - Peoples Convention to Reform New York was tabled until October 20 at 7:00 p.m.

-We have submitted to FEMA/SEMO a request for a progress payment for the Depot Street Wellhouse Project in the amount of \$696,344.63. After we hear back from FEMA/SEMO we will then have to submit a claim to our insurance carrier, NYMIR.

F. Privilege of the Floor

Supervisor Sweeney opened Privilege of the Floor.

With the Board's permission, **Agenda Item I-3. Bolles Hill Road** was moved to this time.

David Ferris, Highway Superintendent, reviewed the letter granting permission from the Pennsylvania Department of Environmental Protection Bureau of Watershed Management for the GP-8 Application and PADEP Permit for the Bolles Hill Creek dual culverts project in Little Meadows, Pennsylvania. Ferris stated the Highway Department is ready to begin the work.

Ann Hoffman, 2739 Bolles Hill Road, questioned if an emphasis can be placed on completing the project before the winter.

Judith Quigley, Town Attorney, will send a proposal agreement to the Attorney General setting forth the stipulations we have reached with the Borough of Little Meadows regarding road maintenance including the replacement of piping under an existing road.

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

G. Presentation of Petitions, Communication and Notices

1. Letter - TOP Department of Aging RE: Public Hearing

Supervisor Sweeney reviewed the letter from Tioga Opportunities, Inc. Department of Aging regarding their 2009 Public Hearing which will be held on Wednesday, October 28, at 10:00 a.m.

2. Letter - The Partners RE: National Flood Insurance Program Changes

Supervisor Sweeney reviewed the letter from The Partners regarding changes to the National Flood Insurance Program effective October 1, 2009, noting there will be an average rate increase of 8 percent. Sweeney stated the Town has budgeted for this increase.

3. Letter - Millennium Pipeline RE: Landowner Notice

Supervisor Sweeney reviewed the letter from the Millennium Pipeline which was sent to landowners regarding information related to the pipeline right of way.

4. Letter - United States Environmental Protection Agency RE: Chesapeake Bay Nutrient and Sediment Allowable Loads

Michael Trivisonno, Director of Utilities, reviewed the letter from the United States Environmental Protection Agency regarding the nutrient and sediment Total Maximum Daily Loads for the Chesapeake Bay. Trivisonno will meet with Bill Ostrander, Tioga County Genealogical Information System, regarding the Municipal Wastewater Treatment Plant (WWTP) System Data Solicitation.

H. Abstracts

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

General Fund	\$ 72,211.57
General Fund - Town Outside	6,195.88
Highway - Town Outside	61,772.42
Water Districts	24,771.12
Route 38 Water	513.39
Sewer Districts	50,701.78
Route 38 Sewer	374.82
Water Tank Replacement/Repair	87.25
Digester Cover	3,415.00
Lighting District 1	167.83
Lighting District 2	215.59
Lighting District 3	275.77
Lighting District 4 B	46.47
Lighting District 5	158.09
Lighting District 6	271.00
Lighting District 7	42.52
Lighting District 8	35.23
Lighting District 9	12.47
Lighting District 4A	20.31

Lighting District 10
GRAND TOTAL

17.52
\$221,306.03

I. Unfinished Business

1. Marcellus Shale National Gas Town Committee

Councilmen Morgan and Schumacher each presented updates from the Marcellus Shale National Gas Town Committee Meetings. Schumacher reported TING will review the Supplemental Generic Environmental Impact Statement (SGEIS) and present a resolution to the towns.

The Town Committee will meet on October 20 at 6:30 p.m. to determine the Town's contact person for Marcellus Shale information and concerns. Councilman Schumacher will field questions until a contact person is appointed.

2. Exit 65 Lights

Supervisor Sweeney reported on the meeting that she and Councilman Morgan attended on September 17 with NYSEG, Patterson Electric, NYSDOT, and David Ferris, Highway Superintendent, on the Millennium Bridge to seek a solution for lighting the interchange at Route 17 Exit 65.

Supervisor Sweeney reviewed the letter from NYSDOT granting permission for the Town's proposal to fix the lights at the Route 17 Exit 65 interchange.

Supervisor Sweeney reviewed the estimates submitted by Patterson Electric for work to be performed on the Exit 65 lights.

Motion by Schumacher, seconded by Morgan and unanimously carried the estimates submitted by Patterson Electric for work on the Exit 65 lights in the amount of \$3,679.62 and Option II for \$6,422.00 were accepted.

J. Reports of Standing Committees

Dean Morgan, Water and Sewer Committee Chairman, reported on a leaking water system at Matthew Gleason's residence located at 156 Tobey Road. Since the water was absorbed by a dirt floor, Gleason will be paying the water bill and an average sewer bill.

Motion by Morgan, seconded by Davis and unanimously carried, a revised bill will be submitted to Matthew Gleason, 156 Tobey Road, for the use of 327,500 gallons of water with the following breakdown:

Water	\$1,106.95
Water Fee	3.00
Water Capital	25.62
Sewer	17.17
Sewer Capital	<u>27.20</u>
TOTAL	\$1,179.94

K. Presentation of Resolutions, Motions and New Business

1. 2010 Tentative Budget

Supervisor Sweeney presented an overview of the 2010 Tentative Budget noting the following:

- 20 percent increase in health insurance premiums
- 12 percent increase in dental insurance premiums
- Decrease in Worker's Compensation
- 11.3 percent increase in retirement system contributions
- Town tax base grew by 12.6 million due to the Millennium Pipeline
- Town taxes are up 1.99 percent
- Village taxpayers will have an increase of \$1.10 per average residence
- Town outside taxpayers will have an increase of \$5.68 per average residence
- No changes to the water and sewer rates
- Camping rates will increase \$2.00 per night for water and sewer and \$1.00 for tent sites

Motion by Morgan, seconded by Davis and unanimously carried, the 2010 Tentative Budget was adopted as the 2010 Preliminary Budget.

2. Schedule Public Hearing for the 2010 Preliminary Budget

Motion by Schumacher, seconded by Davis and unanimously carried, a Public Hearing for the 2010 Preliminary Budget was scheduled to be held on October 20 at 7:00 p.m.

L. Second Privilege of the Floor

Supervisor Sweeney opened the second Privilege of the Floor.

With no none in attendance wishing to speak, Supervisor Sweeney closed the second Privilege of the Floor.

M. Executive Session

1. Individual Personnel Matter

2. Lease of Town Property

3. Ketchuk vs. Town of Owego

Motion by Schumacher, seconded by Morgan and unanimously carried, the Board entered Executive Session regarding an Individual Personnel Matter, Lease of Town Property, and Ketchuk vs. Town of Owego at 5:41 p.m.

Supervisor Sweeney reconveyed the meeting at 6.03 p.m.

N. Adjournment

Motion by Morgan the meeting was adjourned at 6:03 p.m.

Respectfully submitted,

Loretta P. Marchewka
Deputy Town Clerk