

February 15, 2022  
6:30 p.m.  
2354 State Route 434  
Apalachin, New York

Regular Meeting of the Owego Town Board

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

The Supervisor called the meeting to order, the Town Clerk called the roll, and Tyson Stiles led all in the Pledge of Allegiance.

Council:

Present: Supervisor Castellucci, Dean Morgan, Craig Jochum, and Jonathan Marks

Absent: None

Department Heads:

Present: Scott Vasisko, Parks Maintenance Supervisor  
Cheri Grenier, Sole Assessor  
Irene Graven, Town Attorney  
Joann Lindstrom, Planning and Zoning Administrator  
Peter Gordon, Town Historian  
Tyson Stiles, Director of Utilities  
Michael Roberts, Highway Superintendent  
Mary Kennedy, Town Clerk & Tax Receiver

Absent: None

B. Minutes of the previous meetings -

1. January 4, 2022 –

The minutes of the January 4, 2022 will stand as presented.

2. January 18, 2022

The minutes of the January 18, 2022 will stand as presented.

3. February 1, 2022

The minutes of the February 1, 2022 will stand as presented.

C. Consideration of bids –

1. Demolition of unsafe structure on Rt. 38B

Joann Lindstrom, Planning & Zoning Administrator, reviewed the bids with the Board. **Councilmember Morgan made a motion to award the bid for demolition of an unsafe structure on Rt. 38B to the low bidder: LCP Group at \$16,400 and authorize the Supervisor to sign all documents. The motion was seconded by Councilmember Marks and unanimously carried.**

D. Public Hearings – none

E. Reports of Department Heads –

Peter Gordon, Town Historian – no report

Scott Vasisko, Parks Maintenance Supervisor – no report

Joann Lindstrom, Planning & Zoning Administrator – reported that the Planning Board will be meeting next week to discuss a cell tower at Lockheed Martin and a possible solar farm at Farmer Brown’s Marketplace.

Tyson Stiles, Director of Utilities – submitted 2 proposals for a new truck. **A motion was made by Councilmember Jochum to authorize the purchase of a truck for \$67,245.73 from Robert Green Auto & Truck, Inc. The motion was seconded by Councilmember Morgan and unanimously carried.** Next, Stiles submitted 2 proposals for scum troughs needed at S2. **Councilmember Jochum made a motion to approve the purchase of scum troughs for S2 at \$28,578.72 from Jedonna, LLC. The motion was seconded by Councilmember Marks and unanimously carried.** Lastly, Stiles stated that Moody’s determined that the Variable Frequency Drive in the well pump in Water District #3 needs to be changed. **A motion by Councilmember Marks to approve the purchase of a Variable Frequency Drive for the well pump at Water District #3 for \$4768.00 from Turnkey Solutions. The motion was seconded by Councilmember Morgan and unanimously carried.**

Cheri Grenier, Sole Assessor – reported that the Tioga County Real Property Director recommended lowering the Town’s equalization rate to a round number 62% (rather than 62.26%. Next, she stated that the State actually sent out exemption renewal forms to some residents. Lastly, she reported that the new PT employee is doing very well.

Michael Roberts, Highway Superintendent – reported that the new Mechanic’s helper is working out very well. Next, he stated that there are 5 vehicles to deem as surplus and send to auction. **\*\*\*The Board decided to act on agenda item K1 at this time.\*\*\* A motion was made by Councilmember Jochum to declare the following vehicles as surplus: two 2009 GMC C-5500 crew cabs, one 1988 Scania water truck, one 2006 Freightliner sweeper and one 2010 Doosan wheeled excavator. The motion was seconded by Councilmember Marks and unanimously carried.** Next, **Councilmember Jochum made a motion to send all of the previously listed vehicles EXCEPT the Doosan excavator to auction. The motion was seconded by Councilmember Marks and unanimously carried.** After more discussion, **a motion was made by Councilmember Marks to also send the Doosan excavator to auction. The motion was seconded by Councilmember Morgan but failed to carry with 2 yes votes, 1 no vote (Councilmember Jochum) and 1 abstention (Councilmember Marks) after more discussion regarding a reserve price.**

Councilmember Morgan then reviewed the truck lift proposal for Highway Superintendent and **made a motion to purchase the lift at \$38,169.58 from Advance Professional, contract the HVAC at \$1,800 with Petcosky Mechanical, and contract the electrical at \$2,218.55 with ICR Power. The motion was seconded by Councilmember Marks and**

**unanimously carried.** Councilmember Morgan also wished to thank Dave Bagnick for his quick response regarding the compatibility of the lift with the building’s floor.

Mary Kennedy, Town Clerk – reported that she received a request from Scoville Meno regarding utility bill penalty forgiveness. Supervisor Castellucci stated he will respond to them directly. Lastly, Kennedy stated that the Association of Towns Annual Conference had been switched to virtual, and she would like to register. Attorney Graven also expressed interest.

**A motion was made by Councilmember Jochum to authorize Mary Kennedy and Irene Graven to attend the Association of Towns Virtual Conference classes. The motion was seconded by Councilmember Marks and unanimously carried.**

Irene Graven, Town Attorney – no report

Supervisor Castellucci – reported that the Tioga County Board of Elections would like to use the Shared Services Building as one of their poll sites this year. **Councilmember Morgan made a motion to allow the Tioga County Board of Elections use the Shared Services Facility as one of their poll sites for Primary Day on June 28, 2022 and the General Election on November 8, 2022. The motion was seconded by Councilmember Jochum and unanimously carried.** Next, the Supervisor stated the monthly reports for the Planning & Zoning Administrator and Town Clerk are on file in his office. He then reported that State funding programs such as AIM, CHIPS, etc should be going back to pre-Covid amounts. Lastly, he stated a need for Attorney/Client Privilege after the meeting.

F. Privilege of the Floor- none

G. Presentation of Petitions, Communications, Notices and Transfers – none

H. Abstracts- .

Supervisor Castellucci stated there was concern that the check for Clark Patterson Lee was a duplicate.

**Councilmember Morgan made a motion to approve the following abstracts without the check for Clark Patterson Lee. The motion was seconded by Councilmember Marks and unanimously carried on a Roll Call Vote after a short discussion.**

|   |            |
|---|------------|
| A0 - General Fund                       | 46,670.71  |
| B0 - General Fund-Town Outside          | 26,553.74  |
| DB - Highway-Town Outside               | 83,324.67  |
| F0 - Water Districts                    | 27,731.45  |
| FA - Route 38 Water                     | 967.22     |
| G0- Sewer Districts                     | 30,074.95  |
| GA – Route 38 Sewer                     | 410.71     |
| HN – NY Rising-Shared Services Building | 366,908.31 |
| L1 – Lighting District 1                | 0.00       |
| L2 - Lighting District 2                | 140.32     |
| L3 – Lighting District 3                | 40.06      |

|                           |                     |
|---------------------------|---------------------|
| L4 - Lighting District 4B | 38.96               |
| L5 – Lighting District 5  | 26.03               |
| L6 - Lighting District 6  | 157.87              |
| L7 - Lighting District 7  | 39.29               |
| L8 - Lighting District 8  | 27.68               |
| L9 - Lighting District #9 | 11.54               |
| LA – Lighting District 4A | 13.83               |
| LX - Lighting District 10 | 16.70               |
|                           | <u>16.70</u>        |
|                           | <b>\$583,154.04</b> |

I. Unfinished Business – none

J. Reports of Standing Committees –

Councilmember Morgan – reported a need for Attorney/Client Privilege after the meeting. He then shared a proposal from FORECON to process and sell timber on Town property. **A motion was made by Councilmember Morgan to authorize the Supervisor to sign the Letter to Proceed allowing FORECON to process and sell timber on Town Property near Glann Road. The motion was seconded by Councilmember Jochum and unanimously carried.**

Councilmember Marks– stated the signage at the temporary ice rink in Hickories Park is up and looks nice. He also reported speaking with Tyson Stiles, Director of Utilities, about truck sharing as the truck bid submitted by Scott Vasisko, Parks Maintenance Supervisor, was rejected.

Councilmember Jochum – no report

K. Presentation of Resolutions, Motions and New Business –

1. Declaration of Highway equipment/vehicles as surplus

This was acted on during Reports of Department Heads.

2. Pursue new FEMA flood property buyout plan

Joann Lindstrom, Planning & Zoning Administrator, reviewed that FEMA has announced over \$300 million for hazard mitigation projects. Her office will be reaching out to residents who were interested in previous buyouts but did not make the cutoff date. This can be done with no cost to the Town. There are also opportunities for culvert replacements and generator purchases. **Councilmember Marks made a motion to gauge resident interest in buyouts and to pursue Town culverts replacement and generator purchases. The motion was seconded by Councilmember Morgan unanimously carried.**

3. Local Law #3 of 2021

Attorney Graven reviewed that the Local Law survived the Permissive Referendum time and is now in effect. **A motion was made by Councilmember Morgan to adopt the following resolution regarding cannabis retail dispensaries and on-site establishments (Local Law #3 of 2021). The motion was seconded by Councilmember Marks and unanimously carried.**

WHEREAS on December 21, 2021, the Town of Owego Board passed Local Law No. 3 of 2021 to opt out of allowing cannabis retail dispensaries and cannabis on-site consumption establishments within the Town of Owego boundaries, subject to permissive referendum; and

WHEREAS no valid petition requesting such referendum was filed in accordance with the applicable provisions of law;

NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 3 of 2021 is effective upon filing with the New York State Secretary of State as of February 8, 2021.

4. New hire – Mechanic’s helper

**Councilmember Jochum made a motion to adopt the following resolution hiring Jeffery Trafzer as a Mechanic’s helper. The motion was seconded by Councilmember Marks and unanimously carried.**

WHEREAS the approved 2022 budget for the Town of Owego Highway Department allows for a full time Mechanic Helper position; and

WHEREAS the Town Board approved the Mechanic Helper new position duty statement on January 18, 2022; and

WHEREAS Jeffery Trafzer, a new applicant, has been selected to take this full time position, retroactively effective February 14, 2022, at an hourly rate of \$16.00 per hour, 40 hours per week, as a permanent appointment with up to 52 weeks probationary period;

NOW, THEREFORE, BE IT

RESOLVED such full time position shall be filled by Jeffery Trafzer at an hourly rate of \$16.00 per hour, 40 hours per week with full time benefits retroactively effective February 14, 2022, with 52 weeks probationary period from date of hire subject to satisfactory license/background check and meeting all requirements of pre-employment drug testing.

5. NY Owego III LLC (Day Hollow) Solar Farm PILOT

Attorney Graven reviewed that this agreement will be very similar to the other solar farms within the Town. **A motion was made by Councilmember Marks to approve the Decommissioning Agreement for NY Owego III LLC. The motion was seconded by Councilmember Morgan and unanimously carried.**

**Councilmember Marks then made another motion to approve the PILOT agreement for NY Owego III LLC contingent on Attorney Graven’s continued approval, and School and County agreement. The motion was seconded by Councilmember Morgan and unanimously carried.**

L. Second Privilege of the floor –

Supervisor Castellucci added to his earlier report that the Town Historian submitted his annual activity report. **A motion was made by Councilmember Marks to accept the Town Historian’s Annual Activity report. The motion was seconded by Councilmember Morgan and unanimously carried.**

M. Executive Session - none

N. Adjournment -

**Motion by Councilmember Morgan, the meeting was adjourned at 7:37 PM.**

Respectfully submitted,

Mary Kennedy, Town Clerk