

May 17, 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

Supervisor Castellucci called the meeting to order, the Clerk called the roll and Mike Roberts led all in the Pledge of Allegiance.

Council Present: Supervisor Donald Castellucci  
Council: Cheri Grenier, Craig Jochum, Jonathan Marks, Dean Morgan  
Absent: None

### Department Heads

Present: Joann Lindstrom, Planning & Zoning Administrator  
Tyson Stiles, Director of Utilities  
Peter Gordon, Town Historian  
Mike Roberts, Highway Superintendent  
Irene Graven, Town Attorney

Absent: Scott Vasisko, Park Maintenance Supervisor  
Rick Pedro, Assessor  
Mary Kennedy, Town Clerk & Tax Receiver

### B. Minutes of the previous meeting

The minutes of the May 3, 2022 meeting will stand as presented

### C. Consideration of bids – none

### D. Public Hearings

#### 1. Local Law C of 2022-Wood rezoning

Town Attorney Irene Graven gave the background of this request. The applicants, James & Deborah Wood are seeking to have the zoning changed from Agricultural (AG) to Industrial (IN) for a 10.99 acre portion of their property. Supervisor Castellucci opened the public hearing and read into the record the following:

- Letter from the Town of Owego Planning Board reporting non-action on this request.
- Letter from the Tioga County Planning Board recommending disapproval of this request.
- Staff Analysis & recommendation from Tioga County Department of Economic Development & Planning recommending that the County Planning Board recommend approval of the rezoning request.

Bonnie Woodruff, 1315 State Route 38, stated that she is against the zoning change, citing concern with possible industrial development occurring near her home. The Town has received a phone call from adjoining property owner Rose Searle saying that she does not support the rezoning.

Deborah Wood pointed out that Tioga County approached them about purchasing the property.

Planning & Zoning Administrator Joann Lindstrom distributed Parts 2 &3 of the Short Environmental Assessment Form (EAF) and explained that this project is an unlisted action, which will have no or small impact environmentally.

**Councilman Morgan made a motion that the Board determines that the proposed action will not result in any significant adverse environmental impacts and to authorize Supervisor Castellucci to sign Part 3 of the Short EAF. Councilman Marks seconded this motion and it was unanimously carried.**

**Councilman Morgan made a motion to close the public hearing. Councilman Jochum seconded the motion and it was unanimously carried.** The Board expects to vote on this matter at the June 7, 2022 meeting.

#### 2. Local Law D of 2022-PortoBagel rezoning request

Supervisor Castellucci opened the public hearing. Applicant Vincent Porto explained that the majority of this parcel is currently zoned Highway Interchange (HIC) and he is seeking to change the zoning for the remaining portion of land from Agricultural (AG) to HIC. Supervisor Castellucci read the following into the record:

- Letter from the Tioga County Planning Board recommending approval of this request.
- Letter from the Town of Owego Planning Board recommending approval of the zoning change.

Planning & Zoning Administrator Joann Lindstrom distributed Parts 2 &3 of the Short Environmental Assessment Form (EAF) and explained that this project is an unlisted action, which will have no or small impact environmentally.

**Councilman Morgan made a motion that the Board determines that the proposed action will not result in any significant adverse environmental impacts and to authorize Supervisor Castellucci to sign Part 3 of the Short EAF. Councilman Jochum seconded this motion and it was unanimously carried.**

**Councilman Morgan made a motion to close the public hearing. Councilman Grenier seconded the motion and it was unanimously carried.** The Board expects to vote on this matter at the June 7, 2022 meeting.

## E. Reports of Department Heads

Joann Lindstrom, Planning & Zoning Administrator reported that the Planning Board will meet on Wednesday May 25, 2022.

Peter Gordon, Town Historian reported that he has submitted a grant application to Mildred Faulkner Truman Foundation, with assistance from Abbey Ortu, Team Tioga, for creation of a parking lot near the mortuary at Evergreen Cemetery.

Tyson Stiles, Director of Utilities reports that day to day operations continue.

Mike Roberts Highway Superintendent had no report.

The Town Clerk's Office is open on a part-time basis, after being closed due to illness.

Irene Graven, Town Attorney reported that Time Warner Cable is challenging the special franchise tax assessment set by the Office of Real Property Tax Services (ORPTS). This is a proceeding between Time Warner and ORPTS but the Town returned the acknowledgement of service form as required.

Councilman Marks reported on behalf of Scott Vasisko, Park Maintenance Supervisor, that the newest parks hire is currently out with covid, the park office worker will start soon, the Gators will be delivered on Thursday and gave kudos to the highway department for their help.

Supervisor Castellucci reported that the monthly report of the Planning & Zoning Administrator and the Supervisor are on file in his office. He would like to request an attorney client privilege this Thursday at 2PM. Supervisor Castellucci also reported that the Floyd Hooker grant for the Town of Owego Waterman Conservation Center Summer Camp was approved, as well as a \$25,000 grant from that organization for improvements to Tioga Boulevard Park. Broome Tioga Bituminous is working on a quote for the basketball court. The Town is also applying for funding to install a pickle ball court there.

Supervisor Castellucci requested a workshop to discuss broadband. **Councilman Grenier made a motion to schedule a workshop at 5:30 PM on Tuesday June 7, 2022 to discuss broadband. Councilman Marks seconded this motion and it was unanimously carried.**

Supervisor Castellucci then distributed a proposal for engineering services for improvements at Water Pollution Control Plan #1. The Town has received grant funding for this project. **Councilman Morgan made a motion to accept the proposal submitted by CPL, Councilman Grenier seconded this motion and it was unanimously carried.**

## F. Privilege of the floor

With the permission of the Board, Item K-2 Suneast Valley Solar PILOT agreement, was considered at this time. Christine Curtis, from the Tioga County Industrial Development Agency (IDA) presented the final Cost Benefit Analysis to the Board. Suneast Valley Solar LLC

proposes the installation of a ground-mounted utility scale solar energy generation system located at 2593 Montrose Turnpike that will generate 20MW of power. **Councilman Morgan made a motion to accept the Suneast Valley Solar LLC PILOT agreement and for the Board to provide a letter of support. Councilman Marks seconded this motion and it was unanimously carried.**

Teresa Dole, 591 Casterline Road, questioned a license plate she found.

#### G. Presentation of Petitions, Communications, Notices, and Transfers

##### 1. Tioga County Board of Elections Polling location request

Tioga County Board of Elections submitted election dates for 2022. Polls are open from 6:00 AM to 9:00 PM

- State/Local Primary Election: Tuesday, June 28, 2022
- Federal/State Primary Election: Tuesday, August 23, 2022
- General Election: Tuesday, November 8, 2022

**Councilman Jochum made a motion to permit use of the Shared Services building as a polling place for the 2022 Elections. Councilman Marks seconded this motion and it was unanimously carried.**

##### 2. Letter from Beth Stockwell

The Town received a letter from Beth Stockwell, 1 Wayside Lane, regarding maintenance of Town owned flood buy-out properties. Supervisor Castellucci will reply to the letter.

#### H. Abstracts

**Councilman Morgan made a motion to approve the following abstracts. The motion was seconded by Councilman Jochum and unanimously carried on a Roll Call Vote.**

AO-General Fund	5545.88
BO-General Fund-Town Outside	25,344.88
DB-Highway-Town Outside	20,482.27
FO-Water Districts	72,182.24
FA-Route 38 Water	773.09
GO-Sewer Districts	34,985.91
GA-Route 38 Sewer	28.61
HN-New York Rising Shared Services Bldg.	75,538.66
L1-Lighting District 1	0.00
L2-Lighting District 2	160.04
L3-Lighting District 3	55.19
L4-Lighting District 4B	43.99
L5-Lighting District 5	36.00
L6-Lighting District 6	182.93
L7-Lighting District 7	43.85

L8-Lighting District 8	32.17
L9-Lighting District 9	12.64
LA-Lighting District 4A	15.15
LX-Lighting District 10	18.60
<b>Grand Totals</b>	<b>\$ 235,482.10</b>

I. Unfinished Business-None

J. Reports of Standing Committees-No reports

K. Presentation of Resolutions, Motions and New Business:

1. Appoint ethics committee members

**Councilman Marks made a motion to appoint Joann Lindstrom (Supervisor Castellucci) and Pat Cacciaglia (Councilman Grenier) to the ethics committee, effective 6/11/22. Councilman Jochum seconded this motion and it was unanimously carried.**

2. Suneast Valley Solar PILOT agreement was discussed previously.

3. Permission to transfer funds-Highway

**Councilman Jochum made a motion to adopt the following resolution. The motion was seconded by Councilman Grenier and unanimously carried.**

WHEREAS it appears necessary for the Town of Owego Highway Department to increase the Town of Owego Highway Equipment fund to purchase a New Holland Skid Steer and a Cat PC306B Planer; and

NOW, THEREFORE, BE IT

RESOLVED that pursuant to Town Law Section 112, the Town Board of the Town of Owego does hereby approve the following budget transfer as follows:

	FROM	TO
Increase budget line DB.5110.2000 Highway Repairs-Town Outside-Equipment	\$ 90,000	\$173,450
Increase revenue line DB.0000.2665 Highway Sale of Equipment	\$ 0.00	\$ 69,733
Decrease budget line DB.9000.9060 Highway Employee Benefits-Health	\$450,000	\$436,283

4. Permission to purchase skid steer & planer-Highway

**Councilman Jochum made a motion to authorize the Highway Superintendent to purchase a New Holland L328 Skid Steer from New Holland Binghamton for \$58,622.89 and to**

**purchase a Cat PC306B Planer from Milton Cat for \$24,800. The motion was seconded by Councilman Marks and unanimously carried.**

5. Agreement to spend-Highway

**Councilman Morgan made a motion to accept the agreement to spend dated May 16, 2022. Councilman Grenier seconded this motion and it was unanimously carried.**

6. Authorize supervisor to sign HMGP grant application

**Councilman Grenier made a motion to authorize the Supervisor to sign the HMPG grant application. Councilman Marks seconded this motion and it was unanimously carried.**

L. Second Privilege of the Floor

M. Executive Session-none

N. Adjournment

**There being no further business, the meeting was adjourned at 7:20 PM.**

Respectfully submitted,  
Debra Standinger