

November 1, 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 Hank Hines led all in the Pledge of Allegiance.

#### Council

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

#### Department Heads

Present: Joann Lindstrom, Planning & Zoning Administrator  
Rick Pedro, Sole Assessor  
Michael Roberts, Highway Superintendent  
Irene Graven, Town Attorney  
Mary Kennedy, Town Clerk and Tax Receiver

Absent: Scott Vasisko, Parks Maintenance Supervisor  
Tyson Stiles, Director of Utilities  
Peter Gordon, Town Historian

#### B. Minutes of the previous meeting -

The minutes of the October 18, 2022 meeting will stand as submitted.

#### C. Consideration of bids – none

#### D. Public Hearing –

##### 1. DeGroat Road rezoning

Supervisor Castellucci opened the Public Hearing and stated that this proposed rezoning has received approval from both the County and Town Planning Boards. Joann Lindstrom, Planning & Zoning Administrator, reviewed that the applicant would like to rezone the portions of their land (that are currently Neighborhood Transit and Residential A) to Agricultural so it aligns with the rest of their acreage. Teresa Dole, Casterline Road, asked why the owners wanted to do this. With no one else wishing to speak, **Councilmember Morgan made a motion to close the Public Hearing. The motion was seconded by Councilmember Grenier and unanimously carried.**

The Short Environmental Assessment Form for the rezoning was reviewed. **A motion was made by Councilmember Morgan to find the proposed action as an unlisted negative declaration that will not result in any significant environmental impact. The motion was seconded by Councilmember Jochum and unanimously carried.**

**Councilmember Morgan made a motion to adopt the following Local Law**

**(#8, 2022) allowing portions of DeGroat Road to be rezoned to Agricultural. The motion was seconded by Councilmember Jochum and unanimously carried.**

1. SECTION 1. The Code of the Town of Owego, Chapter 125 Zoning, Article III, Section 125-7 Zoning Map is hereby amended pursuant to the applicable provisions of the Town Law and the provisions of the Municipal Home Rule Law as follows:

The portions of Tax Map No. 141.00-1-58.1 previously zoned Neighborhood Transition “NT” and Residential A “RA” shall be changed to Agricultural “AG”. The entire parcel will be zoned Agricultural “AG”.

2. SECTION 2. SEVERABILITY. If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered.
3. SECTION 3. EFFECTIVE DATE. This local law shall take effect immediately upon filing with the Secretary of State.

E. Reports of Department Heads –

Joann Lindstrom, Planning & Zoning Administrator – reported that the Zoning Board will likely be voting on the Barton Solar Project this Thursday.

Rick Pedro, Sole Assessor – no report

Michael Roberts, Highway Superintendent – no report

Councilmember Marks for Scott Vasisko, Parks Maintenance Supervisor – reported that camping in Hickories Park closes November 4<sup>th</sup>, and the water throughout the rest of the park has been shut off. Next, he stated that Muth Park has been closed down for the winter. Lastly, he stated that the crews are mowing when the weather allows.

Councilmember Marks for Tyson Stiles, Director of Utilities – reported that one Wastewater Treatment Plant Operator has been hired, but he still needs to find another one.

Irene Graven, Town Attorney – reported a need for Attorney/Client privilege after the meeting.

Mary Kennedy, Town Clerk – no report

Supervisor Castellucci – reported the need for another Budget Workshop. **Councilmember Morgan made a motion to schedule a workshop on the 2023 Budget for November 3, 2022 at 1:30 PM in the Supervisor’s Conference Room. The motion was seconded by Councilmember Marks and unanimously carried.** Next, the Supervisor reported that the Town received \$500,000 from the WQIP Utilities Grant, and \$75,000 from FEMA for moving the Park’s Office to the Shared Services Building. He then reported that the bridge on Foster Valley Road is going to need to be narrowed to one lane until repairs can be made. Next, he stated that there will be a health insurance informational meeting with the Town’s agent on Friday. He next reported that he will be meeting Scott Vasisko to make sure the new building is fully prepared for Election Day next week.

Lastly, he informed the board he will be meeting with Spectrum regarding their Special Franchise, and the Employee Association regarding their contract, in the next week.

F. Privilege of the floor –

Teresa Dole, Casterline Road, stated that she still wants a postal office in Campville. She then asked when the Town website was going to be functional again, and offered her services as a website designer. Lastly, she stated that since she can't beat the Dollar General, she applied there for a job.

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

H. Abstracts –

**Councilmember Marks made a motion to approve the following abstracts. The motion was seconded by Councilmember Grenier and unanimously carried on a Roll Call Vote after a short discussion.**

A0 - General Fund	39,516.32
B0 - General Fund-Town Outside	9,221.36
CM – CM Fund	7,000.00
DB - Highway-Town Outside	130,831.52
F0 - Water Districts	29,887.16
FA - Route 38 Water	1,777.53
G0 - Sewer Districts	29,516.45
GA – Route 38 Sewer	589.28
HN – NY Rising – Shared Services Building	<u>33,815.25</u>
	<b>\$282,154.87</b>

I. Unfinished Business –

\*\*\*The Board decided to act on Agenda item I 2 New employee hire – Highway – Decker.

**A motion was made by Councilmember Marks to adopt the following resolution hiring Mark Decker to the Highway Department. The motion was seconded by Councilmember Jochum and unanimously carried.**

WHEREAS, the approved 2022 budget for the Town of Owego Highway Department has budgeted for and includes a full time HEO I position; and

WHEREAS, this full time position is vacant and it is necessary to fill this position; and

WHEREAS, Mark T. Decker has been offered and has accepted such position as of October 31, 2022 at an hourly rate of \$20.91 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 Mark T. Decker at an hourly rate of \$20.91 per hour, 40 hours per week, with full time benefits, effective

October 31, 2022 with a probationary period of up to 52 weeks from date of hire, subject to satisfactory license/background check and meeting all requirements of pre-employment drug testing.

1. Employee upgrades – Highway

The following upgrades were approved although the resolutions will not be voted on until the next meeting.

Roger Walburn – HEO I at \$20.91/hour  
Tyler Boland – HEO I at \$20.91/hour  
Shawn Weaver – HEO II at \$21.70/hour

J. Reports of Standing Committees –

Councilmember Grenier – no report  
Councilmember Morgan – no report  
Councilmember Marks – no report  
Councilmember Jochum – no report

K. Presentation of Resolutions, Motions and New Business –

1. Schedule Public Hearing to revise chapter 40 of the Owego Town Code

Joann Lindstrom, Planning & Zoning Administrator, reviewed that the State adopted a new version of the Minimum Standards for Administration and Enforcement of the NYS Uniform and Building & Energy Code with an effective date of December 30, 2022. This requires the Town to revise chapter 40 in the Owego Town Code. **Councilmember Morgan made a motion to schedule a Public Hearing on November 15, 2022 at 6:30 PM to consider the revision of chapter 40 in the Owego Town Code. The motion was seconded by Councilmember Grenier and unanimously carried.**

2. Appointment of members to the Zoning Board of Appeals and Planning Board

Joann Lindstrom, Planning & Zoning Administrator, reviewed Dan Myers is interested in being reappointed for a new term on the Zoning Board. The alternate members will remain the same except for the new appointment of Chris Wayman.

**A motion was made by Councilmember Morgan to reappoint Dan Myers as a member of the Town of Owego Zoning Board of Appeals for a five year term (1/1/23 – 12/31/27). The motion was seconded by Councilmember Jochum and unanimously carried.**

**Councilmember Morgan made a motion to adopt the following resolution appointing Martin Murphy as an alternate to the Town of Owego Zoning Board of Appeals for a one year term. The motion was seconded by Councilmember Jochum and unanimously carried.**

WHEREAS the Town Board of the Town of Owego has adopted a local law permitting the appointment of alternate members of the Town of Owego Zoning Board of Appeals; and

WHEREAS the Town Board of the Town of Owego wishes to appoint an alternate member of the Town of Owego Zoning Board of Appeals for a term of one year

expiring 12/31/2023;

NOW THEREFORE, BE IT

RESOLVED the Town Board of the Town of Owego appoints Martin Murphy to serve as alternate member of the Town of Owego Zoning Board of Appeals, to serve in the event a regular member of the Zoning Board of Appeals is unable to participate in an application due to a conflict of interest; and it is further

RESOLVED that Martin Murphy shall serve as such alternate member of the Town of Owego Zoning Board of Appeals for a term of one year and be compensated at a rate of \$66.00 per meeting attended.

**Councilmember Morgan made a motion to adopt the following resolution appointing Robert Hornick as an alternate to the Town of Owego Planning Board for a one year term. The motion was seconded by Councilmember Grenier and unanimously carried.**

WHEREAS the Town Board of the Town of Owego has adopted a local law permitting the appointment of alternate members of the Town of Owego Planning Board; and

WHEREAS the Town Board of the Town of Owego wishes to appoint an alternate member of the Town of Owego Planning Board for a term of one year expiring 12/31/2023;

NOW THEREFORE, BE IT

RESOLVED the Town Board of the Town of Owego appoints Robert Hornick to serve as alternate member of the Town of Owego Planning Board, to serve in the event a regular member of the Planning Board is unable to participate in an application due to a conflict of interest; and it is further

RESOLVED that Robert Hornick shall serve as such alternate member of the Town of Owego Planning Board for a term of one year and be compensated at a rate of \$66.00 per meeting attended.

**Councilmember Morgan made a motion to adopt the following resolution appointing Edward Harrison as an alternate to the Town of Owego Planning Board for a one year term. The motion was seconded by Councilmember Grenier and unanimously carried.**

WHEREAS the Town Board of the Town of Owego has adopted a local law permitting the appointment of alternate members of the Town of Owego Planning Board; and

WHEREAS the Town Board of the Town of Owego wishes to appoint an alternate member of the Town of Owego Planning Board for a term of one year expiring 12/31/2023;

NOW THEREFORE, BE IT

RESOLVED the Town Board of the Town of Owego appoints Edward Harrison to serve as alternate member of the Town of Owego Planning Board, to serve in the event a regular member of the Planning Board is unable to participate in an application due to a conflict of interest; and it is further

RESOLVED that Edward Harrison shall serve as such alternate member of the Town of Owego Planning Board for a term of one year and be compensated at a rate of \$66.00 per meeting attended

**Councilmember Morgan made a motion to adopt the following resolution appointing Chris Wayman as an alternate to the Town of Owego Planning Board for a one year term. The motion was seconded by Councilmember Marks and unanimously carried.**

WHEREAS the Town Board of the Town of Owego has adopted a local law permitting the appointment of alternate members of the Town of Owego Planning Board; and

WHEREAS the Town Board of the Town of Owego wishes to appoint an alternate member of the Town of Owego Planning Board for a term of one year expiring 12/31/2023;

NOW THEREFORE, BE IT

RESOLVED the Town Board of the Town of Owego appoints Chris Wayman to serve as alternate member of the Town of Owego Planning Board, to serve in the event a regular member of the Planning Board is unable to participate in an application due to a conflict of interest; and it is further

RESOLVED that Chris Wayman shall serve as such alternate member of the Town of Owego Planning Board for a term of one year and be compensated at a rate of \$66.00 per meeting attended.

3. New employee hire – Tax Receiver

Mary Kennedy, Town Clerk & Tax Receiver, reviewed that she has found a qualified applicant willing to work for tax season only. **A motion was made by Councilmember Morgan to hire Shirley Holmes as a seasonal (December – February) tax employee at \$14.25 per hour with no more than 20 hours per week. The motion was seconded by Councilmember Jochum and unanimously carried.**

4. Employee transfer – Utilities

Supervisor Castellucci reviewed that Maurice Henning will be moving from the Highway Department to the Utilities Department. **Councilmember Jochum made a motion to adopt the following resolution hiring Maurice Henning to the Utilities Department. The motion was seconded by Councilmember Marks and unanimously carried.**

WHEREAS the approved 2022 budget for the Town of Owego Utilities Department has budgeted for and includes a full time MEO II position; and

WHEREAS Maurice A. Henning, Jr. has been selected to take this full time position, effective October 24, 2022, at an hourly rate of \$18.19 per hour, 40 hours per week, as a permanent appointment with up to 52 weeks probationary period from date of hire;

NOW THEREFORE BE IT

RESOLVED that Maurice A. Henning Jr. shall fill such full time position at an hourly rate of \$18.19 per hour, 40 hours per week, as a permanent appointment with up to 52 weeks probationary period from date of hire.

L. Second Privilege of the floor -

Teresa Dole, Casterline Road, spoke about the Town property next to the Campville fire station.

M. Executive Session – none

N. Adjournment

**Councilmember Morgan moved to adjourn the meeting at 7:12 PM .**

Respectfully submitted,

Mary Kennedy, Town Clerk