

May 16, 2023  
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 Town Clerk called the roll and Bill Carrigg led all in the Pledge of Allegiance.

Council:

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

Absent: none

Department Heads:

Present: Tyson Stiles, Director of Utilities  
Peter Gordon, Town Historian  
Joann Lindstrom, Planning and Zoning Administrator  
Michael Roberts, Highway Superintendent  
Rick Pedro, Sole Assessor  
Irene Graven, Town Attorney  
Mary Kennedy, Town Clerk & Tax Receiver

Absent: Scott Vasisko, Parks Maintenance Supervisor

Supervisor Castellucci shared that former Town Clerk, Michael Zimmer, had passed away a few days ago. A moment of silence was observed in his honor.

B. Minutes of the previous meetings -

The minutes of the May 2, 2023 meeting will be submitted for approval at the next meeting.

C. Consideration of bids – none

D. Public Hearings –

1. Amend Chapter 98 of Town Code re: Solar Energy Systems – Local Law B of 2023

Supervisor Castellucci opened the Public Hearing and reviewed that this legislation will amend Chapter 98 of the Owego Town Code to apply only to applications received after the effective date of this chapter. Councilmember Morgan stated this amendment is just an administrative change. There was no one wishing to speak. **Councilmember Morgan**

**made a motion to close the Public Hearing. Another motion was made by Councilmember Morgan to adopt the following Local Law #1 of 2023 that amends Chapter 98 of the Owego Town Code.**

Section 1. The Code of the Town of Owego, Chapter 98 Solar Energy Systems, is hereby amended pursuant to the applicable provisions of the Town Law and the provisions of the Municipal Home Rule Law as follows:

**§ 98-4. Applicability** is amended as follows:

The requirements of this chapter shall apply to all applications for Special Permits for solar energy systems received after the effective date of this chapter.

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 judgement shall have been rendered.

Section 3. EFFECTIVE DATE. This local law shall take effect immediately upon filing with the Secretary of State.

E. Reports of Department Heads –

Rick Pedro, Sole Assessor – reported that he and his staff are ready for Grievance Day next week.

Peter Gordon, Town Historian – no report

Joann Lindstrom, Planning & Zoning Administrator – reported that she attended the NYS Floodplain Managers’ Conference in April. The following week, she was at a FEMA training in Ithaca. Next, she stated that the County is updating the Hazard Mitigation Plan, and if anyone would like to be a part of that process, they should notify the Supervisor. She then reported that the bid documents for the demolition of 5099 State Route 17C will be available early next week. Lastly, she reviewed that the Zoning Board approved a Special Use Permit for Bothar Construction to use the space west of Bud’s Place while they are paving Route 434.

Tyson Stiles, Director of Utilities – reported that biosolids are being hauled this week. Next he stated that Tim Steed of Hunt Engineers will helping to renew the Town’s permit for the hauling. Lastly, he stated that new grants are coming to assist with PFO/PFA remediation.

Mike Roberts, Highway Superintendent – reported that summer projects have started on schedule. Next, he stated that they are hauling material up to Hakes Road for that project. Lastly, he stated that the Town is receiving free millings from the Owego Apalachin School District as they are repaving around their transportation garage.

Irene Graven, Town Attorney – no report

Mary Kennedy, Town Clerk – reported that her tax season has ended and she will be settling with the County soon. A total of \$17,366,874.62 was received in her office, which is 86% of the total warrant. Approximately three quarters of a million was submitted through online payments. Next she revealed that her office again finished in the top ten for selling of Habitat Stamps for the DEC. This also earns more revenue for the Town. Lastly, she commended her deputies, Laura Burt and Melinda Gardner, for their tremendous work during her extended health absence.

Supervisor Castellucci – reported that the Owego Elks Lodge will be holding their annual Flag Day program on June 2<sup>nd</sup> and all are invited to attend. Next, he stated that the annual herbicide application to Spencer Pond will be happening on June 15<sup>th</sup>. He then reported that the Apalachin Garden Club has submitted the bill for the Town Hall’s flowers. **A motion was made by Councilmember Hellmers to approve the payment of \$491.60 for the Apalachin Garden Club’s bill. The motion was seconded by Councilmember Marks and unanimously carried.** Next, the Supervisor spoke about a bill that was submitted too late for the abstracts, but must be paid before the next meeting. **Councilmember Hellmers made a motion to approve the payment of a bill for a replacement bulldozer injection pump. The motion was seconded by Councilmember Marks and unanimously carried.** The Supervisor then distributed new tablets for the Board Members and reviewed how to contact the IT department if they need help. Lastly, he asked Tyson Stiles to review the grant the Town received to develop a planning study focused on Biosolids. The study will help determine if the Biosolids can be reclassified as Class A (and therefore easier restrictions). **A motion was made by Councilmember Morgan to adopt the following resolution for the NYSEFC Environmental Planning Grant. The motion was seconded by Councilmember Hellmers and unanimously carried.**

WHEREAS, the Town of Owego has been awarded a NYSEFC Environmental Planning Grant (EPG) in the amount of \$50,000 with a local in-kind contribution of \$10,000 to develop an engineering report; and

WHEREAS, the Town of Owego has issued a Request for Qualifications (RFQ) for the qualifications-based procurement of an engineering firm to assist with engineering tasks associated with a range of water and wastewater system improvement projects; and

WHEREAS, utilizing a qualifications-based process, the Town has evaluated and selected a consulting engineering firm licensed in the State of New York to design, bid, administer and close-out projects as the need arises;

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board selects CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. (CPL) to provide engineering services for water and wastewater system projects in the Town of Owego.

AND BE IT FUTHER

RESOLVED, that the Board authorizes the supervisor to sign the agreement between the Town of Owego and CPL as well as the Environmental Facilities Corporation Certification for Architectural/Engineering Services Procurement for Federally Funded Projects.

F. Privilege of the Floor-

**\*\*\*At this time, the Board decided to act on Agenda item K3 – Wellhead Protection Permit #3 of 2023\*\*\*\***

The parcel owner, Saquif Rahman, explained that he'd like to open a convenience store that also sells music items. Tyson Stiles, Director of Utilities had no comment or concern.

**Councilmember Morgan made a motion to approve Wellhead Protection Permit #3 of 2023. The motion was seconded by Councilmember Hellmers and unanimously carried.**

Teresa Dole, Casterline Road – asked about the results of the Public Hearing as she arrived late.

She then asked how to start a religion so she could receive tax benefits. Lastly, she asked if the upcoming 5K run will be hilly or on flat ground.

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

H. Abstracts-

**Councilmember Marks made a motion to approve the following abstracts as presented. The motion was seconded by Councilmember Hellmers.** During discussion, it was determined that the invoice for a hotbox trailer had been tabled and not yet approved. **A motion was made by Councilmember Marks to amend the abstract by removing the payment to Stephenson Equipment Inc. The motion was seconded by Councilmember Hellmers and unanimously carried.**

**A motion to approve the abstracts as amended was made by Councilmember Hellmers. The motion was seconded by Councilmember Marks and unanimously carried on a Roll Call Vote.**

A0 - General Fund	29,479.02
B0 - General Fund-Town Outside	22,890.19
DB - Highway-Town Outside	109,321.10
F0 - Water Districts	60,735.49
FA - Route 38 Water	788.32
G0- Sewer Districts	56,974.91
GA – Route 38 Sewer	129.83
L1 – Lighting District 1	0.00
L2 - Lighting District 2	175.20
L3 – Lighting District 3	66.88
L4 - Lighting District 4B	47.92
L5 – Lighting District 5	43.71

L6 - Lighting District 6	202.25
L7 - Lighting District 7	47.33
L8 - Lighting District 8	35.60
L9 - Lighting District #9	13.49
LA – Lighting District 4A	16.19
LX – Lighting District 10	20.03
	<u>20.03</u>
	<b>\$280,987.46</b>

I. Unfinished Business –

1. Wellhead Protection Permit #4 of 2022 – Upstate Shredding  
There was no discussion or action on this permit.

J. Reports of Standing Committees –

- Councilmember Hellmers – no report
- Councilmember Morgan – stated that Gary Finch passed away.
- Councilmember Jochum – reported that all is well in the Parks Department
- Councilmember Marks – no report

K. Presentation of Resolutions, Motions and New Business –

1. Update Employee Handbook

**Councilmember Marks made a motion to table any action to update the Employee Handbook. The motion was seconded by Councilmember Jochum and unanimously carried.**

2. Purchase leaf vacuum trailer – Highway

Mike Roberts, Highway Superintendent, spoke briefly about how this purchase would benefit both the Town and its residents. **A motion was made by Supervisor Castellucci to approve the purchase of a leaf vacuum trailer for \$98,636.71 from Stephenson Equipment. The motion was seconded by Councilmember Morgan. The motion carried with 3 yes votes, 1 abstention (Councilmember Marks) and 1 no vote (Councilmember Jochum).**

3. Wellhead Protection Permit #3 of 2023 – Saquif Rahman

This item was acted on earlier in the meeting (Privilege of the Floor).

4. Request for Fireworks Display Permit – Hickories Park

**Councilmember Morgan made a motion to approve the Fireworks Permit for the Independence Day celebration at Hickories Park. The motion was seconded by Councilmember Hellmers and unanimously carried.** The contract will be submitted for approval at the next meeting.

5. Recap of Year 2022 Cases – Justice Court

**A motion was made by Councilmember Marks to accept the report as submitted. The motion was seconded by Councilmember Hellmers and unanimously carried.**

6. Apply for grant funding – Emergency Operations Center

Bill Carrigg, Code Enforcement Officer, reviewed that the State wants all Towns and Villages to have their own emergency plan and rely only on County and State plans as a backup. The discussion led the Board to decide to fund this project without any grants.

L. Second Privilege of the floor –

Teresa Dole, Casterline Road, suggested that the Town look into Starlink for Wifi services.

M. Executive Session - none

N. Adjournment -

**Motion by Councilmember Morgan, the meeting was adjourned at 7:50 PM.**

Respectfully submitted,

Mary Kennedy, Town Clerk