

June 6, 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 –

The Supervisor called the meeting to order, the Town Clerk called the roll and 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: Irene Graven, Town Attorney
Tyson Stiles, Director of Utilities
Scott Vasisko, Parks Maintenance Supervisor
Peter Gordon, Town Historian
Mike Roberts, Highway Superintendent
Mary Kennedy, Town Clerk & Tax Receiver

Absent: Joann Lindstrom, Planning & Zoning Administrator
Rick Pedro, Sole Assessor

B. Minutes of the previous meeting –

The minutes of the May 2, 2023 regular meeting were presented. **Councilmember Morgan made a motion to accept the minutes as submitted by Laura Burt, Deputy Town Clerk. Councilmember Marks seconded the motion which was unanimously carried.**

C. Consideration of bids - none

D. Public Hearings - none

E. Reports of Department Heads -

Tyson Stiles, Director of Utilities – reported that a resident on Lisle Road had a private company snake and try to clear a blockage in their pipe. It was ascertained that the problem was where their pipe was hooked to the Town infrastructure; therefore the Town was obligated to fix it. The resident is now asking to be reimbursed for the cost of the private company's invoice. **Councilmember Morgan made a motion to reimburse James Wyrough (the amount of the private company's invoice) for working on a problem on Town property. The motion was seconded by Councilmember Hellmers and unanimously carried.** Next, he reported that he was given Board approval in April to purchase a half ton pickup truck. However, there are simply none to be found or even

ordered at this time. Another option would be to go with a 2023 Ram 1500 quad cab truck for \$9,000 more. **A motion was made by Councilmember Marks to amend the originally approved amount to \$47,368 for a 2023 Ram 1500 quad cab truck from McGuire in Ithaca. The motion was seconded by Councilmember Hellmers and unanimously carried.** Lastly, Stiles reported that the class-action civil lawsuit the Town joined to reap rewards for PFA/PFA remediation and pollution has settled, but he is unsure how much the Town will receive.

Scott Vasisko, Parks Maintenance Supervisor – reported that the Town parks are busy but good. Camping at Hickories was full for Memorial Day as well as last weekend for the Catfish Derby. Next, he stated that his seasonal employees are working out well so far. Lastly he reported the hot, dry weather has caused grass growth to slow.

Mike Roberts, Highway Superintendent – reported that road projects are going well so far. Next, he stated that he and Hank Hines, Deputy Highway Superintendent, attended some training in Ithaca where they learned a lot. Lastly, with regards to the extremely poor air quality (from Canadian wildfires), he questioned how the Town will protect those employees who work outside. Supervisor Castellucci stated that he will follow recommendations from the Tioga County Department of Health.

Peter Gordon, Town Historian – reported that he has edited and published his 6th local book (My Dear Brother by Marnie Baldwin Schrader). He was honored to read an excerpt during the Memorial Day Celebration at the Courthouse. Lastly, he reported that he was invited by the Association of Public Historians to give a presentation about how to publish books at their conference in September.

Mary Kennedy, Town Clerk & Tax Receiver – no report

Irene Graven, Town Attorney – no report

Supervisor Castellucci – reported that the Town received \$318,600 from the FEMA Hazard Mitigation Grant in order to elevate 3 sewage treatment plants (Broadway Road, Marshland Road and Hickories Park). 90% of this is federally funded while the Town's share will be \$31,860. Next, he stated that the Town Clerk and Planning & Zoning Administrator's monthly reports are on file in his office. He then reported that the County is allowing Firefighter/EMS exemptions; and the Town should consider these as well. The Supervisor then stated that the Memorial Day Celebration was very nice. Next, he reported that the depositions for the Long Creek lawsuit are going well. Following that he stated that it is almost time to do the RFP for Deferred Compensation coverage (which must be done every 5 years). He then reported that the Town received over \$200,000 from FEMA for work done to the sewage treatment plants from the 2011 flood. Lastly, he reviewed that after a FEMA event in August of 2018, a claim was submitted for damage to a fence in the Dog Park. It was originally denied due to misinformation, but is being appealed now with the correct data.

F. Privilege of the floor –

Bill Chandler, representative of the Catfish Derby, thanked the Town and the Parks Department for a very successful event. This was the best turnout they've had yet with about 500 adult and 70 youth registrants. The money raised by the event will go towards Veteran holiday gifts after donating \$550 to Tioga County Rural Ministry.

Teresa Dole, Casterline Road, asked if the Strawberry Festival will still take place in light of the poor air quality. She was told the Historic Owego Marketplace is in charge of that event,

not the Town. She also asked for a better map of the 5K run and someone to walk her around the course.

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

1. Letter re: voter identification – Town of Huntington

Supervisor Castellucci stated that this is informative only and no action is needed.

2. Penalty forgiveness request – Melshenker

Tyson Stiles, Director of Utilities and Mary Kennedy, Town Clerk, reviewed the situation. After a brief discussion, the Board decided the penalty should remain on the account.

H. Abstracts -

Councilmember Marks made a motion to approve the following abstracts as presented. The motion was seconded by Councilmember Hellmers. There was a discussion regarding the payment for new Highway trucks.

*****The Board decided to act on Agenda item K7 – Purchase of 2 F-350 pickup trucks.**

Councilmembers Marks and Jochum voiced concerns about one of the trucks already being delivered before being Board approved. **A motion was made by Councilmember Morgan to adopt the resolution approving the purchase of 2 F-350 pickup trucks. The motion was seconded by Supervisor Castellucci and failed to carry with 2 yes votes and 3 no votes (Councilmembers Marks, Jochum and Hellmers).**

Councilmember Marks made a motion to approve the following abstracts as amended to exclude the check in the amount of \$54,792.03 payable to VanBortel Ford. The motion was seconded by Councilmember Jochum and carried with 4 yes votes and 1 no vote (Supervisor Castellucci).

AO-General Fund	21,079.29
BO-General Fund-Town Outside	10,492.71
DB-Highway-Town Outside	111,525.71
FO-Water Districts	23,966.83
FA-Route 38 Water	1.73
GO-Sewer Districts	86,208.31
GA-Route 38 Sewer	30.40
HN-New York Rising Shared Services Bldg.	26,864.00
L1-Lighting district 1	202.49
	<u>202.49</u>
	\$ 280,371.47

I. Unfinished Business -

1. Employee Handbook update

A motion was made by Councilmember Jochum to approve the update to the Employee's Handbook. The motion was seconded by Councilmember Marks and unanimously carried.

2. Hotbox trailer approval – Highway

Councilmember Morgan made a motion to approve the purchase of a Hotbox trailer. The motion was seconded by Supervisor Castellucci, but the motion failed to carry with 2 yes votes and 3 no votes (Councilmembers Jochum, Marks and Hellmers).

J. Reports of Standing Committees –

Councilmember Hellmers – reported for Rick Pedro, Sole Assessor, that Grievance Day went well. He also stated that after an audit of agricultural exemptions, about 45 parcels had their exemptions removed which will bring in new revenue for the Town. Next, he stated that since the temporary restraining order regarding Solar Companies’ PILOTs was lifted, and the State Budget passed; the Town must use the 2022 model for calculations and accept the Solar Companies computations as accurate.

Councilmember Morgan – stated a need for Attorney/Client Privilege after the meeting.

Councilmember Jochum – no report

Councilmember Marks – no report

K. Presentation of Resolutions, Motions and New Business

1. Agreements to spend Town funds – Highway

A motion was made by Councilmember Marks to approve the following three Agreements to spend Town Funds. The motion was seconded by Councilmember Hellmers and unanimously carried.

1. Hickories Park Road – pave (virgin cold mix), surface treated, fog seal \$48,768

CRACK SEAL PROGRAM: (turnkey) \$29,750

East Main Street from Davis Hill to MPH sign (774’ x 20’)

Davis Hill Rd from intersections of E. Main Street to Lisle Road (2733’ x 28’)

Lisle Road from intersection to #486 Lisle Road mailbox (4454’ x 28’)

Crestwood Road from Lisle Road to dead end (1040’ x 30’)

Sunnyside Drive dead end (125’ x 30’)

Sunnyside Drive South to dead end (404’ x 30’)

Beechwood Lane from intersection of Sunnyside Drive to dead end (600’ x 30’)

Sunnyside Drive to Deerfield Drive intersection (1935 x 30’)

Deerfield Drive from intersection of Sunnyside Drive to Oakwood Drive (1065 x 30)

Oakwood Drive from Deerfield Drive to Sunnyside Drive (730 x 30’)

Deerfield Drive from Sunnyside Drive, go left to King Point South (518’ x 30’)

S. King Point Circle to East Beecher Hill Road (1539’ x 30’)

N. King Point to S. King Point Circle (1209’ x 30’)

TOTAL ESTIMATED COSTS OF BOTH PROJECTS: \$78,518

2. Gage Road – virgin cold mix w/single oil and stone \$36,600

Whittemore Hill Road – double oil and stone \$18,600

TOTAL ESTIMATED COSTS OF BOTH PROJECTS: \$55,200

3. Cross Street – mill 2-3”, hot mix (Broome Bituminous)	\$50,000
TOTAL ESTIMATED COSTS OF BOTH PROJECTS:	\$50,000

2. Approve summer recreation camp contract – Waterman Conservation Center

Councilmember Jochum made a motion to authorize the Supervisor to sign the agreement with Waterman Conservation Center for a summer recreation program for Town youths. The motion was seconded by Councilmember Marks and unanimously carried. The contract is on file in the Town Supervisor’s Office.

3. Approve fireworks contract – Hickories Park

A motion was made to authorize the Supervisor to sign the contract with American Fireworks Display, LLC. The motion was seconded by Councilmember Marks and unanimously carried. The contract is on file in the Town Supervisor’s Office.

4. Schedule Public Hearing – Special Franchise renewal

Councilmember Morgan made a motion to schedule a Public Hearing to consider the Spectrum Special Franchise for June 20, 2023 at 6:30 p.m. Councilmember Hellmers seconded the motion and was unanimously carried.

5. Approve wifi proposal –

A motion was made by Councilmember Jochum to table action on the wifi proposal. The motion was seconded by Councilmember Marks and unanimously carried.

6. Broome County Humane Society Contract – Dog Control

A motion was made by Councilmember Morgan to approve the contract with Broome County Humane Society and authorize the Supervisor to sign it. The motion was seconded by Councilmember Hellmers and unanimously carried.

7. Purchase of 2 2023 F-350 pickup trucks - Highway

This was acted on earlier in the meeting (H. Abstracts).

8. Purchase of a 2023 International Tandem Axle Dump Truck

Councilmember Morgan made a motion to adopt the following resolution authorizing the purchase of a 2023 International Tandem Axle Dump Truck. The motion was seconded by Councilmember Marks and unanimously carried.

WHEREAS the Town of Owego Highway Superintendent is requesting approval from the Owego Town Board to purchase a 2024 International tandem axle dump truck with plow/body package for the Highway Department; funds to be taken from the 2023 highway budget; and

WHEREAS a 2024 International tandem axle dump truck has been located and bid on at Allegiance Trucks, 105 7th North Street, Liverpool, New York, for a total of

\$296,840.49, inclusive of 2024 International HX520 SFA 6X4 in the amount of \$159,874.00 and a Viking-Cives plow/body package in the amount of \$136,966.49; and

WHEREAS upon approval from the Town Board to purchase the above truck with plow package, the appropriations will be taken from the following account to pay for said truck:

DB 5110.2000 Highway Repairs Town Outside Equipment \$296,840.49

NOW, THEREFORE, BE IT

RESOLVED that The Owego Town Board upon a vote has approved of the purchase of 2024 International tandem axle dump truck with plow body package; and it is further

RESOLVED that appropriations be made as follows:

DB 5110.2000 Highway Repairs Town Outside Equipment \$296,840.49

AND BE IT FURTHER

RESOLVED that payment for the purchase of the 2024 International tandem axle dump truck with plow/body package be made to Allegiance Trucks, 105 7th North Street, Liverpool, New York, for a total of \$296,840.49.

L. Second Privilege of the floor

Supervisor Castellucci added to his report that the Highway Department would like to reinstate Ryan Miller. **A motion was made by Councilmember Morgan to authorize the Supervisor to sign the Settlement Agreement and reinstate Ryan Miller to the Highway Department retroactive to May 29, 2023. The motion was seconded by Councilmember Jochum and unanimously carried.**

M. Executive Session - none

N. Adjournment

Motion by Councilmember Morgan, the meeting was adjourned at 7:27 p.m.

Respectfully submitted,

Mary Kennedy
Town Clerk