

August 16, 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 Deputy Town Clerk called the roll and led the Pledge of Allegiance.

Council:

Present: Supervisor Castellucci, Dean Morgan, Craig Jochum, Jonathan Marks, Cheri Grenier

Absent: None

Department Heads:

Present: Irene Graven, Town Attorney  
Rick Pedro, Assessor  
Mike Roberts, Highway Superintendent  
Scott Vasisko, Parks Superintendent  
Laura Burt, Deputy Town Clerk

Absent: Peter Gordon, Town Historian  
Mary Kennedy, Town Clerk and Tax Receiver  
Joann Lindstrom, Planning and Zoning Administrator  
Tyson Stiles, Director of Utilities

B. Minutes of the previous meeting -

1. Minutes of 6/21/2022 stands on file

**Councilman Morgan motioned to approve the minutes of 7/5/2022, 7/19/2022 & 8/2/2022, Councilman Grenier seconded, all aye, passed, and carried.**

C. Consideration of bids –

**Motion to reject Bid for Demolition of structure on 6125 State Route 17C by Councilman Morgan, seconded by Councilman Jochum, all aye, carried.**

D. Public Hearings –

**Supervisor Castellucci opened the Public Hearing for Local Law H of 2022 to amend chapter 46-Dogs. Seconded by Councilman Marks.**

Discussion on sporting dogs (coon hounds/beagles), Attorney Graven explained that this ordinance could be amended as needed.

**Councilman Morgan motioned to close Public Hearing, Councilman Marks seconded, vote was unanimous passed carried.**

**Councilman Morgan motioned to adopt Local Law 7 of 2022. Councilman Marks seconded. Councilman Jochum and Councilman Marks voted not to accept,**

**Councilman Morgan, Councilman Grenier and Supervisor Castellucci voted aye, passed, carried.**

Local Law 7 of 2022

Section 1. The Code of the Town of Owego, Chapter 46 Dogs, is hereby amended pursuant to the applicable provisions of the Town Law and the provisions of the Municipal Home Rule Law as follows:

**§ 46-5 (B). Prohibited Conduct** is amended as follows:

B. Engage in a pattern of habitual and repetitious loud howling or barking or to conduct itself in such a manner so as to unreasonably and habitually annoy any person.

1. It shall constitute a violation of this section if the howling or barking is continuous and is audible beyond the property line of the premises on which the dog is located:

a. For more than five (5) minutes between the hours of 10:00 PM and 8:00 AM; or

b. For more than ten (10) minutes between the hours of 8:00 AM and 10:00 PM; or

c. For any duration other than cited above, on at least five (5) separate occurrences within a 10-day period, if attested to by complainants from two (2) or more abutting or adjoining properties.

d. Dogs engaged in the herding of domestic animals are exempt from this section.

2. It shall be a defense to any such violation if the owner of a dog proves by a preponderance of the evidence that the only reason the dog was howling or barking was that the dog was being incited, or was acting as a guide dog, hearing dog, service dog or police dog.

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.

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

8/16/22

E. Reports of Department Heads

Scott Vasisko: last January he budgeted for new truck, none was available. Now there is a one week window to order on State Bid, does he have the Council's permission to go forward if he can secure a truck using paperwork from original bid submitted to NYE. Councilman agreed.

Seasonal workers will be leaving this Friday

Mike Roberts: Waits Road should be finished this week. Hopefully it will rain so they can vacuum gravel from Terrace Roads, Owego Village would like to borrow a couple of our trucks, board members decided that would be fine but our drivers would accompany the trucks and overtime on Fridays will be covered.

Joann Lindstrom: Councilman Morgan reported in her absence that Bill Carrigg has completed Disaster Training. Planning Board Meeting on the 23<sup>rd</sup> will include Jacobes Road Solar Farm.

Irene Graven: No Report

Laura Burt: No Report

Don Castellucci: No Report

#### F. Privilege of the floor

David York from Pennsylvania Ave asked about Little Bridge on Valley Road, Don said they were looking for funding. Hakes Road (Seasonal Road) needs work.

It was also mentioned that in the Fall of 2023, Route 434 will be resurfaced in Apalachin.

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

1. Notice of Proposed Aquatic Plant Management on the Spencer Road Pond. No action needed.
2. **Councilman Marks motioned to go forward with application for NYS DOT Shared Services Agreement, giving them at least 72 hour notice of our intention to work in their area, seconded by Councilman Grenier, all aye carried.**

#### H. Abstracts

**Councilman Marks made a motion to approve the abstracts with the following concerns, he has reservations on the budget for Shared Service Building. Supervisor Castellucci will look into with Clark Patterson. There were also questions on Gates garage door repairs, Mike Roberts stated that doors were not high quality, they had to install spacer bars and pull chains to make them safe. The motion was seconded by Councilman Grenier and passed with a Roll Call Vote, Councilman Marks no, Councilmen Jochum/Morgan/Grenier and Supervisor Castellucci aye.**

A - General Fund	\$2,272.02
B - General Fund-Town	\$717.06
Outside	
DB - Highway-Town Outside	\$2,025.64
F - Water Districts	\$352.23
FA - Route 38 Water	\$16.36
G - Sewer Districts	\$433.93
GA - Route 38 Sewer	\$16.36
HN – NY Rising – Shared	\$0.00
Services Building	
<u>Batch Total</u>	<u>\$5,833.60</u>

I. Unfinished Business – None

J. Reports of Standing Committees

Councilman Marks – No report

Councilman Morgan – No report

Councilman Jochum – No report

Councilman Grenier – No report

K. Presentation of Resolutions, Motions and New Business

**1. Wellhead Protection Permit request from Catskill Shed. Councilman Jochum motioned to grant Wellhead Protection Permit for Catskill Shed for a vacant parcel east of the Big Dipper BBQ. Councilman Marks seconded all aye, passed carried.**

**2. New Hire – Riker Dieffenbach MEO 1 Highway. Councilman Jochum made a motion to hire Riker Dieffenbach for the position of MEO 1 for the Town of Owego Highway Dept. at the rate of \$16.48 per hour, 40 hours a week with 52 weeks of probation. Councilman Marks seconded, all aye, passed carried.**

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

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

WHEREAS Riker Dieffenbach has been offered and has accepted such position as of August 8, 2022 at an hourly rate of \$16.48 per hour, 40 hours per week, as a permanent appointment with up to 52 weeks probationary period; contingent upon his having his CDL B license within six (6) months from date of hire;

NOW, THEREFORE, BE IT

RESOLVED such full time position shall be filled by Riker Dieffenbach at an hourly rate of \$16.48 per hour, 40 hours per week, with full time benefits, effective August 8, 2022 with a probationary period of up to 52 weeks from date of hire, contingent upon his having his CDL B license within six (6) months from date of hire and subject to satisfactory license/background check and meeting all requirements of pre-employment drug testing.

**3. Training request – Assessor. Supervisor Castellucci made a motion to grant training request for Rick Pedro to attend New York State Assessors Association Training and Conference in Lake George on 9/18/2022 – 9/21/2022 with all reasonable expenses paid. Councilman Morgan seconded, all aye, passed carried.**

4. Approve Amendment to Dog Local Law H of 2022.  
Action was taken under D 1.

**Let the minutes reflect: Amended Chapter 46 of Dogs will be Local Law #7 of 2022**

L. Second Privilege of the floor

There was no one wishing to be heard.

M. Executive Session – None needed.

N. Adjournment

**Motion by Morgan, the meeting was adjourned at 7:17 p.m.**

Respectfully submitted,

Laura Burt, Deputy Town Clerk