

September 19, 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 Clerk called the Roll and Councilmember Morgan 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
Phil Baker, Parks Maintenance Supervisor
Rick Pedro, Sole Assessor
Irene Graven, Town Attorney
Mary Kennedy, Town Clerk & Tax Receiver

Absent: Michael Roberts, Highway Superintendent

B. Minutes of the previous meetings -

The minutes of the September 5, 2023 meeting will stand as presented.

C. Consideration of bids – none

D. Public Hearings – none

E. Reports of Department Heads –

Phil Baker, Parks Maintenance Supervisor – reported that he has received a request for a disc golf event at Campville Commons during the evening of November 11, 2023. After a brief discussion, the Supervisor stated that more details, and approval from the Town Attorney are needed.

Tyson Stiles, Director of Utilities – reported that the New York Rural Water Association would like to host a training session in one of the conference rooms of the Shared Services

Building. The class would have approximately 25-30 attendees (4 or 5 of which would be Town of Owego employees). **Councilmember Morgan made a motion to allow NY Rural Water Association to use the Shared Services Building for a training class on November 15, 2023. The motion was seconded by Councilmember Hellmers and unanimously carried.**

Rick Pedro, Sole Assessor – reported that he is going to attend the Assessors’ Association Conference October 3-6, 2023 in Saratoga Springs where he will earn all of the furthering education credits he needs for the year.

Peter Gordon, Town Historian - reported that he is attending and presenting at the Association of Public Historians’ Conference in Ithaca this week.

Joann Lindstrom, Planning & Zoning Administrator – reported that the Planning Board will not be meeting in October. She also stated that the County is trying to get feedback from the public regarding Tioga County’s Hazard Mitigation Plan during an informational meeting. It will be held October 4, 2023 at 6 PM at the Owego Nazarene Church. All are encouraged to attend.

Mary Kennedy, Town Clerk – reported that she found a replacement for her Part Time Deputy that is resigning next month. **A motion was made by Councilmember Jochum to adopt the following resolution hiring Mikayla Hallett as a Part Time Deputy in the Town Clerk’s Office. The motion was seconded by Councilmember Marks and unanimously carried.**

WHEREAS, the approved 2023 budget for the Town of Owego Clerk’s Office has budgeted for and includes a part-time Clerk, working up to 40 hours per two week pay period, without benefits; and

WHEREAS, due a retirement within the Clerk’s Office this position will be vacant and it is necessary to fill this position, at \$15.00 per hour;

NOW, THEREFORE, BE IT

RESOLVED, that Mikayla Hallett be hired at \$15.00 per hour, as a part-time clerk, working up to 40 hours per two-week pay period, without benefits, effective September 25, 2023, with a probationary period up to 52 weeks.

Irene Graven, Town Attorney – reported a need for Attorney/Client Privilege after the meeting. Supervisor Castellucci – reported that both the Planning & Zoning Administrator’s and Town Clerk’s monthly reports are on file in his office. Next, he stated that there is a problem with the fire alarm system in the Shared Services Building. The technician recommended replacing the current communicator with an IP/cell communicator to isolate it away from the Verizon lines. **Councilmember Hellmers made a motion to purchase an IP/cell communicator for the alarm system in the Shared Services building for \$1,572.25 and a \$600 annual monitoring fee. The motion was seconded by Councilmember Morgan and unanimously carried.** Lastly, the Supervisor stated that it’s time to schedule Budget Workshops.

F. Privilege of the Floor-

Christopher Ray, Summit Road, requested that the Town consider “loaning” a compactor to him (with proper insurances) in order to perform work on their private road/driveway. The Supervisor stated he would research the idea, but thinks that the Town will not be able to for legal reasons. Mr. Ray then shared an excerpt of NY Highway Law § 315 regarding tax credits available for private roads. Attorney Graven will review the details of that law.

Sandy Carrier, Jonathan Carrier, and Mark Ponti each shared reasons why an audit of the New York State Board of Elections is imperative.

*** At this time, the Board decided to act on Agenda item II. Resolution regarding State Elections – NY Citizens Audit ***

A motion was made by Councilmember Marks to adopt the following resolution regarding an audit of New York State Board of Elections. The motion was seconded by Councilmember Morgan and unanimously carried on a Roll Call Vote.

WHEREAS, the Town Board of the Town of Owego finds that open, fair and accurate elections are fundamental to the democratic process in New York; and

WHEREAS, one way to help ensure open, fair and accurate elections is to conduct election audits when there is a legal basis for such audit; and

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Owego hereby supports the audit of elections by legally authorized parties where there is a legal basis for such audit and where such audit will help to ensure open, fair and accurate elections; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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

1. Monthly report of the Supervisor

This report is on file in the Town Clerk’s Office.

2. Summer Reading Program review – Apalachin Library

Supervisor Castellucci stated this is for informational purposes only.

3. Penalty forgiveness request – Jeff Matz

Mary Kennedy, Town Clerk/Tax Receiver, reviewed the resident’s request and stated that he has not been late before. After a brief discussion, where it was determined that the late payment was not caused by the Town or the Postal Service, the Board chose to stay consistent and not pardon the fee. Supervisor Castellucci will draft a letter to Mr. Matz.

H. Abstracts-

Councilmember Morgan made a motion to approve the following abstracts as presented. The motion was seconded by Councilmember Marks and stalled during discussion.

A motion was made by Councilmember Marks to pay the abstracts as presented MINUS the \$600 payment to Stephenson Equipment and the \$7,737.92 payment to VanBortel. The motion was seconded by Councilmember Hellmers and unanimously carried on a Roll Call Vote. Supervisor Castellucci stated that if they continue to act against the Town Attorney’s advice, they should be prepared to be sued by the vendors.

A0 - General Fund	52,596.67
B0 - General Fund-Town Outside	63,710.79
DB - Highway-Town Outside	57,296.23
F0 - Water Districts	5,628.22
FA - Route 38 Water	19.37
G0- Sewer Districts	15,560.86
GA – Route 38 Sewer	22,928.08
L1 – Lighting District 1	8.13
L2 - Lighting District 2	220.21
L3 – Lighting District 3	101.54
L4 - Lighting District 4B	59.58
L5 – Lighting District 5	66.35
L6 - Lighting District 6	259.54
L7 - Lighting District 7	57.73
L8 - Lighting District 8	45.59
L9 - Lighting District #9	15.82
LA – Lighting District 4A	19.30
LX – Lighting District 10	24.20
	<u>24.20</u>
	\$218,618.21

I. Unfinished Business –

1. Resolutions regarding State Elections – NY Citizens Audit

This was addressed during Privilege of the Floor.

J. Reports of Standing Committees –

Councilmember Hellmers – no report

Councilmember Morgan – stated for those in attendance that minutes of a Town Board meeting are not meant to be verbatim. They need to succinctly summarize the actions within the meeting. Next, he stated that Council of Governments will be meeting this Thursday at 7 in the County Office Building. The topics will be the Hazard Mitigation Plan and a presentation regarding the new County Administrators position.

Councilmember Jochum – no report

Councilmember Marks – no report

K. Presentation of Resolutions, Motions and New Business – none

1. Agreement to spend Town Funds – Highway

A motion was made by Councilmember Jochum to approve the following agreement to spend Town funds. The motion was seconded by Councilmember Marks and unanimously carried.

DOUBLE SURFACE TREATMENT

Powell Road (3,900 feet)	\$28,423.58
Lindloff Road (1,650 feet)	\$13,759.25

TOTAL ESTIMATED COSTS OF PROJECTS: \$42,182.83

2. New Hire – Parks

Phil Baker, Parks Maintenance Supervisor, reviewed the qualifications of the potential employee. **Councilmember Jochum made a motion to adopt the following resolution hiring Michael Eaton. The motion was seconded by Councilmember Marks and unanimously carried.**

WHEREAS the approved 2023 budget for the Town of Owego Parks Department has budgeted for and includes a Laborer position; and

WHEREAS, Michael Eaton has been offered and has accepted such position at \$16.00 per hour;

NOW, THEREFORE BE IT

RESOLVED, that Michael Eaton is hereby hired to fill this position at \$16.00 per hour, working up to 40 hours per week, with benefits, effective September 25, 2023 with a probationary period of up to 52 weeks from date of hire.

3. Wellhead Protection Permit #4, 2023

A motion was made by Councilmember Morgan to table action on Wellhead Protection Permit #4 of 2023. The motion was seconded by Councilmember Jochum and unanimously carried.

4. Reengagement agreement – EFPR Solutions

The Supervisor explained that the Town’s bookkeeping company are changing their corporate name. All aspects of the original contract will remain the same.

Councilmember Jochum made a motion to authorize the Supervisor to sign the reengagement agreement with Local Government Support Services, LLC (formerly EFPR Solutions, now LGSS). The motion was seconded by Councilmember Hellmers and unanimously carried.

5. Resolution regarding: NYS Election Proposal

Supervisor Castellucci reviewed that legislation to change the years in which local elections are held is going before the Governor soon. This legislation would align Local races with State and National Elections which would essentially overshadow smaller communities’

elections. He would like to send a letter to the Governor petitioning her to veto the proposed legislation. **Councilmember Hellmers made a motion to allow the Supervisor to send a letter to Governor Hochul urging her to reject bill A.4282-B/S.3505-B. The motion was seconded by Councilmember Marks and unanimously carried.**

L. Second Privilege of the floor –

Patricia Rightmire, East Campville Road, spoke about her neighbor who keeps unregistered vehicles in his yard. She also said he has a fire hazard by his propane tank. Supervisor Castellucci stated there isn't much the Town Board can do about the situation, but he will ask Mike Katchmir, Code Enforcement Officer to look into it.

M. Executive Session - none

N. Adjournment -

Motion by Councilmember Morgan, the meeting was adjourned at 7:18 PM.

Respectfully submitted,

Mary Kennedy, Town Clerk