

March 7, 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 Deputy Supervisor called the meeting to order, the Town Clerk called the roll and Joann Lindstrom led all in the Pledge of Allegiance.

#### Council

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

Absent: Supervisor Castellucci

#### Department Heads

Present: Joann Lindstrom, Planning & Zoning Administrator  
Scott Vasisko, Park Maintenance Supervisor  
Rick Pedro, Assessor  
Michael Roberts, Highway Superintendent  
Peter Gordon, Town Historian  
Irene Graven, Town Attorney  
Mary Kennedy, Town Clerk & Tax Receiver

Absent: Tyson Stiles, Director of Utilities

### B. Minutes of the previous meeting -

The February 23, 2023 meeting minutes will stand as presented.

### C. Consideration of bids – none

### D. Public Hearings –

#### 1. Override Tax Cap

Deputy Supervisor Morgan explained that this Public Hearing is held every year as a formality in case the budget requires the Governor's tax cap must be overridden. However, this has not been necessary in several years and no action will be taken by the Board this evening. The Public Hearing was opened by the Deputy Supervisor. There was no one present wishing to speak on this matter. **Councilmember Jochum made a motion to close the Public Hearing. The motion was seconded by Councilmember Marks and unanimously carried.**

**\*\* A motion was made by Councilmember Marks to act on Agenda item K 5 – Wellhead Protection Permit #2 of 2023 at this time. The motion was seconded by Councilmember Jochum and unanimously carried.**

The applicant reviewed that they are hoping to open a doggy daycare and grooming business. Approval is recommended contingent upon no animal waste being discharged into the public sewer. **Councilmember Hellmers made a motion to approve Wellhead Protection Permit # 2 of 2023. The motion was seconded by Councilmember Jochum and unanimously carried.** The applicants thanked the Board and Joann Lindstrom, Planning & Zoning Administrator as well as her staff.

**\*\* The Deputy Supervisor then moved Agenda item K4 – Wellhead Protection Permit #1 of 2023 to this time.**

Doreen Simmons and Matthew Marko, attorneys representing the applicant, spoke about the lengths the company has gone to in order to ensure the proposed fueling tank is safe, and that the Town will be listed as insured for up to ten million dollars. Councilmember Morgan stated that it is the Boards responsibility to protect the drinking water for the Town. He also reported that fuel trucks have been seen on site although they are not actively being used, which is against Town Code. Ms. Simmons said that will be looked into and rectified. **Councilmember Morgan made a motion to table action on Wellhead Protection Permit #1 of 2023 until the Town can gather written notice of acknowledgement by NYS Department of Environmental Conservation, NYS Department of Health and Tioga County Department of Health. The motion was seconded by Councilmember Jochum and unanimously carried.** Attorney Graven also asked if the insurance policy payout could be increased. Ms. Simmons stated that she thought that could be arranged.

#### E. Reports of Department Heads

Deputy Supervisor Morgan – reported that the Town of Nichols has requested to share Dog Control Services. **A motion was made by Councilmember Hellmers to authorize the Supervisor to sign a Shared Services contract with the Town of Nichols for Dog Control. The motion was seconded by Councilmember Marks and unanimously carried.** Lastly, he state that Scott Smith & Son will be closing for about 6 weeks. During this time, the Town will get its fuel from Mirabito using cards issued from Scott Smith (billing will also come from them).

Mike Roberts, Highway Superintendent – no report

Scott Vasisko, Parks Maintenance Supervisor – reviewed the two quotes he submitted via email earlier this week for a (budgeted) pickup truck. He recommended choosing the Dodge from Maguire as it will be available in 3 months rather than a year. **Councilmember Jochum made a motion to purchase a 2023 Dodge 2500 crew cab with plow for \$59,328.43. The motion was seconded by Councilmember Hellmers and unanimously carried.** Vasisko then reported that he has received 18 reservations from seasonal campers already. Lastly, he stated that he has hired two of his three seasonal employees.

Peter Gordon, Town Historian – reported that he and Joann Lindstrom, Planning & Zoning Administrator have been collaborating on a grant for \$20,000 (Town to match \$4,000) that will fund the effort to identify historic buildings in the Town that are in disrepair. **A motion was made by Councilmember Jochum to proceed with the grant application**

**and authorize the Supervisor to sign it when needed. The motion was seconded by Councilmember Marks and unanimously carried.**

Joann Lindstrom, Planning & Zoning Administrator - reported (with thanks to Mike) that the Tire Cleanup Event will be held on May 13, 2023 from 8 AM – 12 PM. Next, she stated that Brenda Burrell passed her Civil Service exam. Lastly, she reported that the Planning Board approved the proposed produce stand on Route 434 at the Vestal line.

Mary Kennedy, Town Clerk & Tax Receiver - no report

Rick Pedro, Sole Assessor – no report

Irene Graven, Town Attorney – no report

F. Privilege of the floor - none

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

1. T. C. Soil & Water donation request

Councilmember Jochum reviewed that the Town typically donates \$200 to this department’s annual goal as this department has consistently been very helpful.

**Councilmember Jochum made a motion to donate \$200 to Tioga County Soil & Water Conservation District for their annual goal. The motion was seconded by Councilmember Marks and unanimously carried.**

H. Abstracts -

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

AO-General Fund	44,929.81
BO-General Fund-Town Outside	11,520.23
DB-Highway-Town Outside	59,545.15
FO-Water Districts	25,862.89
FA-Route 38 Water	24.35
GO-Sewer Districts	26,279.00
GA-Route 38 Sewer	182.51
	<u>          182.51</u>
	<b>\$ 168,343.94</b>

I. Unfinished Business - none

J. Reports of Standing Committees -

Councilmember Marks – no report

Councilmember Jochum – reported that today’s workshop needs to be rescheduled.

**Councilmember Marks made a motion to schedule a Workshop regarding the Hickories Park pedestrian bridge at 5:45 on April 4, 2023. The motion was seconded by Councilmember Hellmers and unanimously carried.**

Councilmember Hellmers – no report

K. Presentation of Resolutions, Motions and New Business;

1. Employee upgrade – Highway

**A motion was made to adopt the following resolution raising Garrett Stokes from an MEO I to an MEO II. The motion was seconded by Councilmember Marks and unanimously carried.**

WHEREAS, the approved 2023 budget for the Town of Owego Highway Department has budgeted for and includes an MEO II position which is currently vacant; and

WHEREAS, Garrett Stokes, currently in a MEO I position, is available and willing to be promoted to the MEO II position retroactive to February 27, 2023;

NOW, THEREFORE, BE IT

RESOLVED, that Garrett Stokes is appointed to the position of MEO II, retroactive to February 27, 2023, at an hourly wage of \$19.19 per hour and a promotional probationary period of 26 weeks.

2. Rate of pay increase – Planning & Zoning

**Councilmember Jochum made a motion to adopt the following resolution increasing the rate of pay for Brenda Burrell. The motion was seconded by Councilmember Hellmers and unanimously carried.**

WHEREAS, the approved 2023 budget for the Town of Owego Planning & Zoning Department has budgeted for and includes a full time Office Specialist II position; and

WHEREAS, Brenda Burrell was appointed to that position effective January 2, 2023 with the understanding that upon passing the Tioga County Civil Service test, her annual salary shall be increased by 5% to \$16.80 per hour; and

WHEREAS, Brenda Burrell has taken and passed the required examination;

NOW, THEREFORE, BE IT

RESOLVED, that Brenda Burrell's hour salary shall be increased to \$16.80 per hour, retroactive to February 27, 2023 with a probationary period of up to 52 weeks from date of hire.

3. 5099 State Rt. 17C possible demolition

Bill Carrigg, Code Enforcement Officer, reviewed the history of this unsafe structure going back to 2017, as well as the many, well-documented efforts by the Town to get the owner to demolish the building. Carrigg recommended that the Town begin the process for

demolition of the structure. **A motion was made by Councilmember Jochum to advertise for two estimates for an asbestos survey at 5099 State Route 17C. The motion was seconded by Councilmember Hellmers and unanimously carried.**

4. Wellhead Protection Permit #1 of 2023 - Upstate Shredding

This was acted on earlier in the meeting (before Reports of Department Heads).

5. Wellhead Protection Permit #2 of 2023 – Bella’s Boutique

This was acted on earlier in the meeting (before Reports of Department Heads).

6. Receipt printers purchase – Logics

Mary Kennedy, Town Clerk & Tax Receiver, reviewed that the receipt printers for the Utilities collection software will no longer work with that program after the forthcoming update, and an estimate to replace them. **Councilmember Jochum made a motion to accept the price estimate from Edmunds Govtech of \$3,193.00 for 3 receipt printers and a case of receipt paper. The motion was seconded by Councilmember Hellmers and unanimously carried.**

7. Discussion of Solar Moratorium –

**A motion was made by Councilmember Morgan to table the discussion of a Solar Moratorium. The motion was seconded by Councilmember Jochum and unanimously carried.**

8. Advertise for bids – Fueling station tank

Deputy Supervisor Morgan explained that this is informational only: Advertisement will be in the March 12, 2023 Binghamton Press, with the bid opening on March 27<sup>th</sup> and awarded at the April 4<sup>th</sup> meeting of the Town Board.

L. Second Privilege of the Floor

Code Enforcement Office Bill Carrigg reviewed that there will be a stormwater training presented by Tioga County Soil & Water on March 23, 2023 at the Shared Services Building.

M. Executive Session-none

N. Adjournment

**Councilman Dean Morgan moved to adjourn the meeting at 7:28 PM.**

Respectfully submitted,

Mary Kennedy, Town Clerk

