

June 7, 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 Town Clerk called the roll Scott Vasisko led all in the Pledge of Allegiance.

Council

Present: Supervisor Donald Castellucci, Jr.

Council: Dean Morgan, Craig Jochum, Jonathan Marks, and Cheri Grenier

Absent: None

Department Heads

Present: Joann Lindstrom, Planning & Zoning Administrator

Scott Vasisko, Parks Maintenance Supervisor

Rick Pedro, Assessor

Peter Gordon, Town Historian

Michael Roberts, Highway Superintendent

Irene Graven, Town Attorney

Mary Kennedy, Town Clerk and Tax Receiver

Absent: Tyson Stiles, Director of Utilities

B. Minutes of the previous meeting -

**Councilmember Morgan made a motion to accept the minutes of the May 17, 2022 as written by Debra Standing. The motion was seconded by Councilmember Marks and unanimously carried.**

C. Consideration of bids – none

D. Public Hearing - none

E. Reports of Department Heads –

Hank Hines, Deputy Highway Superintendent – reported that crews have begun mowing this week. He also stated that he is looking into starting a work order program

Scott Vasisko, Parks Maintenance Supervisor - reported that he and his crew have been very busy. The campground has been full for a while. Next, he stated that he still needs to hire two seasonal workers. Vasisko then asked about the fireworks scheduled for the Independence Day celebration. Lastly, he requested to attend Attorney/Client privilege at the end of the meeting.

Peter Gordon, Town Historian – no report

Joann Lindstrom, Planning & Zoning Administrator – had no report, but requested the Board schedule some Public Hearings. **A motion was made by Councilmember Morgan to schedule Public Hearings on August 2, 2022 at 6:30 PM regarding Stand-alone solar energy local laws. The motion was seconded by Councilmember Jochum and unanimously carried.**

Rick Pedro, Assessor – reported that Grievance Day went well and results will come after the BAR has finished its review.

Irene Graven, Town Attorney – no report

Mary Kennedy, Town Clerk – thanked Debra Standinger for covering the Town Board meetings in Kennedy’s absence. She also spoke of a resident with health problems who has requested to not incur further penalty on their water/sewer bill if they make monthly payments. The request was referred to Committee.

Supervisor Castellucci – reported that the monthly statement of the Planning & Zoning Administrator is on file in his office.

F. Privilege of the floor –

\*\*\*At this time the Board decided to act on Agenda items K3 – Local Law #3 of 2022

**Councilmember Morgan made a motion to approve Local Law #3 of 2022 by the adoption of the following resolution changing the zoning of James & Deborah Wood’s parcel from AG to IN. The motion was seconded by Councilmember Jochum and unanimously carried on a Roll Call Vote.**

### **Local Law No. 2 of 2022**

1. SECTION 1. The Code of the Town of Owego, Chapter 125 Zoning, Article III, Section 125-7 Zoning Map is hereby amended pursuant to the applicable provisions of the Town Law and the provisions of the Municipal Home Rule Law as follows:

A 10.99 acre portion of Tax Map No. 106.00-3-19.11, lying northwest of State Route 38 and east of the Owego Hartford railroad, previously zoned Agricultural “AG” shall be changed to Industrial “IN”.

2. 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.
3. SECTION 3. EFFECTIVE DATE. This local law shall take effect immediately upon filing with the Secretary of State.

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

1. Concerts in the Park funding request – Tioga Arts Council

Supervisor Castellucci stated that no action is necessary as it was included in the budget and abstracts.

H. Abstracts –

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

A0 - General Fund	25,942.69
B0 - General Fund-Town Outside	14,584.94
DB - Highway-Town Outside	72,102.57
F0 - Water Districts	79,659.97
FA - Route 38 Water	704.63
G0 - Sewer Districts	45,034.67
GA – Route 38 Sewer	269.00
HN – NY Rising – Shared Services Building	<u>13,738.33</u>
	<b>\$252,036.80</b>

I. Unfinished Business – none

J. Reports of Standing Committees –

Councilmember Morgan – thanked Scott Vasisko, Parks Maintenance Supervisor, for helping to prepare Hickories Park for the Catfish Derby. He also stated a need for Attorney/Client Privilege after the meeting

Councilmember Marks – no report

Councilmember Jochum – no report

K. Presentation of Resolutions, Motions and New Business –

1. Training request – Court Clerks

**Councilmember Jochum made a motion to approve Cheryl Adams to attend training in Albany 10/16-19/22 and BreeAnna Spires to attend training in Syracuse 8/2-3/22 with all reasonable expenses paid. The motion was seconded by Councilmember Marks and unanimously carried.**

2. NY Owego III, LLC PILOT

Supervisor Castellucci explained that this was already approved by the Town Board (2/15/22), but is still being considered by the County and School District.

3. Local Law #2 of 2022 – Rt. 38 rezoning

This was acted on earlier in the meeting during Privilege of the Floor.

4. Local Law #3 of 2022 – Rt. 434 rezoning

**A motion was made by Councilmember Morgan to adopt Local Law #3 of 2022 approving the rezoning the Porto Bagel parcel on Route 434 from AG to HIC. The motion was seconded by Councilmember Marks and unanimously carried.**

**Local Law No. 3 of 2022**

1. SECTION 1. The Code of the Town of Owego, Chapter 125 Zoning, Article III, Section 125-7 Zoning Map is hereby amended pursuant to the applicable provisions of the Town Law and the provisions of the Municipal Home Rule Law as follows:

The following tax map parcel in the Town of Owego previously zoned Agricultural “AG” shall be changed to Highway Interchange “HIC”.

Tax Map No. 129.00-1-4

2. 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.
3. SECTION 3. EFFECTIVE DATE. This local law shall take effect immediately upon filing with the Secretary of State.

5. Permission for Supervisor to sign credit card services contract with M & T Bank

**Councilmember Grenier made a motion to grant Supervisor Castellucci to sign the contract with M & T Bank for credit card services contingent on the satisfactory answer to Councilmember Morgan’s question about liability and a proper policy being set in place. The motion was seconded by Councilmember Marks but failed to carry with 2 yes votes, 2 no votes (Councilmembers Morgan and Jochum) and one abstention (Councilmember Marks).**

**A motion was made by Councilmember Morgan to table action on M & T Bank credit card services. The motion was seconded by Councilmember Jochum and unanimously carried.**

6. Resolution to approve funds spent on Shared Services Building

The Supervisor reviewed that these funds have already been approved, but the State needed a resolution to account for the completion of the Shared Services Facility. **Councilmember Morgan made a motion to adopt the following resolution approving contractor payments for the Shared Services Building. The motion was seconded by Councilmember Marks and unanimously carried.**

WHEREAS, due to change orders reflected throughout the life of the Shared Services project, the following debits have been funded by the Town of Owego and the credits returned to the contractors:

Daniel J Lynch Contracting	\$145,482.10
Piccirelli, Slavik & Vincent Plumbing & Heating	(21,286.44)
Upstate Companies I, LLC	63,225.62
Petcosky Companies	13,773.11
Robinson Contracting	(7,796.68)
Net Total	\$193,397.71

NOW, THEREFORE, BE IT RESOLVED, that the above debits and credits be approved.

7. Approve Clark Patterson Lee amendment #4

Supervisor Castellucci stated that this is another amendment approval needed by the State. **A motion was made by Councilmember Morgan to approve the Clark Patterson Lee amendment #4 retroactive to December 15, 2018. The motion was seconded by Councilmember Marks and unanimously carried.** The amendment is attached at the end of these minutes.

8. Standard Workday Resolution for elected officials

**Councilmember Jochum made a motion to approve the 2022 Standard Workday Resolution for elected and appointed officials for NYSLRS. The motion was seconded by Councilmember Marks and unanimously carried.** The resolution is attached at

the end of these minutes. \*\*\*\*\*

L. Second Privilege of the floor - none

M. Executive Session – none

N. Adjournment

**Councilmember Morgan moved to adjourn the meeting at 7:10 PM .**

Respectfully submitted,

Mary Kennedy, Town Clerk



**Standard Work Day and  
 Reporting Resolution for  
 Elected and Appointed Officials**

Employer Location Code  
**30151**

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

**RS 2417-A**  
 (Rev. 11/19)

Received Date

BE IT RESOLVED, that the Owego Town Board (Name of Employer) / 30151 (Location Code) hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYS LRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
<b>Elected Officials:</b>									
Donald Castellucci, Jr.	6075	37882511	Town Supervisor	2022-2026	6.0		<input type="checkbox"/>	2 weeks	<input type="checkbox"/>
Mary Kennedy	8810	60406790	Town Clerk	2022-2026	6.0		<input type="checkbox"/>	2 weeks	<input type="checkbox"/>
<b>Appointed Officials:</b>									
Kyle Fleming	7592	40245516	Dog Control Officer		8.0		<input type="checkbox"/>	2 weeks	<input type="checkbox"/>
Richard Pedro	8689	73047698	Town Assessor		8.0		<input type="checkbox"/>	2 weeks	<input type="checkbox"/>

I, Mary Kennedy (Name of Secretary or Clerk) secretary/clerk of the governing board of the Town of Owego (Name of Employer) of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 7th day of June, 2022 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the Town of Owego (Name of Employer) on this 25th day of July, 2022.


*Mary Kennedy* (Signature of Secretary or Clerk)  
 Mary Kennedy (Name of Secretary or Clerk)

Affidavit of Posting: I, Mary Kennedy (Name of Secretary or Clerk) being duly sworn, deposes and says that the posting of the Resolution began on July 25, 2022 (Date) and continued for at least 30 days. That the Resolution was available to the public on the:

- Employer's website at: \_\_\_\_\_
  - Official sign board at: 2354 State Route 434, Apalachin, NY 13732
  - Main entrance Secretary or Clerk's office at: \_\_\_\_\_
- Page \_\_\_\_\_ of \_\_\_\_\_ (for additional rows, attach a RS 2417-B form.)

(seal)



GOSR Architectural and Engineering Services CONTRACT AMENDMENT – Part 1 <sup>1</sup>	
ARCHITECT/ENGINEER: Clark Patterson Lee	Contract Amendment No.: 4 PROJECT: Town of Owego Shared Services Facility PROJECT No.:
SUBRECIPIENT: Town of Owego	
DATE OF ISSUE: 12/14/2018	A/E CONTRACT EFFECTIVE DATE: 10/8/2015
<p><b>Description and Reason for this A/E Contract Amendment:</b>            The project was originally to be completed in a 25 month period commencing in October 2015 and completed by November 30, 2017. As of November, 2018 the project is out to bid and will have a minimum of 18 months before completion. This delay in project completion was due to continuous delays in design review and required unnecessary changes in construction documents. Further, the delay required 24 additional months of client meetings and reviews beyond those initially anticipated.</p> <p><b>Description of any Changes to Contract Completion Dates and Milestones:</b>            Project completion date is now June 2020.</p> <p><b>Attachments: (List documents supporting change and justifying cost and time)</b>            Change Order Request (Cost Reasonableness Form)            Cost or Price Summary Forms</p>	
<p><b>CHANGE IN CONTRACT PRICE:</b></p> <p>Original Contract Price: \$ 975,080.00</p> <hr/> <p>Contract Price Prior to this Contract Amendment: \$ 1,046,644.00</p> <hr/> <p>Net Increase <input checked="" type="checkbox"/>/Decrease <input type="checkbox"/> of this Contract Amendment: \$ 162,786.00</p> <hr/> <p>New Contract Price with all Approved Contract Amendments: \$ 1,209,326.65</p>	
<p>RECOMMENDED: (Engineer)            By:             Name, Title: John J. Martin, P.E., Principal Consultant            Date: 12/14/2018</p>	<p>APPROVED: (Subrecipient)            By:            Name, Title: Donald Castellucci, Jr., Town Supervisor            Date: 12/14/2018</p>

<sup>1</sup> GOSR must issue contract consent for any contract change.