

June 1, 2021
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 Councilmember Roberts led all in the Pledge of Allegiance.

Council

Present: Supervisor Donald Castellucci, Jr., Dean Morgan, Craig Jochum, Barbara Roberts and Jonathan Marks

Absent: None

Department Heads

Present: Cheri Grenier, Sole Assessor
Irene Graven, Town Attorney
Mary Kennedy, Town Clerk and Tax Receiver
Tyson Stiles, Director of Utilities
Peter Gordon, Town Historian
Joann Lindstrom, Planning & Zoning Administrator

Absent: Mark Clark, Highway Superintendent
Scott Vasisko, Parks Maintenance Supervisor

B. Minutes of the previous meeting -

The minutes of the May 18, 2021 meeting will stand as presented.

C. Consideration of bids –

1. Salt Storage Facility
2. Electrical
3. Cold Storage

Supervisor Castellucci reviewed the bid results for Phase 2 of the Shared Services Facility as well as the recommendations from Clark Patterson Lee. **Councilmember Morgan made a motion to award the bids for Phase 2 of the Shared Services Facility to the apparent low bidders as follows: General Construction to ZMK Construction, Inc. at \$1,688,000.00, Electrical Construction to Panko Electrical & Maintenance, Inc. at \$71,700.00 and the Alternate Construction to Streeter Associates, Inc. at \$763,500.00. The motion was seconded by Councilmember Roberts and after discussion, carried with 3 yes votes and 2 no votes (Councilmembers Jochum and Marks).**

D. Public Hearing –

1. Special Use Permit – Private Outdoor Recreation Area

Supervisor Castellucci opened the Public Hearing. Sarah Campbell (legal representative of Dr. Gallagher/applicant) spoke about the project. She stated that this has

already been approved by both the County and Town Planning Boards. Representatives from Delta Engineers shared renderings and answered questions. Ronald Erat and Greg Misner, of South Apalachin Road, both spoke against the project stating it will reduce property values, cause adverse water runoff and attract too many people. Rodney Valentine, South Apalachin Road spoke in favor of the project. **A motion was made by Councilmember Morgan to adjourn the Public Hearing until June 15, 2021 in order to consider all sides. The motion was seconded by Councilmember Roberts and unanimously carried.**

E. Reports of Department Heads –

Tyson Stiles, Director of Utilities – reported that the Main Street well has tested positive for PFOs and PFAs. If the test is confirmed, the well will need to be closed until treatment occurs and negative test results are reported. He also stated that NYS is the only one in the nation acting on these contaminants. Lastly, he reported that the Tobey Road pump is down again after only 1 year and 10 months since its last replacement. A spare is being utilized now, but will need to be replaced.

Joann Lindstrom, Planning & Zoning Administrator – thanked Attorney Graven for her help with the special permit application. She also thanked everyone, and especially Bill Carrigg, who contributed to another successful Tire Cleanup event. Lastly, she requested Attorney/Client Privilege after the meeting.

Peter Gordon, Town Historian – reported that he has sent another book to the printers; and this one will benefit the Tioga County Museum.

Cheri Grenier, Sole Assessor – reported that Grievance Day went well with thanks to Joann Lindstrom for technical support. When Supervisor Castellucci asked about the Equalization Rate for next year, she stated that it will remain at 68.

Mary Kennedy, Town Clerk – reported that she has registered for a class that will discuss the utility moratorium and the effects it will have on Municipalities.

Irene Graven, Town Attorney – no report

Supervisor Castellucci – reported that the financials for the Davis Hill project are in the final stages of completion; as is the construction on the Long Creek Road bridge. Next, he thanked Owego Police Department for loaning their digitized speedometer sign for Forest Hill Road. With regards to the Shared Services facility, the Supervisor stated training was held and departments will begin to move in while some minor issues are fixed. He also stated Attorney/Client Privilege will be necessary after the meeting. Next, he reported on a new mask policy for the Town Facility. **Councilmember Roberts made a motion to adopt the following mask policy: Fully vaccinated people do not need to wear a mask. Unvaccinated people must wear a mask if they are unable to social distance. The motion was seconded by Councilmember Jochum and unanimously carried.** The Supervisor then recommended having a workshop in combination with the Village Trustees regarding the new Cannabis Legislation. **A motion was made by Councilmember Jochum to schedule a workshop with the Village Trustees regarding new Cannabis Legislation on June 15, 2021 at 5:30 PM contingent on the Trustees' availability. The motion was seconded by Councilmember Roberts and unanimously carried.** Next, he reported that the same company that made the video for the Town website has another project to promote the Town. This one would place banners of local Veterans on Town utility poles. As before, there would be no cost to the Town. Lastly, he stated he will be taking vacation time from 6/26/21 through 7/5/21.

F. Privilege of the floor – none

G. Presentation of Petitions, Communications, Notices and Transfers – none

H. Abstracts –

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

A0 - General Fund	34,185.08
B0 - General Fund-Town Outside	6,933.06
DB - Highway-Town Outside	216,056.73
F0 - Water Districts	6,981.02
FA - Route 38 Water	1.59
G0 - Sewer Districts	17,285.54
GA – Route 38 Sewer	50.52
HN – NY Rising – Shared Services Building	<u>285,432.77</u>
	\$566,926.31

I. Unfinished Business –

1. John Scott proclamation

A motion was made by Councilmember Morgan to adopt the following proclamation honoring the life of John V. Scott. The motion was seconded by Councilmember Jochum and unanimously carried. The proclamation will be given to his family at a ceremony Saturday that will dedicate a pavilion in Campville Commons with his name.

WHEREAS, John V. Scott was Tioga County Fire Coordinator from 1999 to his Line of Duty Death on July 20, 2016; and

WHEREAS, John V. Scott was a member of the NYS Fire Chief’s Association and served as Chair of their Annual Conference Committee; and

WHEREAS, John V. Scott was a past chief and 46-year member of the Campville Fire Department, served as a Town of Owego Fire District Commissioner, a fire investigator and a member of the Tioga County Search & Rescue and Haz-Mat Teams; and

WHEREAS John V. Scott initiated the Tioga County Radio Communications Upgrade Project, which is on-going; oversaw Fire and EMS Training in Tioga County; introduced the use of technology in the Tioga County Fire Service; was instrumental in securing grant funding for Fire Service Projects and Radio Communications Projects in Tioga County; and

WHEREAS, John lived in Crestview Heights in the Town of Owego with his wife, Karen; and

WHEREAS, John was retired from Lockheed Martin and previously worked for IBM;

NOW THEREFORE, the Town of Owego Board celebrates the life of John V. Scott and the Owego Town Board, on behalf of the Town of Owego and all its residents, does hereby extend its sincere and grateful appreciation for the dedicated service that John V. Scott provided to the Town of Owego and its residents.

J. Reports of Standing Committees –

Councilmember Marks (for Scott Vasisko, Parks Maintenance Supervisor) – reported that every campsite was used on Memorial Day weekend. Next, he stated that a plan for the Triple City Street Rods event has been developed. Lastly, he reported that Vasisko has begun moving some equipment to the new building.

Councilmember Jochum – requested Executive Session (personnel)

Councilmember Morgan – no report

Councilmember Roberts – no report, but asked the Highway Committee to take a look at the street in front of Angelo (Butch) Caforio’s driveway (325 Main) for standing water.

K. Presentation of Resolutions, Motions and New Business –

1. Resolution – New Hire (Teddi Card)

Joann Lindquist, Planning & Zoning Administrator, reviewed the resolution.

Councilmember Roberts made a motion to adopt the following resolution Hiring Teddi Card to fill the vacancy in the Planning & Zoning Department. The motion was seconded by Councilmember Marks and unanimously carried.

WHEREAS the approved 2021 budget for the Town of Owego Planning and Zoning Department has budgeted for and includes a full time Office Specialist II position, and

WHEREAS due to the retirement of Linda Bailey, this position remains vacant and it is necessary to fill this position, and

WHEREAS Teddi Card has interviewed and meets minimum Civil Service qualifications; and

WHEREAS Teddi Card is available and willing to fill such full time position with benefits at \$15.00 per hour, contingent upon passing the Office Specialist II Civil Service exam, a probationary period of up to 52 weeks and subject to a satisfactory license background check;

NOW, THEREFORE, BE IT

RESOLVED that effective June 7, 2021, Teddi Card is hereby hired to fill the position of full time Office Specialist II at \$15.00 per hour with benefits, with a probationary period of up to 52 weeks from date of hire, provisional upon the results of the Tioga County Civil Service exam and subject to satisfactory license background check.

At this time, the Board decided to delay action on Agenda item K2. Decommissioning Bond/Decommissioning Agreement/PILOT Agreement for Cafferty Hill Road Solar Farm.

3. Training/Conference - Court Clerks

A motion was made by Councilmember Jochum to allow BreAnna Spires to attend training in Pottsdam, NY; and Cheryl Adams to attend the Magistrates Court Clerks Association Conference in Albany, NY with all reasonable expenses paid. The motion was seconded by Councilmember Morgan and unanimously carried.

4. Online Access to Town Code

Joann Lindstrom, Planning & Zoning Administrator, reviewed that having the Town Code available online for viewing would be helpful not only for residents but also several departments in the Town Hall (who would also spilt the cost). **Councilmember Marks made a motion to authorize the Supervisor to sign the agreement with General Code to make the Town Code available for online perusal. The motion was seconded by Councilmember Roberts and unanimously carried.**

2. Decommissioning Bond/Decommissioning Agreement/PILOT Agreement for Cafferty Hill Road Solar Farm

Attorney Graven reviewed the agreement. After a short discussion, it was decided to extend a counter-offer of \$200,000 bond, plus Prevailing Wage review at 15 years and every 5 years thereafter until year 30. **Councilmember Roberts made a motion to approve the Cafferty Hill Road Solar Farm Decommissioning Agreement as amended. The motion was seconded by Councilmember Marks and carried with 4 yes votes and 1 no vote (Councilmember Jochum).** Cheri Grenier, Sole Assessor reviewed the PILOT (Payment in Lieu of Taxes). **Councilmember Marks made a motion to approve the Cafferty Hill Road PILOT with an equal split between the Town, Village and School District without taking consideration of the assessed value for each municipality. The motion was seconded by Councilmember Roberts and unanimously carried.** The agreement will be on file in the Town Attorney's office.

L. Second Privilege of the floor -

Jackie Burke, Delaware River Solar, recommended that the Town also subscribe to the solar farm. She distributed a schedule to show the estimated savings the Town could see if enrolled.

M. Executive Session –

Supervisor Castellucci motioned to enter into Executive Session at 8:32 PM. The motion was seconded by Councilmember Roberts and unanimously carried.

A motion was made by Supervisor Castellucci to come out of Executive Session at 8:40 PM. The motion was seconded by Councilmember Marks and unanimously carried.

N. Adjournment

Councilmember Morgan moved to adjourn the meeting at 8:41 p.m.

Respectfully submitted,

Mary Kennedy, Town Clerk