

April 16, 2024  
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 Attorney Graven 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: Phil Baker, Parks Maintenance Supervisor  
Michael Roberts, Highway Superintendent  
Irene Graven, Town Attorney  
Mary Kennedy, Town Clerk & Tax Receiver

Absent: Tyson Stiles, Director of Utilities  
Rick Pedro, Sole Assessor  
Peter Gordon, Town Historian

B. Minutes of the previous meetings -

**Councilmember Morgan made a motion to approve the April 2, 2024 Regular Meeting minutes as submitted by Laura Burt, Deputy Town Clerk. The motion was seconded by Councilmember Jochum and unanimously carried.**

C. Consideration of bids – none

D. Public Hearings –

1. Local Law #1, 2024 – Zoning change

Supervisor Castellucci opened the Public Hearing and reviewed the rezoning request. There was no one wishing to speak about the request. **A motion was made by Councilmember Morgan to close the Public Hearing. The motion was seconded by Councilmember Jochum and unanimously carried.** The Supervisor then reviewed Part II of the SEQR. **Councilmember Morgan made a motion to find the proposed unlisted action to have no adverse environmental impacts and to authorize the Supervisor to**

**sign the Short Environmental Assessment Form. The motion was seconded by Councilmember Hellmers and unanimously carried.** The Local Law was then reviewed. Councilmember Morgan shared that the Town Planning Board approved this request while the County Planning Board took no action. He also shared that 40 letters of support for the change was submitted to the Town. **A motion was made by Councilmember Morgan to adopt the following resolution creating Local Law #1 of 2024 (rezoning 2027 Day Hollow Road from AG to NT. The motion was seconded by Councilmember Jochum and unanimously carried.**

### **Local Law No. 1 of 2024**

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:

Property at 2027 Day Hollow Road, Tax Map No. 119.00-2-52 previously zoned Agricultural “AG” shall be changed to Neighborhood Transition “NT”.

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.

#### E. Reports of Department Heads –

Phil Baker, Parks Maintenance Supervisor – reported camping at Hickories Park opened on April 15<sup>th</sup> and the seasonal spots are completely reserved while half of the monthly spots are still available. Lastly, he requested to speak during Attorney/Client privilege.

Mike Roberts, Highway Superintendent – no report

Dean Morgan, Acting Planning & Zoning Administrator – no report

Mary Kennedy, Town Clerk – reported that Second Notices for unpaid taxes were mailed on April 15<sup>th</sup>. Next, she shared a proposal for Codification Services. The Board decided to hold a Workshop on this proposal to be scheduled at a later date. Lastly, she reported that her office was awarded for being a in the top ten sellers of Habitat Stamps for the fifth year in a row. The sales of these stamps earn extra commission/revenue for the Town.

Irene Graven, Town Attorney – no report

Jonathan Marks for Tyson Stiles, Director of Utilities – reported that the Crestview Pump House improvements project has been publicized for bids with the bid opening to be May 21<sup>st</sup>.

Supervisor Castellucci – reported that Bill Carrigg, Code Enforcement Officer will be hosting a SKYWARN Storm Spotter class at the Shared Services Building on May 29<sup>th</sup> at 6:30 PM. Next, he reported that the Town Clerk’s Monthly report is on file in his office. Lastly, he reviewed that Bill Carrigg, Code Enforcement Officer, submitted a quote from Infinit Technology Solutions for security cameras for the Town Hall campus. **Councilmember Jochum made a motion to approve the purchase of 10 security cameras for \$19,764.24 from Infinit Technology Solutions. The motion was seconded by Councilmember Hellmers and unanimously carried.**

F. Privilege of the Floor –

Rose Howard, Sequoia Lane, shared concerns and complaints from residents of the Tioga Terrace neighborhood regarding road conditions and telephone poles.

Beth Paro, Debra Lee Drive, asked if her road would be on the list for resurfacing this year, and also reported that Academy Street in Apalachin is in terrible shape.

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

1. Monthly Report of the Supervisor –

The March 2024 Report of the Supervisor is on file in the Town Clerk’s Office.

2. 2024 Brush pick-up

This year’s pick-up will run 4/29 - 5/1 and 5/27 – 5/31. Town residents must call the Highway Department to schedule a pick-up.

3. Strawberry Festival Parade

Supervisor Castellucci shared sign- up sheets with the Board.

H. Abstracts-

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

A0 - General Fund	22,099.34
B0 - General Fund-Town Outside	7,297.96
DB - Highway-Town Outside	73,903.93
F0 - Water Districts	8,641.31
FA - Route 38 Water	4.72
G0- Sewer Districts	19,844.71

GA – Route 38 Sewer	199.66
L1 – Lighting District 1	0.00
L2 - Lighting District 2	253.28
L3 – Lighting District 3	126.98
L4 - Lighting District 4B	67.83
L5 – Lighting District 5	83.02
L6 - Lighting District 6	301.50
L7 - Lighting District 7	65.28
L8 - Lighting District 8	53.16
L9 - Lighting District #9	17.63
LA – Lighting District 4A	21.43
LX – Lighting District 10	27.44
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	<b>\$133,009.18</b>

I. Unfinished Business –

1. Order of Public Hearing – Consolidated Sewer District facilities improvement

**A motion was made by Councilmember Morgan to schedule a Public Hearing on May 7, 2024 at 6:30 PM to consider the improvement of facilities for the Consolidated Sewer District in Crestview Heights. The motion was seconded by Councilmember Jochum and unanimously carried.**

J. Reports of Standing Committees –

Councilmember Jochum – no report

Councilmember Marks – no report

Councilmember Hellmers - no report

Councilmember Morgan – no report

K. Presentation of Resolutions, Motions and New Business –

1. Valley Road over Pumpelly Creek bridge project funding

**Councilmember Jochum made a motion to adopt the following resolution for the funding of the Valley Road over Pumpelly Creek bridge project. The motion was seconded by Councilmember Morgan and unanimously carried.**

Authorizing the implementation and funding in the first instance 100% of the Federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation Federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Valley Road over Pumpelly Creek bridge replacement (BIN 2218790) P.I.N. 9755.39 (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the Town of Owego desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design and Right-of-Way Incidentals work.

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVED, that the Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of Owego to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering/Design and Right-of-way Incidentals work for the Project or portions thereof; and it is further

RESOLVED that the sum of \$260,000 is hereby appropriated from B Town Outside Fund and DB Highway Town Outside Fund and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Town Board shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Supervisor of the Town of Owego, and it is further

RESOLVED, that the Supervisor of the Town of Owego be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Owego with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs within appropriations therefore that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

2. Farmer Brown PILOT/Decommissioning Agreement

**Councilmember Morgan made a motion to accept the Farmer Brown Solar PILOT and authorize the Supervisor to sign it on behalf of the Board. The motion was seconded by Councilmember Hellmers and unanimously carried.**

**A motion was made by Councilmember Morgan to approve the Farmer Brown Solar Decommissioning Agreement and authorize the Supervisor to sign it on behalf of the Board. The motion was seconded by Councilmember Jochum and unanimously carried.**

Both documents are on file in the Town Attorney's office.

3. Employee promotion – Highway

Mike Roberts, Highway Superintendent, reviewed that Luke Bumbalough has earned his CDL license which should promote him to MEO II. **Councilmember Morgan made a motion to adopt the following resolution promoting Luke Bumbalough to MEO II. The motion was seconded by Councilmember Hellmers and unanimously carried.**

WHEREAS, the approved 2024 budget for the Town of Owego Highway Department has budgeted for and includes an MEO II position which is currently vacant; and

WHEREAS, Luke Bumbalough, currently in a MEO I position, is available and willing to be promoted to the MEO II position retroactive to March 28, 2024;

NOW, THEREFORE, BE IT

RESOLVED, that Luke Bumbalough is appointed to the position of MEO II, retroactive to March 28, 2024, at an hourly wage of \$19.89 per hour and a promotional probationary period of 26 weeks.

4. Gratitude resolution – Schreiner

Supervisor Castellucci thanked Roy Schreiner for his dedicated service to the Town. Sheriff Gary Howard commended Roy for the many things he did for his department and the Tioga County. **Councilmember Morgan read the following resolution honoring Roy Schreiner at his retirement and moved for its adoption. The motion received a unanimous second and carried.**

WHEREAS, Roy Schreiner has been a dedicated employee of the Tioga County Sheriff's Office since October 18, 1994; and

WHEREAS, part of his duties included the supervision of the Alternatives To Incarceration (ATI) program; and

WHEREAS, that program has helped to make the roads within the Town of Owego more attractive and safe for the travelling public, as well as the improvement of Town facilities; and

WHEREAS, the Town of Owego Board on behalf of all of the Town of Owego residents, would like to thank Roy Schreiner for his dedicated service; and be it further

RESOLVED, that this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Roy Schreiner.

L. Second Privilege of the floor – none

M. Executive Session - none

N. Adjournment -

**Motion by Councilmember Morgan, the meeting was adjourned at 7:20 PM.**

Respectfully submitted,

Mary Kennedy, Town Clerk