

**A Town Board Meeting of the Town of Owasco was held on June 8th 2023  
4:00 PM in the Owasco Town Hall with the following members present:**

**PRESENT: Supervisor Edward Wagner  
Councilperson Fred Cornelius  
Councilperson Gucciardi  
Councilperson, Jeremy VeVone  
Councilperson Mike Vitale**

**ABSENT:  
OTHERS PRESENT: Riccardo Galbato**

**CALL TO ORDER: 4:00pm**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF AGENDA:**

**RESOLUTION 23-067 approval of Town Board Agenda for June 8, 2023**

**Motion by Councilor Gucciardi; Second Councilor Vitale**

Roll call vote: Councilor Cornelius	<u>Absent</u>	Councilor Gucciardi	<u>Yes</u>
Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**APPROVAL OF MINUTES:**

**RESOLUTION 23-068 approval of Town Board Minutes for Town Board Meeting on  
May 11, 2023 & May 25, 2023**

**Motion by; Councilor Gucciardi. Second Councilor VeVone**

Roll call vote: Councilor Cornelius	<u>Absent</u>	Councilor Gucciardi	<u>Yes</u>
Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Abstain</u>
Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 23-069 the continuation of the Public Hearing regarding Local Law #2 2023.**

**Motion by Councilor Vitale; Second Councilor Gucciardi**

Roll call vote: Councilor Cornelius	<u>Absent</u>	Councilor Gucciardi	<u>Yes</u>
Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 23- 070 to open the Public Hearing regarding Local Law# 3 2023.**

**Motion by Councilor Gucciardi;    Second Councilor Vitale**

**Roll call vote: Councilor Cornelius Absent    Councilor Gucciardi Yes  
                         Councilor VeVone Yes            Councilor Vitale    Yes  
                         Supervisor Wagner Yes**

**RESOLUTION 23- 071 to open the Public Hearing to increase the maximum estimated cost of construction, installation of Sewer District #1.**

**Motion by Councilor Gucciardi;    Second Councilor Vitale**

**Roll call vote: Councilor Cornelius Absent    Councilor Gucciardi Yes  
                         Councilor VeVone Yes            Councilor Vitale    Yes  
                         Supervisor Wagner Yes**

**PUBLIC PARTICIPATION:**

**Mike Coppola –Lighting @ Waters Edge**

- **Mr. Coppola gave a power point presentation showing how residential exterior lights could affect residents/neighbors by impeding on their properties. He suggested the Town of Owasco add to the town code some type of a lighting ordinance.**

**Mr. Coppola would like to town to consider a Town Light ordinance. The Town Board thanked him for his presentation and directed him to our Town Code Officer as he has formed a committee that is currently rewriting the towns Zoning Laws.**

- **Via Zoom Whitney with Community Power Group addressed the board regarding a proposed Solar Farm off of Melrose Rd. The Town Currently is amending the Zoning Code for Solar. Community Power would like to town to make some changes to the draft.**

**NEW BUSINESS:**

**OLD BUSINESS:**

**COMMUNICATIONS**

**Resident Mike Moore of Adams Ave, Playground concerns**

**Mr. Moore addressed some gentlemen that were on the Pickle ball Courts at 5:15am one morning. The hours are clearly stated on the courts.**

**Another concern is regarding the new town access road behind Owasco Fire Department, He would like the town to consider placing up speed bumps along the road.**

**He would also like to know the status of new directional lights to replace the existing ones on the playground.**

**RESOLUTION 23-072 to amend the current Building Permit Fees as follows.**

**Building Permit and Other Fees**

**Residential Construction:**

**New construction & additions –**

**\$0.20 per square foot. Minimum of \$200.00.**

**Renovations/Alterations –**

**\$0.20 per square foot. Minimum of \$ 100.00.**

**Decks & unheated porches –**

**\$0.20 per square foot. Minimum of \$75.00.**

**Storage Sheds - \$25.00 (up to 125 sq. ft.)**

**Storage buildings (barns) and garages**

**\$0.20 per square foot. Minimum of \$100.00**

**Above ground swimming pool - \$75.00**

**In ground swimming pool - \$100.00**

**Work started prior to obtaining a Building Permit –**

**Double the standard fee.**

**Renewal of expired permit – 6 month extension for the greater of \$25.00 or 25% of the original fee.**

**Floor area shall not include cellar, non-habitable basement, non-habitable attic or carport, but shall include an accessory garage. Floor area shall be based upon outside dimensions of the building.**

**Non-Residential or Commercial construction:**

**All new construction and additions –**

**\$0.20 per square foot for up to 10,000 square feet – minimum fee \$200.00, plus  
\$0.10 per square foot greater than 10,000 square feet.**

**Renovations –**

**\$0.20 per square foot for up to 10,000 square feet – minimum fee \$100.00. Plus  
\$0.10 per square foot greater than 10,000 square feet.**

**Cell Towers – new - \$2,500.00 (permit fee)**

**Cell Tower Upgrades - \$500.00 (permit fee)**

**Work commenced prior to obtaining a Building Permit –**

**Double the standard fee.**

**Renewal of expired permit – The greater of \$25.00 or 25% of the original fee.**

**NOTE: All fees include the Certificate of Occupancy.**

**NOTE: When re-inspection is required the Code Enforcement Officer shall have the discretion to charge an additional fee up to \$50.00**

**NOTE: If the Town expends funds for professional services, including but not limited to Town Engineer fees, the applicant shall pay the cost of said fees to the Town prior to final inspection.**

**NOTE: The permit fee for a building occupied in part for residential use and in part for nonresidential use shall be the sum of the two (2) occupancy fees calculated separately. Floor area shall include basement, cellar and sub-cellar, but shall not include a crawl space or an attic space, no part of which exceeds five (5) feet in height. Floor area shall be based upon outside dimensions of the building.**

**Other Fees:**

**Residential generators - \$100.00**

**Fireplace/wood stove - \$25.00**

**Tier 1 Solar Energy System - \$150.00 (permit fee)**

**Tier 2 Solar Energy System - \$500.00 (permit fee)**

**Tier 3 Solar Energy System - \$2,500.00 (permit fee), plus initial deposit of \$20,000.00 for professional services fees associated with the review of the application, with increase by increments of \$10,000.00 as needed.**

**Demolition/removal - \$25.00**

**Area Variance Application - \$25.00**

**Special Use Permit Application - \$150.00**

**Site Plan Review Fee - \$100.00**

**Lot Line Adjustment - \$75.00**

**For Fire Inspections:**

- 1. Building <5000 square feet - \$50.00.**
- 2. Building 5000 – 20,000 square feet - \$75.00**
- 3. Building > 20,000 square feet - \$100.00**

**Do not need a Building Permit for the Following**

- 1. Ordinary repairs not structural in nature.**
- 2. New roof unless making structural changes.**
- 3. New windows unless making structural changes.**
- 4. New siding unless making structural changes.**
- 5. Fences –**

Are permitted to be installed on the property line, however, it is not recommended to do so unless you have a survey to verify property lines and are not concerned about maintenance on the other side of the fence.

Must not exceed 3-feet high above the natural grade when located in the front yard.

Must not exceed 7-feet high above the natural grade when located in the side yard and backyard. Either side can be facing your neighbor.

NOTE: Waterfront properties have 2 front yards.

Motion by: Councilor Gucciardi. Second Councilor VeVone

Roll call vote: Councilor Cornelius	<u>Absent</u>	Councilor Gucciardi	<u>Yes</u>
Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 23-073** The Owasco Town Board hereby approves the removal of the 10-year limit on the Cold War Veterans' partial real property tax exemption.

Motion by: Councilor Gucciardi. Second Councilor VeVone

Roll call vote: Councilor Cornelius	<u>Absent</u>	Councilor Gucciardi	<u>Yes</u>
Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 23-074** to close the public hearing to increase the maximum estimated cost of construction, installation of Sewer District #1.

Motion by Councilor VeVone; Second Councilor Vitale

Roll call vote: Councilor Cornelius	<u>Absent</u>	Councilor Gucciardi	<u>Yes</u>
Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 23-075** to approve the following:

**CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO THE TOWN OF OWASCO SEWER DISTRICT NO. 1 AT A REVISED MAXIMUM ESTIMATED COST OF \$5,000,000.**

WHEREAS, the Town Board of the Town of Owasco (the "Town") previously approved the acquisition, construction and installation of improvements to the Town of Owasco Sewer District No. 1, including but not limited to the replacement or rehabilitation of sewer mains, manholes, pump stations and other facilities, and the acquisition of machinery, equipment or apparatus required in connection therewith, (the "Project"), at a maximum estimated cost of \$3,300,000; and

WHEREAS, the maximum estimated cost of the Project has increased to \$5,000,000; and

WHEREAS, on June 8, 2023, prior to adopting this Resolution, the Town Board held a public hearing regarding the Project, as required by Town Law Section 202-b; and

WHEREAS, the Town Board now desires to authorize the Project in accordance with Town Law Section 202-b.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby determines it is in the public interest to acquire, construct and install the Project at a revised maximum estimated cost of \$5,000,000; and be it further

RESOLVED, that the Town Board hereby authorizes the Town Supervisor and other proper officers of the Town to proceed with the Project provided, however, that the financing of the Project shall not occur until the Town Board has adopted a Bond Resolution in accordance with the New York Local Finance Law; and be it further

RESOLVED, that this resolution supersedes and replaces the resolutions adopted pursuant to Town Law Section 202-b on November 10, 2021 relating to the Project.

The question of adoption of the foregoing resolution was duly put to a vote, which resulted as follows:

Motion by Councilor Gucciardi; Second Councilor Vitale

Roll call vote: Councilor Cornelius	<u>Absent</u>	Councilor Gucciardi	<u>Yes</u>
Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 23-076 To approve BOND RESOLUTION DATED JUNE 8, 2023**

**BOND RESOLUTION OF THE TOWN OF OWASCO, CAYUGA COUNTY, NEW YORK, AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$1,700,000 SERIAL BONDS TO FINANCE THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO THE TOWN OF OWASCO SEWER DISTRICT NO. 1.**

WHEREAS, the Town Board (the "Town Board") of the Town of Owasco, Cayuga County, New York (the "Town"), on November 10, 2021 adopted a Bond Resolution entitled "BOND RESOLUTION OF THE TOWN OF OWASCO, NEW YORK, AUTHORIZING THE ISSUANCE OF \$3,300,000 SERIAL BONDS TO FINANCE THE COST OF TOWN OF OWASCO SEWER DISTRICT NO. 1 IMPROVEMENTS" (the "Original Resolution"); and

WHEREAS, the Town Board wishes (i) to authorize the expenditure and appropriation of additional funds in connection with the acquisition, construction and installation of improvements to the Town of Owasco Sewer District No. 1 authorized in the Original Resolution, and (ii) the issuance of additional serial bonds of the Town to finance such additional appropriations;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Owasco, Cayuga County, New York as follows:

Section 1. The Town of Owasco, Cayuga County, New York hereby approves the acquisition, construction and installation of improvements to the Town of Owasco Sewer District No. 1, including but not limited to the replacement or rehabilitation of sewer mains, manholes, pump stations and other facilities, and the acquisition of machinery, equipment or apparatus required in connection therewith at an estimated maximum cost of \$5,000,000,

constituting an increase of \$1,700,000 over the estimated maximum cost authorized in the Original Resolution.

Section 2. The plan for financing such new maximum authorized cost of \$5,000,000 for the foregoing object or purpose shall be as follows:

(a) by the issuance of \$3,300,000 of serial bonds or bond anticipation notes of the Town heretofore authorized to be issued pursuant to the Original Resolution; and

(b) by the issuance of additional \$1,700,000 serial bonds (the "Bonds") or bond anticipation notes of the Town authorized to be issued pursuant to this Resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years, pursuant to Section 11.00(a)(4) of the Local Finance Law. Provided that the maximum maturity of the Bonds authorized shall be computed from the date of the first bond anticipation note issued in anticipation of the Bonds or the serial bonds or bond anticipation notes authorized pursuant to the Original Resolution, whichever date is earlier. The proposed maturity of the Bonds will be in excess of five years.

Section 4. Pursuant to Section 107.00(d)(3)(l) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land within the Town of Owasco Sewer District No. 1, which the Town Board shall determine and specify to be especially benefited by the capital purpose described in Section 1 of this resolution, an amount sufficient to pay the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, as the same becomes due and payable, but if not paid from such source, all the taxable real property in the Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on such obligations.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to sell and deliver the Bonds and any bond anticipation notes providing for substantially level or declining annual debt service, is hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

**Section 8.** The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Town's General Fund. It is intended that the Town shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this resolution and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Regulation Section 1.150-2.

**Section 9.** The Town is hereby authorized to execute and deliver in the name and on behalf of the Town a project financing agreement prepared by the New York State Environmental Facilities Corporation ("EFC") (the "SRF Project Financing Agreement"). The Supervisor and the Town Clerk and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved thereby, including, but not limited to, actions related to the transaction with the SRF Project Financing Agreement.

**Section 10.** The Town Supervisor, as chief fiscal officer of the Town, is further authorized to sell all or a portion of the Bonds or any bond anticipation notes issued in anticipation of the Bonds to the United States Department of Agriculture, Rural Development ("Rural Development"); to execute and deliver on behalf of the Town one or more grant agreements ("Grant Agreements") between the Town and Rural Development in connection with the receipt of grants from Rural Development for all or a portion of the costs of the expenditures authorized by Section 1 of this resolution; to execute such other documents, take such other actions as are necessary or appropriate to obtain loans or grants from Rural Development for all or a portion of the costs of the expenditures authorized by Section 1 of this resolution; and perform the Town's obligations under its Bonds and/or bond anticipation notes delivered to Rural Development and under the Grant Agreements.

**Section 11.** The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the Town Supervisor, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other bond resolutions previously or hereafter adopted by the Town Board for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolutions. All matters regarding the sale of the bonds, including the dated date of the bonds, the use of electronic bidding, the consolidation of the serial bonds and the bond anticipation notes with other issues of the Town, and the serial maturities of the bonds are hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town.

**Section 12.** The Town Supervisor, as Chief Fiscal Officer of the Town, is hereby authorized to file an application with the New York State Comptroller pursuant to Section 124.10 of the Local Finance Law to exclude the proposed indebtedness authorized herein from the constitutional and statutory debt limits of the Town.

**Section 13.** The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or



(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This resolution, or a summary hereof, shall be published in the official newspapers of the Town for such purpose, together with a notice of the Clerk of the Town in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 15. This resolution is not subject to a referendum on petition in accordance with Section 35.00(b)(2) of the Local Finance Law.

Section 16. The Town Supervisor, as chief fiscal officer of the Town, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the Town to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 17. The Town Board hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 18. This resolution shall take effect immediately.

Motion by Councilor Gucciardi; Second Councilor Vitale

Roll call vote: Councilor Cornelius	<u>Absent</u>	Councilor Gucciardi	<u>Yes</u>
Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 23- 077 AUDIT AND PAYMENT OF CLAIMS:** authorizing the audit and payment of the following claims: General and Highway Funds, Special Districts, (Water and Sewer Districts), Capital Project and Reserve Fund claims, and ratifying the payment of the prepaid claims as authorized by resolution 16-006 adopted January 4, 2016, all in accordance with the attached abstract of claims.

**ABSTRACT #06 2023 Vouchers #408-495 in the amount of \$\$188,649.01**

**Trust & Agency Voucher #7047-7058 in the amount of \$24,446.57**

**for a grand total of \$213,095.58**

Motion by Councilor VeVone; Second Councilor Vitale

Roll call vote: Councilor Cornelius	<u>Absent</u>	Councilor Gucciardi	<u>Yes</u>
Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
Supervisor Wagner	<u>Yes</u>		

**RESOLUTION 23-078** to adjourn to executive session at 4:44PM to discuss potential land purchase.

**Motion by; Councilor VeVone.    Second Councilor Gucciardi**

<b>Roll call vote:</b>	<b>Councilor Cornelius</b>	<b><u>Absent</u></b>	<b>Councilor Gucciardi</b>	<b><u>Yes</u></b>
	<b>Councilor VeVone</b>	<b><u>Yes</u></b>	<b>Councilor Vitale</b>	<b><u>Yes</u></b>
	<b>Supervisor Wagner</b>	<b><u>Yes</u></b>		

**RESOLUTION 23-079-to return from executive session at 5:01PM.**

**Motion by Councilor Gucciardi;    Second Councilor Vitale**

<b>Roll call vote:</b>	<b>Councilor Cornelius</b>	<b><u>Absent</u></b>	<b>Councilor Gucciardi</b>	<b><u>Yes</u></b>
	<b>Councilor VeVone</b>	<b><u>Yes</u></b>	<b>Councilor Vitale</b>	<b><u>Yes</u></b>
	<b>Supervisor Wagner</b>	<b><u>Yes</u></b>		

**ADJOURNMENT:**

**RESOLUTION 23-080 to adjourn the meeting:**

**Motion by Councilor Gucciardi;    Second Councilor Vitale**

<b>Roll call vote:</b>	<b>Councilor Cornelius</b>	<b><u>Absent</u></b>	<b>Councilor Gucciardi</b>	<b><u>Yes</u></b>
	<b>Councilor VeVone</b>	<b><u>Yes</u></b>	<b>Councilor Vitale</b>	<b><u>Yes</u></b>
	<b>Supervisor Wagner</b>	<b><u>Yes</u></b>		

**Meeting adjourned at 5:02 PM**

**Respectfully Submitted,**

**Tammy M. Flaherty**