

TOWN BOARD
Regular Meeting
November 12, 2015

A regular meeting of the Oneonta Town Board was held on November 12, 2015 with the following members present:

Supervisor: Robert T. Wood
Councilman: Andrew Stammel
Councilwoman: Patricia Jacob
Councilman: David Jones
Councilwoman: Patricia Riddell Kent
Town Clerk: Cheryl L. Shackelton

Others present: Rob Panasci, Town Attorney; James Hurtubise, Highway Supt.; Reggie McGuinness; Norm Davies; Eugene Bettiol; Anthony Tommasiello; Virginia Lee; Joe & Nicole Camarata; George Brown; Jim Hilts; and Jeremy Hilts.

PETITIONERS - none

COMMITTEE REPORTS

Highway/Water & Sewer – Councilman Stammel reported and recommended as follows:

Sewer/Water delinquent accounts – Motion was made by Riddell Kent, seconded by Jones to certify the following sewer and water accounts are delinquent for 2015, and submit to the County Treasurer for collection:

West End Sewer District	\$32,296.54
West Street Sewer District:	\$764.94
Southside Sewer District:	\$44,026.18
Woodland Water District:	\$7,810.33
TOTAL:	\$84,897.99

VOTE – Ayes 5, Nays 0 Motion Carried

Courtyard Drive – Motion was made by Riddell Kent, seconded by Jones to declare a negative declaration, under SEQR and accept Courtyard Drive as a town road per the following resolution:

WHEREAS, the Town Board of the Town of Oneonta has received an Application to lay out a highway in the Town to be known as Courtyard Drive, which will pass through the lands of Bettiol Fuel Service, Inc., Bettiol Enterprises, Ltd, Banta Developers; and McDonalds Real Estate Company, together with the following: (i) Warranty Deed, dated February 11, 2013 from Bettiol Fuel Service, Inc. and Bettiol Enterprises, Ltd; (ii) Warranty Deed, dated November 15, 2013 from Banta Developers; and (iii) Special Warranty Deed, dated June 29, 2015 from McDonalds Real Estate Company, dedicating and releasing the necessary lands for a proposed town highway to be known as Courtyard Drive; and

WHEREAS, said road is more particularly described in the above referenced Deeds which is attached hereto and made a part hereof; and

WHEREAS, the Town Board of the Town of Oneonta has determined the road qualifies for dedication under Highway Law § 171 and meets the Town's requirements for dedication; and

WHEREAS, the Town Board of the Town of Oneonta has reviewed a Short Environmental Assessment Form (EAF) pursuant to the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617); and

WHEREAS, the Town Board has duly considered the contents of the EAF and completed Parts 2 and 3 thereof; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them and caused to be prepared a Negative Declaration which sets forth the reasoning and rationale of the Town Board in determining that no adverse environmental impacts will occur as a result of the action; and

WHEREAS, the Town Board thereby seeks to issue the Negative Declaration under SEQRA thereby complying with the mandates of the State Environmental Quality Review Act;

NOW THEREFORE BE IT RESOLVED that the Town of Oneonta Town Board hereby declares that the laying out of the aforesaid highway will not have any significant adverse environmental impacts; and

NOW THEREFORE BE IT RESOLVED that in accordance with the provisions of section 171 of the Highway Law of the State of New York, consent is given that the Highway Superintendent of the Town of Oneonta make an order laying out the aforesaid town highway, the town highway to consist of the lands described in the deed of dedication.

VOTE – Ayes 5, Nays 0 Motion Carried

Shared Services – Motion was made by Jacob, seconded by Stammel to accept the resolution from the Town of Unadilla for shared services; renting, leasing of highway equipment; exchanging, borrowing equipment; borrowing or lending of materials and supplies.

Discussion: Highway Supt. Hurtubise said that typically the Town doesn't share services with Unadilla. However, in case of an emergency they could help each other out.

VOTE – Ayes 5, Nays 0 Motion Carried

Buildings – Councilman Jones reported that he and Councilwoman Riddell Kent met with OWL (Oneonta World of Learning) representatives at the Fortin house and they are interested in using the location. Supervisor Wood will discuss leasing/renting options and insurance issues with town’s insurance agent. After being thanked for contacting OWL, Councilwoman Jacob said she was pleased the house is going to be used.

Personnel – Motion was made by Jacob, seconded by Riddell Kent to approve the request of Wendy Cleaveland, Code Administrator to carry forward 2 vacation days from 2015 to January 2016.

VOTE – Ayes 5, Nays 0 Motion Carried

Public Safety

133 Southside Drive – Supervisor Wood reported that he left a voice mail with the mortgage company responsible for 133 Southside Drive, but hasn’t heard back. Ironically, he obtained information on ‘how to deal with derelict properties’ from a website of the attorneys representing 133 Southside Drive, he said.

PUBLIC HEARING

Bettiol zone change – Motion was made by Riddell Kent, seconded by Jacob to open the public hearing on the proposed amendment to the zoning map of 13.16 +/- acres situated at the intersection of Oneida St. and State Highway 205 from B-2 to PDD, owned by Bettiol Enterprises Ltd. (Tax Map Nos. 299.00-1-11.21, 299.00-1-11.24, 299.00-1-11.25, 299.10-1-15.01, 299.10-1-16.01, 299.10-1-17.01, 299.10-1-18.01, and 299.10-1-19.01).

VOTE – Ayes 5, Nays 0 Motion Carried

Norm Davies gave a brief overview of the proposed project: approximately 13.16 +/- acres of land to be developed; have preliminary approval from the Town Planning Board; other agencies have indicated they have no strong issues pending. He said infrastructure would be the first phase; followed by sewer, water and power; the artery will be in the center. The Department of Transportation (DOT) is conducting a traffic study from Exit 13 to the 205 traffic light. Traffic issues will be mitigated by DOT. Project will not affect any wetlands and the city has agreed to supply water and sewer. Mr. Bettiol said he has received only positive comments. Supervisor Wood said he received one inquiry who said it sounded like a good project. Councilwoman Riddell Kent said that many people have expressed a strong desire for a grocery store at this location.

Motion was made by Jones, seconded by Jacob to close the public hearing.

VOTE – Ayes 5, Nays 0 Motion Carried

Supervisor Wood stated the board would not be taking action on the application until the December meeting.

ATTORNEY

Assessment Litigation - Motion was made by Jones, seconded by Stammel to accept the Stipulation of Settlement in the assessment litigation of United Parcel Service vs. Town of Oneonta. The revised assessment will be \$536,000 (from the original assessment of \$612,500).

Discussion: Attorney Panasci said the adjustment would amount to a tax refund of approximately \$8000 per year for three years.

VOTE – Ayes 5, Nays 0 Motion Carried

MISCELLANEOUS

2016 Budget – Councilman Stammel stated that there should be no tax increase, saying there has to be a stop to increases every year. Councilwoman Jacob said she felt that way originally, but feels that small incremental increases is a more fiscally responsible way to keep the town solvent. Stammel also reiterated his feeling that part-time elected officials should not get an increase. Councilwoman Riddell Kent felt the 2.5% salary increase would help with gas expenses, since town board members attend numerous meetings. Supervisor Wood stated that the budget increase of \$22,000 (which equates to 11cents per thousand of assessed value) is due to the recent revaluation and that most tax bills won't see any increase because the majority of assessments went down. Wood also said most of the 2.5% salary increase for non-elected employees would be absorbed by their health insurance increase.

Motion was made by Stammel, seconded by Riddell Kent to reduce line A9902.9 (Transfer to Reserve) by \$21,000 and also reduce the tax levy by a corresponding \$21,000.

Discussion: Councilwoman Riddell Kent said she has mixed emotions and it's a difficult decision because Supervisor Wood has done an excellent job in preparing the budget and keeping the town fiscally sound, as proven in the state's 'stress score' of the town. Supervisor Wood said the town hasn't had a General Fund tax levy increase in five years; it has been a tough year because of significant revenue loss; and that residents' have come to expect the services the town provides.

VOTE – Ayes: Stammel, Riddell Kent
Nays: Jacob, Jones, Wood
Motion Defeated

Motion was made by Jacob, seconded by Jones to adopt the 2016 Budget as presented.

VOTE – Ayes: Jacob, Jones, Wood
Nays: Stammel, Riddell Kent
Motion Carried

Ambulance Contract - Supervisor Wood informed the board that the Town of Oneonta Fire Commissioners have not been participating in negotiations for a new fire contract with the City. Should this not be accomplished by years end, the city had indicated they will be looking to increase the ambulance contract by four times. The board agreed this would cause/force them to pursue other options. Supervisor Wood said that Town of Oneonta Fire Commissioner elections are coming up December 9th at Elm Park Church and encouraged residents to submit names of interested individuals.

MISCELLANEOUS

Direct Energy contract – Motion was made by Stammel, seconded by Jones to authorize the supervisor to renew the contract with Direct Energy for delivery of natural gas for a two-year period (04/01/2016 – 03/31/2018) at a fixed price of \$4.20 /Dth.

Discussion: Supervisor Wood said the current price is \$5.68.

VOTE – Ayes 5, Nays 0 Motion Carried

Informational:

Webinar for newly elected officials titled “Just Elected-What Do You Do Now?”, December 10, 2015, 6:30 pm – 8:30 pm;

Newly Elected Officials school: January 6-8, 2016, Rochester; and
January 13-15, 2016, Albany.

Annual Association of Towns Training School & Annual Meeting, Feb. 14-17, 2016 in New York City.

PETITIONERS

Virginia Lee congratulated Andrew Stammel on his election to the County Board of Representatives; and Patricia Riddell Kent to her re-election to the Town Board. She also thanked the entire board for their dedication and service and said she greatly appreciates what they’ve accomplished over the past few years.

APPROVAL OF MINUTES

Motion was made by Jacob, seconded by Riddell Kent to approve the October 14, 2015 and November 4, 2015 special meeting minutes.

VOTE – Ayes 5, Nays 0 Motion Carried

BILLS

Motion was made by Jacob, seconded by Stammel to pay bills as follows:

General	\$46,973.82	784,785,790,791,793,795-797,803-810,818-823,831-835,837, 839-841,843-850,856,859
Highway	\$20,406.94	791,814-819,821-830,848,851
Street Lights	\$3,952.79	835,840
Trust & Agency	\$2,822.52	787-789,801,802
DISTRICTS:		
WESD	\$3,911.91	786,792,798,800,811,813,836,838,842,852,853,855,857
WSSD	\$1,448.05	786,792,800,811,813,836,838,852,853,855,857
SSD	\$5,512.52	786,792,794,800,811,813,838,852,853,857
WWD	\$3,363.63	786,792,799,800,811,812,838,853,854,857,860
PWD	\$10,579.98	786,792,800,811,838,858

VOTE – Ayes 5, Nays 0 Motion Carried

The meeting was adjourned at 8:20 pm.

Respectfully submitted,

Cheryl L. Shackelton
Town Clerk