

TOWN BOARD  
Regular Meeting  
March 9, 2016

A regular meeting of the Oneonta Town Board was held on March 9, 2016 with the following members present:

Councilman: Brett Holleran  
Councilwoman: Patricia Jacob  
Councilwoman: Patricia Riddell Kent  
Councilman: Michael Stolzer  
Town Clerk: Cheryl L. Shackelton

Absent: Supervisor Robert T. Wood – Councilwoman Jacob conducted the meeting as Deputy Supervisor.

Others present: Rob Panasci, Town Attorney; James Hurtubise, Highway Supt.; David Rowley; Joanne Tribe; Reggie McGuinness; Steve Kent; and Andrew Stammel, Co. Rep.

**PETITIONERS**

Joanne Tribe, owner of Susquehanna Campgrounds expressed concern that Wal-Mart allows overnight parking of RVs. She said: the Dept. of Health allows only four overnight campers per night at that location; Wal-Mart has signs saying “No Overnight Parking”; has complained about this for years; is losing approximately \$150,000 per year because of this; ‘not fair’ because her campground business abides by the rules and she pays taxes. Attorney Panasci said: why doesn’t the DOH do something about it; this is a Wal-Mart issue, why aren’t they calling the police. He added that any kind of legislation would be difficult to enforce. He suggested that she submit a formal complaint to the Town Code Office. It was unclear whether the Town Code addressed this issue. The Board agreed to refer the matter to the Code Office.

**COMMITTEE REPORTS**

Highway/Water & Sewer

Plains at Parish Water District – Motion was made by Holleran, seconded by Stolzer to approve the 2016 charges for the Plains at Parish Homestead Water District as follows:

Operations and Maintenance Charge - \$9.90/1000 gallon residential  
\$15.90/1000 gallon other

Date of yearly billing – April 1, 2016

VOTE – Ayes 4, Nays 0 Motion Carried

Buildings & Technology

Fortin House – OWL (Oneonta World of Learning) – Motion was made by Stolzer, seconded by Riddell Kent to enter into an agreement with Oneonta World of Learning for the use of the Fortin House for a term of 30 years (ending March 30, 2046). In lieu of annual rent during the term, OWL shall be responsible for all maintenance obligations of the building at their own cost and expense, and shall make all repairs and perform all required maintenance. They also shall be solely responsible for charges for use or consumption of sewer, gas, electricity, water and all other utility services.

Discussion: Attorney Panasci said the agreement depended upon the provisions in a state conservation law that limits certain activities, but after further review he recommended going forward with the agreement.

Fire insurance options will be discussed with them, but Councilman Stolzer stated that OWL should be required to carry insurance at full replacement value. The Board agreed that OWL could go ahead with a press release.

VOTE – Ayes 4, Nays 0 Motion Carried

Personnel

Motion was made by Jacob, seconded by Riddell Kent to appoint Denise Erbe as Deputy Town Clerk at an hourly rate of \$13; and subject to the standard one year probationary term.

VOTE – Ayes 4, Nays 0 Motion Carried

### Recreation

Councilwoman Jacob will meet with the Greenway Committee to discuss a grant application to construct a bridge and multi-use trail from New Island to the Fortin Park. Estimated cost of the bridge is \$10,000.

### Community and Health

The 'Into The Streets' event has been changed to April 23<sup>rd</sup>. Some of the projects include: interior painting of the Fortin house; exterior painting of the hanger pavilions; and brush clean-up and landscaping.

### ATTORNEY

MOU (Memorandum of Understanding) from Sandy Mathes, of Mathes Public Affairs – Attorney Panasci said he needed time to review the MOU agreement. This MOU would be included in the RFP (request for proposals) to the development community for the solar project in the Industrial Park.

### CODE ENFORCEMENT

Training request – Motion was made by Riddell Kent, seconded by Holleran to authorize three code enforcement personnel to attend the STBOA training in Cortland, NY on 03/17/2016, at a cost of \$120.00.

VOTE – Ayes 4, Nays 0      Motion Carried

Annual Report – The Board acknowledged that Code Enforcement Officer Paul Neske had submitted his 2015 Annual Report to the NYS Building Standards & Codes Division.

### MISCELLANEOUS

Southside Water District #5 – Motion was made by Stolzer, seconded by Riddell Kent to set a public hearing for the establishment of Southside Water District #5 for March 23, 2016 at 7:00 pm.

VOTE – Ayes 4, Nays 0      Motion Carried

Planning Federation Training – Motion was made by Holleran, seconded by Stolzer to authorize four Planning Board members to attend the annual New York State Planning Federation annual conference April 17<sup>th</sup>-19<sup>th</sup>, 2016 in Saratoga Springs, NY at a cost of \$189.00 per person.

VOTE – Ayes 4, Nays 0      Motion Carried

PACE (Property Assessed Clean Energy) Enabling Legislation – Councilman Stolzer explained the proposal as follows: a program that finances alternative energy and energy efficiency projects for businesses and non-owner occupied residences; the 'Energize NY' loans are repaid through the municipality via a tax bill charge (with the county holding the lien on unpaid taxes); a great economic development tool that many states and counties in New York have already adopted. He encouraged the board to promote this legislation at the county level. County Representative Andrew Stammel stated that he has already discussed this with the County Treasurer and County Attorney and they are looking into it. David Rowley said there could be issues and implications of county foreclosure should there be a failure on a loan. Councilman Stolzer said applicants have to qualify for a loan.

Plug-in Hybrid Electric Vehicles – The board agreed it should explore the purchase of a 'Plug-in Hybrid Electric Vehicle' (PHEV) through the Office of General Services aggregated procurement plan. This aggregated purchase would help lower purchase costs and support the reductions in emissions called for in New York State and local government climate commitments. The program will likely be purchasing Chevrolet Volts. The board felt there are better options available.

Board of Assessment Review appointment – Motion was made by Stolzer, seconded by Holleran to appoint Philip Konstantine to the Board of Assessment Review, term to expire 09/30/2020. Discussion: Councilman Stolzer said Mr. Konstantine is a 'model' citizen and would be an asset to the BAR.

VOTE – Ayes 4, Nays 0      Motion Carried

### Informational:

S.A.D.D. Run/Walk and Health Fair – Scheduled for Sunday, April 17, 2016 at Oneonta High School;

Dept. of Transportation Pavement Resurfacing Project – The Dept. of Transportation will be resurfacing approximately 1.5 miles of NYS Route 7 between the Oneonta City line and Hillside Drive in the Town of Oneonta during the 2016 construction season.

Health Study Resolution – Assemblyman Magee acknowledged that he received the town’s ‘Health Study’ resolution and that he would consider the concerns of the Town Board for the safety and welfare of the environment and residents of the areas where gas infrastructure projects are proposed. Senator Seward also acknowledged receipt of the resolution and responded that he would be sensitive to the town board’s concerns should the issue come before the senate.

Town of Oneonta Fire District – Councilwoman Riddell Kent reported that she attended the March 8<sup>th</sup> meeting of the Town of Oneonta Fire Commissioners. She said the commissioners appointed Ronald Peters (to fill the unexpired term of Carol Malz), term to expire 12/31/2016. Also, that they now have a website: [www.oneontatownfiredistrict.com](http://www.oneontatownfiredistrict.com).

### **PETITIONERS**

County Representative Andrew Stammel gave the following update:

- County is moving forward with a purchasing agreement with Onondaga County. He said they will be able to provide some of the best pricing and therefore, save money in the future.

### **APPROVAL OF MINUTES**

Motion was made by Riddell Kent, seconded by Holleran to approve the Feb. 10, 2016 and Feb. 24, 2016 minutes.

VOTE – Ayes 4, Nays 0      Motion Carried

### **BILLS**

Motion was made by Jacob, seconded by Stolzer to approve bills as follows:

General	\$121,846.36	95,100,101,103-126,128,136,137,140,142-144,148,154,155,162,163,166
Highway	\$16,070.75	101,133-135,137-141,146,147,149-153,156,163,164
Street Lights	\$3,821.38	143,144
Trust & Agency	\$3,335.03	97-99,160,161,165
<b>DISTRICTS:</b>		
WESD	\$3,759.50	96,102,127,129,130,145,157-159,167
WSSD	\$979.87	96,102,127,129,130,145,157-159,167
SSD	\$1,478.59	96,102,127,129,130,157,159,167
WWD	\$2,504.11	96,102,127,129-132,145,157-159,167
PWD	\$577.26	96,102,127,129,130,157,159

VOTE – Ayes 4, Nays 0      Motion Carried

The meeting was adjourned at 8:40 pm.

Respectfully submitted,

Cheryl L. Shackelton  
Town Clerk