

TOWN BOARD  
Regular Meeting  
February 10, 2016

A regular meeting of the Oneonta Town Board was held on February 10, 2016 with the following members present:

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

Others present: James Hurtubise, Highway Supt.; Charlotte Georgia; and Steve Kent

**PETITIONERS** - none

**COMMITTEE REPORTS**

**Highway/Water & Sewer** - Councilwoman Riddell Kent reported and recommended as follows:

**Surplus truck** - Motion was made by Jacob, seconded by Stolzer to declare the 2003 Chevy S-10 pickup truck as surplus.

VOTE - Ayes 5, Nays 0 Motion Carried

Motion was made by Holleran, seconded by Jacob to accept the online bid of \$1500.00 from Richard Gray.

VOTE - Ayes 5, Nays 0 Motion Carried

**Southside Water update** - Supervisor Wood reported that signatures needed for Southside District #6 have been completed; and that he expected the same for District #5. Councilwoman Jacob stated that Supervisor Wood and Councilwoman Riddell Kent (and Ex-Councilman Andrew Stammel) deserved a 'big hand' for going 'above and beyond' for this cause.

Motion was made by Wood, seconded by Riddell Kent to set a public hearing for the establishment of the Southside Water District #2 for February 24, 2016 at 7:00 pm.

VOTE - Ayes 5, Nays 0 Motion Carried

**Buildings** - Councilman Riddell Kent reported:

**OWL (Oneonta World of Learning)** - OWL has submitted a letter of intent to use the Fortin house at 167 Youngs Road. Code Officer Paul Neske has conducted an inspection and evaluation and will be forwarded to the OWL Board of Trustees. Highway Supt. Hurtubise will check the furnace in light of the frigid weather forecast. Supervisor Wood said he would work with the Town Attorney and insurance company to assure appropriate insurance coverage.

**Public Safety** - Supervisor Wood reported:

**Constable** - The committee discussed the rolls and duties of the Town Constable. They will proceed looking into a new cell phone and radar system.

**Recreation** - Councilwoman Riddell Kent reported:

**"Into The Streets"** - 'Into The Streets' application has been submitted. Painting of the interior of the Fortin house has been discussed and Councilman Holleran suggested using surplus paint from the county recycling efforts. They will continue to work out final details with Highway Supt. Hurtubise.

**Community & Health** - Councilwoman Jacob on the following upcoming events:

- 'Love the Life You Live' - Hunt Union Ballroom, Feb. 13<sup>th</sup>, Noon - 5 pm
- 'Donate Life' website - Feb. 14<sup>th</sup>
- Defensive Driving - Bassett Hall, Feb. 13<sup>th</sup>, 8:30 am - 3 pm, \$45.00

### **CODE ENFORCEMENT**

Purchase request – Motion was made by Riddell Kent, seconded by Holleran to approve the budgeted purchase request of the 2015 ‘Complete Commentary Collection (I-codes) PDF download for \$710.00.

VOTE – Ayes 5, Nays 0      Motion Carried

133 Southside Drive – Motion was made by Jacob, seconded by Stolzer to award the bid to secure the unsafe structure at 133 Southside Drive to Hickory Hill Restorations in the amount of \$7,000.00.

VOTE – Ayes 5, Nays 0      Motion Carried

### **MISCELLANEOUS**

Ambulance Contract – Motion was made by Stolzer, seconded by Riddell Kent to authorize Supervisor Wood to sign a three year contract entitled ‘General and Emergency Ambulance Services Agreement’ between the City of Oneonta and the Town of Oneonta to provide general ambulance and emergency medical services to the citizens residing and doing business within the Town of Oneonta, for the following compensation:

Year One - January 1, 2016 through December 31, 2016 - \$22,000;

Year Two – January 1, 2017 through December 31, 2017 - \$23,000;

Year Three – January 1, 2019 through December 31, 2019 - \$24,000.

VOTE – Ayes 5, Nays 0      Motion Carried

Town of Oneonta Fire Commissioners - Councilwoman Riddell Kent reported that she attended the Town of Oneonta Fire Commissioners meeting last night. However, since they didn’t have a quorum no business was conducted. Riddell Kent inquired about businesses within the Town of Oneonta Fire District that have PILOT agreements (payment in lieu of taxes). Supervisor Wood stated that the only business that pays PILOT money to the fire district is Lutz Feed.

Health Study resolution – Motion was made by Jacob, seconded by Riddell Kent to pass the following resolution:

In the Matter of Protecting Public  
Health in the Town of Oneonta  
from the Impacts of Large-Scale  
New Pipeline Projects and  
Compressor Stations in the Town  
Of Oneonta

**WHEREAS**, in April, 2015, the Medical Society of the State of New York passed Resolution 2015-159 (with citations below), calling for “governmental assessment of the health and environmental risks that are associated with natural gas pipelines”; and

**WHEREAS**, in the second week of June, 2015 at their Annual Meeting in Chicago, the American Medical Association passed Resolution No. 519 that reads in full “that our American Medical Association recognize the potential impact on human health associated with natural gas infrastructure”; and

**WHEREAS**, the American Medical Association supports legislation that would require a Comprehensive Health Impact Assessment regarding the health risks that may be associated with natural gas pipelines; and

**WHEREAS**, all of the information below “is as cited by the Resolution” passed by the Medical Society of the State of New York; and

**WHEREAS**, Governor Andrew Cuomo determined that High Volume, Horizontal Hydraulic fracturing (HVHF) energy technology posed too great a threat to the long-term health and quality of life for New Yorkers, and ultimately banned the process within the State of New York on December 17, 2014, and

**WHEREAS**, the chemical and radioactive emissions associated with HVHF are not limited to the drilling and extraction technologies at well pads, but are also detected

all along the extensive, intersecting network of natural gas pipelines, Compressor Stations, Metering Stations and other facilities associated with the entire natural gas infrastructure, and

**WHEREAS**, this extensive infrastructure extends into regions of New York State and other Northeastern states that are located far away from the Marcellus **Shale region** and from the actual drilling sites or well pads, and

**WHEREAS**, the pipeline infrastructure exposes humans and animals to the same chemical and radioactive emissions as those released at drilling sites, which include dangerous mixtures of contaminants such as carcinogens, mutagens, endocrine disruptors, neurotoxins, respiratory irritants, mucocutaneous irritants and toxins, and hematological, and cardiovascular toxins, and which are especially damaging to the development of embryos, fetuses, and children, as well as reproduction and survival of livestock, poultry and wild animals, and

**WHEREAS**, transmission and distribution of natural gas through the extensive, far-reaching infrastructure can cause adverse health effects similar to those seen near drilling sites for HVHF, and

**WHEREAS**, there is documented evidence of frequent ‘accidents’ involving infrastructure components, due to faulty construction, and general breakdown including, but not limited to internal and external corrosion, stress corrosion, welding failure at pipeline seams, damage to existing pipelines during construction of nearby new pipelines, damage to existing pipelines during agricultural activities, leading to chemical leaks, explosions, and fires, and

**WHEREAS**, these ‘accidents’ can result in injury and death to humans, as well as damage to the homes, farms, and businesses of local residents, and

**WHEREAS**, Pipelines and Compressor Stations have been documented to sustain damage during natural extreme weather events such as floods, tornados, hurricanes, landslides, and lightning storms, and result in explosions, fires, and other life-threatening events, and

**WHEREAS**, the pipeline infrastructure in New York State involves between 53,542 - 89,705 miles of natural gas pipeline, with Compressor Stations located every 50-100 miles along these pipelines, and

**WHEREAS**, the Compressor Stations are powered by exceedingly strong engines varying from 12,000 Hp up to more than 70,000 Hp, which operate continuously, 24 hours a day, 7 days a week, 365 days per year, and routinely ‘vent’ methane gas into the environment, and

**WHEREAS**, the permitting process to proceed with proposed expansions of various infrastructure segments depends upon the environmental risk assessment conducted by the Federal Energy Regulatory Commission (FERC), and

**WHEREAS**, FERC is considering proposals by multiple natural gas pipeline companies to expand the system of pipelines and compressor stations throughout New York State, including Rockland, Westchester, and Putnam Counties (Spectra Algonguin), Orange County (Millenium/Minisink), Delaware County (Constitution/Hancock), Schoharie County (Constitution/Wright Interconnect Project), and Chemung, Madison, Montgomery, and Tompkins Counties (Dominion/New Market Project), and other counties affected by the Dominion New Market pipeline, and

**WHEREAS**, the American Medical Association (AMA) passed Resolution No. 519 (A-15) recognizing the potential impact on human health and the environment associated with natural gas infrastructure (New HOD Policy) and requested government assessment at all levels and a directive to take action regarding the health and environmental risks that are associated with natural gas pipeline, and

**WHEREAS**, Town Board members of the Town of Oneonta are diverse in their views of the value of natural gas infrastructure expansions, but are unanimous in their

commitment to promote and protect public health and safety by all reasonable means,

**WHEREAS**, in addition to the information cited by the Resolution passed by the American Medical Association, other proposed gas infrastructure projects are planned for Broome County (Northeast Energy Direct Pipeline), Schoharie County ((Northeast Energy Direct Pipeline), and Delaware County (Northeast Energy Direct Pipeline) with a proposed large scale gas fired electric power plant, as well as a 50,000 horsepower compressor station, which due to its proximity could pose additional significant health threats to the residents of the Town of Oneonta, and

**WHEREAS**, the EPA's measurements of emissions from compressor stations are based on yearly averages and fail to account for exposure to significant spikes in concentration of air pollutants during accidental or planned blowdown events and other routine pipeline operations, and

**WHEREAS**, the EPA only provides a minimum standard in the Clean Air Act which does not restrict the State's authority to develop stronger air quality regulations,

**NOW THEREFORE BE IT RESOLVED**, that the Town of Oneonta joins the AMA and The Medical Society of the State of New York in recognizing the potential impact on human health and the environment associated with natural gas infrastructure and requests New York State to perform a full and comprehensive assessment regarding the health and environmental risks that are associated with natural gas pipelines prior to permitting of construction of any new gas infrastructure.

**NOW THEREFORE BE IT RESOLVED** further, that the Clerk of the Town of Oneonta send copies to Governor Andrew Cuomo, New York State Department of Environmental Conservation Acting Commissioner, New York State Department of Health Commissioner, Senator James Seward, Assemblyman William Magee, and Commissioners Tony Clark and Cheryl Lafleur of the Federal Energy Regulatory Commission.

References:

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<http://www.pnas.org/content/112/7/1941.abstract>
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<http://sites.biology.duke.edu/jackson/est2014.pdf>
3. Pipeline Safety Trust:State by State Pipeline Information <http://pstrust.org/about-pipelines1/state-by-state-pipeline-information/>
4. Bamberger, M, Oswald R, Impacts of Gas Drilling on Human and Animal Health, New Solutions; 2012;22(1):51-77. doi: 10.2190/NS.22.1.e.  
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<http://catskillcitizens.org/learnmore/reveh-2014-0057.pdf>
7. Peter Kinsey Health, Safety, Security, & Environmental (HSSE) Management Consulting Services for the Pipeline Construction Industry(See Tab: 'Accidents and lessons learned')<http://pipe-line-safety.com/Accident.php>
8. List of Pipeline Accidents in the United States in the 21st Century; Wikipedia  
[http://en.wikipedia.org/wiki/List\\_of\\_pipeline\\_accidents\\_in\\_the\\_United\\_States\\_in\\_the\\_21st\\_century](http://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States_in_the_21st_century)
9. Pipeline Safety Trust; Pipeline mileage by state, as of 2013:<http://pstrust.org/wp-content/uploads/2013/03/PST-Pipe-Mileage-States.pdf>
10. Pipeline Miles and Facilities in New York State as 3/12/2015:[https://hip.phmsa.dot.gov/analyticsSOAP/saw.dll?Portalpages&NQUser=PDM\\_WEB\\_USER&NQPassword=Public\\_Web\\_User1&PortalPath=%2Fshared%2FPDM%20Public%20Website%2F\\_portal%2FPublic%20Reports&Page=Infrastructure](https://hip.phmsa.dot.gov/analyticsSOAP/saw.dll?Portalpages&NQUser=PDM_WEB_USER&NQPassword=Public_Web_User1&PortalPath=%2Fshared%2FPDM%20Public%20Website%2F_portal%2FPublic%20Reports&Page=Infrastructure)
11. Spectra Energy, New Projects, Algonquin Incremental Market (AIM) Project  
<http://www.spectraenergy.com/Operations/New-Projects-and-Our-Process/New->

Projects-in-US/Algonquin-Incremental-Market-AIM-Project

12. Christopher E. Smith, "Millennium expands capacity with Minisink compressor station" Oil & Gas Journal, June 5, 2013

13. Millennium Pipeline Company, Recent Projects, Hancock Compressor, <http://www.millenniumpipeline.com/hancock.html>

14. Federal Energy Regulatory Commission, Draft Environmental Impact Statement Constitution Pipeline and Wright Interconnect Projects, 2014

<http://www.ferc.gov/industries/gas/enviro/eis/2014/02-12-14-eis.asp>

15. Dominion Transmission, Inc. New Market Project, <https://www.dom.com/business/gas-transmission/mew-market/index.jsp>

16. Southwest Pennsylvania Environmental Health Project, Summary on Compressor Stations and Health Impacts <http://www.environmentalhealthproject.org/wp-content/uploads/2012/03/Compressor-station-emissions-and-health-impacts-02.24.2015.pdf>

17. Physicians for Social Responsibility Compendium Of Scientific, Medical, And Media Findings Demonstrating Risks And Harms Of Fracking (unconventional gas and oil extraction) Third Edition October 14, 2015 <http://www.psr.org/assets/pdfs/fracking-compendium.pdf>

Discussion: Councilman Stolzer stated that he presented this resolution not because of the pros and cons of gas, but to protect the health and welfare of Town of Oneonta residents. He added ‘he doesn’t want to be part of one of those studies’ down the road.

Councilwoman Jacob said many health care providers are signing on to this; and that we can’t put our children at risk. Supervisor Wood said that he recognizes the need for additional fuel sources until better alternatives can be developed however, NYS standards for emissions should be adopted to ensure that our residents are not adversely affected.

Councilwoman Riddell Kent lamented the health problems of humans and animals in the San Fernando Valley due to a massive natural gas leak. Councilman Holleran stated that although he is agreement with the resolution, he feels it could be more concise. Stolzer responded that all the information in the resolution is significant and substantial.

VOTE – Ayes 5, Nays 0 Motion Carried

**APPROVAL OF MINUTES**

Motion was made by Riddell Kent, seconded by Jacob to approve the January 13, 2016 minutes.

VOTE – Ayes 5, Nays 0 Motion Carried

**BILLS/BUDGET MODIFICATIONS**

Motion was made by Holleran, seconded by Riddell Kent to pay bills and budget modifications as follows:

2015 Bills

General	\$26,306.51	1009,1013-1015,1018-1019
Highway	\$45.15	1009
DISTRICTS:		
WESD	\$462.55	1010,1020
WSSD	\$1.99	1010
SSD	\$3.43	1010
WWD	\$694.74	1010,1016,1017,1021
PWD	\$228.25	1010,1020

2016 Bills

General	\$18,894.42	34,35,37-41,43-45,48-60,62,63,65,78,80,81,86,89,90
Highway	\$28,818.12	35,69-79,81-85,91
Street Lights	\$3,991.32	62,63
Trust & Agency	\$1,094,769.87	31-33,46,47,93,94
DISTRICTS:		
WESD	\$13,148.51	30,36,42,61,64,67,87,88,92
WSSD	\$3,058.99	30,36,42,61,67,87,92
SSD	\$6,830.70	30,36,42,61,64,67,87,88,92
WWD	\$4,333.02	30,36,42,61,66-68,87,92
PWD	\$783.67	30,36,42,61,67,92

Additional budget modifications at 12/31/2015

General Account

16204.01	46
16202.01	-46

WWD

83104.11	653
2140.11	653

PWD

83104.12	196
83404.12	-196

VOTE – Ayes 5, Nays 0      Motion Carried

Executive Session – Motion was made by Stolzer, seconded by Wood to enter into Executive Session (7:55pm) to discuss assessment litigation.

VOTE – Ayes 5, Nays 0      Motion Carried

Motion was made by Jacob, seconded by Stolzer to close the executive session.

VOTE – Ayes 5, Nays 0      Motion Carried

Motion was made by Wood, seconded by Stolzer to offer the following tentative assessment agreement to Cooperstown All-Star Village (CASV): \$4.9 million with an \$800,000 business exemption over a 10-year period.

VOTE – Ayes 5, Nays 0      Motion Carried

The meeting was adjourned at 8:15 pm.

Respectfully submitted,

Cheryl L. Shackelton  
Town Clerk