

TOWN BOARD  
Regular Meeting  
June 8, 2016

A regular meeting of the Oneonta Town Board was held on June 8, 2016 with the following members present:

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

Others present: Rob Panasci, Town Attorney; James Hurtubise, Highway Supt.; Steve Kent; Charlotte Georgia; Robert Peebles; Joe Rufrano; Louise Gava; Ron Feldstein; Gene Salerni; and Andrew Stammel, Co. Rep.

**PETITIONERS**

Louise Gava, Ron Feldstein, and Gene Salerni were present representing MEGA (Municipal Electric & Gas Alliance). Ms. Gava gave a PowerPoint presentation on how MEGA and the Community Choice Aggregation (CCA) work. MEGA, established in 1998, is a non-profit, community-based energy-savings program that provides energy aggregation and procurement services to local governments and school districts. She said that all residential and small commercial electric accounts within a municipality could pool their energy needs and thereby enhance their buying power. She outlined the seven steps to CCA: 1) Choose MEGA as CCA administrator, 2) Educate the public, 3) Adopt local law to authorize CCA, 4) Competitive bid for energy supply, 5) Select low-bid supplier, 6) Citizens can opt-out, and 7) Savings begin. Key points are: Better residential rates; Avoid bad marketers; Partnership; Support from experts; and Energy supply options. She added that the county could facilitate inter-municipal cooperation that would help strengthen numbers resulting in better energy pricing for all. Following are Ms. Gava's answers to town board questions: At this point, only the Town of Oneonta and Town of Unadilla have expressed interested in CCA; Supply contracts are for approximately 3 years; MEGA will educate the public so they can understand the difference between them and other companies, such as 'Ambit'; Billing will remain the same (one bill from NYSEG); It would be at least 10 months before anyone can be switched to supply; MEGA consultants are constantly watching rates and would wait until the time is right to lock-in; Budget billing would carry over, if homeowners wish; Homeowners can switch from 'brown energy' to 'green energy' or vice versa any time they wish; Most people do not opt-out of CCA (only approximately 10%).

Supervisor Wood said the town has used MEGA for the past 6-7 years, therefore has experience with them. He expressed interest in having MEGA do a presentation for the Otsego County Supervisors' Association; and they said they'd be happy to oblige.

**COMMITTEE REPORTS**

Highway/Water & Sewer

Water/Sewer rates – Motion was made by Jacob, seconded by Holleran to approve the following sewer and water rates for 2016:

West End Sewer:	Operations & Maintenance - \$5.84/1000 gallons
West Street Sewer:	Operations & Maintenance - \$5.25/1000 gallons other \$4.90/1000 gallons resident
Southside Sewer:	Bond Repayment - \$88.00 Operations & Maintenance - \$5.14/1000 gallons
Woodland Water:	Operations & Maintenance - \$8.69/1000 gallons

VOTE – Ayes 5, Nays 0      Motion Carried

Woodland Drive walking path – Upon recommendation of the town’s insurance agent, the walking path connecting Morningside Drive with Woodland Drive was recently posted with a ‘No Trespassing’ sign. Councilwoman Jacob said she would like to see the sign removed and the path reopened. The board discussed different measures that could be taken to move the path away from the private property it is adversely affecting, as well as make it safer. Supervisor Wood said a ‘maintained trail’ increases the town’s liability. He recommended that Highway Supt. Hurtubise proceed with the insurance agent’s directive, as soon as it’s received in writing. The board agreed.

Public Safety – Next committee meeting will be June 13th

Constable Policies & Procedures – Supervisor Wood distributed sample Policies & Procedures to the board for their review. Councilwoman Jacob will obtain SUNY Oneonta and Hartwick College’s policy on ‘Narcas’ usage.

Unsafe structure - 2825 Co. Hwy. 8 – Motion was made by Holleran, seconded by Stolzer to solicit proposals to secure the unsafe dwelling and garage located at 2825 Co. Hwy. 8, West Oneonta, Tax Map #286.12-1-22.00; and further to levy all costs associated with this work to the 2017 property tax bill. Bids to be returned by July 11<sup>th</sup> at 2pm.

Discussion: Supervisor Wood stated that he discussed with County Treasurer Dan Crowell the re-levy of expenses related to ‘zombie’ properties. Crowell said the county has no issue with this procedure as long as the county gets their money back. He said the town could be attentive by checking the owner’s record of paid taxes, prior to taking any action. Board members asked if imposing fines on ‘zombie’ properties would be a better solution. Attorney Panasci said the problem with that is that most of the time we have no idea who the lender is.

VOTE – Ayes 5, Nays 0      Motion Carried

### Parks & Recreation

Fortin House: Councilwoman Riddell Kent gave the following OWL House & Grounds committee update:

- Approximately 300 people attended OWL’s ice cream social on June 5<sup>th</sup>, despite the rain;
- Thanked Highway Supt. Hurtubise and Steve Kent for mowing additional areas for parking;
- Radon in the Fortin house is now in normal range;
- Roof work is completed; will start repair of bell-tower;
- OWL plans to start a butterfly garden using milkweed;

- Casella delivered dumpster; need to decide where to place trashcans.  
Councilman Holleran suggested moving the current soccer fields closer together to better utilize the space and possibly free up space for other activities. He also said parking needs to be increased. The committee will discuss these issues with Highway Supt. Hurtubise.

Lifeguard salary – Motion was made by Stolzer, seconded by Jacob to correct Brandon Corna’s salary from \$10.20 to \$9.20.

VOTE – Ayes 5, Nays 0      Motion Carried

#### Community and Health –

Fire Commissioner meeting update - Councilwoman Riddell Kent reported that the next Fire Commissioner meeting would be June 14<sup>th</sup>.

Councilman Holleran requested that the board bring forth the ‘Excavation Law’ and ‘Abandoned Property Law’ to discuss for draft proposals. Supervisor Wood and the board then briefly discussed the current committee structure listed in Chapter 94 of the Town Code and the need for some new committees that would address the current needs of the town board. Supervisor Wood stated that he would like to establish a ‘Legislative’ committee and a ‘Finance’ committee.

#### ATTORNEY

Zoning Amendments – Route 23 Southside: The Board reviewed Attorney Panasci’s draft amendments to Section 103-27 ‘General Regulations HDD’ of the Town Code. The purpose of the amendment is to address ‘buffers’ in the HDD zone. The Board agreed with Councilman Holleran’s suggestion that “may be required along all adjoining residential property boundaries” be changed to “shall be required along all adjoining residential property boundaries” in Section 4C. Attorney Panasci will also draft a local law to amend the zoning map from B-2 (all parcels on State Highway 23 from Lantern Hill Mobile Home Park to the Town of Davenport town line) to HDD, as recommended in the 2014 Comprehensive Plan. The proposed amendment to the zoning regulations, as well as the zoning map amendment and EAFs will be referred to the County Planning Dept. and Town Planning Board. The Board will address both local laws in unison.

#### MISCELLANEOUS

PACE (Property Assessed Clean Energy) Resolution - Councilman Stolzer offered revised resolutions to ‘Promote Utilization of Renewable Energy Technologies to Enhance Local Economic Development through Increased Incentives and Enactment of PACE Enabling Legislation’.

Motion was made by Stolzer, seconded by Jacob to accept the following 3 resolutions:

#### **Resolution to Promote Utilization of Renewable Energy Technologies to Enhance Local Economic Development through Increased Incentives and Enactment of PACE Enabling Legislation**

**WHEREAS**, a survey conducted in the Town of Oneonta has shown that nearly 70% of the town's residents favor a shift to renewable energy and,

**WHEREAS**, renewable energy technologies have the potential to reduce our dependency on conventional energy sources, and alleviate impacts of the increasing energy demands of local economic development, and

**WHEREAS**, current government incentives are less effective in areas such as ours compared to other areas of New York State where higher energy costs prevail, and

**WHEREAS**, additional and improved financial incentives can facilitate both residential and commercial transitioning to renewable energy sources and increased utilization of energy efficiency applications, and enhance local and statewide economic development efforts,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Oneonta urges the Otsego County Board of Representatives to take the following actions...

- 1) Adopt PACE Enabling Legislation as quickly as possible to facilitate the acquisition of low interest loans for renewable energy installations and energy efficiency projects by business and eligible residential property owners
- 2) Call upon our state representatives to petition New York State to increase and extend incentives for residential and commercial conversion to renewable energy generation, purchase and installation of ground and air source heat pumps, insulation, and other efficiency measures, in such a way so as to equalize the percentage of energy savings available throughout the state thereby making conversion to renewable energy sources in areas with relatively low energy costs as economically beneficial as it is in areas with higher energy costs.
- 3) Call upon our state representatives to petition New York State to offer a new two-tiered incentive program applicable only to renewable energy products manufactured within the United States, including an additional "bonus" incentive for such products manufactured in the State of New York.
- 4) Promote maximum utilization of building surfaces and parking areas for solar panel installation, as well as employment of geothermal technology, other renewable energy technologies and energy efficiency measures as applicable, in all economic development projects, especially those to which tax abatements, including payments in lieu of taxes, are granted.

**NOW THEREFORE BE IT RESOLVED** further, that the Clerk of the Town of Oneonta send copies to all members of the Otsego County Board of Representatives.

**Resolution to Promote Utilization of Renewable Energy Technologies to Enhance Local Economic Development through Increased Incentives and Enactment of PACE Enabling Legislation**

**WHEREAS**, a survey conducted in the Town of Oneonta has shown that nearly 70% of the town's residents favor a shift to renewable energy and,

**WHEREAS**, renewable energy technologies have the potential to reduce our dependency on conventional energy sources, and alleviate impacts of the increasing energy demands of local economic development, and

**WHEREAS**, current government incentives are less effective in areas such as ours compared to other areas of New York State where higher energy costs prevail, and

**WHEREAS**, additional and improved financial incentives can facilitate both residential and commercial transitioning to renewable energy sources and increased utilization of energy efficiency applications, and enhance local and statewide economic development efforts,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Oneonta urges the Otsego County IDA to take the following actions...

- 1) Actively support the adoption of PACE Enabling Legislation by the Otsego County Board of

Representatives to facilitate the acquisition of low interest loans for renewable energy installations and energy efficiency projects by business and eligible residential property owners

- 2) Call upon our state representatives to petition New York State to increase and extend incentives for residential and commercial conversion to renewable energy generation, purchase and installation of ground and air source heat pumps, insulation, and other efficiency measures, in such a way so as to equalize the percentage of energy savings available throughout the state thereby making conversion to renewable energy sources in areas with relatively low energy costs as economically beneficial as it is in areas with higher energy costs.
- 3) Call upon our state representatives to petition New York State to offer a new two-tiered incentive program applicable only to renewable energy products manufactured within the United States, including an additional "bonus" incentive for such products manufactured in the State of New York.
- 4) Promote maximum utilization of building surfaces and parking areas for solar panel installation, as well as employment of geothermal technology, other renewable energy technologies and energy efficiency measures as applicable, in all economic development projects, especially those to which tax abatements, including payments in lieu of taxes, are granted.

**NOW THEREFORE BE IT RESOLVED** further, that the Clerk of the Town of Oneonta send copies to all members of the Otsego County IDA.

**Resolution to Promote Utilization of Renewable Energy Technologies to Enhance Local Economic Development through Increased Incentives and Enactment of PACE Enabling Legislation**

**WHEREAS**, the goals of Governor Cuomo's REV Program (Reforming Energy Vision) calls for 50% of all New York's energy to be generated from renewable sources by 2030 and 80% by 2050, and includes making energy more affordable for all New Yorkers as well as creating more jobs and business opportunities, and

**WHEREAS**, a survey conducted in the Town of Oneonta has shown that nearly 70% of the town's residents favor a shift to renewable energy, and

**WHEREAS**, savings provided by conversion to renewable energy technologies are relative to the prevailing cost of conventionally sourced energy in any given area, current government incentives are less effective in areas such as ours compared to other areas of New York State where higher energy costs prevail, and

**WHEREAS**, additional and improved financial incentives can facilitate both residential and commercial transitioning to renewable energy sources and increased utilization of energy efficiency applications, and enhance local economic development efforts thereby contributing to the success of the REV Program,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Oneonta requests that New York State increase and extend incentives for residential and commercial conversion to renewable energy generation, purchase and installation of ground and air source heat pumps, insulation, and other efficiency measures, in such a way so as to equalize the percentage of energy savings available throughout the state thereby making conversion to renewable energy sources in areas with relatively low energy costs as economically beneficial as it is in areas with higher energy costs.

**NOW THEREFORE BE IT RESOLVED** further, that the Clerk of the Town of Oneonta send copies to Governor Andrew Cuomo, Senator James Seward, Congressman William Magee, Chairman of NYSERDA Richard L. Kauffman, President and CEO of NYSERDA John B. Rhodes, and Board members of NYSERDA Charles Bell, Sherburne Abbott, Kenneth Daly, Matthew Driscoll, Jay Koh, Jon McAvoy, Gil Quinones, Jigar Shah, Dr. Elizabeth Thorndike, Mark Willis, and Audrey Zibelman.

Discussion: Supervisor Wood commended Councilman Stolzer for his efforts on this. He added that it is likely that the county will receive it with total disdain and it could have a negative effect. Councilman Stolzer responded that there has to be a first step.

VOTE – Ayes 5, Nays 0 Motion Carried

Workshop – Motion was made by Jacob, seconded by Riddell Kent to authorize the Supervisor to attend a free workshop entitled ‘Cyber Resilient Communities’, sponsored by the Office of the State Comptroller, June 22<sup>nd</sup>, in Albany, NY.

VOTE – Ayes 5, Nays 0 Motion Carried

Court Clerk training – Motion was made by Riddell Kent, seconded by Stolzer to authorize Victoria Robbins and Shannon Harrington to attend the annual NYS Office of Court Administration training, July 18-20<sup>th</sup>, in Potsdam, NY.

VOTE – Ayes 5, Nays 0 Motion Carried

### **APPROVAL OF MINUTES**

Motion was made by Jacob, seconded by Riddell Kent to approve the May 11, 2016 minutes.

VOTE – Ayes 5, Nays 0 Motion Carried

### **BILLS**

Motion was made by Holleran, seconded by Riddell Kent to approve bills as follows, with an additional bill of \$75.00 to Commissioner of Labor for the Town Hall boiler inspection:

General	\$93,361.22	357,360,361,364-367,373,375,377-385,397,400,401,403-420, 422,428,429,432-435,437-440,442
Highway	\$155,508.81	361,374,375,386-393,424-428,439
Street Lights	\$3,504.72	401,403
Trust & Agency	\$8,682.86	353-356,358,359,370-372,431
<b>DISTRICTS:</b>		
WESD	\$3,978.23	352,362,368,369,376,394,399,402,421,423,430,436
WSSD	\$857.47	352,362,369,376,394,399,421,436
SSD	\$1,944.03	352,362,369,376,394,399,402,421,430,436
WWD	\$3,233.28	352,362,363,368,369,376,394-396,399,421,436
PWD	\$580.65	352,362,369,376,394,399,421

VOTE – Ayes 5, Nays 0 Motion Carried

The meeting was adjourned at 9:00 pm.

Respectfully submitted,

Cheryl L. Shackelton