

TOWN BOARD
Regular Meeting
July 10, 2019

A regular meeting of the Oneonta Town Board was held on July 10, 2019 with the following members present:

Councilman:	Brett Holleran
Councilwoman:	Patricia Jacob
Councilman:	Randy Mowers
Councilwoman:	Patricia Riddell Kent
Supervisor:	Robert Wood
Town Clerk:	Sara Robinson

Others present: Hyde Clarke, Arley Lau, Joseph Camarata, Jennifer Hill, Katherine O'Donnell

PETITIONERS

Arley Lau requested that the street be closed for the annual block party.

Joe Camarata asked what the projected cost for the highway garage is. Wood stated 3 million. We are hoping to not bond it and put it out to bid. Joe asked if it was more than expected, the contractors and engineers are not confident in a specific price. The contract has been split so that the town can do some of the work. The bids could come in high or they could come in low. Camarata asked if it was designed as an ICF structure. Wood stated it is designed as a steel structure.

COMMITTEE REPORTS

Highway/Water & Sewer – Motion was made to allow Lamont Engineers to release the bid documents for the construction of the highway garage as soon as they are ready. Motion made by Riddell- Kent. Seconded by Mowers.

VOTE- Ayes- 5, Nays 0 Motion carried

Motion to approve amended highway agreement made by Riddell-Kent. Seconded by Mowers.

VOTE- Ayes- 5, Nays 0 Motion carried

Motion was made by Mowers to accept the recommendation from Lamont Engineers to release the final payment for the Westgate storm water project in the amount of \$17,930. Seconded by Riddell-Kent.

Discussion: the project carries a one year guarantee from Delaware Bulldozing.

VOTE- Ayes- 5, Nays 0 Motion carried

Motion was made by Jacob seconded by Riddell-Kent to approve the following resolution:

RESOLUTION AUTHORIZING PURCHASE OF STANDARDIZED EQUIPMENT

WHEREAS, for reasons of efficiency and economy and pursuant to the authority conferred by subdivision 5 of section 103 of the General Municipal Law of the State of New York, the Town Board of the Town of Oneonta, New York has determined that standardizing water meters and the equipment capable of reading them, will result in savings and efficiency as well as public benefit for the residents of the Town. This benefit will be enhanced by the sharing of technology and equipment with the City of

Oneonta.

WHEREAS, the Town of Oneonta is currently preparing to commence a water supply and distribution construction project called Southside Water District and will need water meters for that project,

NOW, THEREFORE, BE IT RESOLVED, that the Town determines that for the purposes of efficiency and constancy, it shall purchase only Sensus water meters for use by the Town for use in the water district. These meters will be purchased through an "Authorized Sensus Distributor" currently Core and Main.

This Resolution must be adopted by an affirmative vote of at least three-fifths of the Board for passage.

Discussion: Wood stated that the resolution to standardize water meters with Southside water district will lead to benefits for the town residents and should result in cost savings. The city is moving towards these types of meters. The town will be applying for a shared services grant for a fixed base reading system that could be shared by the City and the Town. As part of the shared service we should be able to get the towers on paid for by the state.

VOTE- Ayes- 5, Nays- 0 Motion Carried

Public Safety-

Unsafe Properties- Wood stated that there were six properties in the town that did not pay their taxes. 238 West Street and 14 Jackson Ave are two of those properties that have been significant problems for town residents. We hope that both of those properties will be sold to new owners that will be able to take care of them. If they do not sell at the auction the we have worked with the Mohawk Valley land bank to take them over.

Holleran asked if there was any movement with the handheld radios for Constable Robinson. Wood stated not at this time. Car radios are in place. Wood is going to work with tri- County to see if they can match state contract for handheld radios.

Facilities, Technology, Parks.-

Mowers stated that there are wood posts at Fortin Park in the parking lot that are rotten and propped up. They need to be replaced. Holleran asked if we have a budget for that. Wood stated there is nothing budgeted for this year.

Human Resources and Public Benefit. – Did not meet.

Legislative – Jacobs stated that we are trying to update the public notification law. They are trying to make it so if there are any changes to residential areas, residents would be notified of that. Wood stated that there is a proposed language stating that any expansion or modification of non-conforming use would need a site plan review. The planning board would then have option of requiring legal notices to residents within 200ft. Attorney Clark stated that legally a public hearing should be held if notification is going to be required.

Planning Board member Joe Camarata stated there are a lot of applications for short term rentals. There are a lot of rentals that do not have special use permits and are renting. The planning board thinks that there should be a fine or law in place for the safety of renters. It was suggested that bigger homes get a zoning variance. Once a special use permit is issued it will trigger code enforcement to do a yearly inspection for fire and safety. Another proposal that the planning board is making is; all building permits

should be closed before a short term permit is issued. Wood proposed a meeting for August 14th. It is being sent to the planning board for review.

ATTORNEY

Wood stated that 1 property owner of Aarons Rent-A-Center has been non responsive and we need easement to go across the front of that lot..The other property is an estate and we may need to use eminent domain on that too. Attorney Clark stated that he had the chance to review the proposed resolution. It authorizes the town to pursue easement through eminent domain. This does not mean the town is going to stop trying to get voluntary involvement. It is really a minimus taking if required. Wood stated it is just an easement and not actually taking property. For the most part the easements have no effect on the building or the value of the land. There's a good argument that the project increases the value of the property because of having access to drinking water.

Motion was made by Holleran, seconded by Jacob to approve resolution to begin eminent domain process as follows:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ONEONTA IN THE MATTER OF THE ACQUISITION OF CERTAIN EASEMENTS AND OR FEE ACQUISITIONS FOR USE IN PUBLIC PROJECT

WHEREAS, the Town of Oneonta is engaged in a public use project to construct, operate and maintain a municipal water system (the "Project");

WHEREAS, the Town Board has previously reviewed, considered and approved the plans and schematics for the Project, which requires the Town to acquire easements or fee acquisitions of real property to accommodate construction and long term maintenance of the Project's water system;

WHEREAS, the Town Board has determined that a community solution to municipal water on Southside Drive is in the best interest of the Town of Oneonta and, as a result, that the contemplated acquisition is in the best interests of the health, safety and welfare of the Town, as it is in the public's best interest that the Project be properly constructed and maintained;

WHEREAS, as reflected by the Project maps for the remaining easements needed for the Project, the Town Board has endeavored and will continue to endeavor to acquire the easements for the water lines necessary for the Project by voluntary compliance with the land owner, but the Town Board acknowledges that voluntary compliance may not be achieved for this necessary acquisition requiring the Town to exercise its powers of Eminent Domain;

WHEREAS, the Town Board has determined that the remaining contemplated acquisitions are minor in nature, only affecting small portions of the individual property, and therefore the individual acquisition by Eminent Domain would be de minimis in nature so that the public interests will not be prejudiced by the acquisition of those property interests for construction of the Project;

WHEREAS, the Town Board of the Town of Oneonta had previously complied with the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617)("SEQRA") for the Project; and

WHEREAS, pursuant to the terms of SEQRA, the Town Board has determined that its findings and determinations are consistent with the prior Negative Declaration and there are no negative adverse impacts;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF ONEONTA, OTSEGO COUNTY, NEW YORK:

THAT THE Town Board of the Town of Oneonta hereby determines that voluntary compliance to acquire the property in furtherance of the Project has not been practicable or would prejudice the Project, the Town of Oneonta and its legal agents are authorized to acquire the lands or interests by use of Eminent Domain; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town of Oneonta and its legal agents to make offers of reasonable compensation to acquire the lands or interests that cannot be practically acquired by voluntary compliance;

IT IS FURTHER RESOLVED, that the Town Clerk and the Attorney for the Town are hereby directed to take such actions as are necessary to implement this resolution.

VOTE – Ayes 5, Nays 0 Motion Carried

CODE ENFORCEMENT – Nothing to report

MISCELLANEOUS

Wood was approached by the county. The county is trying to create a climate smart institute. They asked if the town of Oneonta was interested in participating in becoming a climate smart community. The county asked that a letter be sent to certify the town is interested. Motion was made by Wood, seconded by Riddell-Kent to approve him to send the letter.

VOTE – Ayes 5, Nays 0 Motion Carried

The contract for the street light conversion was received. The useful life of the fixtures we have to purchase back from them decreased from \$19,198 to 16,827. The savings would be \$2,300 on the purchase of the lights. Motion was made by Wood, seconded by Holleran to approve the conversion to LED at 4,000 kelvin.

VOTE – Ayes 5, Nays 0 Motion Carried

The town was approached by the city and asked if we would participate in the riverfront revitalization grant. Participating could make additional grant funds available for us in the future to improve the riverfront property throughout the town. We applied last year and the grant was not approved. If the grant is funded this year our portion of the local share will be \$6,375.

Motion made by Jacob, seconded by Riddell- Kent, to participate in the Riverfront Revitalization Planning Grant with the City of Oneonta.

VOTE – Ayes 4, Nays 1 (Mowers) Motion Carried

The court applied for remodeling of the courtroom. The original estimate was \$16,000. The court got a JCAP grant for \$6,000 well short of the original cost. Justice Farrell sought an alternate plan with a quote for \$6974. \$974 would come out of the court fund. The wall behind the bench would be repaneled and railings would be put up around the witness stand.

Motion made by Mowers, seconded by Wood.

VOTE – Ayes 5, Nays 0 Motion Carried

Susan Stetson, neighbor to the town hall thinks the backyard is a wonderful wildlife sanctuary and would like to purchase it to enjoy the wildlife. Wood stated that at this time the town does not have specific plans for the property and she is welcome to enjoy it. But for future if the town needs it, we would have control. Wood stated we will send her a letter.

Update for FEMA demolition project for Blanchard Ave; it has been approved and is in place. Wood has been in contact with Department of Homeland Security. The original estimate for the project was \$165,000. They funded it to \$116,000. The house is estimated to be worth \$90,000. Wood is waiting to hear back from the Dept. of Homeland Security to see why they changed the amount. We will have to enter in to some contracts with the state. Wood also has to speak with the property owners.

APPROVAL OF MINUTES

Motion was made Mowers, seconded by Jacob to approve the June 12, 2019.

VOTE – Ayes 5, Nays 0 Motion Carried

BILLS

Motion was made by Mowers, seconded by Jacobs to pay bills as follows:

General	\$127,780.87	452-456,458,465-467,469,477-479,483-487,491,492,494-498,500,501
Highway	\$22,807.24	503,504,508-510,515-517,520,522-527,529,537,539,542,548,549
Street Lights	\$3,685.62	457,458,492,505-507,511,512,518,519,526,531,532,534-540,543
Trust &		527-529
Agency	\$3,602.11	461-464,470-476,499,546,547
Highway Gar.	\$2,358.00	482
DISTRICTS:		
WESD	\$171,429.98	459,460,488,489,493,502,513,514,521,530,533,541,545
WSSD	\$35,568.45	459,460,488,489,493,502,513,514,521,545
SSD	\$88,257.94	459,460,488,489,493,502,513,514,521,530,533,545
WWD	\$2,978.76	459,460,468,488-490,493,502,514,521,533,544,545
PWD	\$8,702.08	459,460,488,489,493,502,514,545,550
SS Water		
Dist.	\$12,176.50	480,481

VOTE – Ayes 5, Nays 0 Motion Carried

The meeting was adjourned at 8:05 pm.

Respectfully submitted,

Sara Robinson
Town Clerk