



**Town of Oneonta
TOWN BOARD
Regular Town Board Meeting
May 13, 2026
07:00 PM**

Call to Order, Roll Call was taken, a quorum was established, and the Pledge of Allegiance was recited.

The regular meeting of the Oneonta Town Board was held on May 13, 2026, with the following members present:

Town Supervisor	William Rivera Jr.	(WRJ)
Town Board Member	Joseph M. Camarata	(JMC)
Town Board Member	Brett D. Holleran	(BDH)
Town Board Member	Patricia Riddell Kent	(PRK)
Town Board Member	Teresa DeSantis	(TD)

Others present: Ryan F. Pereira, Town Clerk; Chris McIlven, Attorney for the Town; Eamon Hinchey, Otsego County Representative; Kerri Lincoln; Steve Kent; Dale Webster; Liz Cramer; Melissa & Eric Jarvis; Patricia Jacob; Rich Harlem; Greg Harlem; Ryan Harlem; Andrea Lister; Maddy Kehoe; Jazmine Maidens; John Enck; Joel Gonzalez; Richard Ranieri; Gwen Schuster; Jeremey Harvis; David Koehn; Sharon Corrado; Gordan Hickens; Gary & Marietta Flaherty; Harper Hawthorne; Renee Beekman.

Privilege of the Floor

Richard Harlem (Chestnut Street): Spoke about property renovation challenges, vacant properties causing neighborhood blight, and the need for town support in balancing short-term and long-term housing needs. Requested consideration for property investment incentives.

Richard Ranieri (East Street): Discussed neighborhood deterioration, abandoned/foreclosed homes, unregistered vehicles, debris dumping, and noise pollution. Expressed concern about lack of comprehensive town planning and reconsidering residency choice.

SUPERVISOR'S REPORT

DOT Meeting (May 19): Department of Transportation meeting regarding South Side work scheduled, published on the Town website and in the local paper, as well as Town's FB page.

DRI/NY Forward Grant: Town received \$40,000 for downtown revitalization planning process. RFP for consultants to be sent shortly. Focus will be on West End, primarily the Oneida and Chestnut Street and areas adjacent.

Cooperstown All-Star Village Public Safety Meeting: Meeting held with Cooperstown All-Star Village, DOT officials, County Board, Congressman Josh Riley, and Senator Schumer's/Governor Hochul's teams. Discussion encompassed traffic safety at Cooperstown All-Star Village including; usage of temporary speed bumps, safety barriers, law enforcement overtime, and a pedestrian bridge.

RESOLUTION 2026-0071 (07:22)

Motion by PRK, seconded by BH;

Whereas the Town Board votes to close public hearing; and
Whereas the zoning amendment application, filed by Elizabeth Cramer and Nicholas Weir, property located at 4377 NY 7, Oneonta, NY, 13820, Tax ID#299.21-1-1-.13; and
Whereas the applicants are requesting zone change of PPD/R to RA-40;
Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY		
Joseph M. Camarata	Board Member	<u> X </u>	<u> </u>		
Brett D. Holleran	Board Member	<u> X </u>	<u> </u>		
Patricia Riddell Kent	Board Member	<u> X </u>	<u> </u>		
Teresa DeSantis	Board Member	<u> </u>	<u> X </u>		
William Rivera Jr.	Supervisor	<u> X </u>	<u> </u>		
VOTE	AYES (4) NAYS (1) TD			MOTION CARRIED	

Member DeSantis dissented citing protest from the neighbors present at the meeting deserve an extended period of review, and recommend close the public hearing at the following meeting. Neighbors present to protest included; Randy Budine and Gwen Schuster, citing concerns of increased traffic and noise, should the owners plan to create a short-term rental on the property be permitted.

RESOLUTION 2026-0072 (07:32)

Motion by BH, seconded by JMC;

Whereas the Town Board votes to declare lead agency; and
Whereas the Town Board determines Negative SEQRA; and
Whereas the zoning amendment application, filed by Elizabeth Cramer and Nicholas Weir, property located at 4377 NY 7, Oneonta, NY, 13820, Tax ID#299.21-1-1-.13; and
Whereas the applicants are requesting zone change of PPD/R to RA-40;
Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY		
Joseph M. Camarata	Board Member	<u> X </u>	<u> </u>		
Brett D. Holleran	Board Member	<u> X </u>	<u> </u>		
Patricia Riddell Kent	Board Member	<u> X </u>	<u> </u>		
Teresa DeSantis	Board Member	<u> X </u>	<u> </u>		
William Rivera Jr.	Supervisor	<u> X </u>	<u> </u>		
VOTE	AYES (5)			MOTION CARRIED	

RESOLUTION 2026-0073 (07:33)

Motion by JMC, seconded by BH;

Whereas the Town Board votes to approve application; and
Whereas the zoning amendment application, filed by Elizabeth Cramer and Nicholas Weir, property located at 4377 NY 7, Oneonta, NY, 13820, Tax ID#299.21-1-1-.13; and
Whereas the applicants are requesting zone change of PPD/R to RA-40;
Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY		
Joseph M. Camarata	Board Member	<u> X </u>	<u> </u>		
Brett D. Holleran	Board Member	<u> X </u>	<u> </u>		

Patricia Riddell Kent	Board Member	_____	<u> X </u>
Teresa DeSantis	Board Member	<u> X </u>	_____
William Rivera Jr.	Supervisor	_____	<u> X </u>
VOTE	AYES (3) NAYS (2) PRK WRJ		

MOTION CARRIED

TOWN OF ONEONTA

LOCAL LAW NO. 2 OF THE YEAR 2026

A LOCAL LAW REZONING 4377 STATE HIGHWAY 7 FROM THE PDD-R ZONING DISTRICT TO THE RA-40 ZONING DISTRICT

Be it enacted by the Town Board of the Town Oneonta as follows:

Section 1. *Rezoning of 4377 State Highway 7; Tax Map No. 299.21-1-1.13*

The parcel located at 4377 State Highway 7, Tax Map No. 299.21-1-1.13, in the Town of Oneonta shall hereby be removed from the PDD-R Zoning District and be added to the RA-40 Zoning District. The Town of Oneonta Zoning Map shall be amended accordingly.

Section 2. *Severability*

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 3. *Repealer*

All Ordinances, Local Laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4. *Effective Date*

This Local Law shall take effect upon the filing with the Office of the Secretary of State in accordance with the applicable provisions of law.

Supervisor Rivera voted *NO* standing by the recommendation of the Town Planning Board, that this zone not be changed.

Town of Oneonta Planning Board

Board Meeting

Monday, November 3, 2025 at 7pm

Discussions:

Chair Lishansky advised that the Town Board had referred a Zoning Map Amendment Application for 4377 St Hwy 7/TMP#299.21-1-1.13 by Elizabeth Cramer and Nicholas Weir to change the zoning from PDD-R Senior Living Community back to an RA40. This parcel is part of Mildred Parish farm TMP#299.00-1-17.00 that was rezoned from RA40 to PDD-R Senior Care Facility & Town Houses per LL2007-05. The board had some confusion as the applicants had been in attendance August 18, 2025. Applicants were questioning the process for a home occupation, converting one of the barns into a residence, short term rentals, and a yoga studio. Ms. Cramer and Mr. Weir are interested in purchasing the parcel and have filed a zoning map amendment application with the Town Board 9/23/2025 to use the house for short term rentals, as well as a primary residence. Short term rentals are not an allowable use in a senior living community. This property is situated next to 2 senior living communities (Plains of Parish and Peaceful Flats) to the right and rear of the parcel, a .21acre lot with a single-family residence and NYS DOT on the left. The properties on the other side of St Hwy 7 are zoned ID2. After the board discussion, the board agreed their recommendation is that there not be a zoning change, because there is no hardship or overwhelming reason to change it. There shouldn't be a change in zoning, because somebody wants to do what isn't allowed. The board is not in favor of a zone change, as it would be a self-created hardship.

Otsego County Planning Agency

04/24/2026

GML 239 Referral Review Summary

Comments:

The following comments are advisory:

According to a study conducted by Cornell University titled *SHORT-TERM RENTAL REGULATIONS AND RESIDENTIAL HOUSING AFFORDABILITY: BRIDGING THE GAP BETWEEN POLICY AND ENFORCEMENT*: "Housing availability and housing affordability have become critical issues in the United States. Cross disciplinary studies conclude that an increase in short-term rental (STR) units... correlates with a decrease in affordable housing, both in terms of rents and home sale prices."

Otsego County's 2024 Housing Needs Assessment describes housing trends in the county, noting a decrease in the number of housing units over the previous decade. As the county's population has continued to decrease, maintenance of existing housing and the creation of additional housing are important for supporting the current population and for attracting new residents as well.

While this zoning amendment alone will not likely create significant countywide or intercommunity impacts, the Town is encouraged to consider more broadly how it can maintain a balance between adequate available housing for year-round residents and the number of short-term rentals that can boost the visitor economy.

RESOLUTION 2026-0074 (07:57) Motion by PRK, seconded by BH;

Whereas the Town Board votes to make concurrent in two actions relating; and
Whereas the purpose to adopt a New Model Code of Ethics, presented by the Board of Ethics; and
Whereas first resolution to repeal 1970 LL-01 Ch.31, current Code of Ethics;
Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY		
Joseph M. Camarata	Board Member	<u> X </u>	<u> </u>		
Brett D. Holleran	Board Member	<u> X </u>	<u> </u>		
Patricia Riddell Kent	Board Member	<u> X </u>	<u> </u>		
Teresa DeSantis	Board Member	<u> X </u>	<u> </u>		
William Rivera Jr.	Supervisor	<u> X </u>	<u> </u>		
VOTE	AYES (5)				MOTION CARRIED

Repeal and replace ethics code with version proposed by Ethics Committee (without additional disclosure form).

TOWN OF ONEONTA LOCAL LAW NO. 4 OF THE YEAR 2026

A LOCAL LAW REPEALING AND REPLACING CHAPTER 31 OF THE TOWN CODE ENTITLED "ETHICS, CODE OF"

Be it enacted by the Town Board of the Town of Oneonta as follows:

Section 1. Chapter 31 of the Town Code entitled "Ethics, Code of" shall hereby be repealed and replaced with the following:

§ 31-1 Purpose.

Officers and employees of the Town of Oneonta hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Town Board recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

§ 31-2 Definitions.

BOARD

The governing board of a municipality and any municipal administrative board (e.g. planning board, zoning of board of appeals), commission, or other agency or body comprised of two or more municipal officers or employees.

CODE

This code of ethics.

INTEREST

A direct or indirect financial or material benefit; but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization's outstanding stock.

MUNICIPALITY

Town of Oneonta.

MUNICIPAL OFFICER OR EMPLOYEE

A paid or unpaid officer or employee of the Town of Oneonta, including, but not limited to, the members of any municipal board.

RELATIVE

A spouse, parent, step-parent, sibling, step-sibling, sibling's spouse, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

§ 31-3 Applicability.

This code of ethics applies to the officers and employees of the Town of Oneonta and shall supersede any prior municipal code of ethics. The provisions of this code of ethics shall apply in addition to all applicable State and local laws relating to conflicts of interest and ethics including, but not limited to, article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the Town of Oneonta.

§ 31-4 Prohibition on use of municipal position for personal or private gain.

No municipal officer or employee shall use his or her municipal position or official powers and duties to secure a financial or material benefit for himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

§ 31-5 Disclosure of interest in legislation and other matters.

- A. Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the municipal officer or employee shall disclose in writing the nature of the interest.
- B. The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.
- C. In the case of a person serving in an elective office, the disclosure shall be filed with the governing board of the municipality. In all other cases, the disclosure shall be filed with the person's supervisor or, if the person

does not have a supervisor, the disclosure shall be filed with the municipal officer, employee or board having the power to appoint to the person's position.

In addition, in the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made publicly at a meeting of the board and must be included in the minutes of the meeting.

§ 31-6 Recusal and abstention.

- A. No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.
- B. In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:
 - (1) if the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or
 - (2) if the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.
 - (3) if the power or duty is vested in a municipal employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.

§ 31-7 Prohibition inapplicable; disclosure, recusal and abstention not required.

- A. This code's prohibition on use of a municipal position (section 31-4), disclosure requirements (section 31-5), and requirements relating to recusal and abstention (section 31-6), shall not apply with respect to the following matters:
 - (1) adoption of the municipality's annual budget;
 - (2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
 - i. all municipal officers or employees;
 - ii. all residents or taxpayers of the municipality or an area of the municipality; or
 - iii. the general public; or
 - (3) any matter that does not require the exercise of discretion.
- B. Recusal and abstention shall not be required with respect to any matter:
 - (1) which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by section 31-6 of this code;

- (2) which comes before a municipal officer when the officer would be prohibited from acting by section 31-6 of this code, and the matter cannot be lawfully delegated to another person.

§ 31-8 Investments in conflict with official duties.

- A. No municipal officer or employee may acquire the following investments:
 - (1) investments that can be reasonably expected to require more than sporadic recusal and abstention under section 31-6 of this code; or
 - (2) investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.
- B. This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:
 - (1) real property located within the municipality and used as his or her personal residence;
 - (2) less than five percent of the stock of a publicly traded corporation; or
 - (3) bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

§ 31-9 Private employment in conflict with official duties.

No municipal officer or employee, during his or her tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment:

- A. can be reasonably expected to require more than sporadic recusal and abstention pursuant to section 31-6 of this code;
- B. can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;
- C. violates section 805-a(1)(c) or (d) of the General Municipal Law; or
- D. requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

§ 31-10 Future employment.

- A. No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within the 30 days following final disposition of the matter.
- B. No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he or she serves.
- C. No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

§ 31-11 Personal representations and claims permitted.

This code shall not be construed as prohibiting a municipal officer or employee from:

- A. representing himself or herself, or his or her spouse or minor children before the municipality; or
- B. asserting a claim against the municipality on his or her own behalf, or on behalf of his or her spouse or minor children.

§ 31-12 Use of municipal resources.

- A. Municipal resources shall be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel, and the municipality's money, vehicles, equipment, materials, supplies or other property.
- B. No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision shall not be construed as prohibiting:
 - (1) any use of municipal resources authorized by law or municipal policy;
 - (2) the use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his or her compensation; or
 - (3) the occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.
 - (4) No municipal officer or employee shall cause the municipality to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

§ 31-13 Interests in Contracts.

- A. No municipal officer or employee may have an interest in a contract that is prohibited by section 801 of the General Municipal Law.
- B. Every municipal officer and employee shall disclose interests in contracts with the municipality at the time and in the manner required by section 803 of the General Municipal Law.

§ 31-14 Nepotism.

Except as otherwise required by law:

- A. No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.
- B. No municipal officer or employee may supervise a relative in the performance of the relative's official powers or duties.

§ 31-15 Political Solicitations.

- A. No municipal officer or employee shall directly or indirectly to compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.
- B. No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal

officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

§ 31-16 Confidential Information.

No municipal officer or employee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers and duties.

§ 31-17 Gifts.

- A. (a) No municipal officer or employee shall solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law as interpreted in this section.
- B. No municipal officer or employee may directly or indirectly solicit any gift.
- C. No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars or more when:
 - (1) the gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties;
 - (2) the gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or
 - (3) the gift is intended as a reward for any official action on the part of the officer or employee.
- D. For purposes of this section, a “gift” includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift’s fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.
- E. (1) A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.
 - (2) A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.
- F. This section does not prohibit any other gift, including:
 - (1) gifts made to the municipality;
 - (2) gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift;

- (3) gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;
- (4) unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;
- (5) awards and plaques having a value of seventy-five dollars or less which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or
- (6) meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program, and the meals and refreshments are made available to all participants.

§ 31-18 Board of Ethics.

- A. There is hereby established a board of ethics for the municipality. The board of ethics shall consist of a minimum of three members, a majority of whom shall not be officers or employees of the municipality, but at least one of whom must be a municipal officer or employee. The members of such board of ethics shall be appointed by the Town Board, serve at the pleasure of the appointing authority, and receive no salary or compensation for their services as members of the board of ethics.
- B. The board of ethics shall render advisory opinions to the officers and employees of the Town of Oneonta with respect to article 18 of the General Municipal Law and this code. Such advisory opinions must be rendered pursuant to the written request of any such officer or employee under such rules and regulations as the board of ethics may prescribe. The board of ethics shall have the advice of legal counsel employed by the board, or if none, the municipality's legal counsel. In addition, the board of ethics may make recommendations with respect to the drafting and adoption of a code of ethics, or amendments thereto, upon the request of the Town Board.

§ 31-19 Posting and distribution.

- A. The Town Supervisor must promptly cause a copy of this code, and a copy of any amendment to this code, to be posted publicly and conspicuously in each building under the municipality's control. The code must be posted within ten days following the date on which the code takes effect. Any amendment to the code must be posted within ten days following the date on which the amendment takes effect.
- B. The Town Supervisor must promptly cause a copy of this code, including any amendments to the code, to be distributed to every person who is or becomes an officer and employee of the Town of Oneonta.
- C. Every municipal officer or employee who receives a copy of this code or an amendment to the code must acknowledge such receipt in writing. Such acknowledgments must be filed with the Town Clerk who must maintain such acknowledgments as a public record.
- D. The failure to post this code or an amendment to the code does not affect either the applicability or enforceability of the code or the amendment. The failure of a municipal officer or employee to receive a copy of this code of ethics or an amendment to the code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or amendment to the code.

§ 31-20 Enforcement.

Any municipal officer or employee who violates this code may be censured, fined, suspended or removed from office or employment in the manner provided by law.

Section 2. Remainder

Except as hereinabove amended, the remainder of the Town Code of the Town of Oneonta shall remain in full force and effect.

Section 3. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

CLIMATE SMART COMMITTEE REPORT

Pat Jacob (Chair):

- Discussed solar carport structures for Fortin Park or Pool
- Generator for well control building needed (\$14,000+ annual electricity cost)
- Recommended future-proofing generator for solar/battery compatibility
- Explored battery storage units (50 kWh capacity), potential grants and tax incentives available
- Parking lot solar canopy suggested for Highway Garage

Action Items:

- Contact solar company (Solar Liberty) for feasibility study
- Explore Fortin Park and Highway Garage parking lot solar options
- Generator purchase to be future-proof for solar integration

RESOLUTION 2026-0075 (08:10) Motion by PRK, seconded by TD;

Whereas the Town Board votes to approve purchase; and
Whereas Aqua Logics Chlorine Analyzer and programming for Southside Water Fortin facility; and
Whereas in the amount of \$10,229;
Now, therefore be it resolved;
Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY		
Joseph M. Camarata	Board Member	_X_	_____		
Brett D. Holleran	Board Member	_X_	_____		
Patricia Riddell Kent	Board Member	_X_	_____		
Teresa DeSantis	Board Member	_X_	_____		
William Rivera Jr.	Supervisor	_X_	_____		
VOTE	AYES (5)				MOTION CARRIED

From Highway, Water and Sewer Committee Minutes May 5, 2026

Jarrett submitted 3 bids for a Chlorine Analyzer along with programming costs. Aqua Logics was lowest amount and best value \$10,229. Jarrett said Aqua Logics products, service and response are also the best out there.

RESOLUTION 2026-0076 (08:23) Motion by JMC, seconded by PRK;

Whereas the Town Board votes to approve seek quotes and prioritize purchase of generator for Southside Water Fortin facility; and

Whereas new panels for West St. and Southside pump houses; and

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY	
Joseph M. Camarata	Board Member	<u> X </u>	<u> </u>	
Brett D. Holleran	Board Member	<u> X </u>	<u> </u>	
Patricia Riddell Kent	Board Member	<u> X </u>	<u> </u>	
Teresa DeSantis	Board Member	<u> X </u>	<u> </u>	
William Rivera Jr.	Supervisor	<u> X </u>	<u> </u>	
VOTE	AYES (5)			MOTION CARRIED

Highway, Water and Sewer Committee Minutes May 5, 2026

Jarrett sent Well Control building and pump station generator quotes spreadsheet to the Town Board for consideration at the May meeting. He prioritized their ranking in order of greatest need. Panel upgrades are needed at West St and Southside pump stations.

RESOLUTION 2026-0077 (08:25) Motion by PRK; seconded by BH;

Whereas the Town Board votes to approve Southside and Woodland Water District rates;
Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY	
Teresa DeSantis	Board Member	<u> X </u>	<u> </u>	
Joseph M. Camarata	Board Member	<u> X </u>	<u> </u>	
Brett D. Holleran	Board Member	<u> X </u>	<u> </u>	
Patricia Riddell Kent	Board Member	<u> X </u>	<u> </u>	
William Rivera Jr.	Supervisor	<u> X </u>	<u> </u>	
VOTE	AYES (5)			MOTION CARRIED

RESOLUTION 2026-0078 (08:38) Motion by BH; seconded by JMC;

Whereas the Town Board votes in support of the “America 250” Commemoration and authorizing related expenditures;

Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY	
Joseph M. Camarata	Board Member	<u> X </u>	<u> </u>	
Brett D. Holleran	Board Member	<u> X </u>	<u> </u>	
Patricia Riddell Kent	Board Member	<u> X </u>	<u> </u>	
Teresa DeSantis	Board Member	<u> X </u>	<u> </u>	
William Rivera Jr.	Supervisor	<u> X </u>	<u> </u>	
VOTE	AYES (5)			MOTION CARRIED

RESOLUTION 2026 NO. 78

A RESOLUTION OF THE TOWN OF ONEONTA IN SUPPORT OF THE AMERICA 250 COMMEMORATION AND AUTHORIZING RELATED EXPENDITURES

WHEREAS, the United States of America will commemorate its 250th anniversary on July 4, 2026, marking a historic milestone in our nation’s history; and

WHEREAS, on July 4, 1776, the Second Continental Congress formally adopted the Declaration of Independence, asserting the American colonies’ freedom from British rule and laying the foundation for the principles of democracy and self-governance; and

WHEREAS, the U.S. Semi Quincentennial Commission, known as the America 250 Commission (america250.org), was established by Congress in 2016 to plan and coordinate the national commemoration of the 250th anniversary of the signing of the Declaration of Independence; and

WHEREAS, the New York State 250th Commemoration Commission was created to lead statewide efforts to commemorate the founding of the United States and New York’s pivotal role in the nation’s formation and development; and

WHEREAS, Town Law authorizes the town board to appropriate funds for the proper observance of patriotic and historical events (Town Law § 64 [12], [14]), and Arts and Cultural Affairs Law § 57.07 further authorizes local governments to appropriate and expend funds for historical purposes within their jurisdiction, including the erection of markers and monuments, the preservation of historical materials, and cooperation with local historical organizations; and

WHEREAS, these statutes provide the legal authority for towns to engage in and support commemorations that are educational, patriotic, and historical in character, including public programming, exhibits, community events, and historical preservation activities connected to America 250; and

WHEREAS, the Town of Oneonta recognizes the importance of America 250 as an opportunity to reflect on our community’s contributions to the American story, honor the achievements of past generations, and inspire renewed civic engagement.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Oneonta hereby expresses its support for the America 250 Commemoration and authorizes the town board and appropriate departments to plan, promote, and participate in programs and events consistent with the purposes of Town Law § 64 and Arts and Cultural Affairs Law § 57.07; and

BE IT FURTHER RESOLVED, that such activities may include, but are not limited to, educational programming, historical exhibits, patriotic decorations, community celebrations, and collaborations with local schools, libraries, and historical societies, provided that all expenditures serve a proper public purpose and comply with applicable fiscal and procurement requirements.

PASSED AND ADOPTED this 13 day of May, 2026.

RESOLUTION 2026-0079 (08:40) Motion by PRK; seconded by BH;

Whereas the Town Board votes declare June 2026 as LGBTQ+ Pride Month;
Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

	AYE	NAY
Joseph M. Camarata Board Member	<u> X </u>	<u> </u>

Brett D. Holleran	Board Member	<u> X </u>	_____
Patricia Riddell Kent	Board Member	<u> X </u>	_____
Teresa DeSantis	Board Member	<u> X </u>	_____
William Rivera Jr.	Supervisor	<u> X </u>	_____

VOTE AYES (5)

MOTION CARRIED

RESOLUTION 2026 NO. 79

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ONEONTA, NEW YORK, DECLARING JUNE 2026 AS LGBTQ+ PRIDE MONTH

WHEREAS, June 28, 2026, marks the 57th anniversary of the Stonewall uprising in New York City's Greenwich Village, when patrons of the Stonewall Inn resisted a police raid and ignited six days of protest that became a catalyst for the modern lesbian, gay, bisexual, transgender, queer, intersex, and asexual (LGBTQ+) civil rights movement, and the following year, on June 28, 1970, thousands marched from the Stonewall Inn to Central Park in what became the nation's first Pride march, a tradition now observed in communities across the world each June; and

WHEREAS, New York State has led the nation in establishing legal protections for LGBTQ+ residents, including the Sexual Orientation Non-Discrimination Act (SONDA), enacted in 2002, which prohibits discrimination based on actual or perceived sexual orientation in employment, housing, public accommodations, education, credit, and the exercise of civil rights, and the Gender Expression Non-Discrimination Act (GENDA), enacted in 2019, which added gender identity and gender expression as protected categories under the state's Human Rights Law and hate crimes statutes; and

WHEREAS, New York State has continued to advance LGBTQ+ equality by legalizing marriage equality in 2011, four years before the United States Supreme Court's decision in Obergefell v. Hodges, by banning the practice of conversion therapy on minors in 2019, and by enacting safe haven protections for transgender youth and their families, establishing the state as a national leader in the defense of LGBTQ+ civil rights; and

WHEREAS, the Town of Oneonta is home to a vibrant LGBTQ+ community supported by dedicated local organizations, including the Otsego Pride Alliance, which organizes the annual Pridefest parade and celebration in Oneonta, and the Gender and Sexuality Resource Center at SUNY Oneonta, which provides education, advocacy, and support for LGBTQ+ students and the broader community; and

WHEREAS, as a community shaped in part by the students and families of SUNY Oneonta and Hartwick College, the Town of Oneonta recognizes that a welcoming town strengthens both campus life and community life, and that students who choose to study and live here deserve to know that Oneonta values them as they are; and

WHEREAS, despite significant legal progress, LGBTQ+ individuals continue to face discrimination, harassment, and violence at disproportionate rates, and LGBTQ+ young people are especially vulnerable, experiencing higher rates of bullying, depression, and suicidality than their peers, making it essential that local institutions and local government send a clear and unmistakable message that these young people are seen, supported, and safe in their own community; and

WHEREAS, LGBTQ+ Americans are experiencing a period of significant uncertainty as federal civil rights protections, public health resources, and recognition of LGBTQ+ identities in federal data and public institutions have been reduced or withdrawn, underscoring the critical role that state law and local government play in affirming the rights and dignity of all residents; and

WHEREAS, New York State law, including SONDA and GENDA, continues to provide robust protections against discrimination based on sexual orientation, gender identity, and gender expression, and the Town of Oneonta recognizes its responsibility to uphold the spirit of those protections at the local level; and

WHEREAS, this resolution marks the first time the Town Board of the Town of Oneonta has formally recognized LGBTQ+ Pride Month; and

WHEREAS, the Town Board adopts this resolution with the conviction that our community is made stronger when every resident can live openly, equally, and with a full sense of belonging;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Oneonta hereby declares the month of June 2026 as LGBTQ+ Pride Month in the Town of Oneonta and affirms its support for LGBTQ+ residents and the protection of their civil rights under the laws of New York State; and be it further

RESOLVED, that the Town Board commends the work of the Otsego Pride Alliance, the Gender and Sexuality Resource Center at SUNY Oneonta, and all community organizations working to make the Town of Oneonta a more inclusive and welcoming place for LGBTQ+ individuals and their families; and be it further

RESOLVED, that the Town Clerk is hereby directed to post this resolution publicly at Oneonta Town Hall and on the official Town of Oneonta website, and to transmit copies of this resolution to the Otsego Pride Alliance, the Gender and Sexuality Resource Center at SUNY Oneonta, and Hartwick College; and be it further

RESOLVED, that the Town Board encourages all residents, businesses, civic organizations, and community institutions to join in recognizing Pride Month and to treat all members of our community with the dignity, respect, and belonging they deserve, during this month and every month.

**This resolution shall take effect immediately upon adoption.
Adopted by the Town Board of the Town of Oneonta on May 13, 2026**

RESOLUTION 2026-0080 (08:44) Motion by PRK; seconded by TD;

Whereas the Town Board votes to establish Professional Review Escrow; and
Whereas a resolution acknowledging receipt of application, referring application, and establishing professional review escrow for Cooperstown All-star Village project;
Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY
Joseph M. Camarata	Board Member	<u> X </u>	_____
Brett D. Holleran	Board Member	<u> X </u>	_____
Patricia Riddell Kent	Board Member	<u> X </u>	_____
Teresa DeSantis	Board Member	<u> X </u>	_____
William Rivera Jr.	Supervisor	<u> X </u>	_____
VOTE	AYES (5)		

TOWN OF ONEONTA A RESOLUTION ACKNOWLEDGING RECEIPT OF APPLICATION, REFERRING APPLICATION, AND ESTABLISHING PROFESSIONAL REVIEW ESCROW FOR COOPERSTOWN ALL-STAR VILLAGE PROJECT

At a regular meeting of the Town Board of the Town of Oneonta, held on the 13th day of May, 2026, at Town Hall, the following resolution was offered and seconded:

WHEREAS, the Town Board of the Town of Oneonta has received an application for a Zoning Amendment for tax parcels 787-1-53.00/60.00 submitted by Cooperstown All Star Village; and

WHEREAS, the proposed project involves rezoning parcels 787-1-53.00/60.00 from RA 40/B2 to PDD for a parking lot extension to the baseball facility and then combining with the adjacent parcels, and is subject to review by the Town Planning Board and Zoning Board of Appeals, as well as environmental review under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, such application is subject to referral to the Town Planning Board for review and recommendation, to the Zoning Board of Appeals as applicable, and to the Otsego County Department of Planning and Economic Development pursuant to General Municipal Law §§ 239-l and 239-m; and

WHEREAS, the Town Board acknowledges that additional information, approvals, and/or determinations, including but not limited to variance relief and environmental review relating to wetlands and other regulated areas, may be required prior to any final action on the applications; and

WHEREAS, pursuant to the Town of Oneonta Town Code, the Town is authorized to recover from an applicant the reasonable costs of professional review services, including engineering, planning, legal, and environmental consulting, incurred by the Town in connection with its review of such applications.

NOW THEREFORE, the Town Board of the Town of Oneonta hereby resolves as follows:

1. The Town Board acknowledges receipt of the application for the Cooperstown All Star Village Project and authorizes commencement of review.
2. The application is hereby referred to the Town Planning Board for review and recommendation, to the Zoning Board of Appeals as applicable, and to the Otsego County Department of Planning and Economic Development for review under General Municipal Law §§ 239-l and 239-m.
3. The applicant shall deposit the sum of Ten Thousand Dollars (\$10,000.00) into a Professional Review Escrow Account to cover reimbursable professional expenses incurred by the Town for engineering, planning, legal, and SEQRA-related review services associated with the applications.
4. The escrow account shall be maintained at a minimum balance of Two Thousand Five Hundred Dollars (\$2,500.00). If the balance falls below that threshold, the applicant shall promptly replenish the account in the amount of Five Thousand Dollars (\$5,000.00).

5. Upon completion of the Town’s review and ~~pay~~ment of all professional review costs, any unexpended balance shall be refunded to the applicant.

6. The Town Supervisor, Town Attorney, and Town Clerk are hereby authorized to take all administrative actions necessary to implement this Resolution, including execution of any required escrow agreements and authorization of professional review services.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Adopted by the Town Board of the Town of Oneonta on May 13, 2026

RESOLUTION 2026-0081 (08:45) Motion by JMC; seconded by BH;

Whereas the Town Board votes to close public hearing; and
 Whereas A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM ON THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF DATA CENTERS AND COMMERCIAL CRYPTOCURRENCY MINING OPERATIONS WITHIN THE TOWN OF ONEONTA;
 Now, therefore be it resolved;
 Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY		
Joseph M. Camarata	Board Member	_X_	_____		
Brett D. Holleran	Board Member	_X_	_____		
Patricia Riddell Kent	Board Member	_X_	_____		
Teresa DeSantis	Board Member	_X_	_____		
William Rivera Jr.	Supervisor	_X_	_____		
VOTE	AYES (5)			MOTION CARRIED	

RESOLUTION 2026-0083 (08:46) Motion by JMC; seconded by BH;

Whereas the Town Board votes to declare negative SEQRA; and
 Whereas A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM ON THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF DATA CENTERS AND COMMERCIAL CRYPTOCURRENCY MINING OPERATIONS WITHIN THE TOWN OF ONEONTA;
 Now, therefore be it resolved;
 Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY		
Joseph M. Camarata	Board Member	_X_	_____		
Brett D. Holleran	Board Member	_X_	_____		
Patricia Riddell Kent	Board Member	_X_	_____		
Teresa DeSantis	Board Member	_X_	_____		
William Rivera Jr.	Supervisor	_X_	_____		
VOTE	AYES (5)			MOTION CARRIED	

RESOLUTION 2026-0083 (08:47) Motion by BH; seconded by PRK;

**A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM
 ON THE DEVELOPMENT, CONSTRUCTION, AND OPERATION
 OF DATA CENTERS AND COMMERCIAL CRYPTOCURRENCY MINING
 OPERATIONS WITHIN THE TOWN OF ONEONTA**

Be it enacted by the Town Board of the Town of Oneonta as follows:

Section 1. TITLE

This Local Law shall be known as the "Moratorium on the Development, Construction, and Operation of Data Centers and Commercial Cryptocurrency Mining Operations."

Section 2. AUTHORITY AND INTENT; FINDINGS; PURPOSE

A. Authority and Intent.

This Local Law is intended to be consistent with and is adopted pursuant to the authority granted to the Town Board of the Town of Oneonta under the New York State Constitution and the Laws of the State of New York, including but not limited to the following authorities: New York State Constitution Article IX, § 2 (c); Municipal Home Rule Law §§ 10 and 20 through 27; Statute of Local Governments § 10; New York State Town Law; and the State Environmental Quality Review Act and its implementing regulations.

This Law is a land use regulation, which is intended to act as and is hereby declared to exercise the permissive "incidental control" of zoning and land use law that is concerned with the broad area of land use planning and the physical uses of land within the Town.

B. Findings.

The Town Board hereby finds that it is in the interest of public health, safety and welfare to address, in a careful and thorough manner, the activities prohibited by Section 4 of this Local Law. In order to accomplish this, the Town requires a reasonable period of time to further study the potential impacts and effects on land, the environment and the public in general caused by such activities, and to consider possible amendments to the Town's laws to address the same.

C. Purpose.

The purpose of the Local Law is to enable the Town of Oneonta to stay the construction, operation, and establishment of, and the submission and processing of applications for permits, zoning permits, special permits, zoning variances, building permits, operating permits, site plan approvals, subdivision approvals, certificates of occupancy, certificates of compliance, temporary certificates, and other Town-level land use approvals respecting the activities prohibited by Section 4 of this Local Law, for a reasonable time, so as to allow the Town time to study the potential impacts, effects, and possible controls over such activities and to consider possible amendments to the Town's laws and/or comprehensive plan to address the same. The Town Board finds that a moratorium of one (1) year duration, coupled with an "unnecessary hardship" variance procedure and a provision for the "grandfathering" of legal, pre-existing non-conforming uses, will achieve an appropriate balance of interests between (i) the need to safeguard public health, safety and welfare, as well as the character and other resources of the Town of Oneonta; and (ii) the rights of individual property owners.

Section 3. DEFINITIONS

For purposes of this Local Law, the following terms shall have the meanings respectively set forth below: COMMERCIAL CRYPTOCURRENCY MINING -- The commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrencies are released, through the use of Data Centers employing data processing equipment.

CRYPTOCURRENCY --- A digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank.

DATA CENTERS --- A facility that is primarily used for the storage, management, processing, and transmission of digital data, including but not limited to non-artificial intelligence workloads and artificial intelligence workload, and which houses computer or network equipment, systems, servers, appliances, and other associated components related to the digital data storage and processing as a principal land use on a parcel. Equipment and accessories customary to data centers including but not limited to air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure shall also be considered part of a data center. Data centers operating solely for the following purposes shall be exempt from this Local Law: (i) health and medical services operating pursuant to a municipal certificate of need; (ii) educational services for a municipality or a political subdivision; (iii) functions of government for a municipality or political subdivision.

PERSON --- Any individual, public or private corporation for profit or not for profit, association, partnership, limited liability company, limited liability partnership, firm, trust, estate, and any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

TOWN --- The Town of Oneonta, Otsego County, New York.

TOWN BOARD --- The Town Board of the Town of Oneonta.

Section 4. MORATORIUM AND PROHIBITION

A. From and after the effective date of this Local Law, no application for a permit, zoning permit, special permit, zoning variance (except as contemplated by Section 7 of this Law), building permit, site plan approval, subdivision approval or any other Town-level approval shall be accepted, processed, approved, approved conditionally, or issued for the construction, establishment, use or operation upon any land, body of water, building or other structure located within the Town for a Data Center or a Commercial Cryptocurrency Mining operation.

B. From and after the effective date of this Local Law, no Person shall use, cause, or permit to be used, any land, body of water, building or other structure located within the Town for a Data Center or a Commercial Cryptocurrency Mining operation.

C. This moratorium and prohibition shall be in effect beginning on the effective date of this Local Law and shall expire on the earlier of (i) that date which is one (1) year after said effective date, or (ii) the effective date of a duly enacted repeal of this Local Law.

D. This moratorium and prohibition shall apply to all real property within the Town.

E. Under no circumstances shall the failure of the Town Board, the Town Planning Board or the Town Code Enforcement Officer to take any action upon any application for a permit, zoning permit, special permit, zoning variance, building permit, site plan approval, subdivision approval, or other Town-level approval constitute an approval by default or an approval by virtue of expiration of time to respond to such application.

Section 5. PENALTIES

A. Compliance Orders. The Code Enforcement Officer is authorized to order, in writing, the remedying of any condition or activity found to exist in violation of this Local Law. If the condition or activity is not remedied after the issuance of a compliance order, then an appearance ticket may be issued as provided hereinafter.

B. Appearance Tickets. The Code Enforcement Officer is authorized to issue appearance tickets for any violation of this Local Law. Any person who violates any provision of this Local Law shall be deemed guilty of a violation and, upon conviction thereof, shall be subject to a fine of not more than \$250 or to imprisonment for not more than 15 days, or both such fine and imprisonment. Each week's continued violation shall constitute a separate, additional violation.

C. Civil Penalty. In addition to those penalties prescribed herein, any person who violates any provision of this Local Law shall be liable to a civil penalty of not more than \$2,500 for each day or part thereof during which such violation continues. The civil penalties provided by this section shall be recoverable in a civil action instituted in the name of the Town of Oneonta.

D. Injunctive Relief. An action or proceeding may be instituted in the name of the Town of Oneonta, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of this Local Law. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Board.

E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address any violation of this Local Law. Any remedy or penalty specified in this section and/or any other remedy or penalty provided by law, may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section. In addition to the above-provided remedies, the Town Board may also seek reimbursement to the Town for costs incurred by the Town in identifying and remedying each violation, including but not limited to, reasonable attorney's fees.

Section 6. GRANDFATHERING OF LEGAL, PRE-EXISTING NON-CONFORMING USE

Notwithstanding any provision hereof to the contrary, any Data Centers or Commercial Cryptocurrency Mining operations in the Town that have been duly approved as of the effective date of this Local Law, which are being operated in accordance with all applicable laws and regulations and in compliance with all valid permits required to be issued by the New York State Department of Environmental Conservation ("DEC") and all other federal, state and local regulating agencies, shall be considered a pre-existing, non-conforming use and shall be allowed to continue, subject, however, to the provisions of this Section. Any expansion of a lawful, pre-existing nonconforming use shall not be grandfathered under this Section, and instead shall in all respects be prohibited as contemplated by Section 4 hereof "Grandfathered" and lawful pre-existing uses neither have nor possess any right to expand such non-conforming use, whether above or below ground, and no such right shall be deemed, construed, or implied to exist.

Section 7. HARDSHIP USE VARIANCE

The Zoning Board of Appeals is hereby authorized to accept and review (after public notice and hearing and in accordance with the requirements of law and of this Local Law) requests for a hardship use variance from application of the provisions of this Local Law by any Person aggrieved hereby.

No such use variance shall be granted without a showing by the applicant that applicable regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate that for each and every permitted use under the zoning regulations for the particular district where the property is located: (i) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence; (ii) that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (iii) that the requested use variance, if granted, will not alter the essential character of the neighborhood; and (iv) that the alleged hardship has not been self-created.

In the event a hardship use variance from the provisions of this Local Law is granted to the applicant, the applicant shall be required to comply with all provisions of the Town's then applicable land use laws and other laws and regulations. The Zoning Board, in the granting of a hardship use variance, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proved by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

Section 8. SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this Local Law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local Law or the application hereof to any other persons or circumstances. If necessary, as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed severed here from, and the Town Board of the Town of Oneonta hereby declares that it would have enacted this Local Law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is severed or declared invalid or unenforceable.

Section 9. GENERAL PROVISIONS

A. The Code Enforcement Officer is hereby designated as the enforcement officer for purposes of interpreting and enforcing this Local Law.

B. The section and other headings and titles to clauses and phrases in this Local Law are for convenience only, and shall not be used or construed to limit or define the scope or application of the clauses and phrases so following such headings or titles. Each section of this Local Law, whether in the nature of a preamble or otherwise, is a material part of this Local Law.

Section 10. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York Department of State in accordance with Section 27 of the Municipal Home Law.

Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY
Joseph M. Camarata	Board Member	<u> X </u>	_____
Brett D. Holleran	Board Member	<u> X </u>	_____
Patricia Riddell Kent	Board Member	<u> X </u>	_____
Teresa DeSantis	Board Member	<u> X </u>	_____
William Rivera Jr.	Supervisor	<u> X </u>	_____
VOTE	AYES (5)		

MOTION CARRIED

RESOLUTION 2026-0084 (09:01) Motion by BH; seconded by TD;

Whereas the Town Board votes to approve the CDBG Pre-Application with contingencies; and
Whereas Southern Comfort Smoke House and Creamery may apply for funding from the County of Otsego
IDA; and

Whereas conditions and language will be reviewed and must meet with approval by the Attorney to the
Town;

Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY
Joseph M. Camarata	Board Member	<u> X </u>	_____
Brett D. Holleran	Board Member	<u> X </u>	_____
Patricia Riddell Kent	Board Member	<u> X </u>	_____
Teresa DeSantis	Board Member	<u> X </u>	_____
William Rivera Jr.	Supervisor	<u> X </u>	_____
VOTE	AYES (5)		

MOTION CARRIED

RESOLUTION 2026-0085 (09:08) Motion by WRJ; seconded by BH;

Whereas the Town Board votes to approve and authorize the release of payment to property owners; and

**WHEREAS, authorizing the acquisition of certain property rights-of-way for the bridge culvert
project; and**

**WHEREAS, the NYS DOT Bridge NY Culvert Grant requires the Town of Oneonta to acquire rights-of-way to
three properties in the Town; and**

WHEREAS, Right-of-Way Property Purchase Agreements have been completed as follows:

- Daniel Mostert, 142 Winney Hill Road - \$8,600
- Brian & Barbara Belknap, Blanchard Ave - \$1,200
- Timber Ridge Abode, LLC, 138 Winney Hill Road - \$1,400; and

**WHEREAS, the payments to the property owners are 100% reimbursable through the NYS DOT Bridge NY
Culvert Grant funding; and**

**WHEREAS, the Town Board of the Town of Oneonta finds it in the best interest of the Town to acquire
these rights of way and pursuant to the authority in NYS Town Law §62(2) this Resolution is subject to
permissive referendum.**

**NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Oneonta hereby authorizes
payment for the acquisition of rights-of-way to the subject properties as set forth herein.**

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY	
Joseph M. Camarata	Board Member	<u> X </u>	_____	
Brett D. Holleran	Board Member	<u> X </u>	_____	
Patricia Riddell Kent	Board Member	<u> X </u>	_____	
Teresa DeSantis	Board Member	<u> X </u>	_____	
William Rivera Jr.	Supervisor	<u> X </u>	_____	
VOTE	AYES (5)			MOTION CARRIED

RESOLUTION 2026-0086 (09:12) Motion by JMC; seconded by PRK;

Whereas the Town Board votes to approve contract for Herrmann Engineering, PLLC; and
Whereas from time to time the Town may request that Engineer to the Town provide professional services for Specific Projects;

Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY	
Joseph M. Camarata	Board Member	<u> X </u>	_____	
Brett D. Holleran	Board Member	<u> X </u>	_____	
Patricia Riddell Kent	Board Member	<u> X </u>	_____	
Teresa DeSantis	Board Member	<u> X </u>	_____	
William Rivera Jr.	Supervisor	<u> X </u>	_____	
VOTE	AYES (5)			MOTION CARRIED

RESOLUTION 2026-0087 (09:23) Motion by JMC; seconded by BH;

Whereas the Town Board votes to approve flooring for the Pool House; and
Whereas contingent upon FUNDS availability within the budget; and
Whereas awaiting NYS DOH approval;

Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY	
Joseph M. Camarata	Board Member	<u> X </u>	_____	
Brett D. Holleran	Board Member	<u> X </u>	_____	
Patricia Riddell Kent	Board Member	<u> X </u>	_____	
Teresa DeSantis	Board Member	<u> X </u>	_____	
William Rivera Jr.	Supervisor	<u> X </u>	_____	
VOTE	AYES (5)			MOTION CARRIED

RESOLUTION 2026-0088 (09:44) Motion by PRK; seconded by BH;

Whereas the Town Board votes to accept minutes of the March and April meetings;

Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY	
Joseph M. Camarata	Board Member	<u> X </u>	_____	
Brett D. Holleran	Board Member	<u> X </u>	_____	
Patricia Riddell Kent	Board Member	<u> X </u>	_____	
Teresa DeSantis	Board Member	<u> X </u>	_____	
William Rivera Jr.	Supervisor	<u> X </u>	_____	
VOTE	AYES (5)			MOTION CARRIED

RESOLUTION 2026-0089 (09:50)

Motion by PRK; seconded by BH;

Whereas the Town Board votes to approve ROA certification for Ryan F. Pereira, Town Clerk and Sean Farrell, Town Justice; and

Whereas establish Standard Work Day for elected officials;

Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY
Joseph M. Camarata	Board Member	<u> X </u>	_____
Brett D. Holleran	Board Member	<u> X </u>	_____
Patricia Riddell Kent	Board Member	<u> X </u>	_____
Teresa DeSantis	Board Member	<u> X </u>	_____
William Rivera Jr.	Supervisor	<u> X </u>	_____
VOTE	AYES (5)		

MOTION CARRIED

NAME	TITLE	TERM	STANDARD WORK DAY	ROA RESULTS	PAY FREQUENCY
RYAN F PEREIRA	TOWN CLERK/COLLECTOR	01/01/2026-12/30/2026	6	23.23	BIWEEKLY
TERESA DESANTIS	TOWN COUNCIL PERSON	01/01/2026-12/30/2026	6	8.76	BIWEEKLY
WILLIAM RIVERA JR	SUPERVISOR	01/01/2026-12/30/2026	6		BIWEEKLY
SEAN FARRELL	TOWN JUSTICE	01/01/2026-12/30/2026	6	15	BIWEEKLY
CODY SCHIMTT	SUPERINTENDENT OF HIGHWAYS	01/01/2026-12/30/2026	6		BIWEEKLY

RESOLUTION 2026-0090 (09:53)

Motion by JMC; seconded by BH;

Whereas the Town Board votes to approve payment of the bills and payment transfers;

Now, therefore be it resolved;

Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY
Joseph M. Camarata	Board Member	<u> X </u>	_____
Brett D. Holleran	Board Member	<u> X </u>	_____
Patricia Riddell Kent	Board Member	<u> X </u>	_____
Teresa DeSantis	Board Member	<u> X </u>	_____
William Rivera Jr.	Supervisor	<u> X </u>	_____
VOTE	AYES (5)		

MOTION CARRIED

Member DeSantis conceded a YES vote; provided three bills highlighted from the Attorney for the Town, be taken out as part of Professional Services in the amount of \$2252.00 (Silas Lane Serv.)

RESOLUTION 2026-0091 (10:04)

Motion by PRK; seconded by BH;

Whereas the Town Board votes to adjourn;
Whereupon the resolution was put to a vote and recorded as follows:

		AYE	NAY
Joseph M. Camarata	Board Member	<u> X </u>	_____
Brett D. Holleran	Board Member	<u> X </u>	_____
Patricia Riddell Kent	Board Member	<u> X </u>	_____
Teresa DeSantis	Board Member	<u> X </u>	_____
William Rivera Jr.	Supervisor	<u> X </u>	_____
VOTE	AYES (5)		

MOTION CARRIED

Respectfully submitted,

Ryan F. Pereira
Town Clerk