

**Minutes
Town of Oneonta
Town Board
Legislative Committee
Monday, April 6, 2026
4:30 PM**

Present for the Legislative Committee Meeting:

Legislative Committee Chair- Teresa DeSantis, Town Supervisor Will Rivera

Town Council Members Present: Patricia Riddell Kent, Joe Camarata

Members of the Public: Gary Enck, Dave Beisler, Dan Cooper, Hunter Grace

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The Town of Oneonta Town Board- Legislative Committee- Regular Meeting opened at 4:35 PM.

NEW BUSINESS:

**Swap meeting times:**

- **Request to move the Legislative Committee Meeting time to First Monday at 4:45 PM**
- **Request to move the Facilities, Technology and Parks Meeting time to First Monday at 4:30 PM, so they go first.**

The response from the Committee and the Town Board members gathered was favorable to swapping the above meeting times to allow the Facilities, Technology and Parks Committee to go ahead of the Legislative Committee Meeting. This would put the Facilities, Technology and Parks Committee meeting at 4:30 PM, followed by Legislative Committee at 4:45 PM. We will try to institute this new schedule going forward. A note to let the Town Clerk know about the above schedule change, so he can update the signage.

**As per NYS- OSC best practices for Towns, make it a policy that all departments handling money submit a monthly financial report to the Town Board for the month previous, at each monthly Town Board meeting.**

The response from the Committee and the Town Board members gathered was favorable to making it a policy that all departments handling money submit a monthly financial report to the Town Board for the month previous. This would be presented to the Town Board as part of the monthly meeting packet. This is recommended as "best practice" by the NYS Office of the State Comptroller (OSC.) The next step would be to place this on the Town Board as an Agenda item.

**Proposed Code of Ethics- submitted to us from the Town's Ethics Board.**

**Q: Has the Town Attorney reviewed this? Is it ready for us to vote on at the Town Board Level?**

The Town's Board of Ethics has met twice. They have recommended that the Town adopt the OSC's Model Code of Ethics, after the Town Attorney has looked it over. Town Supervisor Will Rivera stated that he believed the Town Attorney has reviewed the document. The response from the Committee and the Town Board members gathered was favorable to moving forward on adopting the Model Code of Ethics. The committee recommends putting this on the Town Board's Agenda for next month. Town Board member Joe Camarata reminded the Committee and Board members that this will most likely need to be presented as a Local Law, with the appropriate public hearing. We ask that this go on the Town Board Agenda for next month.

**From the Community:**

**Highland Terrace- Rooster Concern- Discussion. Possibilities: Enforce noise ordinance on the books for animals? Propose a rooster ordinance? Limit roosters to certain zones? Discussion.**

Chair Teresa DeSantis noted that there was no one in the audience present from the Highland Terrace neighborhood with the rooster complaint issue. The Town Board and Town Codes office received letters of complaint and concern from 3 or more neighbors in the Highland Terrace neighborhood about a rooster crowing up to two times a minute, sometimes throughout daylight hours. Residents state that the issue has made it difficult to work in home offices, enjoy being outside, and have the windows open in the summertime, due to the constantly crowing rooster.

A discussion followed. Town Supervisor Will Rivera noted that the Town Attorney has been asked to take a look at it as well. Committee and Town Board members suggested a range of actions. The first of the suggestions was for the Code Enforcement Officer to enforce the regulations that are already on the books regarding the outcry of animals being bothersome to a reasonable person. Chair Teresa DeSantis stated that she had spoken with the Code Enforcement Officer Clinton Rearick, and that he had discussed the difficulty of enforcing a code without an established finite metric of measurement.

Town Board Member Joe Camarata noted that Highland Terrace is zoned RA-40, and that in a rural area, people have a right to farm, with chickens and eggs. He suggested that a restriction could be interpreted as an act of government overreach.

The discussion continued, ranging from putting a decibel limit on the rooster, having the rooster wear a "no cluck" collar, to suggesting that Town Officials have an informal conversation with the owner of the rooster, to see if he is willing to work to remediate the issue on a voluntary basis. No conclusion was made to this discussion, and no definitive next step forward was reached.

**Possible Revisions to the Watershed Protection Law-LL-2 of 2015 Should we pursue a suggested modification to prohibit intensive uses, and/or campgrounds? Discussion- What is the definition of an intensive use? Prohibit campgrounds only, or revise Watershed Protection Law as a whole? Discussion.**

Resident David Koehn who initiated this concern was not present at this month's meeting. Discussion revolved around what revisions should be made to the Watershed Protection Law- LL-2 of 2015- which is currently on the books. The Committee leaned to doing a minor revision of the law, adding a section for a "No Campgrounds in the Watershed" provision. This would set aside the intensive use issue, and any other campground issues in the rest of the Town for discussion at a later date. The Committee hereby asks the Town Attorney to add a section prohibiting campgrounds to the Watershed Protection Law, and present it to the Town Board for review at the next meeting.

### **Proposed Zoning Map Amendments:**

#### **Gary Enck- 207 County Highway 47-TM # 301.00-1-22.01-**

**Request to move from RA-40 Zone to PDD for housing development lots of 19 lots.**

**Discussion: Uses of PDD's. Question: Could this development be achieved with an R-20 Zone designation? If it became an R-20, it would mirror the Angel Heights Community, and fit in with pre-existing residential development in the area.**

Applicant Gary Enck and business associate David Beisler were both present at the meeting tonight. Town Supervisor Will Rivera announced that he had just received new materials from the Town Attorney late this afternoon, at 3:18 PM, relating to the above. It was noted by Chair Teresa DeSantis that we have asked that materials be received in adequate time for all members to review ahead of a meeting. The Town Supervisor stated that he is doing the best he can in communication with the Town Attorney. He then recommended that the Town Attorney had conveyed to him directly that it was preferable for the Committee to speak among itself, but that the applicants present not be allowed to speak. This was a concern for Committee Chair Teresa DeSantis and Town Board member Joe Camarata, who stated that applicant participation was desired. The Committee then proceeded as best it could, under the stated new guidelines from the Town Supervisor.

The Town Supervisor then asked that the Committee and Town Board Members to review the materials relating to the Professional Services Law, of which there is a Public Hearing on Weds, April 8th. He also asked the above group to review the new documents sent over by the Town Attorney, about having an escrow account for Zoning Map Amendments, such as the above. The escrow account would be established with an initial amount of \$10,000 from applicants, and held by the Town for any professional services needed to review these types of applications. A discussion followed. Town Board member Joe Camarata asked about what is the threshold when the above escrow requirement would kick in? Would it be for all Zoning Map Amendment applications, of any size? Town Board Member Patricia Riddell Kent stated that she welcomed the escrow account provision, as it can be used as a tool for the Town to properly evaluate applications, with the help of a professional, who can produce the appropriate map, plan, report, and/or study to aid the Town in its consideration.

Legislative Committee Chair Teresa DeSantis steered the Committee back to the topic of the Gary Enck application. One suggestion by the Committee members Teresa DeSantis and Patricia Riddell Kent was that the Enck project seek an R-20 designation, instead of a PDD. The R-20 designation would result in the above community more closely fitting in with the existing Angel Heights Development, which is in an R-20 zone. Then the two developments would be under the R-20 zone. The applicant's survey map would have to be slightly adjusted to accommodate the R-20 minimum lot size. The applicant seemed amenable to this suggested change.

**Cooperstown All Star Village- 4158 State Highway 23- West Oneonta-TM #287.00-1-53.00; #287.00-1-60.00- Proposal to move these two hillside parcels designations from two unused B-2 and RA-40 zones to a PDD. Note that this proposal would increase the total parking by up to 801 spots.**

Cooperstown All Star Village representatives Dan Cooper and Hunter Grace were both at the meeting tonight. Town Supervisor Will Rivera allowed the above applicants to speak about their proposed project. The goal of the project is to do a Zoning Map Amendment to join the rectangular parcel closest to the road (TM #287.00-1-53.00), and to change it from its current B-2 designation to a PDD. This would make it possible for the applicant to join all the parking on the East side of State Highway 23. They would then ask for a parcel merge request at the Town and County levels to merge the new parcels with the existing baseball camp as a large contiguous PDD district.

The applicant noted that they have just purchased the above properties. (They stated that on the upper square shaped, land-locked parcel, TM #287.00-1-60.00, they would like to keep it in the RA-40 zone designation, and eventually merge it with the Deer Run Campground parcel, which was also just purchased, but not a part of this action.)

A detailed discussion followed. The applicant stated that safety was of primary concern. The applicant was amenable to the concept of installing an overhead pedestrian bridge to accommodate safe pedestrian access across the busy highway. The applicant noted that there has been some challenges with the "Hawk" pedestrian traffic signal, and DOT had suggested a shorter interval time in the signaling. It was decided to reach out to State DOT's Binghamton regional office staff to set up a meeting with the Applicant, the Town, and State DOT to visit the site and discuss the above possibilities with a site visit. The goal is for this site visit to take place before the next meeting.

Discussion then occurred about the more general role of the Town, as a municipality, should take in the review of ZMA (zoning map amendment) applications. There was difference in opinion about the ZMA process and the Town's role (or not) in aiding an applicant through the process. Nothing definitive was decided.

A question arose over whether the Town can add required conditions into a ZMA? We will have to ask the Town Attorney.

Town Board member Joe Camarata asked that the above Zoning Map Amendment application go before the Town's Planning Board, with possible conditions attached regarding the pedestrian bridge.

**Legislative Committee Minutes Presented: - March 2nd, 2026- Legislative Committee Minutes**

**Note: Next Meeting: Monday, May 4, 2026, 4:45 pm**

The Legislative Committee meeting adjourned at 6:35 PM.

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Respectfully Submitted- Teresa DeSantis Town of Oneonta- Legislative Committee Chair, Town Council Member