

TOWN BOARD
Regular Meeting
January 10, 2018

The regular meeting of the Oneonta Town Board was held on January 10, 2018 with the following members present:

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

Others present: Rob Panasci, Town Attorney; James Hurtubise, Supt. of Highways; Steve Kent; Walter Schmitt; Michael Schmitt; and Dan Lapin, OCCA.

PETITIONERS

Dan Lapin, of the Otsego County Conservation Association (OCCA) was present asking for a letter supporting a \$120,000 United States Environmental Protection Agency (USEPA) grant application submitted by OCCA. This would be a community grant addressing a specific environmental concern such as flooding and storm water as it relates to extreme weather events, he said. The City and Town would collaborate to develop an approach to address increased storm water runoff as a result of heavy rain events and flooding and develop a joint plan to address those issues. He said the grant focuses on rural communities with populations under 50,000 and it would be of no cost to the town. Councilwoman Jacob asked if there would be money available to address flooding in the West End. Councilwoman Riddell Kent said she has worked on the West End drainage and felt OCCA's input would be very beneficial. Lapin said could possibly be money down the road. Supervisor Wood said another area of concern is the infiltration of storm water into the sewer system, thus affecting the operation of the sewer plant. Lapin said the grant would definitely help in this area by bringing the community together to form a solution that benefits everyone. The board was in agreement that this would be a great benefit to the town.

Motion was made by Holleran, seconded by Jacob that the town supports this endeavor and agrees to participate in this process and further authorizes the Supervisor to send a letter of commitment.

VOTE - Ayes 5, Nays 0 Motion Carried

Supervisor Wood asked about another program that would train people in energy consciousness and conservation. Lapin said this is a program called the Clean Heating and Cooling Community Campaign through NYSERDA. It is a funding application to hire an HVAC coordinator that specializes in energy efficiency. The HVAC coordinator would train contractors, businesses and municipalities to upgrade their equipment to be more energy efficient. This would be of no cost to municipalities and low cost to others. He said the objective is to get as many people to participate as possible, thus saving them as much money as possible. The board agreed to support this endeavor.

Motion was made by Jacob, seconded by Riddell Kent to authorize the Supervisor to send a letter

of support for the NYSERDAS application.
VOTE - Ayes 5, Nays 0 Motion Carried

COMMITTEE REPORTS

Highway/Water & Sewer - Councilwoman Riddell Kent gave the following update and recommendations:

Speed Limit Reduction - Notification from the NYS Dept. of Transportation regarding the town's request to lower speed limits on Southside Drive and Peebles Hill Road was received. They have determined that Southside Drive will remain at 40 MPH and that Peebles Hill Road, between Upper East Street and Gifford Hill Road will be posted at 40 MPH.

The County Highway Department received a request to review and reduce the speed limit on County Highway 58. Before they can proceed with the process, the town must pass a resolution requesting the same.

Motion was made by Jacob, seconded by Mowers to petition NYS Dept. of Transportation to perform a radar speed check and consider an order to reduce the speed limit on County Highway 58.

VOTE – Ayes 5, Nays 0 Motion Carried

Southside Sewer District Bond Repayment – Councilwoman Riddell Kent said that because Christopher's and The Lodge are gone there are less units in the district, making the bond repayment increase by \$1 per unit.

Motion was made by Mowers, seconded by Jacob to set the bond repayment rate at \$87 per unit.

VOTE - Ayes 5, Nays 0 Motion Carried

Councilwoman Riddell Kent thanked Pete Andrews, who retired 12/31/2017, for his dedication and expertise as Water and Sewer Operator for the town.

Public Safety- Supervisor Wood reported:

133 Southside Drive – Committee discussed the status of clean-up at 133 Southside Drive and nothing has changed. The Code Enforcement Officer will issue a violation and court appearance notice as of January 12th. Supervisor Wood said he will post a status report on the town's website because many people have expressed concern. Councilman Holleran will also post it on the town Facebook page, as well.

Facilities, Technology, Parks – Councilman Holleran reported there is no new business.

Legislative – Councilwoman Jacob reported:

Complete Streets Policy is ready for adoption. Motion was made by Jacob, seconded by Holleran to adopt the following policy:

Sustainable Complete Streets Policy:

WHEREAS, *Complete Street* are defined as roadways that enable safe and convenient access for all users, including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors; and

WHEREAS, *Sustainable Complete Streets* are defined as Complete Streets with elements of design, construction and operation that also serve environmental sustainability; and

WHEREAS, streets that support and invite multiple uses, including safe, active, and ample space for pedestrians, bicycles, and public transportation, are more conducive to public life and efficient movement of people than streets designed primarily to move automobiles and trucks; and

WHEREAS, promoting pedestrian bicycle and public transportation travel as an alternative to the automobile reduces negative environmental impacts, promotes healthy living, and is less costly to the commuter; and

WHEREAS, the full integration of all modes of travel in the design of streets and highways will increase the capacity and efficiency of the road network, reduces traffic congestion by improving mobility options, limits greenhouse gas emissions and improves the general quality of life; and

WHEREAS, many studies show that when roads are better designed for bicycling, walking and transit use, more people do so, and Complete Streets has been recognized and adopted as policy and law at federal, state, county, town, village and city levels in the interest of improving safety and accessibility for all users; and

WHEREAS, the design and construction of new and existing roads in the Town of Oneonta should anticipate future demand for biking, walking and other alternative transportation; and

WHEREAS, *Sustainable Complete Streets* are supported by the Institute of Traffic Engineers, the American Planning Association, the American Public Health Association, the State of New York and many other transportation, planning and public health professionals.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Oneonta will, to the extent reasonable and affordable, view all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in the Town of Oneonta and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system, and

BE IT FURTHER RESOLVED, it is the intent of the Town of Oneonta to recognize that local Town streets with low vehicle volumes and slow traffic speeds may already safely and efficiently accommodate bicyclists and pedestrians, and

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

Discussion: Attorney Panasci stated that this policy applies only to new improvements that are reasonable and affordable. Supervisor Wood said this is a good policy to have on the books. He added that this will be a good way to plan for bike and pedestrian pathways. Councilwoman Jacob said there is a real desire for pathways in the town. Councilwoman Riddell Kent said the policy covers all bases and thanked Councilwoman Jacob for her work on this.

VOTE – Ayes 5, Nays 0 Motion Carried

Human Resources and Public Benefit – Supervisor Wood stated that a letter was received from Highway Superintendent Hurtubise requesting a meeting the town board and highway personnel to discuss job descriptions and concerns of equitable compensation and benefits. The board agreed to set up a meeting.

CODE ENFORCEMENT

Purchases - Motion was made by Holleran, seconded by Riddell Kent to authorize the following purchases, pursuant to the 2018 budget:

2018 NFPA Membership - \$200.00

2108 STBOA Membership (Paul & David) - \$160.00

2108 NYS Fire Marshals & Inspector Membership - \$35.00

VOTE - Ayes 5, Nays 0 Motion Carried

MISCELLANEOUS

Mobile Home Park renewal – Motion was made by Riddell Kent, seconded by Holleran to approve Evergreen Terrace’s Mobile Home Park renewal application for the year 2018.

VOTE – Ayes 5, Nays 0 Motion Carried

CDBG funds - Supervisor Wood said the Jody Zakrewsky of the IDA is trying to bring a new manufacturing business to the Town of Oneonta through the use of CDBG grant funds. This would be a job employment grant for low to middle income individuals.

Motion was made by Mowers, seconded by Holleran to authorize the Supervisor to sign and submit the pre-submission form for NYS CDBG Economic Development/Small Business funds.

VOTE - Ayes 5, Nays 0 Motion Carried

Street lights - The town was notified by NYSEG that cobra-head style LED street lights are now available for all NYSEG-owned street lights. The board was in agreement to have the Supervisor contact NYSEG to make this switch.

Fire Commissioners – Councilwoman Riddell Kent gave the following report from the January 9th meeting:

- Organizational meeting was held on Jan. 9th with two new commissioners Michelle Catan and Alan Rubin; Johna Peachin was elected Chair and Alan Rubin as Co-chair; Terry Hennigan reappointed as attorney; meetings set for 2nd Tuesday of each month at 6 PM at the Elm Park United Methodist Church.
- Regular meeting business: Update given to new members regarding current status of negotiations with the City; Peachin said that Commissioners reached out to the City but no response; Rubin asked what the overruling authority’s position is on how the contract should be set-up; Commissioners explained that because the town pays for ambulance, the city is able to charge residents; Said since majority of expense is paid by Fire Commission, they feel the Fire Commission is paying for ambulance, and the City should not be able to bill for ambulance, therefore they maintain that the City is double billing.

PETITIONERS - Walt Schmitt, West Oneonta Fire Chief said he is tired of hearing the Town of

Oneonta Fire Commissioners say that 20% of the town doesn't pay for ambulance service. He went on to say that if the city is giving credit to the Oneonta Fire District for revenues collected from West Oneonta Fire District (WOFD) residents that the city should turn those funds over to the WOFD. Supervisor Wood suggested he tell the Town Fire Commissioners about his concerns on this matter, as the town does not receive those funds. The town agreed that West Oneonta Fire District could post information on the Town's website.

Mr. Schmitt also asked if the town could petition NYS Department of Transportation to improve the visibility of the "STOP" sign at the intersection of State Highway 23 and County Highway 8 in West Oneonta. Many people go straight through this intersection without stopping, he said.

APPROVAL OF MINUTES

Motion was made Jacob, seconded by Riddell Kent to approve the December 13, 2017 and January 3, 2018 minutes.

VOTE – Ayes 5, Nays 0 Motion Carried

BILLS

Motion was made by Holleran, seconded by Mowers to approve the following bills with the addition of \$500 to set up an HRA savings account:

<u>2017</u>			
General		\$64,522.63	932-934,936-938,950,954-956,964-968,971-973,980,981,986
			988,990-992,997-999,1000,1002
Highway		\$25,807.86	956,974-979,983-985,987,992
Street Lights		\$4,149.51	967,1002
SS Water Cap.	\$287,027.25		931
Trust & Agency	\$4,214.65		939-949,970
DISTRICTS :			
WESD		\$33,053.96	935,951,957-960,962,969,989,994-996,1001,1003
WSSD		\$3,537.00	935,957-959,961,962,969,989,996,1001
SSD		\$16,541.62	935,953,957-962,969,989,994,1001,1003
WWD		\$8,267.76	935,952,957-959,963,969,982,989,996,1001,1003
PWD		\$8,563.53	935,957-959,969,989,993

2018

General		\$82,582.03	1,3,5,7-20,24
Highway		\$57,992.76	1,3,5
Trust & Agency		\$1,145.67	22,23
DISTRICTS:			

WESD		\$6,324.03	2,4,6,21
WSSD		\$1,659.15	2,4,6,21
SSD		\$2,848.73	2,4,6,21
WWD		\$1,527.23	2,4,6,21
PWD		\$684.11	2,4,6,21

VOTE – Ayes 5, Nays 0 Motion Carried

Executive Session – Motion was made by Riddell Kent, seconded by Jacob to enter into Executive Session to discuss a real estate issue (7:50 PM).

VOTE – Ayes 5, Nays 0 Motion Carried

The board entered into executive session to discuss settlement of the Walmart tax certiorari case. Attorney Panasci informed the board that he has a tentative agreement for a settlement and was seeking board approval. The settlement was \$10,000,000. It would also grant a refund of town, county and fire district taxes for 2018. It would also provide a refund of the 2017-2018 school district taxes. The board expressed concern that we are granting too many reductions in commercial assessment due to attorneys who are practicing solely to fight assessments on a contingency basis. The cost of appraisals is substantially more than the town share of taxes. Supervisor Wood advised that he has consulted with the school district and they are interested in sharing the cost of appraisal with the town.

Motion was made Jacob, seconded by Holleran to accept the \$10,000,000 settlement as proposed.

VOTE – Ayes 5, Nays 0 Motion Carried

Motion was made by Riddell Kent, seconded by Mowers to adjourn (8:25 PM).

VOTE – Ayes 5, Nays 0 Motion Carried

Respectfully submitted,

Cheryl L. Shackelton
Town Clerk