



**Town of Oneonta**  
**TOWN BOARD**

Regular Meeting Minutes  
September 13, 2023  
07:00pm

The regular meeting of the Oneonta Town Board was held on September 13, 2023, with the following members present:

Supervisor: Randal I. Mowers  
Town Board Member: Kim Fierke  
Town Board Member: Skylar J. Thompson  
Town Board Member: Patricia Riddell Kent  
Town Board Member: Brett Holleran  
Town Clerk: Ryan F. Pereira  
Town Attorney: Robert Panasci

Others present: James A. Hurtubise, Supt. of Highways; Michele Catan, County Rep.; Tina Winstead, Huntington Memorial Library; Glenda Bolton; Michael Schmitt; Tom Armao; Ryan Brooks; Sharon Corrado; Gorden Huckins; Theresa Cyzeski; Dvaid Cyzeski.

Presentation

Tina Winstead, Director of the Huntington Memorial Library, presented to the board an annual report, projected expenses, and a request for more funding from the Town which currently contributes \$50,000 to the library's annual budget.

Petitioners "Privilege of the floor"

Public Hearing

RESOLUTION 2023-074 Motion made by Thompson, seconded by Riddell Kent;  
Whereas the Board will vote to open the public hearing to solicit input on a proposed zoning map change; now, therefore be it  
*Resolved*, convert tax map parcel number 289.00-1-65.00, from residential to commercial, R10 into a B2;

VOTE Aye (5) SJT PRK MOTION CARRIED

There was some discussion between the owner of the property and neighboring property owners centering around the planned usage and development of the property. The owner assured the board that they have sought guidance from the DEC and plan to preserve the natural flow of water through the property should any development occur. Town attorney reminded those present that any questions concerning actual building of any sort, should be reserved for the Planning Board.

RESOLUTION 2023-075 Motion made by Thompson, seconded by Riddell Kent;  
Whereas the Board will vote to close the public hearing to solicit input on a proposed zoning map change; now, therefore be it

Resolved, convert tax map parcel number 289.00-1-65.00, from residential to commercial, R10 into a B2;

VOTE Aye (5) SJT PRK MOTION CARRIED

RESOLUTION 2023-76 Motion by Holleran, seconded by Thompson;  
Whereas the Board will vote to convert tax map parcel number 289.00-1-65.00, from residential to commercial, R10 into a B2; now, therefore be it  
Resolved, that after review declare a negative declaration under SEQR..

VOTE Aye (5) BH SJT MOTION CARRIED

RESOLUTION 2023-77 Motion by Thompson, seconded by Holleran;  
Whereas the Board will vote to enact Local Law 2023-01, a local law amending the official zoning map of the map pf the Town of Oneonta; now, therefore be it  
Resolved, that the Board shall set forth in local law, change the zoning from R-10 to B-2, the property at 5764 State Highway (TAX MAP NO. 289.00-1-65.04).

VOTE Aye (5) SJT BH MOTION CARRIED

Legislative

RESOLUTION 2023-78 Motion by Thompson, seconded by Holleran;  
Whereas the Board will vote to set a public hearing, the purpose of the hearing is to solicit public input on a proposed zoning change from R-40 to B-2, for tax parcel nos.; 287.00-1-20.02/287.00-1-38.00/287.00-1-35.02/287.00-1-35.01/287.00-1- 54.00/287.00-1-53.00/287.00-1-20.03/284.00-1-84.00; now, therefore be it  
Resolved, that a public hearing be set for the next regular Board meeting, October 11, 2023, approx. 07:05pm.

VOTE Aye (5) SJT BH MOTION CARRIED

RESOLUTION 2023-79 Motion by Holleran, seconded by Fierke;  
Whereas the Board will vote to enter a municipal agreement with the City of Oneonta;  
Whereas the Town and City will jointly seek grant funding for a sidewalk project stretching the expanse of road from the Southside of the Town to the intersection of Maple and Main streets in the City of Oneonta; now, therefore be it  
Resolved, that the agreement is subject to final wording review.

VOTE Aye (4) Nay (1)Thompson BH KF MOTION CARRIED

RESOLUTION 2023-080 Motion made by Thompson, seconded by Holleran;  
Whereas the Board will vote to approve the following supplemental bond resolutions;

SUPPLEMENTAL BOND RESOLUTION DATED SEPTEMBER 13, 2023

A RESOLUTION AMENDING CERTAIN TERMS OF A BOND RESOLUTION DATED APRIL 13, 2016 RELATING TO THE UNDERTAKING OF CAPITAL IMPROVEMENTS TO THE TOWN’S WATER DISTRICT NO. 5.

WHEREAS, on April 13, 2016, the Town Board adopted a bond resolution (the “Bond Resolution”) entitled:

A RESOLUTION AUTHORIZING THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF CAPITAL IMPROVEMENTS TO WATER DISTRICT NO. 5, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,000,000 OF THE TOWN OF ONEONTA, OTSEGO COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE

BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR; and

WHEREAS, on the date the Town Board adopted the Bond Resolution the maximum estimated cost of the undertaking of the Project was estimated to equal an amount not to exceed \$6,000,000; and

WHEREAS, since the date of the Bond Resolution, the Town Board has received additional information and revised cost estimates which indicate that the maximum estimated cost of the Project will be an amount not to exceed \$6,759,000; and

WHEREAS, Section 32.00 of the New York Local Finance Law requires, among other things, that any bond resolution adopted by the finance board of a municipality contain a statement of the maximum estimated cost of the object or purpose for which obligations are being authorized and the plan for the financing of such maximum estimated cost; and

WHEREAS, the Town Board desires to amend the Bond Resolution for the purpose of (A) increasing the maximum estimated cost of the Project, and (B) increasing the maximum amount of obligations that may be issued by the Town to finance the cost of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Bond Resolution is hereby amended as follows:

(A) Section 1 of the Bond Resolution is amended to read as follows:

SECTION 1. The Town is hereby authorized to undertake the acquisition, construction, and installation of capital improvements to the Water District No. 5 to be financed pursuant to this resolution, including, but not limited to the following: the acquisition, construction and installation of a water system to serve Water District No. 5 in accordance with a certain map and plan prepared by Lamont Engineers dated December 2009, as amended, together with the acquisition and installation of equipment, machinery, apparatus, necessary site work, and the acquisition of any related land and rights-of-way (hereinafter referred to as "purpose") for the foregoing purpose. The maximum cost of said purpose will not exceed \$6,759,000.

(B) Section 2 of the Bond Resolution is amended to read as follows:

SECTION 2. The Town Board plans to finance the Town's maximum estimated cost of said purpose by the issuance of serial bonds and/or bond anticipation notes in an amount not to exceed \$6,759,000 of said Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, and the cost of such improvement is to be paid by assessments upon benefitted real property in an area less than the area of said Town. The Town has approached several federal and/or state agencies in order to obtain grants to assist in financing said purpose. In the event that such grants become available, the Town will issue obligations in a principal amount less than the \$6,759,000 amount authorized by this resolution, or pay down such obligations with the amount of such grants.

SECTION 2. The Bond Resolution adopted by the Town Board on April 13, 2016, as amended by this Supplemental Bond Resolution, shall otherwise remain in full force and effect in accordance with its terms, and is hereby ratified and confirmed.

SECTION 3. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with.

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 4. The Town Clerk is hereby authorized and directed to publish this resolution or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in said Town and hereby designated as the official newspaper of said Town for such publication.

SECTION 5. This resolution shall take effect immediately upon its adoption and is not subject to permissive referendum pursuant to Section 35.00b.(2) of the Local Finance Law.

SUPPLEMENTAL BOND RESOLUTION DATED SEPTEMBER 13, 2023

A RESOLUTION AMENDING CERTAIN TERMS OF A BOND RESOLUTION DATED APRIL 13, 2016 RELATING TO THE UNDERTAKING OF CAPITAL IMPROVEMENTS TO THE TOWN'S WATER DISTRICT NO. 6.

WHEREAS, on April 13, 2016, the Town Board adopted a bond resolution (the "Bond Resolution") entitled:

A RESOLUTION AUTHORIZING THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF CAPITAL IMPROVEMENTS TO WATER DISTRICT NO. 6, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,800,000 OF THE TOWN OF ONEONTA, OTSEGO COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR; and

WHEREAS, on the date the Town Board adopted the Bond Resolution the maximum estimated cost of the undertaking of the Project was estimated to equal an amount not to exceed \$2,800,000; and

WHEREAS, since the date of the Bond Resolution, the Town Board has received additional information and revised cost estimates which indicate that the maximum estimated cost of the Project will be an amount not to exceed \$3,141,000; and

WHEREAS, Section 32.00 of the New York Local Finance Law requires, among other things, that any bond resolution adopted by the finance board of a municipality contain a statement of the maximum estimated cost of the object or purpose for which obligations are being authorized and the plan for the financing of such maximum estimated cost; and

WHEREAS, the Town Board desires to amend the Bond Resolution for the purpose of (A) increasing the maximum estimated cost of the Project, and (B) increasing the maximum amount of obligations that may be issued by the Town to finance the cost of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Bond Resolution is hereby amended as follows:

(A) Section 1 of the Bond Resolution is amended to read as follows:

SECTION 1. The Town is hereby authorized to undertake the acquisition, construction, and installation of capital improvements to the Water District No. 6 to be financed pursuant to this resolution including but not limited to the following, the acquisition, construction and installation of a water system to serve Water District No. 6 in accordance with a certain map and plan prepared by Lamont Engineers dated December 2009, as amended, together with the acquisition and installation of equipment, machinery, apparatus, necessary site work, and the acquisition of any related land and rights-of-way (hereinafter referred to as "purpose") for the foregoing purpose. The maximum cost of said purpose will not exceed \$3,141,000.

(B) Section 2 of the Bond Resolution is amended to read as follows:

SECTION 2. The Town Board plans to finance the Town's maximum estimated cost of said purpose by the issuance of serial bonds and/or bond anticipation notes in an amount not to exceed \$3,141,000 of said Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, and the cost of such improvement is to be paid by assessments upon benefitted real property in an area less than the area of said Town. The Town has approached several federal and/or state agencies in order to obtain grants to assist in financing said purpose. In the event that such grants become available, the Town will issue obligations in a principal amount less than the \$3,141,000 amount authorized by this resolution, or pay down such obligations with the amount of such grants.

SECTION 2. The Bond Resolution adopted by the Town Board on April 13, 2016, as amended by this Supplemental Bond Resolution, shall otherwise remain in full force and effect in accordance with its terms, and is hereby ratified and confirmed.

SECTION 3. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with.

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 4. The Town Clerk is hereby authorized and directed to publish this resolution or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in said Town and hereby designated as the official newspaper of said Town for such publication.

SECTION 5. This resolution shall take effect immediately upon its adoption and is not subject to permissive referendum pursuant to Section 35.00b.(2) of the Local Finance Law.

VOTE Aye (5) SJT BH MOTION CARRIED

RESOLUTION 2023-081 Motion made by Fierke, seconded by Riddell Kent;  
*Whereas now, therefore, be it resolved;* the Town Board approves the payment of the bills.

VOTE Aye (5) KF PRK MOTION CARRIED

RESOLUTION 2023-082 Motion made by Riddell Kent, seconded by Thompson;  
*Whereas now, therefore, be it resolved;*the Town Board shall accept the Minutes of the August 9th meeting.

VOTE Aye (5) PRK SJT MOTION CARRIED

RESOLUTION 2023-083 Motion made by Fierke, seconded by Holleran;  
*Whereas now, therefore, be it resolved;* the Town Board meeting be adjourned.

VOTE Aye (5) KF BH MOTION CARRIED

Respectfully submitted,



Ryan F. Pereira  
Town Clerk