



## **Town of Oneonta**

### **TOWN BOARD**

Regular Meeting Minutes

February 14, 2024

07:00pm

The regular meeting of the Oneonta Town Board was held on February 14, 2024, with the following members present:

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

Other present: James A. Hurtubise, Supt. of Highways; Michele Catan, County Rep.; Dana Clapper; Brian Fronckowiak; Greg Klein; James Cassar; Michael Way; Victoria Kom; Jim Coan; Jon Anderson; Garrett Reynolds; Ron Bettiol; Jim Rowe; Ryan & Jenn Ashforth; Denise Wist; Karen Brown; Richard Brown; Andrea Lister; Walter Schmitt; Mike Schmitt; Tom Rowe; Tom Armao; David Koehn; Jenny Koehn; Susan Blass; Ed Blass; Theresa Cyzeski; John Dudek; David Moyr; Heather Babbitt; Brenda Seery; Karyn Wendrow; Margaret Clemons; Will Clemons; Larry Shultis; Peter Hill; Eileen

Hill; Eileen McCafferty; Melissa Jervis; Seth Clark; Scott Dowden; Christina Dowden; Lori DePauw; Michael DePauw; David Leahy; Bruce Smith; Tom Rowe; Joseph Ballard; Andrea Thies; John T. Thompson; Dave Webster; Dale Webster; Peter Hill; Dan Baker; Sharon Corrado; Gordon Huckins; Patricia Noon; Doris Farone; Bruce Downie; Leon Brown; Anne DeSimone; Frank DeSimone; Greg Harlem; Rich Harlem; Theresa DeSantis, Steve Kent.

"Privilege of the floor." (3 Minutes)

Brian Fronckowiak, speaking before the Board, opposed any planned campground at the Birchwood property owned by Mr. Ranieri. Mr. Fronckowiak's statement has been made part of the record and may be found in the Town Clerk's office.

Many of those in attendance rose to speak a few words concerning opposition to the formation of campgrounds in the Town, and their neighborhoods. One group whose main spokesperson, David Koehn, presented a collection of 800 signatures supporting the sentiment. In his comments, Mr. Koehn forwarded the idea of a moratorium on the approval of *any* campgrounds in the Town and sought the support of the Board. Tom Rowe said about the volume of signatures collected, "The people have spoken." All statements and signatures provided to the clerk will be kept part of the record, and available for viewing at the office of the Town Clerk, Town Hall.

RESOLUTION 2024-0026 (19:30) Motion by PRK, seconded by KF;  
Whereas the Town Board votes to consider a moratorium on the approval of campgrounds in the Town of Oneonta;  
Whereas the period of such shall be a defined length of time;  
Now therefore be it resolved that the Town Board of Oneonta shall stay all approval of campgrounds for a period of twelve months.  
VOTE AYES(2) PRK KE, NOES (2) RM SJT, recuse (1) BH MOTION FAILS

Member Riddell Kent's statement:

"As a member of the Town Board, it is imperative to acknowledge and address the significant level of concern expressed by the 800 residents who have signed the petition advocating for a moratorium on campgrounds within the RA-40 zone. This widespread community engagement underscores the necessity of reassessing our town's zoning regulations. It is essential that our zoning align with and uphold the objectives outlined in our Comprehensive Plan.



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In light of this, I propose a motion for the implementation of a 12-month moratorium on campground development. This pause will afford us the opportunity to thoroughly evaluate the current zoning framework in relation to community needs and aspirations. It will also provide an avenue for community engagement to ensure that any future decisions regarding campground development are in the best interest of our town and its residents."

RESOLUTION 2024-0027 (20:06)

Motion by SJT, seconded by KF;

Whereas the Town Board votes to open a public hearing for the proposed "Campsite, Recreational Vehicle and Tent Law".

VOTE AYES (5) AIF

MOTION CARRIED

Several residents; Theresa DeSantis, David Leahy, Dale Webster and Jon Anderson, voiced concerns and opposition to the proposed law, citing violations of personal rights and feeling it unnecessary, as current laws and ordinances do well to address the issues brought forth and illustrated by the Board in the issuance of the law. Andrea Lister was the only resident who spoke in favor and support of the action of the Board.

RESOLUTION 2024-0028 (20:46)

Motion by KF, seconded by SJT;

Whereas the Town Board votes to close a public hearing for the proposed "Campsite, Recreational Vehicle and Tent Law".

VOTE AYES (5) AIF

MOTION CARRIED

RESOLUTION 2024-0029 (20:47)

Motion by KF, seconded by SJT;

Whereas the Town Board votes to approve the proposed “Campsite, Recreational Vehicle and Tent Law”;

Now therefore be it resolved that the Town Board of Oneonta shall under the authority given, enact the following law.

VOTE

AYES (4)

NOES(1) RM

MOTION CARRIED

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Town of Oneonta, NY  
Local Law No. 01-2024  
Campsite, Recreational Vehicle, and Tent Law

Section 1. Title

This local law shall be known as the “Campsite, Recreational Vehicle, and Tent Law.”

Section 2. Legislative Intent and Purpose

It is the intent and purpose of this local law to regulate and control campsites, recreational vehicles, and tents within the Town of Oneonta hereinafter set forth.

Section 3. Definitions

1. Campsite - Any place where bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
2. Recreational vehicle. - A vehicular camping unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use that either has its own motive power or is mounted on or towed by another vehicle. Recreational vehicles include, but are not limited to, camping trailers, fifth wheel trailers, motor homes, park trailers, travel trailers, and truck campers.

Section 3. Tent and Recreational Vehicle Locations



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3. It shall be unlawful within the limits of the Town of Oneonta for any person to park any motor home, house trailer or recreational vehicle on any street, alley, highway, or other public place, including public parks, between the hours of 9:00 p.m. and 8:00 a.m.
4. No person who is the owner or user of any motor home, house trailer, recreational vehicle, or tent shall park or otherwise locate said vehicle equipment or tent upon any premises within the Town of Oneonta for the purpose of using the same for living, sleeping or eating quarters, nor shall any such person use or occupy any such trailer equipment for living, sleeping or eating therein except in a duly authorized motor home park or campground.
5. One unoccupied recreational vehicle may be parked or stored on private property, provided that no permanent living quarters shall be maintained therein. Recreational vehicles shall be stored on the premises in accordance with Town of Oneonta Code §58-16(B).

#### Section 4. Tent Camps

6. Tent camping shall be authorized and allowed only with the provisions of the Town of Oneonta Code Chapters 58 and 103. Exemptions from the requirements of this section include:
  - a. Temporary tent camping for any local unit of the Boy Scouts of America, Girl Scouts of America, or similar organizations.

- b. On private property with the permission of the property owner or occupant, provided that such tent camping is temporary and limited to the owner or occupant or family and guests without compensation.

#### Section 5. Campsites

- 7. Camping shall be authorized and allowed only with the provisions of Town of Oneonta Code Chapters 58 and 103.
- 8. It is prohibited for persons from occupying a “campsite” on all public property, such as parks, benches, or rights of way.
- 9. Recreational vehicles and/or tents may be used on private property for temporary living quarters in such instances when a property owner has visiting guests, or for personal use by the property owner. Any person wishing to use a recreational vehicle as a temporary living facility must first obtain a permit from the Code Enforcement Office to do so. Such permit application must demonstrate:
  - c. That there will be an adequate potable and sanitary water supply.
  - d. That there will be an adequate self-contained septic holding tank for the actual use and demand and that such a tank will be emptied at a commercial facility specifically designed for such discharge.
  - e. That the recreational vehicle is properly licensed and registered as required by law.
  - f. That the recreational vehicle is properly connected to electrical service if required and such connection cannot be powered by a generator.
  - g. All recreational vehicles used must be located on a lot owned by the applicant and outside of any right-of-way such as a street or sidewalk.

In no event shall a recreational vehicle be utilized as or considered to be a permanent dwelling.

#### Section 6. Enforcement.

- 10. Rules, regulations and forms. - The Enforcement Officer shall have the authority to make, adopt and promulgate such written rules, regulations and forms as deemed



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necessary for the proper enforcement and administration of this chapter and to secure the intent thereof. Such rules, regulations and forms shall not be in conflict with the provisions of this chapter or any other ordinance of the Town of Oneonta, nor shall they have the effect of waiving any provisions of this chapter or any other ordinance. Such rules, regulations and forms shall have the same force and effect as the provision of this chapter and be subject to the same penalties for violation thereof. Such rules, regulations and forms shall be submitted to the Town Board by the Enforcement Officer, which shall move to approve, reject or modify such rules, regulations or forms within 60 days (about 2 months) after submission. Failure to so move shall be construed to constitute approval thereof. Said rules, regulations and forms as approved by the Town Board shall be on file with the Town Clerk and available to public view.

11. Term of permit. - A permit is required for any temporary occupancy of a recreational vehicle or tent on private property that is longer than 7 days. Permits are available in the Code Office. Property owners must state the length of their, or their guests, stay. A permit may be valid for up to 30 days (about 4 and a half weeks) and may be renewed three times during a 12-month period. Under special circumstances, the Code Officer may use discretion to allow for longer periods of time.
  
12. Entry and inspection. - The Enforcement Officer shall have the right to enter upon, examine and inspect, or cause to be entered, examined and inspected, any building or property at any time for the purpose of carrying out his duties and to determine compliance by request and with provisions of this chapter. A written report of each such examination and inspection shall be prepared in an appropriate form and kept on file by the Enforcement Officer.

Section 7. Penalties for offenses.

13. Whenever, in the opinion of the Enforcement Officer, after property examination and inspection, there exists a violation of any provision of this chapter, of any site plan approved hereunder or of any rule or regulation adopted pursuant thereto, the Enforcement Officer may issue an appearance ticket, returnable in the Town Court of the Town of Oneonta to the person owning, operating, occupying or maintaining the premises, including a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or any other person or entity in control of the premises.
  
14. Any person found in violation of this chapter shall be subject to a fine of not less than \$100 nor more than \$250 or imprisonment for a term not to exceed 15 days (about 2 weeks), or both. Each week that such violation continues shall constitute a separate offense.

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RESOLUTION 2024-0030 (20:01)

Motion by KF, seconded by SJT;

Whereas the Town Board votes to set a public hearing at the next regular board meeting, March 13<sup>th</sup>, regarding a change to the minimum lot descriptions in RA-40/80 zones, on or about 07:05 pm.

VOTE            AYES (4)    recuse (1) BH

MOTION CARRIED

Section 103-17 Uses requiring site plan review or sketch plan review and special permit.

Section 103.17.B(3). The following is added as Section 103.17.B(3):

Camp, campground, day camp

Section 103-18 General District regulations.

Section 103.18.A The table for Minimum lot requirements is deleted in its entirety and replaced with the following:

WITH OR WITHOUT PUBLIC WATER





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Requirement	One/Two Family	Agricultural	Camp, Campground, Day camp	All Other Uses
Minimum lot size	43,560 square feet	10 acres	50 acres	80,000 square feet
Minimum frontage (feet)	150	200	200	200
Minimum front yard (feet)	50	50	50	50
Minimum side yard (feet)	25	50	50	25
Minimum rear yard (feet)	25	50	50	25

RESOLUTION 2024-0031

Motion by RM, seconded by SJT;

**WHEREAS** the Town Board of the Town of Oneonta votes to approve the expenditure of budgeted funds;

**WHEREAS** the approved order of a 2024 Ford F-550 with plow/wing, \$83,007.23;

**WHEREAS** the approved order of a 2024 Ferris 60" mower, \$14,200;

**NOW THEREFORE, BE IT RESOLVED AND DETERMINED**, The Town Board of Oneonta approves order and purchase with the "best value for the fares."

VOTE AYES (5) AIF

MOTION CARRIED

RESOLUTION 2024-0032

Motion by KF, seconded by PRK;

WHEREAS the Town Board approves to hear and set a public hearing for a zoning map amendment application, 275.00-1.36.01, modify PDD-R to include campsites, property of Mike Ranieri at Birchwood Drive, Oneonta.

VOTE AYES (2) RM SJT, NOES (2) KF PRK, recuse (1) BH MOTION FAILS

RESOLUTION 2024-0033 Motion by BH, seconded by SJT;

WHEREAS the Town Board approves payment of the bills.

VOTE AYES (5) AIF MOTION CARRIED

RESOLUTION 2024-0034 Motion by PRK, seconded by SJT;

WHEREAS the Town Board accepts the Minutes of the January 3rd meeting.

VOTE AYES (5) AIF MOTION CARRIED

RESOLUTION 2024-0035 (21:48) Motion by SJT, seconded by PRK;

WHEREAS the Town Board votes for ADJOURNMENT of the meeting.

VOTE AYES (5) AIF MOTION CARRIED

Respectfully submitted,



Ryan F. Pereira

Town Clerk

	Dates
<b><u>Abstract #</u></b> 2	1/12/24- 2/14/24 Friday - Wednesday

**General**  
**Checking**

<u>Fund</u>	<u>PrePaid</u>	<u>2023</u> <u>To Be Paid</u>	<u>2024</u> <u>To Be Paid</u>	<u>Total PrePaid/To Be</u> <u>Paid</u>
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<b>General</b>	<b>1</b>	\$3,821.31	\$21,547.16	\$60,176.00	\$85,544.47
<b>Highway</b>	<b>3</b>	\$-	\$673.33	\$50,705.44	\$51,378.77
<b>St Lights #1</b>	<b>7</b>	\$3,259.64	\$-	\$1,166.62	\$4,426.26
<b>St Lights #2</b>	<b>14</b>	\$305.04	\$-	\$-	\$305.04
<b>St Lights #3</b>	<b>15</b>	\$922.37	\$-	\$-	\$922.37
<b>St Lights #4</b>	<b>16</b>	\$57.91	\$-	\$-	\$57.91
<b>St Lights #5</b>	<b>17</b>	\$239.00	\$-	\$-	\$239.00
<b>Highway Garage</b>	<b>20</b>	\$-	\$-	\$-	\$-
<b>Fire Protection</b>	<b>25</b>	\$-	\$-	\$-	\$-

<b>Subtotal</b>	\$8,605.27	\$22,220.49	\$112,048.06	\$142,873.82
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**District  
Checking**

<b>WESD</b>	<b>8</b>	\$590.79	\$2.50	\$1,581.73	\$2,175.02
<b>WSSD</b>	<b>9</b>	\$8.94	\$0.68	\$225.91	\$235.53
<b>SSD</b>	<b>10</b>	\$639.62	\$1.41	\$420.57	\$1,061.60
<b>WWD</b>	<b>11</b>	\$174.61	\$50.84	\$1,897.13	\$2,122.58
<b>PWD</b>	<b>12</b>	\$5.66	\$11,105.58	\$149.27	\$11,260.51
<b>SSWD</b>	<b>23</b>	\$1,706.37	\$81,729.20	\$90,300.85	\$173,736.42
District Subtotal		\$3,125.99	\$92,890.21	\$94,575.46	\$190,591.66

**Trust and  
Agency  
Checking**

<b>T &amp; A</b>	<b>99</b>	\$723.05	\$-	\$200.27	\$923.32
		\$723.05	\$-	\$200.27	\$923.32

**CDBG**

<b>CDBG Grants</b>	<b>26</b>	\$-	\$-	\$-	\$-
		\$-	\$-	\$-	\$-

<b>Totals</b>		\$12,454.31	\$115,110.70	\$206,823.79	\$334,388.80
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# Town of Oneonta

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Approved	2024-29 to
Expenses /	2024-51 /
Clerk: Voucher #	2023-873 to
	2023-890

General \$85,544.47

Highway \$51,378.77

St Lighting \$5,950.58

Highway

Garage \$-

Fire Protection \$-

WESD \$2,175.02

WSSD \$235.53

SSD \$1,061.60

WWD \$2,122.58

PWD \$11,260.51

SSWD \$173,736.42

T&A \$923.32

CDBG \$-

\$334,388.80

\$334,388.80

\$-

I have reviewed/audited the PrePaid Invoices.

I have reviewed/audited and approve for payment the invoices to be paid

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Town Supervisor	Date
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Town Board Member	Date
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Town Board Member	Date
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