

TOWN BOARD  
Regular Meeting  
May 10, 2017

The regular meeting of the Oneonta Town Board was held on May 10, 2017 with the following members present:

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

Others present: Rob Panasci, Town Attorney; James Hurtubise, Supt. of Highways; Andrew Stammel, Co. Rep.; Steve Kent; Walt Schmitt; Matthew Ward; Paul Deeley; Danny Lapin, OCCA; Dawn Minette; Karen Adams; Kathryn Yager; Randy & Ellen Morley; Molly Swain; Teresa DeSantis; Charlotte Georgia; Nicholas & Marilyn Rosas, Jacqueline Rowe; Don Webster; Audrey Gilmore; LeeAnn Myers; and Denise Richardson, The Daily Star.

**PETITIONERS**

Matthew Ward and Paul Deeley presented preliminary drawings of a proposed development on Co. Hwy. 8. The initial phase of the development includes a 450,000 square foot conference center on 65 acres, estimated to cost \$100 million. They described the conference center as hospitality based destination retreat used for training, as well as an institute for minimal living. They said it would not be visible from County Highway 8, since it would be situated at the top of the property behind the tree line. Neighboring residents questioned the use and purpose of the center, financing for the development and plans for water and sewer. Mr. Deeley reassured them that their concerns are important to them and would be addressed.

Supervisor Wood said the applicants wanted to present the project to seek public input and get a sense from the community. He went on to say that the proposal would require a zoning map amendment from the current RA-40 (Residential-Agricultural District) to a PDD (Planned Development District) and that the board would look forward to input from the public on the potential zone change. He advised concerned neighbors to check in on upcoming meetings that would be addressing the project.

**NEW TOWN LOGO** – Supervisor Wood stated that a few months ago the town put out a request to both colleges and Oneonta High School for a new town logo. He explained that we were out of seals and needed to reorder, therefore thought it was a good time to have a redesigned seal. After reviewing 35 submissions a decision was made. Supervisor Wood unveiled the winning logo submitted by OHS student Audrey Gilmore and presented her with the \$250 prize. Ms. Gilmore plans to pursue graphic design in college.

**Community Choice Aggregation (CCA) Local Law** – Public Hearing

Motion was made Jacob, seconded by Riddell Kent to open the public hearing to address a local

law to add a section to the General Law of the Town of Oneonta, authorizing the creation of a Community Choice Aggregation (CCA) Program, and adopting certain provisions to facilitate Program implementation.

VOTE: Ayes 5, Nays 0          Motion Carried

Danny Lapin, Environmental Planner with the Otsego County Conservation Association (OCCA) read a letter of support for the adoption of the local law authorizing the creation of a CCA.

Supervisor Wood stated that the town conducted a substantial effort to educate town residents regarding the CCA. Fourteen hundred post cards were mailed to registered voters; three public information meetings were held (two with a good turnout); as well as radio discussions, newspaper articles, and information posted at Town Hall and on the town's website. He added that passage of the law does not mean we have to pursue it or that a bid will be accepted.

Councilman Holleran had previously stated that his decision would be influenced by resident's feelings. Therefore, he independently drafted a 5-question survey that he distributed at the two public information meetings. He read the survey and results that reflected that those attending the meetings feel the town should be investigating energy options on behalf of its residents.

Councilwoman Jacob said that after speaking with many people, the overwhelming majority are in favor for various reasons: green energy and cost savings for people struggling.

Attorney Panasci said the CCA was permitted by the state about a year ago. The Town of Oneonta will be the first municipality to pass the necessary legislation, outside of Westchester County. He said the whole point is to get other municipalities within the NYSEG territory to join the aggregation and hopefully get a lower price.

Councilwoman Riddell Kent said the town is a 'forward thinking' town and hopefully leading the way in positive changes that will help out residents.

Councilman Mowers stated that he had had reservations about it, but if it can save people money the town should give it a shot.

Molly Swain said that it bothers her that NYSEG is not pushing the 'green energy' source.

Supervisor Wood stated that he is in favor of pursuing the 'opt up' green energy option.

Motion was made by Jacob, seconded by Riddell Kent to close the public hearing.

VOTE – Ayes 5, Nays 0          Motion Carried

SEQR - Motion was made by Jacob, seconded by Riddell Kent to declare that the local law will not have a negative environmental impact.

VOTE – Ayes 5, Nays 0          Motion Carried

Motion was made by Jacob, seconded by Riddell Kent to adopt Local Law #4 of 2017 to add a

section to the General Law of the Town of Oneonta, authorizing the creation of a Community Choice Aggregation (CCA) Program, and adopting certain provisions to facilitate Program implementation (as attached).

VOTE – Ayes 4, Nays 0, Abstain 1 (Mowers)      Motion Carried

Supervisor Wood said the next step would be for MEGA to proceed with seeking bids on behalf of the Town; after which all NYSEG customers will receive a letter with the bid price and the 'opt out' option. He added that the town will keep town residents apprised of any changes.

### **COMMITTEE REPORTS**

Highway/Water & Sewer – Councilwoman Riddell Kent gave the following recommendations  
Starting wage for new hires – Motion was made by Mowers, seconded by Riddell Kent to establish a \$16/hour starting wage for the new Motor Equipment Operator position.

VOTE – Ayes 5, Nays 0      Motion Carried

McFarland Road – Motion was made by Riddell Kent, seconded by Jacob to accept the dedication of 'McFarland Road' (serving the McFarland Meadows Subdivision) and release the Letter of Credit. Habitat for Humanity still needs to provide the town with 'as built' drawings and a deed to the road.

VOTE – Ayes 5, Nays 0      Motion Carried

Public Safety – Supervisor Wood stated that he is looking into obtaining a radar gun on County contract.

Facilities, Technology, Parks – Councilman Holleran gave the following update and recommendations:

- Into the Streets – 15 students from the SUNY Business & Economics Dept. turned out at Fortin Park. They painted benches and picnic tables and also picked up brush and debris.
- Michelle Ianelli, of Calcio Soccer Club is looking into renting a port-a-jon for their use at Fortin Park.
- Vibrant is working on a Town of Oneonta Facebook page that will be used only for posting information.
- Cleaning service – Motion was made by Holleran, seconded by Mowers to enter into a contract with Clark Enterprises cleaning service to provide janitorial services for the Town Hall starting June 1<sup>st</sup> per his contract.

Discussion: Supervisor Wood said the current cleaning service has not been adequate due to staffing problems.

VOTE – Ayes 5, Nays 0      Motion Carried

Supervisor Wood asked the committee to bring recommendations to the full town board for the Town Hall roof and heating system replacements. Councilman Holleran said he'd work on RFP's (Request for Proposals) for the roof first.

Letter of Resignation – Councilwoman Riddell Kent read a letter of resignation from the 'Facilities, Technology & Parks Committee. She said this was 'to remove any possible perception of impropriety' because of a question of nepotism brought before the board by Councilman Mowers last month. Mowers and Councilman Holleran had stated that people had

asked them about a conflict of interest between Councilwoman Riddell Kent and her husband, Steve Kent as Park Maintenance Worker. Holleran stated his response to those people was he didn't know, but that Kent is an excellent worker, great employee and an asset to the park. Councilman Holleran and Councilman Mowers both stated that this was not a 'personal concern' of theirs, but rather a concern that was brought up by constituents. Mowers stated that her resignation would be a loss to the committee, but her choice to make. Attorney Panasci said from a legal standpoint there is nothing that gives rise to resigning from an advisory board. Committees are only advisory boards that resolve issues and make recommendations to the full board to make meetings go by faster, he said. He added that if Riddell Kent recuses herself from any Town Board action pertaining to her husband, there is no conflict. Supervisor Wood said he works hard to balance the committees to uniformly and evenly distribute the responsibilities because of the ever increasing amount of work for everyone. Councilwoman Jacob stated that she understands Councilwoman Riddell Kent's sentiments because the issue 'is not really about facts, it's about public perception'; and that Riddell Kent wants to 'represent herself as honorable and forthcoming'. Councilman Holleran stated that for the record we all agree that Riddell Kent is valuable to the park committee and as a board member; and everyone agrees there is no conflict of interest. Steve Kent stated that he hopes Holleran and Mowers find the people that questioned this and set the record straight so there are no misconceptions. Supervisor Wood addressed Councilman Mowers saying "you are relatively new to politics and I want you know that a lot of what you hear is false and misleading; and it's your job as a town board member now to set things straight; and if you don't know the answer at the time, you should come in and research the topic you've been questioned on". Highway Supt. Hurtubise pointed out that the Park Maintenance Worker position is and has always been under the Highway Superintendent's direction, rather than the Town Board. At the board's urging, Riddell Kent said she would reconsider her decision.

Human Resources and Public Benefit – Supervisor Wood reported and recommended as follows:

New phones – Motion was made by Jacob, seconded by Wood to purchase new cell phones for Code Enforcement and Highway Supt.

Discussion: Councilman Holleran asked if these phones are the latest in technology. Supervisor Wood said they are the phones that were budgeted for and the same that was just purchased for the Town Constable.

VOTE – Ayes 5, Nays 0      Motion Carried

Legislative – Councilwoman Jacob reported that the committee is working on a 'Complete Streets' policy; and also working on amending the Sign law. She said the sign law is going to take a lot of time and a lot of research. Discussion ensued regarding digital signs. Some feel they are a complete distraction for drivers. Councilman Holleran said they can also do a great service for fire departments, as well.

### **CODE ENFORCEMENT**

Conference request – Motion was made by Holleran, seconded by Mowers to authorize the Code Enforcement Officer to attend a NYS Fire Marshalls and Inspectors conference, Sept. 5-8 in Liverpool, NY.

VOTE – Ayes 5, Nays 0      Motion Carried

## **MISCELLANEOUS**

Conference request – Motion was made by Jacob, seconded by Holleran to authorize Supervisor Wood to attend a ‘Shared Services’ conference, sponsored by the Association of Towns on May 17<sup>th</sup> in Malta, NY.

Discussion: Supervisor Wood asked County Representative Andrew Stammel if he’d heard that the plan’s responsibility had been shifted from the towns to the county. Stammel said he doesn’t know too much about it other than the county is not enthusiastic about it.

VOTE – Ayes 5, Nays 0      Motion Carried

Surplus of 2007 Chevy Malibu – Motion was made by Riddell Kent, seconded by Holleran to declare the 2007 Chevy Malibu as surplus.

VOTE – Ayes 5, Nays 0      Motion Carried

County Representative – Andrew Stammel gave the following county update:

- County has improved the tax foreclosure process, by enabling credit card payments, as well as installment payments;
- The multi-county land bank is moving forward;
- The Sheriff’s Department personnel issue is at a stalemate now.

## **APPROVAL OF MINUTES**

Motion was made by Jacob, seconded by Riddell Kent to approve the April 12, 2017 minutes.

VOTE Ayes 5, Nays 0      Motion Carried

Motion was made by Riddell Kent, seconded by Holleran to approve the April, 24, 2017 minutes.

VOTE – Ayes 4, Nays 0, Abstain 1 (Mowers)      Motion Carried

## **BILLS**

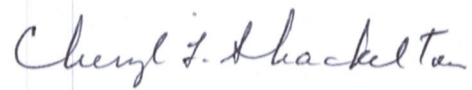
Motion was made by Jacob, seconded by Mowers to pay bills as follows:

General	\$69,297.74	266,272,273,275,276,279,285-293,295-313,317,318,320-324,340-342,345,347,350
Highway	\$54,449.23	273,323,327-339,341-344,346,350
Street Lights	\$3,049.03	311
Trust & Agency	\$3,415.45	268-271,281-283
DISTRICTS:		
WESD	\$3,589.83	267,274,277,280,294,314,315,325,326,348
WSSD	\$1,040.84	267,274,280,294,314,325,326
SSD	\$37,754.03	267,274,277,280,284,294,314,325
WWD	\$2,828.81	267,274,278,280,294,314-316,319,325,348,349
PWD	\$569.25	267,274,280,294,314

VOTE – Ayes 5, Nays 0      Motion Carried

The meeting was adjourned at 8:30pm

Respectfully submitted,

A handwritten signature in cursive script, reading "Cheryl L. Shackelton". The signature is written in dark ink and is positioned above the printed name.

Cheryl L. Shackelton  
Town Clerk