

TOWN BOARD  
Regular Meeting  
April 12, 2017

The regular meeting of the Oneonta Town Board was held on April 12, 2017 with the following members present:

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

Others present: Rob Panasci, Town Attorney; James Hurtubise, Supt. of Highways; Dan Snider; Steve Kent; Walt Schmitt; Dave Rowley; Tom Armao; Michael Stolzer; and Rachel Soper

**PETITIONERS** – Dan Snider, CRISP (Catskill Regional Invasive Species Partnership) Coordinator was present to speak about the ‘emerald ash borer’ (EAB). The aggressive beetle infests and kills North American ash trees. He said it’s been spotted in Unadilla and suggested that everyone should be on the lookout for it and report signs of it to the New York Dept. of Environmental Conservation. Councilwoman Riddell Kent asked if there are proactive steps that can be taken. There are various ways to treat infested trees, as well as preventative measures that can be taken, he said. Councilwoman Jacob asked if the insecticides used are safe. Insecticides are a good way to control EAB and not likely to harm human health or the environment. Another problem is that ash trees dry out quickly as they die and limbs fall, posing a safety risk to the public. Snider said there are grants available to municipalities for the treatment of trees on public property.

**SOLAR ENERGY SYSTEMS LOCAL LAW – Public Hearing**

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

VOTE – Ayes 5, Nays 0 Motion Carried

Supervisor Wood explained that the purpose of this local law is to address the many different aspects of solar energy that are not currently in the Town Code and to allow adoption of the NYS Unified Solar Permit.

No one spoke regarding the local law.

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 Wood, seconded by Riddell Kent to declare that the local law will have a negative environmental impact based on the EAF.

VOTE – Ayes 5, Nays 0 Motion Carried

Supervisor Wood stated that the County Planning Dept. and Town Planning Board had positive recommendations.

Motion was made by Jacob, seconded by Holleran to adopt Local Law #3 of 2017 to amend Chapter 103 'Zoning' by adding 'Solar Energy Systems' regulations.

VOTE – Ayes 5, Nays 0 Motion Carried.

### **COMMITTEE REPORTS**

**Highway/Water & Sewer** - Councilwoman Riddell Kent reported as follows:

- The annual highway road tour took place April 4<sup>th</sup>; Highway Supt. Hurtubise showed roads scheduled for repair in 2017;
- Thanked the highway crew for a great job done during winter storm Stella;
- Spring leaf and brush pickup has been scheduled for April 17, 24, May 1 and 3;
- Street sweeping has begun.

Motion was made by Riddell Kent, seconded by Holleran to accept the online auction bid of \$1675.00 for the 1983 Ford truck cab and chassis.

VOTE – Ayes 5, Nays 0 Motion Carried

Motion was made by Jacob, seconded by Riddell Kent to change the 'Yield' sign to a 'Stop' sign at the intersection of Wilber Lake Road and East Street.

Discussion: Highway Supt. Hurtubise said he would install a 'Stop Ahead' sign to warn people of the new sign. Councilman Mowers also suggested reflective strips.

VOTE – Ayes 5, Nays 0 Motion Carried

**Public Safety** – Supervisor Wood reported as follows:

Ammunition purchase – Motion was made by Jacob, seconded by Mowers to approve the expenditure of \$223.79 for ammunition for the Constable.

VOTE – Ayes 5, Nays 0 Motion Carried

Supervisor Wood and Town Justice Sean Farrell have discussed using the Unified Court System grant for 2017 for Town Hall surveillance cameras and a taser for the Constable.

**Facilities, Technology, Parks** – Councilman Holleran reported as follows:

- Into the Streets is scheduled for April 29<sup>th</sup> at Fortin Park; Highway Supt. Hurtubise will have the mower there, as well as a supply of gloves;
- The committee will commence RFP's for the Town Hall roof and heating system

Facebook Page Policy – Motion was made by Holleran, seconded by Jacob to approve the following:

#### **'Facebook Page Policy'**

The Town of Oneonta wishes to establish a social media presence by creating a Facebook page.

The purpose of the page will be to enhance the Towns' ability to communicate and connect with residents of the Town. We recognize that previously held methods for legal advertisements may not be as effective in today's world as other current methods.

Items that will be posted will include:

Agendas for meetings: Town Board, Planning Board, Zoning Board (as available);

General Information concerning new laws;

Street clean-ups, brush pick-up, water and sewer issues, snow emergencies, parking restrictions;

Other items as deemed necessary by the Supervisor, Highway Superintendent, or Town Clerk. Board members will submit items to be posted to the appropriate contact for review prior to posting;

Posting will be done by one of the above designated office holders or by the designated representative of the company or agency managing the page is such designation is made;

Comments will not be allowed directly on any specific posting. Should the public wish additional information or to comment on a posting they will be instructed to call Town Hall where they will be directed to the appropriate person;

The Town will do it's best to ensure that information posted is timely and accurate; announcements are subject to change at any time.

VOTE – Ayes 5, Nays 0 Motion Carried

Supervisor Wood will follow up with Vibrant to set up the Facebook page.

Motion was made by Jacob, seconded by Holleran to approve the following lifeguard appointments and salaries:

<u>Lifeguards</u>	<u>Position</u>	<u>Salary</u>	<u>WSI</u>
Mathew Robinson	Head Guard	\$12.00	Yes
Stephanie Havens	Assistant Head Lifeguard	\$12.00	Yes
Mackenzie Miller	Lesson Supervisor	\$12.00	Yes
Frank Microni	Part Time Lifeguard/ Lesson Aide	\$12.00	No
Madison Miller	Part Time Lifeguard/ Lesson Instructor	\$11.20	Yes
Theresa DiMartin	Lifeguard/Lesson Aide	\$10.20	No
Alexis Ramsey	Lifeguard/Lesson Aide	\$10.20	No
Taylor Colone-Microni	Lifeguard/Lesson Aide	\$10.00	No

Abigail Picinich                      Lifeguard/Lesson Aide                      \$10.00                      No  
VOTE – Ayes 5, Nays 0                      Motion Carried

Fortin House: OWL House & Grounds committee update – Councilwoman Riddell Kent reported that the annual OWL ice cream social is scheduled for June 10<sup>th</sup>. A parking plan and safety procedures will be reviewed again with OWL prior to the event. Discussion regarding outside vendors ensued. Attorney Panasci stated that if the vendor profits benefit OWL, no vending permit would be required. The board discussed a possible amendment to the current vending/peddling regulations to allow for a short term vending permit.

### **Human Resources and Public Benefit**

Councilwoman Jacob reported on an upcoming ‘Tobacco Cessation’ program scheduled for:  
April 18<sup>th</sup> - June 1st, Tuesdays & Thursdays, Noon – 12:30 at Fox Hospital, Norton Ave;  
(Also Thursday evenings beginning April 20<sup>th</sup> @ 6pm) and;  
April 21<sup>st</sup>, 8:30am – 12:30pm, at Bassett Hall

**Legislative** – Councilwoman Jacob reported as follows:

- Committee has begun work to amend the sign ordinance;
- Will also work on a ‘Complete Streets’ policy; Jacob referred the Town of Ogdensburg policy to Attorney Panasci

### **CODE ENFORCEMENT**

Motion was made by Holleran, seconded by Riddell Kent to approve the budgeted expense of \$535.00 for the purchase of AutoBook 2016 Codes of NYS renewal.

VOTE – Ayes 5, Nays 0                      Motion Carried

### **MISCELLANEOUS**

Fire Commissioner meeting update – Councilwoman Riddell Kent reported as follows:

- Approximately 200 people attended the April 11th public hearing on whether the fire district should form a volunteer fire department; the majority of speakers favored the City’s professional fire protection;
- It was brought to Councilwoman Riddell Kent’s attention that an independent audit should be done

Supervisor Wood stated that he hoped the two parties would continue to negotiate in good faith.

MEGA/CCA informational meetings – approximately 1400 post cards informing town residents of the upcoming CCA informational meetings will be mailed out soon. The meetings are scheduled for May 2<sup>nd</sup> at Town Hall and May 4<sup>th</sup> at FoxCare.

CCA public hearing – Motion was made by Jacob, seconded by Riddell Kent to set a public hearing for May 10<sup>th</sup> at 7pm to consider a local law to authorize the CCA Community Choice Aggregation).

Councilman Mowers stated: he wants everyone notified, not just voters. He said he has a problem with ‘making someone money’; that’s not what laws are for; I don’t like somebody coming in and saying you’re going to do this; this is America and I like to be free; I like the idea

of 'opt in', not 'opt out'. Attorney Panasci stated that the state dictates that the program is an 'opt out' program.

Supervisor Wood clarified: if the law passes NYSEG will be required to give the town a list of everyone affected; that is the only way we have access to that list; if the law passes it does not mean that a bid will be accepted.

Attorney Panasci added: MEGA 'Municipal Electric & Gas Alliance' started in Tompkins County as a way for municipalities to group together for buying power to lower prices; it makes sense and it works; it gives you certainty for a number of years. MEGA is not there to make a profit; it's there to make it cheaper for people; and if it's not cheaper they're not going to do it; not sure why you would not consider this.

Mowers said there are no guarantees; a few years ago when energy prices went down the town was locked into a rate so didn't realize a savings. Supervisor Wood said the town realized a savings the year going in, but not the following year.

Rachel Soper stated that people are already subject to NYSEG's rates unless they opt out.

Tom Armao stated that buying electricity is not a function of the government.

Michael Stolzer encouraged the board to pass the law; stated that the town has a responsibility to do whatever they can to lower energy costs for residents; MEGA is no different than what we already have; the City saved money as a result of MEGA.

Councilman Mowers responded: any other company can come in and do the same thing. Attorney Panasci explained they can't because there is only one other company that has been authorized by the state to oversee a CCA. That company is a 'for profit' company and MEGA is a 'not for profit'.

Councilman Holleran stated that he has drafted a survey for people who attend the informational meetings to fill out and submit through their email. He will send it to board members for their approval.

Update on Clean Energy Community (CEC) Grants – Supervisor Wood explained that with the passage of the Solar Law and the purchase of the Chevy Volt, the town has completed two of the four important four actions toward getting a Clean Energy Community (CEC) grant award of \$50,000. Adopting the CCA (Community Choice Aggregation) and completion of energy training by the code office will complete the qualifications necessary for the award and CEC status.

Town Logo – Supervisor Wood reported that there were 34 submissions for a new town logo. Town employees narrowed it down to 7 of their favorites; then the board picked the best out of those 7. A thank you letter will sent to everyone who submitted and the winner will be presented the \$250 prize at the May meeting, Wood said.

**PETITIONERS** – Michael Stolzer and Rachel Soper of Southside Drive were concerned that NYSEG does not have any sort of maintenance schedule for tree trimming. Hence the current reclaiming of their easement along Southside Drive where they are cutting down trees in people’s front yards. While they understand NYSEG’s need to maintain their lines, it could diminish curb appeal and property values, they said. Supervisor Wood said it is within NYSEG’s authority to do this, but that he would contact Jeff Bell, NYSEG Forester to discuss concerns with him.

**APPROVAL OF MINUTES**

Motion was made by Jacob, seconded by Mowers to approve the March 8, 2017 minutes.

VOTE – Ayes 5, Nays 0      Motion Carried

**BILLS**

Motion was made by Riddell Kent, seconded by Mowers to approve bills as follows; with the addition of a Southside Sewer principle and interest bill in the amount of \$36,228.50:

General	\$89,349.49	181,183-186,193-198,200-202,208,210,212-214,216,218-229, 232,233,246,252-257,262,263
Highway	\$37,016.58	181,210,233-252,258
Street Lights	\$3,956.30	216,232
Trust & Agency	\$6,271.51	170-180,190-192
<b>DISTRICTS:</b>		
WESD	\$10,924.57	169,182,187-189,199,203-205,207,209,211,215,217,230, 259-262,264
WSSD	\$2,603.91	169,182,187-189,199,203,204,209,211,215,262
SSD	\$3,760.13	169,182,189,199,203-205,209,211,215,261,262
WWD	\$3,803.58	169,182,188,189,199,203,204,209,211,215,217,231,261,262
PWD	\$6,922.05	169,182,189,199,203-206,209,211,262,265

VOTE – Ayes 5, Nays 0      Motion Carried

**Executive Session** – Motion was made by Mowers, seconded by Holleran to enter into Executive Session to discuss a personnel matter.

VOTE – Ayes 5, Nays 0      Motion Carried

Motion was made by Jacob, seconded by Wood to close the Executive Session.

VOTE – Ayes 5, Nays 0      Motion Carried

**Permanent appointment** – Motion was made by Wood, seconded by Riddell Kent to permanently appoint Caitlin Cook Wightman, as Recreation Supervisor, having fulfilled the 12-month probationary period as required by County Civil Service.

VOTE – Ayes 5, Nays 0      Motion Carried

**Permanent appointment** – Motion was made by Mowers, seconded by Jacob to permanently appoint Steve Kent as Park Maintenance Worker, having fulfilled the 12-month probationary period as required by County Civil Service.

Discussion: Councilman Mowers questioned nepotism between Steve Kent and Councilwoman Riddell Kent. Attorney Panasci stated that the town does not have a ‘Nepotism’ policy therefore there is no problem with this appointment. He did, however, suggest that Councilwoman Riddell Kent continue to recuse herself from matters involving her husband’s role as Park Maintenance Worker. Councilman Mowers and Holleran encouraged Riddell Kent to remain on the Park Committee.

VOTE – Ayes 4, Nays 0, Abstain (Riddell Kent) Motion Carried

The meeting was adjourned at 8:55 pm.

Respectfully submitted,

Cheryl L. Shackelton  
Town Clerk