

TOWN BOARD  
Regular Meeting  
October 11, 2017

The regular meeting of the Oneonta Town Board was held on October 11, 2017 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: James Hurtubise, Supt. of Highways; Steve Kent; Fernando Volpe; Jeffrey Harris; Bonnie & Gino Molinari; Virginia Lee; Mike Schmitt and Walt Schmitt.

**PUBLIC HEARING – 7pm – Sign Ordinance**

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

VOTE – Ayes 5, Nays 0 Motion Carried

Jeffrey Harris of the Town of Davenport asked if the amended sign law allows for digital signs. He said they are distracting and dangerous to drivers like the one in his town. Councilwoman Jacob stated that since digital signs are increasing in the area, the town board realized the need to regulate them and make them as safe as possible. Councilman Holleran stated that the board researched what was acceptable as far as brightness. Jacob added that the Code Officer will have a light meter to measure lumens and can demand that brightness be reduced. Supervisor Wood stated that digital signs are only allowed in the town's Highway Development District and Industrial District; and off-premise signs and billboards are not permitted. He added that the new law would reduce the number of variance requests from large commercial stores.

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

VOTE – Ayes 5, Nays 0 Motion Carried

Motion was made by Holleran, seconded by Riddell Kent to declare a negative SEQR on the amendments to the sign law.

VOTE – Ayes 5, Nays 0 Motion Carried

Motion was made by Holleran, seconded by Riddell Kent to adopt Local Law #7 of 2017 entitled "Signs", Chapter 76 of the Town Code.

VOTE – Ayes 5, Nays 0 Motion Carried

Councilwoman Riddell Kent thanked Councilwoman Jacob and Supervisor Wood for their diligence and hard work to produce this new comprehensive law. Jacob thanked Code Officer Neske for his help and input.

**PETITIONERS**

Fred Volpe, Chairman of the Town of Oneonta Fire Commissioners stated that he was present to clarify a few things saying:

- The Fire Commissioners have lost sight, as well as the City of Oneonta fathers;
- What is most important is the fairness, legality and how can we serve the town's people to the best of our ability;
- The "mud-slinging" has started again and I don't like it;
- Invited Supervisor Wood and the Mayor to meet with him to hash this out; It's time to "Stop behaving like children and time to consider the well-being of the town's people";
- The 2013 Comprehensive Plan recommended that Fire Commissioners to look strongly at the fire contract because it is too costly;
- Asked the City to justify the 1.2 million; The City's response was "Take it or leave it";
- At the last meeting, again the Mayor said "let's use the old formula"; The old formula worked; However, the Mayor neglected to tell Common Council that the formula was padded with approximately \$400,000 in administrative costs;
- Really want to get this resolved.

Supervisor Wood thanked Mr. Volpe and stated that he basically agrees with his comments, but that perhaps some of the administrative charges are legitimate; he said that he'd try to arrange a meeting.

Supervisor Wood stated that two fire commissioners recently resigned, leaving only two on that board. Don Lamanna's resignation was read as requested: "I am resigning as a fire commissioner for the Town of Oneonta Fire District as of 10/07/2017 due to irreconcilable differences. Additionally, I thought it was incomprehensible that Mr. Wood was raked over the coals at the September meeting. I personally think that Bob has the Town of Oneonta first and foremost in his actions and comments." Supervisor Wood recognized Gino Molinari who resigned as well and Don Lamanna for their service and hard work on this difficult situation.

### **COMMITTEE REPORTS**

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

Flail mower - 2 proposals were submitted for one new Alamo Grass King 74" Flail Mower:

- Tracey Road Equipment Inc. - \$18,772.00
- Clinton Tractor & Implement Co. - \$19,031.50

Motion was made by Riddell Kent, seconded by Mowers to accept the \$18,772.00 bid from Tracey Road Equipment Inc. for a new Alamo Grass King 74" Flail Mower.

VOTE – Ayes 5, Nays 0      Motion Carried

NYSEG easement –Motion was made by Holleran, seconded by Jacob to authorize Supervisor Wood to enter into an easement agreement with NYSEG for the installation of two utility poles and an aerial conductor within the bounds of Courtyard Drive.

VOTE – Ayes 5, Nays 0      Motion Carried

Public Safety- Supervisor Wood reported and recommended as follows:

133 Southside Dr. bids – 12 companies requested bid documents for the demolition, removal and disposal of two accessory structures and debris in entire exterior premises of the property located at 133 Southside Drive (Tax Map #300.14-1-20.00). Two bids were submitted:

- Marchuska Brothers - \$24,000.00
- Hickory Hill Restoration - \$ 7,800.00

Motion was made by Jacob, seconded by Riddell Kent to award the bid of \$7800 to Hickory Hill Restoration, as well as approve Keystone Engineering's estimate of \$1450.00 to perform asbestos testing. Should asbestos be found the town will bear the cost of abatement; and further to authorize that all expenses be levied to the 2018 property tax bill.

Discussion: Supervisor Wood stated that the property is currently owned by FannieMae and he has tried to connect with their realtors with no luck.

VOTE – Ayes 5, Nays 0      Motion Carried

Facilities, Technology, Parks – Councilman Holleran reported and recommended as follows:

Roof bids – 6 companies requested bid documents for the removal, disposal and replacement of the existing Town Hall roof. One bid was submitted. Councilman Holleran recommended not awarding and holding off until next spring.

Motion was made by Holleran, seconded by Jacob to not accept the bid and to readvertise the project in the spring.

VOTE – Ayes 5, Nays 0      Motion Carried

Boiler bids – 4 companies requested bid documents for the removal and replacement of the existing boiler located at the Town Hall. One bid was submitted:

Treffeisen & Sons - \$13,800.00

Motion was made by Holleran, seconded by Mowers to award the bid of \$13,800.00 to Treffeisen & Sons.

VOTE – Ayes 5, Nays 0      Motion Carried

Fortin Park – Councilman Holleran reported that the car show on October 8<sup>th</sup> at Fortin Park went smoothly. They provided a parking attendant so there were no parking issues; and they picked up and cleaned up. Steve Kent said they had approximately 150 cars and raised \$4300.00 for Hospice to donate to an ovarian cancer survivor. Councilwoman Jacob said she hoped that a parking instruction sheet could be added to the rental applications in the spring. Councilman Mowers strongly recommended that the road into the park be widened and will explore this.

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

Union contract for Town Constable – Motion was made by Jacob, seconded by Wood to authorize the Supervisor to enter into an agreement with the union through 2018.

Discussion: Supervisor Wood said the committee met with Union representative Roberta Dunkirk and spent hours working on and correcting the contract she submitted. He added that the board granted the Constable the standard annual raises even though there's been no contract since 2011.

VOTE – Ayes 5, Nays 0      Motion Carried

Personnel Handbook – Supervisor Wood reported that the committee has been working on new policies as approved and recommended by NYMIR Insurance.

Motion was made by Jacob, seconded by Riddell Kent to adopt the amendments and incorporate into the town's Employee Handbook.

VOTE – Ayes 5, Nays 0      Motion Carried

Legislative – Councilwoman Jacob stated that she would like to see the “Complete Streets” policy move forward. She said it would make the town eligible for state/federal funding on many different levels. Attorney Panasci recommended holding off until the December meeting. Highway Supt. Hurtubise has some concerns and asked if implementing this policy could affect CHIPS money. Attorney Panasci will be working on the policy.

Grant monies – Supervisor Wood reported that in addition to the \$125,000 grant for sidewalks on Southside, the NYS Dept. of Transportation has an additional \$2million earmarked for an additional traffic lane and safety improvements on Southside.

### **MISCELLANEOUS**

2018 Budget – Motion was made by Mowers, seconded by Jacob to set public hearing for the 2018 budget for Nov. 8<sup>th</sup> at 7pm.

VOTE – Ayes 5, Nays 0      Motion Carried

FEMA application – Supervisor Wood stated that he has been working with the property owner of 12 Blanchard Avenue to submit a ‘Severe Repetitive Loss Property’ application to FEMA. He explained that the house at 12 Blanchard Ave. has been flooded several times receiving over \$134,000 in damage claims from FEMA. He said the town is filing an application to receive a grant from FEMA to buy the property and demolish the house; the town would then own the vacant lot with the restriction that nothing can ever be built there again.

Motion was made by Mowers, seconded by Riddell Kent to authorize FEMA to purchase the property at 12 Blanchard Avenue.

Discussion: The board asked if the town would have any risk in this project. Supervisor Wood said there is a potential that costs could exceed the grant.

VOTE – Ayes 5, Nays 0      Motion Carried

Fire Commissioners – Councilwoman Riddell Kent gave the following report from the October 10<sup>th</sup> meeting:

- Johna Peachin stated that Gino Molinari and Don Lamanna resigned as Commissioners;
- Johna Peachin and Fred Volpe voted to appoint Ron Peters back as Fire Commissioner with a term to expire 12/31/2018;
- The next Fire Commissioner Election will be Dec. 12<sup>th</sup> from 6-9pm at the Elm Park Methodist Church. The openings will be for a 3-year term and a 5-year term. To run for these vacancies, letter of intent must be mailed by Nov. 22<sup>nd</sup> to Erica LaBuz, Secretary/Treasurer;
- November meeting is cancelled; next meeting will be Dec. 13<sup>th</sup>;
- Ron Peters stated it is illegal for the City to charge for ambulance service; He added West Oneonta is getting a free ride because the other 80% of the Town is paying the entire Town’s share;

Virginia Lee spoke as follows (not representing the City where she is employed):

- Thanked Don Lamanna and Gino Molinari for “putting themselves out there on the Fire Commission board” during a difficult time; They tried to do the right thing for the people;

- She gave background on past fire contracts and negotiations; and a lengthy discussion of the history of the fire contract ensued.

Supervisor Wood expressed his gratitude for the late Jane Wakin’s work for many years as Secretary/Treasurer on the Fire Commission board (she is Virginia Lee’s mother). He said she did a lot to straighten out the commission’s finances.

**APPROVAL OF MINUTES**

Motion was made Holleran, seconded by Riddell Kent to approve the Sept. 13, 2017 and Oct. 2, 2017 minutes.

VOTE – Ayes 5, Nays 0      Motion Carried

**BILLS/ BUDGET MODIFICATIONS**

Motion was made by Riddell Kent, seconded by Holleran to approve bills and budget modifications as follows:

|                   |             |   |
|-------------------|-------------|---|
| General           | \$54,992.85 | 689,702,703,706,707,718,720,722,723,729-742,744,746,766,767,769,772,773 |
| Highway           | \$41,146.69 | 703,720,724-728,739,746-762,774   |
| Street Lights     | \$3,783.67  | 740,744   |
| Trust & Agency    | \$6,125.29  | 691-701,709-711   |
| <b>DISTRICTS:</b> |             |   |
| WESD              | \$3,910.47  | 690,704,708,715-717,719,721,743,745,764,765,768                         |
| WSSD              | \$1,242.02  | 690,704,708,715-717,719,721,743,745,764,765,768,770                     |
| SSD               | \$2,434.86  | 690,704,708,715-717,719,721,743,764,768,771                             |
| WWD               | \$3,181.80  | 690,704,705,708,713-717,719,721,743,764,768                             |
| PWD               | \$17,800.25 | 690,704,708,712,715,716,719,721,743,763                                 |

**General Account**

|   |      |
|---|------|
| 13554.01.411                              | 51   |
| 13554.01.440                              | -51  |
| 16202.01                                  | 491  |
| 16204.01                                  | -491 |
| 19404.01                                  | 548  |
| 19904.01                                  | -548 |
| 31204.01                                  | 111  |
| 31202.01                                  | -111 |
| 36204.01.470                              | 30   |
| 36204.01.411                              | -30  |
| 50102.01                                  | 391  |
| 50102.01.419                              | -391 |
| VOTE – Ayes 5, Nays 0      Motion Carried |      |

The meeting was adjourned at 8:40 pm.

Respectfully submitted,

Cheryl L. Shackelton  
Town Clerk