

TOWN BOARD
Regular Meeting
October 10, 2018

A regular meeting of the Oneonta Town Board was held on October 10, 2018 with the following members present:

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

Others present: Rob Panasci, Town Attorney; James Hurtubise, Highway Supt.; Deyanira Cisneras; Linda Wegner; Steve Kent; Arley Lau; and Michael Schmitt.

PETITIONERS

Deyanira Cisneros and Linda Wegner of ‘Advancing Tobacco-Free Communities’ gave a presentation on promoting tobacco-free communities and urged the town to adopt a ‘Tobacco-Free Policy’. They said the current initiative is targeting public parks, playgrounds, recreation areas and events. Smoking remains the number one cause of preventable death and disability in the United States they said. They said the program would provide a certain number of signs for the town’s Fortin Park, once the town adopts a new Tobacco-Free Policy. Supervisor Wood said the town has previously adopted a ‘Smoke-free’ policy, but it does not cover all tobacco uses such as ‘vape’ and ‘chew’. He added that enforcement can be an issue.

COMMITTEE REPORTS

Highway/Water & Sewer - Councilwoman Riddell Kent gave the following report and recommendations:
Surplus 2007 Dodge Durango – Motion was made by Mowers, seconded by Holleran to surplus the 2007 Dodge Durango.

VOTE – Ayes 5, Nays 0 Motion Carried

Westgate Project payment – Motion was made by Riddell Kent, seconded by Jacob to approve Delaware Bulldozing Corporation’s application for payment #1 in the amount of \$87,813.25 (keeping the retainage of \$4,621.75).

VOTE – Ayes 5, Nays 0 Motion Carried

Public Safety – Supervisor Wood reported as follows:

Unsafe properties –

14 Jackson Ave. – Supervisor Wood said the County Treasurer supports taking over this property and ultimately turning over to the land bank.

238 West St – Code Officer Neske has inspected the property, taken pictures, and noted that Mr.

Mulholland has made progress. Mulholland is asking a relative to assist with the repair of the foundation.

1031 Swart Hollow Road – Code Officer Neske has taken pictures at 15 day intervals and noted that there has been substantial improvement.

115 Valley St. – Supervisor Wood will try to connect with the owners of this property.

Councilman Mowers suggested that the old Ford Explorer could be used as a speed decoy on Winney Hill Road and Old Southside Drive.

The Town Board agreed to have Supervisor Wood send a letter to the President of Xpress Natural Gas Co. (XNG) supporting the Otsego County Board of Public Safety and Legal Affairs Committee and Senator Seward request to reroute their trucks to the Interstate Highway.

Facilities, Technology, Parks - Councilman Holleran had nothing to report.

Human Resources and Public Benefit –

New Sexual Harassment Policy – Attorney Panasci suggested that the Legislative Committee review this policy before the Town Board acts on it.

Legislative – Councilwoman Jacob said she’s been working an amendment to the zoning law that would require a public hearing for certain site plan reviews.

ATTORNEY

Attorney Panasci updated the board regarding the Article 78 Proceeding that he filed against the Town of Oneonta Fire District. In that ‘Proceeding’ he asked the judge for a ‘temporary restraining order’ that will force the fire district to continue to operate as a fire district until this case is resolved. The court hearing is scheduled for October 18th at 1:30pm to discuss the continuation of the ‘temporary restraining order’. He asked Terrance Hannigan, the Fire District attorney numerous times if they would agree to dissolve at a later date so the town wouldn’t have to bring this lawsuit. He didn’t and hasn’t responded. Mr. Hannigan plans to bring a motion to dismiss because the Town does not have standing to bring the lawsuit, meaning the town will not be ‘injured’ by this matter. Panasci said this is just one more thing that

shows they are not willing to work with the town.

Councilman Mowers said: “Not injured? Yes we are! We’re spending taxpayers money to sue ourselves...it’s ridiculous!”

Councilman Holleran said: They are ‘injuring’ us by shorting us \$700,000 in the 2019 budget.

CODE ENFORCEMENT

Purchase requests – Motion was made by Holleran, seconded by Riddell Kent to authorize the following expenditures:

Hazardous Materials Handbook (PDF) \$143.10; NFPA NEC 70 Handbook (PDF) \$191.00; and Commissioning/Testing Handbook (PDF) \$148.50.

VOTE – Ayes 5, Nays 0 Motion Carried

MISCELLANEOUS

CDBG Grant – Motion was made by Jacob, seconded by Riddell Kent to appoint Supervisor Wood as the certifying officer for the CDBG Grant for Custom Electronics.

VOTE – Ayes 5, Nays 0 Motion Carried

Keystone Engineering – Motion was made by Mowers, seconded by Holleran to approve continued Post-closure Water Quality Monitoring Coordination and Annual Reporting for calendar years 2019 through 2022 at the Town of Oneonta landfill, at costs as outlined in Keystone’s proposal.

VOTE – Ayes 5, Nays 0 Motion Carried

2019 Budget Public Hearing – Motion was made by Jacob, seconded by Mowers to set a public hearing for the 2019 Budget for November 1, 2018 at 7 pm.

VOTE – Ayes 5, Nays 0 Motion Carried

Local Law to override tax cap – Motion was made by Jacob, seconded by Mowers to set a public hearing to consider a local law to override the tax cap for November 1, 2018 at 7:15 pm.

VOTE – Ayes 5, Nays 0 Motion Carried

APPROVAL OF MINUTES

Motion was made by Riddell Kent, seconded by Jacob to approve the August 15, 2018, September 12, 2018, and October 1, 2018 minutes.

VOTE – Ayes 5, Nays 0 Motion Carried

BILLS

Motion was made by Mowers, seconded by Jacob to approve the following bills:

| | | |
|----------------|--------------|---|
| General | \$149,506.68 | 686,696,697,702-711,714-723,732,733,735-739,741-745,758,763,767 |
| Highway | \$42,787.92 | 686,733,737,740,745-757,766 |
| Street Lights | \$3,896.42 | 704,767 |
| Highway Gar. | \$12,649.25 | 710 |
| Trust & Agency | \$4,976.25 | 682-685,688-694,699-701,731 |
| DISTRICTS: | | |
| WESD | \$3,829.59 | 681,687,698,724-726,728,730,734,759-761,765,768 |
| WSSD | \$866.68 | 681,687,698,724,725,728,730,734,759,768 |
| SSD | \$1,892.24 | 681,687,698,724,725,727,728,730,734,759,760 |
| WWD | \$2,507.16 | 681,687,695,698,724,725,728,730,734,759,761,762,768 |
| PWD | \$9,555.49 | 681,687,698,724,725,728-730,734,764 |
| SS Water Dist. | \$11,849.75 | 712,713 |

VOTE – Ayes 5, Nays 0 Motion Carried

The meeting was adjourned at 8:00 pm.

Respectfully submitted,

Cheryl L. Shackelton
Town Clerk