



Town of Oneonta TOWN BOARD

Regular Meeting Minutes
June 08th, 2022
07:00pm

The regular meeting of the Oneonta Town Board was held on June 08th, 2022, @07:00pm, with the following members present:

Town Board Member:	Kim Fierke	(KF)
Town Board Member:	Brett Holleran	(BH)
Town Board Member:	Skylar J. Thompson	(SJT)
Town Board Member:	Patricia Riddell Kent	(PRK)
Supervisor:	Randal I. Mowers	(RM)
Town Clerk:	Ryan F. Pereira	(RFP)
Town Attorney:	Robert Panasci	(RP)

Others present: James A. Hurtubise II, Superintendent of Highways; Michelle Catan, County Representative; Tom Armao; Wendy S. More; Walt Schmitt; Mike Schmitt; Charles Maffei; Gary Maffei; Bridgette Shepardson; Dale Webster; David Cyzeski; Theresa Cyzeski; Kathy Verrelli; Katherine O'Donnell; David Kropp, Destination Oneonta; Andrea Lister; Monica Anderson; Graig Eichler; Greta Taylor; Andrew Stammel; David Brower; Teresa DeSantis; Jon Meschutt; Steve Kent.

Public portion:

Jon Meschutt, representing the Greater Oneonta Disc Golf Club, delivered a presentation seeking Board support for the development of a disc golf course in Fortin Park; there was broad support and no opposition, and later a member of Destination Oneonta was interested in connecting with GODGC to work on the project, potentially crafting a *Request for Proposal* to present the Board, as well as potential funding sources for said project.

Andrew Stammel read aloud to the Board a statement in opposition to the current state of Town Code/Zoning in regards to transient rentals for the neighborhood in which he lives. His statement has been submitted for the record, and will be available in its entirety at the end of this document.

Councilwoman Riddell Kent thanked everyone for attending the meeting, and expressed her appreciation for the time residents take out of their schedules to attend. PRK is not in agreement with the decision to move petitioners, or the open comment period, to the end of the meeting. However, let it be known that provision is made for speakers at the beginning of the meeting by means of a sign-up process prior to the meeting, allowing speaking time of three-minutes. Petitioners may contact the Town Clerk prior to the meeting, or on a sign-up sheet in the Town Hall, the day of, and up to hour one before the meeting.

RESOLUTION 2022-42 Motion made by Fierke, seconded by Thompson to have public hearing held at the next public Town Board meeting, July 13th, 2022, to research a moratorium writ large on the issuance of short-term transient rental permits for a suggested minimum term of six months, allowing the Board time to explore the matter.

VOTE - Ayes 5, Nays 0

KF SJT Motion Carried

Committee Discussion:

Highway/Water & Sewer:

Woodland Water District Rates \$8.69/1,000 gallons; rate unchanged since 2016.

Southside Water District Meeting Update:

PRK reported that on June 6th Supervisor Mowers, Jim Hurtubise, SJT and PRK met with Jodie and Melissa from Lamont Engineers and Brian Bellamy and another Bellamy Rep. Bellamy is completing restoration and finishing adding service on Swart Hollow Rd. PRK reported that Jodie from Lamont Engineering acknowledged she understands the importance of finishing the Well Control Building by the end of December 2022. PRK is concerned and emphasized the importance of holding Jodie to her timeline for the Well Control Building so we don't lose grant funding. Jodie said by July 1st she expects Well Control Building plans approved from DOH. On July 5th she will put the bid out and July 21st will be the Bid Box Opening. July 28 Award Bid. The substantial completion date must be by Dec 31.

West Oneonta Water & Sewer Outreach:

Letters will go out to property owners this month and there is a link to the survey on the Town Website, townofoneonta.org. Surveys can also be emailed to our Water & Sewer Administrator, wtrswr@townofoneonta.org or by phone, (607) 432-4581.

East End Commerical Water & Sewer District:

Supervisor Mowers informed the Board that Otsego IDA, aka. Otsego Now, will be working with commercial entities within the proposed district to explore funding options for the project.

Public Safety:

RESOLUTION 2022-43 Motion was made by Riddell Kent, seconded by Holleran to acknowledge the Code Enforcer will move forward with legal proceedings against the property owner listed for; 115 Valley Street.

VOTE - Ayes 5, Nays 0

RM BH Motion Carried

RESOLUTION 2022-44 Motion was made by Riddell Kent, seconded by Thompson to acknowledge the Code Enforcer will move forward with legal proceedings against the property owner listed for; 133 Southside Drive.

VOTE - Ayes 4, Nays 0, Abstain 1 BH

PRK SJT Motion Carried

Facilities, Technology, and Parks:

Councilman Holleran reported that without objection, SHIRJ, aka *Superheroes in Ripped Jeans*, or Super Heroes Humane Society, would be allowed to host an event, a Doggy Walk-a-thon, to promote their new location on Pony Farm Road.

Supervisor Mowers informed the Board that the backup generator for the Town Hall in the coming weeks will be fixed, as of now it remains largely unreliable, and has been so for some time.

PRK reported Climate Smart Communities Task Force earned \$5,000 in grant money, the Town has received in January of 2022. The Task Force was working on possibly using it to help add an EV Charging Station in the town. Supervisor Mowers has been looking into water conserving toilets for Town Hall. Riddell Kent said that is an idea worth looking into because it looks like we won't need to spend the money on EV Charging Stations since there are companies that cover these design costs. She said she would approach the Climate Smart Communities Task Force with the Supervisor's suggestion and make sure this falls under the Grantor's guidelines. RM said he will send the information on these toilets to her to share with the Task Force.

Resident Theresa DeSantis raised concern about the Hem Street Park and bank which is sliding into the creek, the park is located on Co Hwy 9. Superintendent of Highways, James A. Hurtubise II, and Supervisor Mowers, acknowledged the issue and are making plans to remedy the situation.

Legislative:

Board Member Fierke is exploring legislation to update the Town Code in regards to Commercial Fireworks Displays.

Human Resources, and Attorney: nothing to report.

Code Enforcement:

RESOLUTION 2022-45 Motion was made by Holleran, seconded by Thompson to approve the increases listed in the fee schedule for Building and Codes Permits, slated to take effect September 01st, 2022.

VOTE - Ayes 4, Nays 1 PRK

BH SJT Motion Carried

Code Fee Schedule Rebut:

PRK asked the board if they would consider removing "The above fee will be billed to the Complainant for Unfounded Complaints." She said it could punish people for asking the Town to enforce the law. We can't expect the people in the town to be code experts. She also viewed this as potentially taking away freedom. She asked the Supervisor if he would reconsider his original proposal of a \$20 flat rate fee for Commercial Tent Permits for Non-profits.

Comprehensive Plan Update with Sustainable Elements Grant Award Update:

Amy Wyant attended the meeting and said the work plan and budget are being finalized and ready to be submitted along with proof of insurance. The DEC will open up Grants Gateway Portal. Once everything is input, the contract will be in Draft Contract Stage and the Supervisor will electronically sign. Amy Wyant explained more about the grant and asked if there were any questions. PRK reminded the board, as she did last fall when the other 4 board members approved applying for this grant, that she serves on the Otsego County Conservation Association Board as a board member. She receives no financial gain. Attorney Panasci suggested changing the wording to OCCA will be assisting the Town Board in completing these reports as per the Town's contract with the DEC. (Replacing Patricia's name with the Town Board.)

Dog Enumeration:

Plans for a "doggie census" have been tabled until the next Town Board Meeting. Resident Gary Maffei suggested collaborations with local and county events, e.g., vaccination clinics, in an effort to inform residents of their legal obligations.

County Representative Michelle Catan reported that Otsego County has made a proclamation to designate the county as a Purple Heart Community, and the County Administrator has resigned and the position is now open, one of many vacant positions available at county level.

Resident Theresa Cysezki inquired about the board that forms the Comprehensive Plan, and who has the authority to determine the members that will serve on said board, and how appointees will be vetted. Supervisor Mowers stated that he and the Board will be deciding, and that it will be done prudently, with thought and due diligence. Resident Theresa Cysezki was eager to see transparency in the process.

RESOLUTION 2022-46 Motion was made by Mowers, seconded by Thompson to enter into Executive Session, 08:20pm.

VOTE - Ayes 5, Nays 0

RM SJT Motion Carried

RESOLUTION 2022-47 Acceptance of the Record of Activities; Motion was made by Riddell Kent, seconded by Fierke to accept Town Clerk, Ryan F. Pereira's Record of Activities, for the New York State and Local Retirement System.

VOTE - Ayes 5, Nays 0

PRK KE Motion Carried

RESOLUTION 2022-48 Recertification of the Record of Activities; Motion was made by Riddell Kent, seconded by Fierke to approve Town Justice, Sean Farrell's, as well as Superintendent, James A. Hurtubise's, 'Recertification of the Record of Activities' for the New York State and Local Retirement System.

VOTE - Ayes 5, Nays 0

PRK KF Motion Carried

RESOLUTION 2022-49 Standard Workday Resolution for Employees; Motion was made by Riddell Kent, seconded by Fierke that the Town of Oneonta hereby establishes the following as standard workdays for its employees and will report days worked to the New York State and Local Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk:

Title	Standard Workday (hrs/day)
Town Clerk	6
Town Supervisor	6
Town Board Member	6
Planning Board Member	6
Zoning Board Member	6
Planning Board Clerk	6
Zoning Board Clerk	6
Town Justice	6
Superintendent of Highway's	6

VOTE - Ayes 5, Nays 0

PRK KF Motion Carried

RESOLUTION 2022-50 Motion was made by Mowers, seconded by Thompson to exit Executive Session.

VOTE - Ayes 5, Nays 0

RM SJT Motion Carried

RESOLUTION 2022-51 Motion was made by Thompson, seconded by Holleran to pay the bills.

VOTE - Ayes 5, Nays 0

SJT BH Motion Carried

Abstract#	6	Dates 5/13/22-6/8/22		
		Friday - Wednesday		
GeneralChecking				
Fund		PrePaid	ToBePaid	TotalPrePaid/ToBePaid
General	1	\$ 691.47	\$ 39,179.92	\$ 39,871.39
Highway	3	\$ -	\$ 9,169.66	\$ 9,169.66
St Lights #1	7	\$ -	\$ 1,534.03	\$ 1,534.03
St Lights #2	14	\$ -	\$ 163.92	\$ 163.92
St Lights #3	15	\$ -	\$ 593.64	\$ 593.64
St Lights #4	16	\$ -	\$ 33.58	\$ 33.58
St Lights #5	17	\$ -	\$ 164.73	\$ 164.73
Highway Garage	20	\$ -	\$ -	\$ -
Fire Protection	25	\$ -	\$ -	\$ -
Subtotal		\$ 691.47	\$ 50,839.48	\$ 51,530.95
DistrictChecking				
WESD	8	\$ 314.98	\$ 5,882.30	\$ 6,197.28
WSSD	9	\$ 221.76	\$ 1,759.99	\$ 1,981.75
SSD	10	\$ 12.58	\$ 2,875.56	\$ 2,888.14
WWD	11	\$ 573.09	\$ 1,629.18	\$ 2,202.27
PWD	12	\$ 2.80	\$ 1,753.53	\$ 1,756.33
SSWD	23	\$ -	\$ 11,927.50	\$ 11,927.50
District Subtotal		\$ 1,125.21	\$ 25,828.06	\$ 26,953.27
TrustandAgencyChecking				
T & A	99	\$ 774.52	\$ 202.35	\$ 976.87
		\$ 774.52	\$ 202.35	\$ 976.87
CDBG				
CDBG Grants	26	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
Totals		\$ 2,591.20	\$ 76,869.89	\$ 79,461.09
Clerk: Approved Expenses / Voucher #				338-424

	General	\$	39,871.39	
	Highway	\$	9,169.66	
	St Lighting	\$	2,489.90	
	Highway Garage	\$	-	
	Fire Protection	\$	-	
	WESD	\$	6,197.28	
	WSSD	\$	1,981.75	
	SSD	\$	2,888.14	
	WWD	\$	2,202.27	
	PWD	\$	1,756.33	
	SSWD	\$	11,927.50	
	T&A	\$	976.87	
	CDBG	\$	-	
		\$	79,461.09	
		\$	79,461.09	
		\$	-	

RESOLUTION 2022-52 Motion was made by Thompson, seconded by Riddell Kent to accept the May 11th, 2022 minutes.

VOTE – Ayes 5, Nays 0

SJT PRK Motion Carried

RESOLUTION 2022-53 Motion was made by Thompson, seconded by Riddell Kent to adjourn.

❖ Meeting adjourned 09:30pm.

SJT PRK Motion Carried

Respectfully submitted,



Ryan F. Pereira
Town Clerk

Statements for the record:

Urging Town Board to Update Town Code/Zoning in Relation to Short-Term Rentals

Submitted to the Town Board by Andrew Stammel, 42 School House Lane

June 8, 2022

My name is Andrew Stammel and I live at 42 School House Lane. Winney Hill Commons neighbors are very concerned and stand in opposition to a transient rental currently proposed for our neighborhood by an investor from San Diego. We brought our concerns to the Planning Board and I'm not here to discuss the specifics of our case. I'm here to speak more generally about this issue and to request that the Town Board immediately begin the process of updating its Town Code/Zoning to manage the proliferation of short-term rentals, which are negatively impacting residents' quality of life.

Our Comprehensive Plan and zoning are overdue for an update. The plan, adopted in January 2014, is 47 pages long and does not once mention short-term rentals. In all of 2014 the Planning Board reviewed only five short term rental applications. At this week's meeting alone, the Planning Board looked at six applications. The pace of these rental requests has accelerated to an unsustainable level. Additionally, we are now seeing out of state absentee corporate interests buying up houses across the country and converting to rentals. Because of these trends, Town government must step up its game and improve its laws and zoning to preserve the character of our neighborhoods before it's too late. Many residents are frustrated and concerned that the Town Board has so far done nothing to address this issue.

I am not against all short-term rentals in our Town. Some can be beneficial to our town and residents who may want to make some extra money. Similarly, I am not against grocery stores or gas stations, but I would say that those commercial businesses do not belong in every neighborhood. The same goes for weekly transient rentals. Most concerning is when these businesses are proposed in close knit neighborhoods that are carefully planned and exclusively residential. In some cases, like ours, regardless of town zoning, transient rentals could be illegal under state law, due to our restrictive covenants. Zoning should be tailored to support and preserve these kinds of carefully planned districts.

I am advocating for a simple change to Town Code, which you could propose tonight if you wanted to. R-20 is arguably the strongest zoning and the one most tailored to exclusively residential development. It covers a portion of the West End, Angel Heights, and Bevins Rd. Make this residential characterization complete. Please propose a resolution or local law that Section 103-21 of the Town Code be revised as follows: four words in Subsection B(4) should be deleted: "Boarding- and rooming Houses." This minor change would not outlaw

transient rentals everywhere in town but only R-20. It would protect the most residential and carefully planned areas but would keep short term rentals legal in the other ten districts, the vast majority of the Town. If this works and other districts want to follow suit, they could explore it.

We should be proud of neighborhoods like Winney Hill Commons, the greatest achievement in owner occupied housing in our County for at least a generation. Over the past fifteen years, approximately 50 new high-quality single- family homes have been built there. It was achieved through the actions of developers, the careful planning of the town, and the meticulous efforts and investment of homeowners. Past town government will be remembered for building this neighborhood. I know current town government doesn't want to be remembered for tearing it down. Please respect our investments and protect our quality of life. Thank you for considering this recommendation and for your service to the town.

Town of Oneonta			
6/23/2022			
Highway Permits/Deposits			
Deposit Fee Returned To Contractor After Inspection			
And Highway Superintendent Approves			
		Current	Proposed
	Permit Fee	\$ 15.00	\$ 50.00
	Deposit	\$ 285.00	\$ 350.00
	Total	\$ 300.00	\$ 400.00
Sewer Tap/Water Tap Permits			
	Type	Current	Proposed
	Residential	\$ 25.00	\$ 50.00
	Commercial	\$ 50.00	\$ 100.00

**TOWN OF ONEONTA FEE SCHEDULE
REVIEW AND COMPARISON**

	current	proposed
Zoning Board of Appeals		
Area Variance	\$100.00	\$200.00
Use Variance	\$100.00	\$250.00
Interpretation	\$100.00	\$150.00
Special Extension	\$50.00	\$150.00
Special Sign Permit (ea)	\$50.00	\$250.00
Planning Board		
Site plan review	\$100.00	\$200.00
Special Use Permit	\$100.00	\$250.00
Subdivision		
Minor 1-5 lots	\$125 per lot	\$200 per lot
Minor 6-12 lots	\$625 plus \$50 per lot	\$1000 plus \$100 per lot
Major 1-15 lots	\$1,000	\$2,000
Major 16+ lots	\$1000 plus \$50 per lot	\$2000 plus \$100 per lot
Fee in lieu of open space	\$100 per lot	\$100 per lot
Code Office		
Sign Permit (permanent)	\$25.00	\$150.00
Sign permit (temporary)	\$25.00	\$75.00
*if erected prior to approval	\$100.00	Double Fee
Vehicle Permit	\$25.00	\$50.00
Commercial Tent permits	0	\$75.00
Change of Occupancy	0	\$75.00
Operating permits (all)	0	\$150.00
Demolition	0	\$0.00
Heating	\$25.00	\$50 Res / \$100 per unit commercial
Pools	\$50 res / \$100 comm	\$50 AG w/o deck, \$100 AG w/ Deck, \$200 IG
Re roof	\$25 Res / \$75 Comm	\$25 Res / \$100 Comm
Decks / Sheds / Garages	\$25	\$50.00
RENEWAL FEE	\$25 Res / 25% comm permit fee	\$25 Res / 25% comm permit fee
Failure to get permit	\$100 plus permit fee	\$200 plus permit fee
Septic System	\$25.00	\$50.00 residential / \$150 Commercial
Residential Alts / Addition	\$50 or \$0.07 SF	\$75 or \$0.15 SF
Mfg Single wide	75	\$150.00
Mfg Double wide	75	\$100 per section
Modular	100	\$200 or \$0.15 SF
Stick Built	\$100 or \$0.07 SF	\$200 or \$0.15 SF
Commercial	\$100 or \$0.15 SF	\$250 or \$0.25 SF
Commercial Alt / Additions	\$50 or \$0.15 SF	\$200 or \$0.25 SF
Fire Safety		
Initial inspection		\$0.00
Follow up inspections		\$0 - first follow up; \$50 - 2nd follow up; \$100 - 3rd follow up after the third follow up an appearance ticket will be issued and each subsequent inspection will be billed at \$100.00 ea
Complaints		\$50.00 per inspection (excluding initial inspection)**
		**Landlord /Tenant Disputes: An inspection of an existing structure will only be done upon the receipt of a written complaint. The cost of each inspection will be directed to the owner of the building until such time as the complaint is resolved. If compliance is not achieved in the allotted time given, then the property will be posted as unsafe. ANY and/or ALL occupants will be made to vacate.
		** Unfounded complaints will NOT be billed to the Owner.
		The above fee will be billed to the Complainant.