

TOWN BOARD
Regular Meeting
February 13, 2008

A regular meeting of the Oneonta Town Board was held on February 13, 2008 with the following members present:

Supervisor: Robert T. Wood
Councilman: William Mirabito
Councilwoman: Janet Quackenbush
Councilman: Carleton Delameter
Councilwoman: A. Marie Lusins
Town Clerk: Cheryl L. Shackelton

Others present: Rodger Moran; Ed May; Brian Konze; Rob Robinson; Ken Mattice; Elizabeth Roland; Ann Marie Mills; and Richard Murphy, Co. Rep.

PETITIONER

Pony Farm Road Railroad Bridge - Brian Konze and Ed May, of CommInnovations at 330 Pony Farm Road, submitted a petition signed by 32 residents and businessmen on Pony Farm Road asking the town to make it a top priority to see that CP Rail (Canadian Pacific Railway) expeditiously repairs or replaces the Pony Farm Road bridge. The closing of the bridge has created a safety concern, as well as a financial impact for the residents and businesses on Pony Farm Road. Ken Mattice asked the board to request an automatic toning out of the City of Oneonta Fire Dept. for any emergency call on Pony Farm Road, since the at-grade emergency crossing is often blocked for long periods of time by stopped trains; plus the fact that they would have the quickest response time. Rob Robinson, of the Otsego County Chamber of Commerce and the Otsego County Development Corp. stated that something needs to be done to get the bridge fixed as soon as possible. Senator Seward, who helped secure funding toward the bridges' repair/replacement 3 years ago, wrote to CP Rail (Feb. 5, 2008) asking them to raise the issue to a high priority to ensure that construction begins this year. Supervisor Wood stated that he has been corresponding with CP Rail via email, but with no response. He stated that the town will continue to pursue this issue.

Elizabeth Rowland, of 448 Airport Road was present once again asking the town to make the drainage problem in front of her properties at 108 and 110 Winney Hill Road a high priority for spring. She said that Highway Supt. Jim Hurtubise and a NYS Dept. of Transportation (DOT) engineer reviewed the situation in Jan. and determined that the town will install a catch basin that can be tied into the state's storm sewer.

COMMITTEE REPORTS

Highway – Councilman Delameter gave the following report and recommendations: Lamont Engineering agreement for Plains at Parish Homestead – Motion was made by Delameter, seconded by Lusins to approve Lamont Engineers agreement to provide

construction phase services for “The Plains at Parish Homestead” project in accordance with their usual hourly rates.

Discussion: Councilman Delameter stated that these costs will be charged back to the developer.

VOTE – Ayes 5, Nays 0 Motion Carried

Street Lighting for Plains at Parish Homestead – Motion was made by Delameter, seconded by Lusins to make “The Plains at Parish Homestead” development a part of the Plains Lighting District.

VOTE – Ayes 5, Nays 0 Motion Carried

- meeting is scheduled for 2/15 with the Highway Committee, Code Officer Neske, Lamont Engineers and Christa to discuss various construction issues of the Plains at Parish Homestead development;
- DOT will be assessing the town’s request for a speed limit reduction on Emmons Hill Road within the next month or so;
- committee is investigating the feasibility of a water district for Southside;
- committee and Highway Supt. Hurtubise recently reviewed roads and projects with regard to FEMA (flood) status;
- letter from Congressman Arcuri to FEMA (Jan. 11, 2008) urging them to forward the town’s payment of \$225,956.43 for flood projects.

Broom purchase – The following proposals for (1) 8’ broom for the tractor-sweeper were received:

Springers Inc.	- \$3,696.80
York Modern Corp.	- \$5,021.00

Motion was made by Delameter, seconded by Lusins to approve the purchase of an 8’ broom for the tractor-sweeper from Springers Inc., at a cost of \$3,969.80 and further authorize the supervisor to pay the bill immediately (per 2008 budget).

VOTE – Ayes 5, Nays 0 Motion Carried

Garage door opener – Motion was made by Delameter, seconded by Quackenbush to approve the purchase of an automatic garage door opener from Action Garage Doors of Oneonta, at a cost of \$950 (per 2008 budget).

VOTE – Ayes 5, Nays 0 Motion Carried

Buildings – Councilwoman Quackenbush gave the following report and recommendations:

- requested more time to review options regarding the town’s natural gas supplier. We currently use NYSEG Solutions, but Hess Corp. has submitted a proposal;

- Refrigerator – Motion was made by Quackenbush, seconded by Mirabito to authorize the purchase of a new refrigerator (to replace the existing one that does not cool properly) for the highway department, at a cost not to exceed \$800.
VOTE – Ayes 5, Nays Motion Carried

Personnel –

Cleaning Consultant – Motion was made by Quackenbush, seconded by Delameter to approve the agreement between the town and Linda Rathbun to provide cleaning and maintenance services to the Town Hall.

VOTE – Ayes 5, Nays 0 Motion Carried

Public Safety –

Constable’s Handbook – Supervisor Wood proposed a change to the Constable’s Handbook that would require a constable to be present for both court and jury trials, as well as special dates. The board agreed to the additional requirement, but Councilwoman Lusins requested exact language before acting upon it.

Constable’s Scheduling – Motion was made by Wood, seconded by Delameter to require the Chief Constable to submit a monthly work schedule for all three constables, prior to the 25th of each month.

Discussion: The board felt that this would give everyone a better sense of coverage and availability.

VOTE – Ayes 5, Nays 0 Motion Carried

The town board is looking into court security being provided by someone other than the town constables, thereby freeing the constables for better road patrol. Supreme Court Justice Michael V. Coccoma has enlisted the NYS Unified Court System for any assistance that can be given to improve Oneonta town court security, as well as relieving the financial burden upon the town.

Technology –

Motion was made by Quackenbush, seconded by Mirabito to approve the proposal submitted by ISD (Information Systems Division, Inc.) for a 50-hour advance purchase of priority consulting and software support, at a cost of \$3,375.00.

Discussion: Councilwoman Quackenbush stated that approval must be obtained from the Technology Committee prior to calling ISD.

VOTE – Ayes 5, Nays 0 Motion Carried

PUBLIC HEARING – Amend Chapter 16

Supervisor Wood read the legal notice as it appeared in The Daily Star on Feb. 2, 2008, with same being posted on the town clerk bulletin board on Feb. 1, 2008. He declared the public hearing open. No one spoke for or against the proposal.

Motion was made by Delameter, seconded by Quackenbush to close the public hearing.

VOTE – Ayes 5, Nays 0 Motion Carried

Motion was made by Quackenbush, seconded by Mirabito to adopt Local Law #2 of 2008 that repeals the current Chapter 16 “Building Construction” and enacts a new Chapter 16 “Building Construction”.

Discussion: Supervisor Wood stated that the new chapter brings the town into conformity with the NYS Building Code.

VOTE – Ayes 5, Nays 0 Motion Carried

APPOINTMENTS

Planning Board Clerk – Motion was made by Quackenbush, seconded by Lusins to permanently appoint Sharese Linnen, as Planning Board Clerk.

VOTE – Ayes 5, Nays 0 Motion Carried

ATTORNEY

Trask Easement Agreement – Motion was made by Delameter, seconded by Lusins to authorize the Supervisor to enter into an agreement with Howard Trask to use his property as a crossing for emergency and municipal vehicles on a temporary basis, until the CP Rail bridge is reopened.

VOTE – Ayes 5, Nays 0 Motion Carried

ASSESSOR

Tentative Railroad Ceiling – Delaware & Hudson Railway Co. : -5.6% from 2007

Tentative Special Franchise Full Value –

NYSEG - \$3,206,889: 5.3% from 2007

Verizon - \$2,010,611: -17.7 % from 2007

Tim Warner - \$315,549: -6.7 from 2007

Conference request – Motion was made by Lusins, seconded by Quackenbush to authorize the assessor to attend a 1-day course on “Ethics for Assessors” at the Oneonta Holiday Inn, at a cost of \$110.

VOTE – Ayes 5, Nays 0 Motion Carried

CODE ENFORCEMENT

Mobile Home Park renewal – Motion was made by Quackenbush, seconded by Delameter to approve the 2008 renewal application of Melody Village Mobile Home Park.

Discussion: Supervisor Wood stated that Code Officer Neske will be sending letters to the other park owners requesting specific information to facilitate approval of their renewal applications.

VOTE – Ayes 5, Nays 0 Motion Carried

COURT

Computer purchase – Motion was made by Quackenbush, seconded by Mirabito to approve the purchase of 2 computers on state contract at a cost not to exceed \$980 (per 2008 budget).

Discussion: Councilman Mirabito asked if local businesses could compete with this price. Technology Committee will check with ISD.

VOTE – Ayes 5, Nays 0 Motion Carried

SEWER AND WATER

Flowmeters – Motion was made by Delameter, seconded by Lusins to approve the purchase and installation of magnetic flowmeters from Don Ballway of Aqualogics, Inc. as follows (per 2008 budget):

Southside flowmeter	-	\$4,200.00
West Street flowmeter	-	\$3,400.00
Installation	-	\$ 900.00

VOTE – Ayes 5, Nays 0 Motion Carried

MISCELLANEOUS

Code Enforcement - Motion was made by Lusins, seconded by Quackenbush to approve the purchase of the annual software support & maintenance agreement with BAS (Business Automation Services), at a cost of \$1000 (per 2008 budget).

VOTE – Ayes 5, Nays 0 Motion Carried

Informational items:

- Local government officials workshops sponsored by the Otsego County Planning Dept.: Feb. 27 – Municipal regulation of windmills; Mar. 19 – Websites as your resource; Mar. 26 – Abating public health nuisances;
- Thank you from Marta J. Hayes for town’s help with her property concerns at 509 Winney Hill Road;
- Thank you from the Otsego County Conservation Assoc. (OCCA) for the town’s support of OCCA’s application to the “Healthy Trails, Healthy People” grant application;
- Letter from NYRI (New York Regional Interconnect, Inc.) advising the town of their intention to build a 190 mile-long transmission line, proposed to in close proximity to the existing Marcy South power line;
- Agriculture Mediation Workshop sponsored by Cornell Cooperative Extension scheduled for March 3rd in Herkimer.

Conference Requests:

Motion was made by Delameter, seconded by Lusins to authorize Paul Neske to attend the annual Association of Towns conference in New York City, Feb. 17-20, in place of June Sheehan.

VOTE – Ayes 5, Nays 0 Motion Carried

Motion was made by Delameter, seconded by Quackenbush to authorize Cheryl Shackelton to attend the New York State Town Clerks’ Association annual conference, April 27-30 in Saratoga Springs, NY (per 2008 budget).

VOTE – Ayes 5, Nays 0 Motion Carried

Crestview Lane – Motion was made by Wood, seconded by Lusins to authorize the supervisor to write a letter of support to Congressman Arcuri for support of the Crestview Lane dewatering wells project, using Lamont Engineers estimates of \$183,000.

VOTE – Ayes 5, Nays 0 Motion Carried

Ames Plaza – Supervisor Wood informed the board of a letter he recently wrote to Fox Hospital supporting and welcoming a satellite doctor’s office in the former Ames Plaza.

Supervisor Wood recognized Co. Rep. Richard Murphy who gave a brief update on county business.

APPROVAL OF MINUTES

Motion was made by Quackenbush, seconded by Murphy to approve the January 9, 2008 minutes.

VOTE – Ayes 5, Nays 0 Motion Carried

BILLS

Motion was made by Lusins, seconded by Mirabito to pay bills as follows:

December 2007:

General	#858, 860-863, 865-871, 874	\$27,285.61
St. Lights	#861	\$ 1,450.05
Flood R&R	#859	\$ 3,375.20

Districts:

West End Sewer	#861, 864, 872	\$ 150.17
West St. Sewer	#861, 872	\$ 150.62
Southside Sewer	#872	\$ 980.89
Woodland Water	#864, 873	\$ 1,947.97

February 2008:

General	#25-60	\$19,553.30
Highway	#26, 27, 59, 61-81	\$28,384.80
St. Lights	#45	\$ 2,746.38

Districts:

West End Sewer	#26, 27, 41, 43, 50, 83-87	\$1,534.64
West St. Sewer	#26, 27, 41, 50, 83, 84, 86, 87	\$ 353.31
Southside Sewer	#26, 27, 39, 41, 50, 83, 84-88	\$1,203.36
Woodland Water	#41, 43, 50, 80, 83, 84, 86, 87, 89	\$2,197.28

VOTE – Ayes 5, Nays 0 Motion Carried

Motion was made by Delameter, seconded by Quackenbush to adjourn the meeting (8:45pm).

VOTE – Ayes 5, Nays 0 Motion Carried

Respectfully submitted,

Cheryl L. Shackelton
Town Clerk