

PRESENT: Mayor Gary Herzig
Council Member Michele Frazier
Council Member Melissa Nicosia
Council Member David Rissberger
Council Member Michelle Osterhoudt
Council Member Dana Marie Levinson
Council Member Russ Southard (Acting Mayor)
Council Member John Rafter
Council Member Joseph Ficano

ABSENT: None

Mayor Gary Herzig called the regular meeting to order at 7:04pm. He asked the Clerk to call the roll.

Everyone present stood for the Pledge of Allegiance.

PETITIONERS / PUBLIC HEARINGS

Mayor Herzig asked if there were any petitioners wishing to be heard.

Hearing none, the Mayor closed the petitioners section of the meeting.

There are no public hearings scheduled.

COMMISSION REPORTS

Parks and Recreation – Council Member Melissa Frazier – Council Member Frazier reported on the topics discussed at the last Parks and Recreation meeting to include: geese management; Pridefest; and the YMCA summer programming report.

Zoning and Housing Board of Appeals – Council Member Joe Ficano – Council Member Ficano reported on the topics discussed at the last Zoning and Housing Board of Appeals meeting to include: the outcome of three items discussed at the last Zoning and Housing Board of Appeals meeting.

Commission on Community Relations and Human Rights – Council Member Michelle Osterhoudt – Council Member Osterhoudt reported on the topics discussed at the last Commission on Community Relations and Human Rights meeting to include: a rescheduled “Race Matters” event and the presentation of the Trailblazer Award to occur prior to the March 20, 2018 meeting.

COMMITTEE REPORTS

Operations, Planning and Evaluation Committee – Council Member Dave Rissberger – Council Member Rissberger reported that there was no Operations, Planning and Evaluation Committee meeting held.

Finance / Human Resources Committee – Council Member Russ Southard – Council Member Southard reported on topics discussed at the last Finance / Human Resources Committee meeting to include updates on items placed on tonight’s agenda.

CONSENT AGENDA

Mayor Herzig summarized the items on the Consent Agenda and asked whether any Council Member wished to remove any items.

Council Member Frazier removed item #12.

Council Member Rissberger removed item #11.

MOTION, made by Council Member Ficano and seconded by Council Member Nicosia, that the Common Council approves the Consent Agenda as presented with the exception of items #11 and #12.

1. **MOTION**, that the Common Council approves the minutes of the regular meeting held February 20, 2018.
2. **MOTION**, that the Common Council approves the warrants totaling \$274,014.80, and that the same be placed on the Director of Finance’s desk for payment, as presented.
3. **MOTION**, that the Common Council authorizes a budget amendment, effective December 31, 2017, to offset added costs for relining raw-water transmission pipelines between the City’s reservoirs and Water Treatment Plant, as well as for installing other related facility improvements, from the \$2,000,000 budgeted to \$2,175,692 actually spent, with the additional amount derived from the fund balance within the Water Fund.
4. **MOTION**, that the Common Council adopts the following refunding bond resolution, as presented, that would authorize refinancing of bonds sold in 2005, 2008, and 2010:

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE CITY OF ONEONTA, OTSEGO COUNTY, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY “PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS,” AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

5. **MOTION**, that the Common Council approves the following budget for planned 2018 Wastewater Treatment Plant upgrades with appropriations of \$8,487,032 for construction, engineering, administration, and contingencies to be offset by \$8,487,032 in funding to be derived from the New York State Environmental Facilities Corporation through a State-aid grant and proceeds from the State’s sale of bonds:

Appropriations		
<u>Account</u>	<u>Item</u>	<u>Amount</u>
H46.8130.20	Construction	\$ 6,511,232
H46.8130.21	Engineering	1,264,000
H46.8130.22	Administration	53,526
H46.8130.23	Contingency	<u>658,274</u>
		<u>\$ 8,487,032</u>
Funding		
<u>Account</u>	<u>Source</u>	<u>Amount</u>
H46.3990	State Aid	\$ 2,121,758
H46.5710	Serial Bonds	<u>6,365,274</u>
		<u>\$ 8,487,032</u>

6. **MOTION**, that the Common Council adopts the following resolution:

Be it resolved, that the City of Oneonta Common Council hereby establishes the following standard workdays for these titles and will report the officials to the New York State and Local Employees’ Retirement System based on the time keeping system records or his/her record of activities

maintained and submitted by these officials to the clerk of this body, or for Tier 1 employees, based on average of actual time worked:

Title	Name	Standard Workday	Term	Record of Activities Results
City Attorney	David Merzig	6 hours	1/14/18-1/14/19	12.64/monthly
City Prosecutor	Michael Getman	6 hours	1/14/18-1/14/19	13.36/monthly

7. **MOTION**, that the Common Council adopts the following resolution:

**Resolution
Community Development Block Grant
Microenterprise 5 Program
Type II SEQR Determination**

WHEREAS, the New York State Office of Community Renewal has awarded the City of Oneonta a Community Development Block Grant for a Microenterprise Program;

WHEREAS, the Community Development Block Grant Program requires a SEQR determination as part of the environmental review process; therefore, be it

RESOLVED, that the City of Oneonta hereby determines that the Microenterprise Program is a Type II action as defined by New York State statute, Section 617.5 (c) and (c) (2); and be it

RESOLVED, that pursuant to Section 617.5 (c) (1) and (c) (2) this activity involves “maintenance or repair involving no substantial changes in an existing structure or facility” and “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site”; and be it

RESOLVED, that the City of Oneonta is not required to conduct any further environmental review as a result of this Type II determination; and be it further

RESOLVED, that this Resolution shall take effect immediately.

8. **MOTION**, that the Common Council adopts amendments and reaffirms its commitment to adhere to provisions of the Americans with Disabilities Act of 1990 as they relate to paratransit services that are provided by the City’s Oneonta Public Transit program with such revisions to the City’s current policy that comply with regulations of the New York State Department of Transportation and the U.S. Department of Transportation, Federal Transit Administration, approved as presented.
9. **MOTION**, that Common Council reaffirms its 2012 adoption of allocation procedures in assigning City costs for provision of certain administrative and support services to the City’s Oneonta Public Transit program that comply with regulations of the U.S. Office of Management and Budget as required by the New York State Department of Transportation and the U.S. Department of Transportation, Federal Transit Administration.
10. **MOTION**, that the Common Council adopts amendments to drug and alcohol policies as they relate to the City’s Oneonta Public Transit program to expand screening requirements for certain types of semi-synthetic opioids as required by regulations of the U.S. Department of Transportation, Federal Transit Administration.

13. **MOTION**, that Common Council authorizes the Mayor to renew a contract with the Susquehanna Animal Shelter, Cooperstown, for provision of animal-control support services during 2018 for fees ranging from \$90 to \$210. This item subject to review by the City Attorney.
14. **MOTION**, that the Common Council authorizes the declaration of a calculator, three computers, three cell phones, blank audio-recording tapes and miscellaneous office supplies as surplus property with those items deemed of value being listed for sale by auction on the website www.publicsurplus.com.

Voting Ayes: Council Member Michele Frazier
Council Member Melissa Nicosia
Council Member David Rissberger
Council Member Michelle Osterhoudt
Council Member Dana Marie Levinson
Council Member Russ Southard
Council Member John Rafter
Council Member Joseph Ficano

Noes: None.

Absent: None.

MOTION CARRIED, 8-0-0

11. **MOTION**, made by Council Member Southard and seconded by Council Member Levinson, that the Common Council authorizes the waiver of primary-residence requirements of the First Time Homeowners Loan program that would allow leasing a program-acquired property at 16 Pine Street to assure that income continues to offset loan-payment obligations. This item is subject to review by the City Attorney.

Mayor Herzig asked for discussion.

Council Members asked for and received information from City Attorney Merzig regarding terms of the loan and this particular situation.

Mayor Herzig asked for further discussion and, hearing none, directed the Clerk to call the roll.

Voting Ayes: Council Member Michele Frazier
Council Member Melissa Nicosia
Council Member David Rissberger
Council Member Michelle Osterhoudt
Council Member Dana Marie Levinson
Council Member Russ Southard
Council Member John Rafter
Council Member Joseph Ficano

Noes: None.

Absent: None.

MOTION CARRIED, 8-0-0

12. **MOTION**, made by Council Member Frazier and seconded by Council Member Ficano, that the Common Council authorizes the Mayor to renew a contract with Destination Oneonta in the amount of \$70,000 for the organization's continued provision of community marketing, programming, and beautification services for the downtown area during 2018. This item subject to review by the City Attorney.

Mayor Herzig asked for discussion.

Council Members inquired about the contract and budget changes from the previous year. Destination Oneonta members Katrina Van Zandt and Faith Tiemann were present to answer questions. Additional information was provided by Meg Hungerford.

Following discussion, the motion was tabled.

INDIVIDUAL MOTION FOR DISCUSSION

15. **MOTION**, made by Council Member Frazier and seconded by Council Member Nicosia, that the Common Council adopts the following resolution that confirms the Common Council's approval of the draft scope of the Generic Environmental Impact Statement (GEIS) associated with the proposed Oneonta Rail Yard redevelopment project:

**ADOPTION OF A DRAFT SCOPING DOCUMENT FOR THE
PREPARATION OF A GENERIC ENVIRONMENTAL IMPACT STATEMENT,
ESTABLISHING A PUBLIC COMMENT PERIOD FOR THE
DRAFT SCOPING DOCUMENT AND
SCHEDULING OF PUBLIC SCOPING MEETING
FOR THE REDEVELOPMENT OF THE ONEONTA RAIL YARDS**

WHEREAS, the City of Oneonta, Otsego County, New York has received a site plan application and full Environmental Assessment Form (EAF) for a project identified as the Redevelopment of the Oneonta Rail Yard, such application dated August 11, 2017 prepared by Delaware Engineering, DPC on behalf of the County of Otsego Industrial Development Agency (COIDA or "the Applicant"); and,

WHEREAS, COIDA will prepare a redevelopment master plan and economic development strategy for an area encompassing the Oneonta Rail Yard site, centered on Roundhouse Road and in the vicinity of Chestnut Street in the City of Oneonta, which will plan for the construction of structures, parking, and access to the site as well as the extension of utility infrastructure and site roadways, for a total potential project area consisting of approximately 17 individual parcels and approximately 200-acres; and,

WHEREAS, the project will provide an opportunity to create a new industrial/commercial business park that would provide additional markets for Otsego County, create new jobs, and add to the local tax base; and,

WHEREAS, the City of Oneonta Common Council reviewed the application materials including the Full EAF and classified the project as a Type I Action requiring a coordinated review with other involved agencies per 6 NYCRR Part 617.4(b)(5)(iii); and

WHEREAS, the on September 19, 2017, the City of Oneonta Common Council adopted a Resolution of Intent to act as Lead Agency for the purpose of conducting the environmental review required by 6 NYCRR Part 617 and circulated the Resolution of Intent together with Part 1 of the Long Environmental Assessment Form and other application materials including a project description and a site location map to the identified involved and interested agencies to solicit agreement with the City's declaration of intent to act as Lead Agency for the SEQR review; and,

WHEREAS, the City caused to be prepared Parts 2 and 3 of the Long Environmental Assessment Form and has reviewed these documents; and,

WHEREAS, having received no objections from other involved agencies, on January 16, 2018, the City of Oneonta Common Council adopted a Resolution designating itself as Lead Agency for the environmental review of the proposed Oneonta Rail Yards project; and,

WHEREAS, due to the potential for at least one significant adverse environmental impact as defined in Part 617.7(c), the Common Council as Lead Agency adopted a Positive Declaration for the Oneonta Rail Yards project on January 16, 2018, and directed the Applicant to prepare a Draft Scoping Document describing the proposed contents of the Draft Generic Environmental Impact Statement for submission to the Lead Agency; and,

WHEREAS, the Community Development Committee of the City of Oneonta has received and reviewed the Draft Scoping Document for this Project;

NOW THEREFORE, BE IT RESOLVED THAT

1. The City of Oneonta's Common Council accepts the Draft Scoping Document submitted by the Applicant, COIDA.
2. The Draft Scoping Document will be made available on the City of Oneonta's website and paper copies available upon request to the City.
3. The Applicant is directed to make the Draft Scoping Document available on its website.
4. Circulation of the Draft Scoping Document shall be conducted in conformance with 6 NYCRR Part 617.12.
5. A Public Scoping Session regarding the Draft Scoping Document will be conducted on April 4, 2018 at 6:30pm at Riverside Elementary School, 39 House St, Oneonta, NY 13820 and on April 5, 2018 at 6:30 PM at Greater Plains Elementary School, 60 West End Ave, Oneonta, NY 13820.
6. Written public comment regarding the Draft Scoping Document will be accepted by the Lead Agency from March 7, 2018 through April 27, 2018, at City Hall, 258 Main Street, Oneonta, New York, 13820, and via email at npowell@oneonta.ny.us at which time the public comment period for the Draft Scoping Document will be closed.
7. A DGEIS shall be prepared by the applicant and submitted to the Lead Agency for review based upon the Final Scoping Document is adopted.
8. This resolution shall take effect immediately.

Voting Ayes: Council Member Michele Frazier
Council Member Melissa Nicosia
Council Member David Rissberger
Council Member Michelle Osterhoudt
Council Member Dana Marie Levinson
Council Member Russ Southard
Council Member John Rafter
Council Member Joseph Ficano

Noes: None.

Absent: None.

MOTION CARRIED, 8-0-0

ADDITIONAL BUSINESS

There was no additional business.

CORRESPONDENCE

There was no correspondence.

SPECIAL ORDER(S) OF THE DAY

Mayor Herzig stated there were no special order(s) of the day.

COUNCIL DISCUSSION

Mayor Herzig announced the re-laying of the Social Host Ordinance to be considered at the March 20, 2018 meeting.

Council Members were made aware of items slated for the March 20, 2018 meeting to include: Trailblazer Award, CCRHR Award, Employee of the Quarter, and the State of the City address.

Mayor Herzig recognized Irene Gallaer, 172 Main St, who was unavailable to speak during the public comment section. Ms. Gallaer spoke briefly on the following topics: dogs on Main St and in the parks; ice on Main Street; lack of downtown stores; repairs needed in Neahwa Park, and the need for a pool in Neahwa Park.

Council Member Ficano discussed the Oneonta Farmer’s Market.

Council Member Frazier spoke on the shortage of housing in Oneonta.

Council Member Rafter spoke about the current recipients of funding in the City of Oneonta. The Mayor suggested a reporting mechanism to track this information.

EXECUTIVE SESSION

There was no executive session.

ADJOURNMENT

There being no further business to discuss, the regular meeting of the Common Council was adjourned at 8:10pm until Tuesday, March 20, 2018 at 7:00pm.

I, NANCY S. POWELL, City Clerk and Clerk of the Common Council, DO HEREBY CERTIFY that the foregoing is a true and correct report of all motions, resolutions and ordinances passed or enacted, and all other procedures had and taken by the Common Council at the regular meeting held on March 6th, 2018.

NANCY S. POWELL, City Clerk

I, GARY HERZIG, Mayor of the City of Oneonta, New York, DO HEREBY AFFIX my name and seal of the City of Oneonta, New York this 21st day of March, 2018, approving the foregoing procedures had and taken by the Common Council at the regular meeting held on March 6th, 2018.

GARY HERZIG, Mayor