

ONEONTA, NEW YORK – DECEMBER 12, 2012 - 7:00 P.M.

REGULAR MEETING OF THE ENVIRONMENTAL BOARD PG. 1

PRESENT: Chair David Hutchison
Commissioner Tracy Allen
Commissioner Richard Denicore
Commissioner Dale Burrington
Commissioner George Palladino

ABSENT: Commissioner Joan Fox
Commissioner Lucille Wiggin
Council Member Larry Malone

Chair Hutchinson called the regular meeting to order and called the roll.

Chair Hutchison stated on behalf of the board he wished to thank Patricia A. Bartiromo of the Clerk's Office, who was retiring, for the good work she has done over the years for the board.

APPROVAL OF MINUTES

Without benefit of a motion, the board approved the minutes of the regular meeting held October 10, 2012, as written.

Chair Hutchison stated that on January 9, 2013 he will be attending the anti-fracking meeting in Albany. He said in the event he was late getting back in time for the board's meeting at 7:00 p.m. he asked Commissioner Burrington to chair the meeting. He said he would probably be unable to attend the next couple meetings after January's and suggested that if the board needs to meet to do so in his absence.

PETITIONERS (limited to comment)

The Chair indicated there were no petitioners other than Mr. Jonathan Gell who was an observer.

CORRESPONDENCE

The Chair indicated there was no correspondence.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Creek Program [Allen-spring –odd years only]
Tree Program [Hutchison]
Watershed Protection District [Hutchison]
Sustainability Working Group [Allen]

Chair Hutchison addressed the report items as follows.

Creek Program [Allen-spring –odd years only]

Commissioner Allen stated that due to the scheduling of the course at the college he would not have a creek monitoring report from the students until spring of 2014, not 2013.

Tree Program [Hutchison]

Chair Hutchison stated the tree program has been moving right along. He said Commissioner Denicore, arborist Brian Fawcett and he looked at trees and sites for new trees. He said Mr. Fawcett had been doing a great job picking sites and talking to the property owners about plantings. He said more than a dozen trees have been planted around the Housing Authority building at Lettis Apartments, about 8-10 planted on Main Street and were working on the West End entrance by Corning on the River Street extension. He said his count was that 55 trees were planted in and around the city and 23 trees in the Dietz Street parking lot. He said over 306 trees had been planted with those 78 trees, the 200 that were planted over the last several years in the bare-root method and

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(Reports) continued

the 31 trees that were planted last fall. He said it will be nice to see the affects of those plantings and he hoped the Common Council continued to do tree plantings.

Commissioner Palladino suggested that at the end of the year the board get a formal report regarding the amount spent for trees, by species, so the board has that for its record.

Chair Hutchison stated it was a good idea to know that information.

Commissioner Denicore suggested plugging that information into the format they already had established when the board made its presentation to the Common Council to keep the data in order and up to date.

Chair Hutchison stated he was pleased with the tree plantings and thought it was making a difference. He said that Commissioner Palladino did a great job with the Dietz Street parking lot that kind of falls under the tree program. He said he has had several comments from people.

The board held a brief discussion on the matter.

Watershed Protection District [Hutchison]

Chair Hutchison stated that the Watershed Protection District Overlay that was presented December 11th at a public hearing in the Town of Oneonta was not approved. He said there was a good turnout of people and a lengthy exchange of comments but the Town Board defeated it at their meeting as it was written.

Commissioner Palladino suggested that the board recommend that the Mayor comment to the Town Supervisor that this was a serious issue concerning the water supply. He said if anymore development takes place without controls this was probably as serious as hydrofracking.

Chair Hutchison stated he thought the Mayor would do that on his own since it was the Mayor who initially got going on this and got the board to address it. He said Town Code Enforcement Office Neske who presented the information to the Town Board said he was not going to move forward on it anymore.

Commissioner Palladino stated 20-30% of the town's population received water from the reservoir. He questioned if the board could recommend that the City Water Department write to those individuals in the town asking that they please pay attention to this in your town. He said he believed this was as serious as anything they could face.

Chair Hutchison stated right now he thought the issue was dead. He said the city had no power over the town and people were sick of it. He said the board could entertain a motion if Commissioner Palladino would like to present a motion. He said 3 of the 5 Town Board members did not want it and many of the people at the public hearing did not understand it.

Commissioner Palladino stated that the motion could be that the Mayor consider instructing the City Water Department to directly communicate with the residents of the Town of Oneonta.

Chair Hutchison stated there were two other towns involved, Laurens and Milford. He said none of those residents get water from the watershed but had property in the watershed and had a voice in this. He said what the town said was because of the effects on the adjacent municipalities the Towns of Laurens and Milford and the City of Oneonta there should be some sort of a Memorandum of Agreement, which the city did not have. He said County Planning said that the other adjacent municipalities needed to be checked with on this and should get a Memorandum of Agreement.

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(Reports, etc) continued

The board held a brief discussion on the matter.

Commissioner Palladino questioned if he and the Chair could meet with the Mayor and the City Attorney about this issue.

Chair Hutchison responded yes, he would set up an appointment for the four of them to meet on the matter.

Sustainability Working Group [Allen]

Chair Hutchison stated in response to Commissioner Palladino's request if the Group could send the board a report he received emails from Mark Davies of the Sustainability Working Group and the Group's liaison Commissioner Allen saying that the Group really has not done any new revisions to the Oneonta 2030 report presented in 2010.

Commissioner Palladino stated 2030 was a long time away but on the other hand if nothing was done it would be a crisis as 2030 draws near. He expressed concern about that because the Group reports to the board and the board's role as a mentor. He said if there were not enough members maybe that group should be reinstated.

Chair Hutchison stated he would convey that message to Mark Davies. He said if anyone had suggestions of candidates for that group to let him or Mark Davies know.

REPORT OF SPECIAL COMMITTEES

The Chair indicated there were no special committees to report.

UNFINISHED/OLD BUSINESS

Discussion about energy audits and energy efficient programs

Chair Hutchison stated this was in regard to what the board had discussed in the past regarding Sustainable Otsego and NYSEDA energy audits which were still available to be performed. He said the Mayor has asked him to sit in on the Governor Cuomo's initiative for the cleaner, greener communities program.

NEW BUSINESS

There was no new business.

CLOSE

ENDURING ISSUES OF THE RECENT PAST:
• Southside Corridor and Lettis Highway shrubs
• Industrial Noise
• Delaware Recycling Program – Field trip
• Rose Avenue area Brownfield Study
• Gas Drilling in City and potential amassing and transport of drill pipes
• Manufactured Gas Plant Remediation
• Treelawns and curbs for new road construction
• Inquiries about disposal of green waste and kitchen waste into mulch compost from SUCO, Hartwick, Fox, etc
• Contract for solar electric leases

Chair Hutchison stated he believed the Engineering Department was trying to work on the entryways to the city.

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(Enduring issues, etc) continued

Chair Hutchison stated he had the Clerk's Office send documents with the following covered letter he had prepared:

"To Environmental Board, Mayor, City Manager, City Attorney

I would appreciate it if you would look over the attached documents:

1.) Noise ordinance model for municipalities in New Jersey

2.) Noise ordinance for City of Oneonta.

I am working on the premise that the City of Oneonta might want to strengthen the City noise ordinance to adequately cover industrial noise should the rail yards be used in the future as an unloading and staging area for miles and miles of steel pipes, drilling mud, and propane etc. associate the drilling and hydrofracking.

It is my understanding that the City must have such a noise ordinance in place before any proposal for this use is made. Consequently, I think it would be prudent for the City to look over the possible adoption of a more comprehensive noise ordinance at this time rather than wait until the last minute.

I would like to discuss this at the Environmental Board Meeting on December 12."

Commissioner Denicore stated that in order to address noise there needed to be enforcement of the ordinance and equipment to monitor the levels, maintained and updated regularly.

Chair Hutchinson stated that the city had one decimeter in the Oneonta Police Department.

Commissioners Palladino and Denicore stated they believed the current ordinance covered the noise level of machinery and equipment, as indicated in 178-3E.

Commissioner Burrington stated he understood that the city cannot enforce any ordinance against noise pollution unless the city had standards in place already. He said whether the city was monitoring the noise levels or not the standards had to be in place before something occurs. He said in looking over this New Jersey model document his suggestion would be that the model be reviewed by City Attorney Merzig as a possible model for the city to enact.

Commissioner Palladino stated that Philadelphia had an ordinance that was only 8.5 pages long and he read the summarized but clearly defined specifications for noise and decibel levels. He said he thought the model from New Jersey had too much stuff in it.

The board held a brief discussion on the matter.

Chair Hutchison stated he would give the City Attorney a copy also of the document from Philadelphia for review. He said he would ask that he either report back to the board or attend the January meeting.

Chair Hutchison stated he would still like to do a field trip to Delaware Recycling to see their program operation.

After a brief discussion on the remaining items of old business Chair Hutchison said that the items that could be removed were Rose Avenue area Brownfield Study and Treelawns and curbs.

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Mr. Jonathan Gell, Oneonta, spoke briefly about the Emerald Ash Borer and that invasive insect's effect on Ash trees and methods to prepare for the problem. He said he would get copies of an article on that to the board. He said secondly, as a taxpayer he expressed appreciation for what the Environmental Board caused to happen with the Dietz Street parking lot and the great outcome, largely in part by Commissioner Palladino. He said on behalf of the city he thanked the board.

There being no further business to come before the board, Chair Hutchison adjourned the regular meeting at approximately 8:30 p.m.

JAMES R. KOURY, City Clerk

JRK/pab