

**ONEONTA, NEW YORK - JANUARY 11, 2012 - 7:00 P.M.**

**REGULAR MEETING OF THE ENVIRONMENTAL BOARD PG. 1**

**PRESENT:** Chair David Hutchison  
Commissioner Tracy Allen  
Commissioner Dan Rorick  
Commissioner Richard Denicore  
Commissioner Dale Burrington  
Commissioner George Palladino  
Commissioner Lucille Wiggin

**ABSENT:** None

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

Chair Hutchison stated sadly Mike Naples was to be the board's Common Council liaison but he passed away with a massive heart attack just a few days ago.

**APPROVAL OF MINUTES**

Without benefit of a motion, the board approved the minutes of the regular meeting held December 14, 2011.

**PETITIONERS**

Mr. Jonathan Gell, Oneonta, stated he was not petitioning the board but had sent an e-mail to the Chair regarding sidewalks and curbing for filtering and possibly being an item for the agenda.

Chair Hutchison stated the matter may be discussed under New Business.

**CORRESPONDENCE**

Chair Hutchison stated some correspondence circulated would be addressed under New Business or Old Business.

**NEW BUSINESS**

Chair Hutchison stated that according to the Clerk's Office there was discussion about elections of Chairs by the boards and commissions and whether it would be done by the Mayor or the boards and commissions therefore that matter was not put on the agenda. He said the board would address that at the next meeting.

**OLD BUSINESS**

Chair Hutchison stated that Commissioner Denicore had e-mailed everyone his ideas on rearranging the agenda mainly regarding the items of Old Business.

Commissioner Denicore stated he was concerned that under Old Business the board had a long list of things that the board either needed to or did not need to talk about. He said he researched the format on how to conduct a business meeting and presented the board with ideas to reformat the agenda.

The board held a brief discussion on the restructuring of the agenda.

The consensus of the board was that it agreed with the ideas and that the agenda should show a category of thrusts as opposed to a "laundry list" and could create categories of issues that it may want to continue to talk about so they were not forgotten.

Chair Hutchison stated that the Mayor has asked the board to put the Sustainability Working Group under its oversight.

**ONEONTA, NEW YORK - JANUARY 11, 2012 - 7:00 P.M.**

**REGULAR MEETING OF THE ENVIRONMENTAL BOARD PG. 2**

**(Old Business)** continued

Commissioner Denicore stated he thought the board should be telling that group that they should be reporting to the board or the liaison to the group should tell them. He suggested that the board's minutes should indicate each month when no report is received from those groups that should be reporting to the board.

Chair Hutchison stated the board did not manage the Sustainability Group but the Mayor was looking to keep them active and inquired about an update from that group. He said he also inquired about the activity of the Oneonta Susquehanna Greenway committee and its membership. He said however neither one of those groups was listed in the City Directory. He said he had been in contact with Donna Vogler of Oneonta Susquehanna Greenway and she said that in the past they worked through the Parks and Recreation Commission. He said he e-mailed the Mayor suggesting that Oneonta Susquehanna Greenway stay with Parks and Recreation Commission as they had been in the past instead of moving them under the Environmental Board.

Commissioner Burrington gave a brief history on how the Oneonta Susquehanna Greenway set itself up and the rules and regulations setup by the committee for the committee about attendance and membership. He said those rules had not been followed for the last 5-7 years and the committee really had no official standing with the city at all. He said he had suggested to the Mayor about reconstituting the committee somehow or just abolish it and see if the Engineering Office could undertake it. He said he thought a new start was needed.

Chair Hutchison stated that he thought Commissioner Denicore's suggestions were good and maybe the Sustainability Working Group should be moved up and at the request of the Mayor have that group report to the board.

**MOTION**, made by Commissioner Palladino and seconded by Commissioner Burrington, that the board adopts the agenda restructuring suggestions made by Commissioner Denicore and that from the discussion on it at the board's January 11<sup>th</sup> meeting Commissioner Denicore reorganizes the bullets for the subheadings he had suggested and distributes the agenda via e-mail within 10 days to the commission for review.

**Voting Ayes:** Chair Hutchison  
Commissioner Allen  
Commissioner Rorick  
Commissioner Denicore  
Commissioner Burrington  
Commissioner Palladino  
Commissioner Wiggin

**Noes:** None

**Absent:** None

**MOTION CARRIED**

**OLD BUSINESS**

*Gas drilling in the city and other areas*

Chair Hutchison stated for his own interest he recently attended the Governor's State of the State meeting in Albany and there were about 70-80 anti-drilling people there expressing their views.

Chair Hutchison stated this was the last day for people to get their comments in to the NYS Department of Environmental Conservation on the final draft Supplemental Generic Environmental Impact Statement (SGEIS).

**ONEONTA, NEW YORK - JANUARY 11, 2012 - 7:00 P.M.**

**REGULAR MEETING OF THE ENVIRONMENTAL BOARD PG. 3**

**(Old Business)** continued

Sustainability Working Group update

Chair Hutchison stated that the Sustainability Working Group plans to have an update by February of their idea for the year 2030.

Southside Corridor issues, i.e. pedestrian walkways, bike lanes, etc.

Chair Hutchison stated this was really a dead issue because the State of New York was not going to move on it. He said it was on the docket but all of the money was withdrawn. He said the board's concern in the matter was that it was trying to encourage walkways and possible bike lanes when the state redid the Southside Highway. He said at the moment that project was way on the back burner.

Commissioner Burrington stated that when the NYS Department of Transportation was ready to move on that project they would be contacting the City Engineering Office and he would like that office to notify the board when that goes forward.

Chair Hutchison stated he would like to keep that issue on the agenda just as a reminder that it was something the board needed to keep alert for any information in the future about it.

The consensus was for the issue to be left in box on the agenda for recent past issues.

Update on the manufactured gas plant site in Neahwa Park (coal-tar remediation)

Commissioner Burrington briefly updated new Commissioner Rorick on the project and the well monitoring at the site.

Commissioner Burrington stated that most recently the NYS Department of Environmental Conservation has now set up a program for notifying registered and interested parties of the progress on these various contamination sites clean-up. He said he was registered online and received a notice in an EML format and responded with a request that it be sent in PDF format because he could not open the EML and was still waiting for a response. He said when he gets these reports on a regular basis he will report anything he finds significant or of interest to the board.

Commissioner Palladino suggested that the notice should come to the Chair of the Environmental Board instead of an individual.

Chair Hutchison stated that Commissioner Burrington has been pursuing this project for many years and he would rather leave it that way.

Update on the Oneonta Susquehanna Greenway

Chair Hutchison stated that the board has had no update on this except for what it has been talking about recently.

Commissioner Burrington stated he was glad to see the Mayor taking an interest in this and asking what was happening with this group. He said even with the cleanup if one visits the trail now they will see that it was well overgrown and in some places it was impassable.

Chair Hutchison stated that it goes without saying that the Oneonta Susquehanna Greenway needed some sort of facelift and the Mayor seemed to be apprised of that. He said that he would inform the Mayor of the board's discussion on it. He said frankly he did not want to include Oneonta Susquehanna Greenway in the board's activities. He said the board had much to do with the tree program and planting.

**ONEONTA, NEW YORK - JANUARY 11, 2012 - 7:00 P.M.**

**REGULAR MEETING OF THE ENVIRONMENTAL BOARD PG. 4**

**(Old Business)** continued

Commissioner Burrington stated he agreed.

Update on creek program

Commissioner Allen stated due to the situation with his courses at the college the students would not be doing the monitoring until next spring.

Update on tree program

Chair Hutchison stated Commissioner Denicore and he went around the city recently looking at some of the sites recommended in Cornell's recent tree survey.

Commissioner Denicore stated there were quite a few sites that they identified for tree planting that was supposedly city property. He said at many of those sites there were no sidewalks and they questioned if the sites were city property or not. He said at several of the sites the walk was right at the roadside so the property was beyond the sidewalk and they did not know if that was appropriate for them to plant. He said they would need legal advice as to how far the city line goes from the middle of the road up into the property. He said it would still be up to the property owner to decide whether they want a tree or not. He said they were looking for sites for large trees and none of those sites had wires and quite a few of the sites were identified for plantings.

Chair Hutchison stated that he did not understand all the data in Cornell's survey report and was going to e-mail them a request to define the categories for plantings. He said simultaneously within a few months of each other the city gained some money from the harvesting of trees in the watershed and the Mayor and Common Council supported setting some of that money aside for the use of trees in the city. He said also the Mayor and the City Attorney agreed that trees purchased by the city could be planted on private property with the approval of the property owner. He said that opens up a whole new ball game as to where they could plant trees in the city. He said the Cornell group also said that they should not plant anymore maple trees in the city because there were over 50 percent of them already and in case of blight they should think about another species. He said because there were hardly any oak trees they were kind of leaning toward big trees and where there were no wires overhead. He said Commissioner Burrington had suggested the hornbeam and hawthorn hornbeam. He said he would suggest that they purchase trees as soon as possible by contacting a nursery and order 50-75 combination of oak and/or hornbeam, for planting in the spring or next fall. He said in the past they have had the bare root method of planting and volunteers to help but these trees may be big enough and not be bare roots so they may need to have a professional person put them in the ground. He said he was looking to the board for comments.

Commissioner Denicore stated the big trees were going to cost in the hundreds and getting someone to plant them may cost \$200, which would be about \$600 a tree as opposed to what they had paid of about \$100 a tree.

The board held a brief discussion on the matter.

Chair Hutchison stated that with the Mayor asking that the board get busy and start looking for tree sites and the Mayor and the City Attorney indicating city money could be used to do private property plantings, there was the suggestion of a lottery. He said Commissioner Denicore checked on that and found that other municipalities have used the lottery idea which may be better from a legal standpoint.

Commissioners Palladino and Wiggin expressed concern about that process.

Mr. Jonathan Gell, Petitioner, suggested they put potentially full size trees in the treelawns, the so called median which was not a median at all, indicated in Cornell's survey.

**ONEONTA, NEW YORK - JANUARY 11, 2012 - 7:00 P.M.**

**REGULAR MEETING OF THE ENVIRONMENTAL BOARD PG. 5**

**(Old Business)** continued

Commissioner Denicore stated on South Main and Market Street there were at least a dozen.

Commissioner Burrington stated putting all these ideas together it seemed to him that in spring on city property where sites were located appropriate for trees that they the board go ahead with the Mayor's and Common Council's support, which they already had, and do some tree planting. He said in the meantime they could also have through the City Clerk's Office or some other way have The Daily Star publish a notice that people who would like to receive a planting on their property should notice the Clerk or whoever would collect the information. He said the board would not guarantee that these people would have the city put in trees for them but they could submit their request. He said the board could also look for other suitable sites and knock on the doors there. He said the board could also do some research on its own and he did not see any conflict in those various programs.

Commissioner Palladino stated except if the board had to say no to someone that really wanted a tree and then there were legal problems.

Chair Hutchison stated there could be engineering problems as to why a tree could not be planted, such as blocking an intersection and then the city had the right to say no.

Chair Hutchison stated he thought the board could put a notice in the newspaper that the city was interested in knowing if property owners would like to have a tree planted in their yard to please let them know and that recipients of a tree would be chosen by a lottery and site approval.

The board held a brief discussion on the matter.

Chair Hutchison stated he was hearing the board say that with support of the Mayor and Common Council draft a letter that offers property owners an entry into a lottery for selection of potential recipients for the planting of a city tree, potentially large shade trees.

Commissioner Denicore suggested that there be some kind of a committee of the board to discuss details and specifications of the lottery and identify the tree species, for the lottery and he volunteered to head that.

Commissioners Allen and Burrington offered to help with that.

Chair Hutchison stated that it was agreed that Commissioner Denicore would draft a letter and would send it to the commission by e-mail for review. He said he would like to get this rolling and get people and nurseries contacted.

The board held a brief discussion on the poor appearance of the Dietz Street parking lot and expressed dissatisfaction with nothing being done to improve its beautification environmentally. The board questioned what could possibly be done even though the Mayor has said that the Dietz Street parking lot was another issue down the line.

Commissioner Palladino suggested that the Chair give a liaison report on this discussion at the next Common Council meeting.

Chair Hutchison stated that he would try to convey that message again and invited Commissioner Palladino and others to join him.

Chair Hutchison stated that in the e-mail received from Mr. Jonathan Gell, Oneonta resident, that he wanted the board to notify Engineering that the next time they do street work that they allow enough lawn space in order to accommodate trees. He said Commissioner Palladino sent a comment to the effect that even if they did not have sidewalks they should put curbing in. He said the board had no

**ONEONTA, NEW YORK - JANUARY 11, 2012 - 7:00 P.M.**

**REGULAR MEETING OF THE ENVIRONMENTAL BOARD PG. 6**

**(Old Business)** continued

power except to make a suggestion.

The board held a brief discussion on the matter.

Update on the recommendation to address industrial noise

Update on mulching of solid waste for resale

The consensus of the board was to place those two items in the box for enduring issues on the new agenda.

Update on pursuing "Watershed Protection District"

Chair Hutchison stated he had reported at the board's December meeting that he had attended about 10 meetings with city and Town of Oneonta officials. He said out of those matters came a resolution that Town Code Enforcement Officer Paul Neske wanted to get into effect by March. He said apparently the Town Board had found something about it that they did not like even though it was put together by their own people. He said he did not know anything more than that on the status of it.

Update on City grant for Brownfield Study of area south of Rose Avenue

After a brief discussion on the matter the consensus of the board was to place this item in the box for enduring issues on the new agenda.

Chair Hutchison asked if there was anything else the board needed to consider.

Commissioner Palladino suggested item 12 of baseline testing for potential contamination if hydrofracking occurs in the reservoir system. He said he had indicated at the last meeting that he would call Stan Shaffer at the Water Plant and he said he did. He said they had arranged to meet on January 12<sup>th</sup> to discuss the matter.

Commissioner Allen stated that testing was being done. He said he had a student out doing baseline testing not just on the reservoir but there were over a hundred different sample sites. He said they were testing for conductivity, turbidity, and other tests.

Commissioner Palladino stated in addition to that he was talking about looking at VOC's. He said and there were outfits that did that and there was one that was a subsidiary at Cornell. He said it was not that much money to do it for a city. He said he wanted to make sure all of the sampling in the city's reservoir system was reported and done by certified lab which stands up in court and also that they looked at all of the key issues for results of hydrofracking. He said it would cost \$686 per sample precisely, which he thought would be done annually. He said it was in the city's best interest to have a concrete, provable record of this. He said \$686 annually was not that much for doing something so important.

The board held a brief discussion on the matter.

Chair Hutchison stated that the board's next meeting would be Wednesday, February 8<sup>th</sup>.

There being no further business to come before the board, Chair Hutchison adjourned the regular meeting at approximately 8:45 p.m.

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JAMES R. KOURY, City Clerk

JRK/pab