

**ONEONTA, NEW YORK –NOVEMBER 7, 2013 - 4:00 P.M.
REGULAR MEETING OF THE BOARD OF PUBLIC SERVICE PG. 1**

PRESENT: Chair Margery K. Merzig
Commissioner Barry Warren
Commissioner Louis Tisenchek
Commissioner David Hayes
Council Member Madolyn Palmer
ABSENT: Commissioner Joseph Temming

Chair Merzig called the regular meeting to order and asked the Clerk to call the roll.

Chair Merzig stated that as Mr. Alan Rubin was present she would deviate from the order of the agenda and move to discuss the Unsafe Building Hearing for 214 Chestnut Street.

Chair Merzig referenced the Code Enforcement Office's October 22 letter to Mr. Rubin and its attachments which list the current violations at 214 Chestnut Street. She then asked Mr. Rubin to address the Board. He told the Board that he could quickly correct many of the violations, but that some are the result of tenant actions and others stem from drainage problems from properties on King Street, above and behind 214 Chestnut Street. He stated that an Unsafe Declaration could prompt the tenants to take action to resolve some violations.

After discussion, Chair Merzig made the following motion.

MOTION, made by Chair Merzig and seconded by Commissioner Tisenchek that 214 Chestnut Street be declared an Unsafe Building as defined under Oneonta Municipal Code §92-1 D, E, G, and I and that the Board revisit at the next meeting.

Voting Ayes: Chair Merzig
Commissioner Warren
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming

MOTION CARRIED

PETITIONERS

No Petitioners Appeared.

CORRESPONDENCE

Code staff reported receipt of a letter from Mark Polley asking that the Unsafe Building Hearing for 391-393 Main Street (Rodney Clarkson) until the December meeting.

Hearing no objections, Chair Merzig made the following motion.

MOTION, made by Chair Merzig and seconded by Commissioner Hayes, that the Unsafe Building Hearing for 391-393 Main Street be postponed until the regular meeting of the Board on December 5, 2013.

Voting Ayes: Chair Merzig
Commissioner Warren
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming

MOTION CARRIED

ONEONTA, NEW YORK – NOVEMBER 7, 2013 - 4:00 P.M.
REGULAR MEETING OF THE BOARD OF PUBLIC SERVICE PG. 2

OLD BUSINESS

Update: 91 Main Street (Alan Rubin)

Chair Merzig asked for an update on this property, which the Board declared Unsafe at its September meeting. Code Inspector Schlafer reported that the property owner had corrected the violations that prompted the Unsafe declaration.

Chair Merzig asked for a motion on 91 Main Street.

MOTION, made by Commissioner Hayes and seconded by Commissioner Warren, that the Unsafe Building declaration on 91 Main Street be lifted.

Voting Ayes: Chair Merzig
Commissioner Warren
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming

MOTION CARRIED

Chair Merzig then asked Code Enforcement Officer Chiappisi for an update on other properties of concern. He reported that 246 Chestnut Street has been ordered vacated but that some tenants have not yet moved out. He stated that he has asked the City Attorney to begin eviction proceedings against the remaining residents.

MOTION, made by Chair Merzig and seconded by Commissioner Warren, that once all tenants have moved out of 246 Chestnut Street, the Code Enforcement Officer be directed to secure and winterize the property.

Voting Ayes: Chair Merzig
Commissioner Warren
Commissioner Tisenchek
Commissioner Hayes
Noes: None
Absent: Commissioner Temming

MOTION CARRIED

NEW BUSINESS

Discussion: 10 Luther Street

The Board heard a report from Code Enforcement Officer Chiappisi on this rental property. The tenant has reported a water leak, that appears to be active. The tenant reports leaks every time it rains. The ceiling in one room has partially collapsed. Code Enforcement Officer Chiappisi stated that the roofing has been in need of replacement for many years.

After discussion, Chair Merzig instructed the Clerk to schedule an Unsafe Building hearing on this property at the December meeting.

ADDITIONAL OLD BUSINESS

Chair Merzig then opened consideration of the water bill appeal for 60 Miller Street (Nancy Chapin), which had been tabled at the August meeting due to the unavailability of the requested meter test. Chair Merzig noted that a test had been done and that readings were available for the period from June 2012 through October 2013. After discussion, the Board concluded that there appeared to be an aberration when the meter was first installed and that revising the bill to

ONEONTA, NEW YORK – NOVEMBER 7, 2013 - 4:00 P.M.
REGULAR MEETING OF THE BOARD OF PUBLIC SERVICE PG. 3

account for this apparent aberration would not set a precedent, because Ms. Chapin indicated that there may have been a problem due to work that was done at the house next door, which was confirmed by the Water Department.

MOTION, made by Chair Merzig and seconded by Commissioner Hayes that the Board determines that based on evidence provided by Mrs. Chapin that indicated an issue with the meter for a short time after installation and that the readings have been consistent since November 2012, that the 2012 bill for 60 Miller Street be based on the readings from 11/1/2012 through 10/28/2013 annualized and that penalties (which were on hold during the appeal process) be waived.

Voting Ayes: Chair Merzig
Commissioner Warren
Commissioner Tisenchek
Commissioner Hayes

Noes: None

Absent: Commissioner Temming

MOTION CARRIED

APPROVAL OF MINUTES

MOTION, made by Chair Merzig and seconded by Commissioner Hayes that the minutes of the regular meeting held October 3, 2013 be approved.

Voting Ayes: Chair Merzig
Commissioner Warren
Commissioner Tisenchek
Commissioner Hayes

Noes: None

Absent: Commissioner Temming

MOTION CARRIED

There being no further business to come before the board, Chair Merzig adjourned the regular meeting at approximately 4:40 p.m.

DOUGLAS KENDALL, City Clerk

/dk