

## Gary Herzig

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**From:** Gary Herzig  
**Sent:** Friday, March 20, 2020 8:35 PM  
**To:** Diane Georgeson; Douglas Brenner; Morris, Barbara  
**Cc:** Katie Bottger  
**Subject:** RE: Letter to Off Campus Students

Hello Barbara,

In light of the email thread below, I ask that you have Mr. Legg reconsider a message to all students on the important of social distancing and the consequences of not doing so. I have observed groups of students in backyards today playing beer pong seemingly unaware that life has changed. It would seem to be a beneficial message to students no matter where they are currently living.

For a dose of reality on the risk we face by not doing so, I am attaching a link to a current NYTimes projection:

<https://www.nytimes.com/interactive/2020/03/20/us/coronavirus-model-us-outbreak.html?action=click&module=Spotlight&pgtype=Homepage>

The people of this city have been very compliant in social distancing and staying indoors. We need to ask all members of the community to do so. This is serious. We are all sacrificing and isolating. Our students need to be told to do so as well. The Governor has stated that there is to be no social gatherings of any size. We don't want to have to find ways to enforce this, call for state intervention, or enact a curfew. Please - why resistance to sending a message?

Thank you,  
Gary

Gary Herzig  
Mayor, City of Oneonta  
Oneonta, NY 13820  
607.432.6450

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From: Diane Georgeson [dgeorgeson@stny.rr.com]  
Sent: Friday, March 20, 2020 6:42 PM  
To: Douglas Brenner  
Cc: [Frankin.Chambers@oneonta.edu](mailto:Frankin.Chambers@oneonta.edu); Gary Herzig; Katie Bottger  
Subject: Re: Letter to Off Campus Students

Hi Doug,

I just had a talk with Hal. What I didn't realize was that he is not able to send out communications to the off-campus students separately so his concerns make a bit more sense in this light. I do not believe he is willing to reconsider sending out the letter at this time. He did suggest that we consider sending out a Nixie announcement directed toward off campus students who are remaining in the City. He believes many off campus students have signed up for Nixie. This also may be problematic in terms of reaching a wider audience that those it was intended for. ?Thoughts.

Thanks,  
Diane

> On Mar 20, 2020, at 3:17 PM, Douglas Brenner <[dbrenner@oneonta.ny.us](mailto:dbrenner@oneonta.ny.us)> wrote:

>  
> Considering the size of the fire now, I don't think that would add much to it.. I would like to see him reconsider  
> dwb  
>  
> -----Original Message-----  
> From: Diane Georgeson [<mailto:dgeorgeson@stny.rr.com>]  
> Sent: Friday, March 20, 2020 3:10 PM  
> To: Douglas Brenner; [Frankin.Chambers@oneonta.edu](mailto:Frankin.Chambers@oneonta.edu)  
> Cc: Gary Herzig  
> Subject: Letter to Off Campus Students  
>  
> I just received a voice mail from Hal Legg indicating he will not be sending out proposed letter to off campus students.  
>  
> Although I did not see the draft of the letter sent to him my understanding of it's intent was to remind off campus  
students to practice social distancing in accordance with CDC recommendations, both for their own safety and the safety  
of the community.  
>  
> He stated his reason for holding off on this communication was his belief that it may "add fuel to the fire" during this  
time of transition for students.  
>  
> I left a message for him to call me back but have not heard from him yet. My plan is to encourage him to reconsider.  
Please let me know, Franklin and Doug, if you would wish me to do otherwise.  
>  
> Thanks,  
> Diane

## Gary Herzig

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**From:** Morris, Barbara <Barbara.Morris@oneonta.edu>  
**Sent:** Thursday, August 6, 2020 3:05 PM  
**To:** Gary Herzig  
**Cc:** Brannan, Colleen  
**Subject:** RE: Open Letter to Incoming Students  
**Attachments:** sharp-upd\_20200723\_201933.pdf

Thanks Gary - I will share with my team and get back with you on any suggestions. A couple of initial question/clarifications:

1. Will the City be changing ordinances to define more clearly gatherings deemed a threat to public health? Under the governor's reopening plans social gathering in private spaces are limited to 50 and public is limited to 10. The City's Social Host Ordinance seems to only apply to under age drinking.

<https://regs.health.ny.gov/volume-1a-title-10/content/section-66-33-non-essential-gatherings>

<https://forward.ny.gov/reopening-what-you-need-know>

<https://www.wktv.com/content/news/Oneonta-Mayor-passes-underage-party-fine-ordinance-478713793.html#:~:text=At%20Tuesday%20night%27s%20city%20council,a%20party%20with%20underage%20drinking.>

More clarity under the 1<sup>st</sup> bullet point and/or links to pertinent city ordinances would be helpful, especially if they have changed.

2. It is my understanding that the transit contract has not been finalized and that discussions are still ongoing with the Student Association.
3. In paragraph two, you state "through shared sacrifice, the people...." I would note that over half of our students remained in the community during the spring and summer (over 1500 students). I believe acknowledging and thanking them for doing their part in community would be important.
4. I also understand there is continued misunderstanding with regards to our policing jurisdiction. We are limited in how, when, and where we can assist other jurisdictions., we are not simply denying requests from the city.

Below is the language from the Criminal Procedure Law that has been vetted through SUNY legal.

We get our authority from this section:

*34. "Police officer." The following persons are police officers:*

*(s) A university police officer appointed by the state university pursuant to paragraph 1 of subdivision two of section three hundred fifty-five of the education law.*

Our jurisdiction (the area we have police powers, absent a felony or certain misdemeanors):

*34-a. "Geographical area of employment." The "geographical area of employment" of certain police officers is as follows:*

*(d) The geographical area of employment of a police officer appointed*

*by the state university is the campuses and other property of the state university, including any portion of a public highway which crosses or abuts such property.*

Every police officer has jurisdictional boundaries. An Albany police officer has no jurisdiction here and no authority (except for certain misdemeanors and felonies). A NY State Trooper has statewide jurisdiction. Section 34-a further clarifies this under subsection (a):

*\* (a) **Except** as provided in paragraph (d) of this subdivision, New York state constitutes the "geographical area of employment" of any police officer employed as such by an agency of the state or by an authority which functions throughout the state, or a police officer designated by the superintendent of state police pursuant to section two hundred twenty-three of the executive law;*

We are that exception outlined in paragraph (d) above.

These are turbulent and uncertain times and I appreciate the continued open and honest communication. If my team has additional comments/suggestions I will forward them along.

All the best,  
Barbara

Barbara Jean Morris, Ph.D.  
President  
SUNY Oneonta  
108 Ravine Parkway  
301 Netzer Administration Building  
Oneonta, NY 13820  
607-436-2500

<https://suny.oneonta.edu/>

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**From:** Gary Herzig <[gherzig@oneonta.ny.us](mailto:gherzig@oneonta.ny.us)>  
**Sent:** Thursday, August 6, 2020 2:39 PM  
**To:** Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>  
**Subject:** Open Letter to Incoming Students

Hi Barbara,

I fully understand that my proposed orientation message was not seen as consistent with the tone of the College's overall orientation message.



**OFFICE OF THE MAYOR**  
City Hall, 258 Main Street  
Oneonta, NY 13820-2589

**Phone:** 607.432.6450  
**Fax:** 607.433.3420  
**Internet Address:**  
[www.oneonta.ny.us](http://www.oneonta.ny.us)  
**E-Mail Address:**  
[mayor@oneonta.ny.us](mailto:mayor@oneonta.ny.us)

August, 2020

**Welcome to our Incoming Students During this Time of National Pandemic**

Dear Hartwick College and SUNY Oneonta Students,

Whether you are a new or a returning student, I look forward to having you join us as part of the Oneonta community. As Mayor of the City of Oneonta, I welcome you to our community. We value your presence and you enrich our community in many ways. Unfortunately, this year will be like no other in our history. As we speak, communities across our country are being ravaged by COVID-19 and lives are being lost. Small cities and rural communities have not been immune.

Through shared sacrifice, the people of the City of Oneonta have succeeded in keeping our number of COVID cases low. During the past 4 months, we have sacrificed nightlife, socializing with friends, eating out, and for many - even their jobs. I now ask you to join us in this spirit of shared sacrifice. As we have recently begun to see a small increase in new cases, we must recognize that stakes are high and we must all continue to sacrifice if we are to protect ourselves and each other.

Both Hartwick College and SUNY Oneonta are implementing comprehensive plans designed to keep you safe while on campus and I applaud them for doing so. To prevent the spread of COVID-19, you are being required to sacrifice many of the things that make a college experience so meaningful – visiting friends, eating with friends, group activities, socializing, athletics, in-person classrooms and so much more. I know how difficult this will be and I want to thank you for your cooperation and sense of community.

While your college presidents assume the responsibility for keeping you safe on campus, I assume the responsibility to keep you safe in our community. Let's face it - it makes no sense for you to sacrifice so much when you are on campus if the same approach is not taken when off campus. The virus doesn't care where you are. The virus doesn't respect boundaries or property lines. It is happy to infect you wherever it can find you. If we fail to exercise the same controls off campus as being experienced on campus, we will then fail in our responsibility to protect you and to protect our entire community.

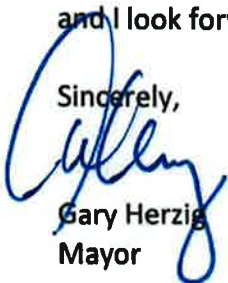
For these reasons, our regulations and practices off campus will follow the same intent of the safety plans established by your college. Key issues of which I ask you to be aware include:

- Similar to living in a campus dormitory, this year we are all expected to limit visitations. Gatherings, whether indoor or outdoor, that are deemed by our Police Department as either threats to public health or as neighborhood nuisances will not be permitted. Enforcement will be strict and violators will face fines of up to \$1,000 and criminal charges.
- In keeping with the intent of the college's safety plan, socializing, dining and drinking in large groups is too dangerous to permit. For this reason, we will be limiting the hours of public transportation to essential activities only. We will work closely with the Student Association to identify times and routes which will be needed to transport students to classes, shopping, the library, etc.
- We will all work in partnership in addressing the risk we face in relocating during a national pandemic. Each college will have a team of students, staff, and faculty meeting regularly with city officials to evaluate how things are going and, working together, make decisions on any adjustments which may be needed.
- A phone number will be published as a dedicated hotline to allow anyone to report an observed threat to public health, thereby, allowing city officials to respond rapidly.

This is not the type of year which any of us wanted to see. We are dealing with an unprecedented situation. There are many unknowns and for that reason we will remain flexible as things may play out better or worse than anticipated. Based upon circumstances, we can decide together on loosening or tightening restrictions.

We find ourselves in uncharted territory and we will need to navigate it together. Only through shared sacrifice can we ensure the health and safety of all – students, faculty, staff, and year-round community residents – while you continue with your studies. This is just the beginning and I look forward to open communication and working with you throughout the year.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Gary Herzig', is written over the typed name and title.

Gary Herzig  
Mayor

## **Gary Herzig**

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**From:** Gary Herzig  
**Sent:** Thursday, August 6, 2020 2:39 PM  
**To:** Morris, Barbara  
**Subject:** Open Letter to Incoming Students  
**Attachments:** DS 0806.docx

Hi Barbara,

I fully understand that my proposed orientation message was not seen as consistent with the tone of the College's overall orientation message.

I have revised the message to include both Hartwick and SUNY students and will have it go out publicly both in print and by video.

Attached is a draft. Please review it and let me know of any concerns.

Thank you,  
Gary

***Gary Herzig***  
**Mayor, City of Oneonta**  
Oneonta, NY 13820  
607.432.6450

## Gary Herzig

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**From:** Morris, Barbara <Barbara.Morris@oneonta.edu>  
**Sent:** Friday, August 7, 2020 10:42 AM  
**To:** Gary Herzig  
**Cc:** Brannan, Colleen; Legg, Hal; Chambers, Franklin; Finch, Amanda  
**Subject:** RE: Open Letter to Incoming Students

Dear Gary,

After consultation with my team, we feel that it would be best for you to address the entire community rather than single out the student population. By addressing the entire community you will avoid creating and/or perpetuating an us vs. them mentality. Importantly, many community members may be unaware that the city will be enforcing a stricter code of conduct under the Criminal Nuisance Law. Also citizens may not be aware that they should curb their interactions as you suggest in your letter and below, such as not having visitors or going out to dinner. Importantly, citizens should be aware that transit hours will be limited and that there will be a hotline to report an observed threat to public health. These are important announcements for all citizens of Oneonta and therefore should be communicated broadly to all constituent groups. By communicating to all, no one group will be treated differently and all will have equal access to crucial information.

I appreciate the continued dialogue as we both strive to protect and serve our community.

Best,  
Barbara

Barbara Jean Morris, Ph.D.  
President  
SUNY Oneonta  
108 Ravine Parkway  
301 Netzer Administration Building  
Oneonta, NY 13820  
607-436-2500

<https://suny.oneonta.edu/>

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**From:** Gary Herzig <gherzig@oneonta.ny.us>  
**Sent:** Thursday, August 6, 2020 4:46 PM  
**To:** Morris, Barbara <Barbara.Morris@oneonta.edu>  
**Cc:** Brannan, Colleen <Colleen.Brannan@oneonta.edu>  
**Subject:** Re: Open Letter to Incoming Students

1. Gatherings are permitted in both public and private spaces of either up to 50 or the number which can remain socially distanced in any given space. Hosting a gathering in a space which does not permit distancing is deemed a threat to public health and will be enforced as such. The Criminal Nuisance Law will be applied when applicable and carries fines of up to \$1,000.



2. The Transit Contract has not been finalized. In discussion with SA President Nolan, it was stated that in staying consistent with the intent of the College's Safety Plan, we do not find it appropriate to have students ride crowded buses to participate in nightlife activities. We will provide evening transportation for all essential matters such as shopping, library, night classes as needed. Tim Nolan was asked to assess the extent of that need and then work with OPT to develop the required routes.
3. Your suggestion to acknowledge the students who were here during the Spring and Summer is a good one and I will do so. I do not know how many students have been with us but reports I receive from landlords, businesses, and OPD estimate the number at being much lower than 1500. Most landlords only provide 10 month leases.
4. We have an MOU (attached) with UPD which states that each department may request and provide emergency assistance. UPD has provided such assistance on numerous occasions most recently to assist with a manhunt in the rail yard. In the past, I believe UPD has provided officers to patrol alongside an OPD officer on an OHFest day. I understand that they can certainly decline our OPD's request in this case as they do not see the current pandemic threat as an emergency. In talking with both attorneys, mayors and other SUNY presidents, I find that this is more a cultural issue than a legal issue. There are UPDs that provide much off campus assistance for policing their students while others refuse to do so.

Barbara,

Most importantly, we are trying to meet the challenge of keeping everyone safe when 7,000 people relocate into a small community at the same time during a national pandemic. Our practices are modeled after the ones that the college has established on campus. If eating in a dining hall, allowing dormitory visits, and lack of distancing are deemed unsafe on campus, I thought that our attempts to see those same activities curtailed in the community would be welcomed. It was my expectation that the college would be thankful to have us attempting to provide similar safety measures to what is being provided to students on campus. I see not doing so as shirking our responsibility by failing to curtail the very same types of activities that the college is working so hard to prevent.

It seems to me that we should have the same goal and be able to work in partnership towards achieving it. Whether the disease is spread on campus or off campus, the result can be very bad. I welcome all ideas in addressing this challenge and would be happy to meet to share ideas.

Thank you,

Gary

**Gary Herzig**  
**Mayor, City of Oneonta**  
Oneonta, NY 13820  
607.432.6450

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**From:** Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>

**Sent:** Thursday, August 6, 2020 3:05:10 PM

**To:** Gary Herzig

## Gary Herzig

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**From:** Gary Herzig  
**Sent:** Thursday, August 20, 2020 3:38 PM  
**To:** Harclerod, Bill; David Hotaling; Douglas Brenner; David Rissberger; Luke Murphy; Mark Davies; Kaytee Lipari Shue; Len Carson; Scott Harrington; John Rafter; Mark Drnek  
**Cc:** SAPres, . (SAPRES@oneonta.edu); Morris, Barbara; David Merzig  
**Subject:** Re: shuttle service

Mr. Harclerod,

The City of Oneonta has a long history of working in close partnership with both the Student Association and the SUNY Oneonta administration. No one has has advocated for integrating our students into this community and respecting them as citizens more than I. As citizens of our community, their health and safety is our responsibility and my topmost priority. Your accusation of the City "trying to play various campus folks off each other and stoking/reflecting fears of the students" is extremely unfortunate.

Mr. Hotaling is currently in direct communication - as recent as this afternoon - with the Student Association president. I am told that their talks are productive and respectful of each other's positions. As I discussed with Dr. Morris this morning, the unfortunate perception of conflict is due primarily to the lack of a clear line of communication which has resulted in mixed messages. Mr. Hotaling will continue to communicate directly with the Student Association president as the authorized representative of the contracting organization.

We should be united in our primary goal of keeping both our students and year-round residents safe and healthy. I am confident that Mr. Hotaling and Mr. Nolan can come to a mutual agreement.

**Gary Herzig**  
**Mayor, City of Oneonta**  
Oneonta, NY 13820  
607.432.6450

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**From:** Harclerod, Bill <[Bill.Harclerod@oneonta.edu](mailto:Bill.Harclerod@oneonta.edu)>  
**Sent:** Thursday, August 20, 2020 2:54:44 PM  
**To:** David Hotaling; Gary Herzig; Douglas Brenner; David Rissberger; Luke Murphy; Mark Davies; Kaytee Lipari Shue; Len Carson; Scott Harrington; John Rafter; Mark Drnek  
**Cc:** SAPres, . ([SAPRES@oneonta.edu](mailto:SAPRES@oneonta.edu))  
**Subject:** shuttle service

Mayor Herzig, Council Members, Chief Brenner, and David –

The Student Association **is not** running a late night shuttle to replace what the City of Oneonta took away from the students. The Student Association has contracted with Hale to provide a shuttle to Southside and Wal Mart and back. Most students would not be able to take the time needed to take OPT downtown and then transfer to southside and back given that most classes occur during the day and are happening synchronously even if virtual. The shuttle does make one downtown stop because we do have off-campus students, without cars, who do need to shop as well. It is scheduled to go until 9 PM. Here is exactly how it is being shows to students:



## SA Shopping Shuttle Southside/Wal



### Date and Time

Thursday, August 20 2020

Thursday, August 20 2020

Add To [Google Calendar](#) | [iCal](#)



### Location

see schedule in description

## Description

THIS SHUTTLE IS FOR TRANSPORT TO AND FROM SOUTHSIDE/WAL MART. IT DOES MAKE A DOWNTOWN STOP FOR STUDENTS WHO LIVE OFF CAMPUS TO ALSO GET TO SOUTHSIDE/WAL MART BUT IS NOT TO BE USED FOR TRANSPORT BETWEEN THE CAMPUS AND DOWNTOWN.

### Schedule

bus leaves at from

- 4:00 PM Hunt Union\*
- 4:15 PM Market St
- 4:30 PM Southside
- 4:40 PM Wal Mart
- 5:00 PM Hunt Union\*
- 5:15 PM Market St
- 5:30 PM Southside
- 5:40 PM Wal Mart
- 6:00 PM Hunt Union\*
- 6:15 PM Market St
- 6:30 PM Southside
- 6:40 PM Wal Mart
- 7:00 PM Hunt Union\*
- 7:15 PM Market St
- 7:30 PM Southside
- 7:40 PM Wal Mart
- 8:00 PM Hunt Union\*
- 8:15 PM Market St
- 8:30 PM Southside
- 8:40 PM Wal Mart
- 8:50 AM Market St (drop off only)
- 9:00 PM Hunt Union\* (drop off only)

\*Hunt Union is the stop during move-in week only. Will be the Morris Conference Center starting on 8/24.

The shuttles have an additional person besides the driver. This person is asking them where they are going to make sure they are going shopping and checking them in for contact tracing purposes as well as enforcing COVID 19 guidelines. I would note that we had offered to pay for a similar person for OPT during negotiations.

OPT service is not and has never been about enabling bad behavior. It is about providing safety to students as they navigate young adulthood. COVID 19 is certainly a challenge that we take very seriously but it doesn't negate the many other challenges we are always balancing. It is important to remember that the system came about due to a series of drunk driving incidents. It is also a quality of life issue for city center residents as, without a bus, there will be a lot more foot traffic.

This all could have been avoided if the City of Oneonta would just have asked instead of trying to play various campus folks off of each other and stoking/reflecting fears of the students. I do know that our students act differently off-campus than on but, part of that, is that they know where they feel welcome and where they don't. This whole process just reinforces their perception that they are not considered to be Oneontans but outsiders.

If you have any questions you can always contact me and David has my cell phone as well.

**bill** (he/him/his)

*"A college's commission—and its concomitant license to choose among pedagogical approaches—is not confined to the classroom, for extracurricular programs are, today, essential parts of the educational process." ... "involvement in student groups is a significant contributor to the breadth and quality of the educational experience" - Justice Ruth Bader Ginsberg writing on behalf of the majority in the Hastings decision.*

**SUNY  
ONEONTA**

We nurture a community where students grow intellectually, thrive socially and live purposefully.

bill harclerod, Director of Campus Activities & Leadership

220 Hunt College Union, Oneonta, NY 13820

607.436.2550

[connect.oneonta.edu](http://connect.oneonta.edu)

MBTI: **ISTP**

Strengths: **Relator, Responsibility, Learner, Analytical, Achiever**

## **Gary Herzig**

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**From:** Morris, Barbara <Barbara.Morris@oneonta.edu>  
**Sent:** Thursday, August 20, 2020 3:59 PM  
**To:** Gary Herzig  
**Subject:** RE: Talk

Thanks Gary- I am glad the conversations are progressing

Barbara Jean Morris, Ph.D.  
President  
SUNY Oneonta  
108 Ravine Parkway  
301 Netzer Administration Building  
Oneonta, NY 13820  
607-436-2500

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**From:** Gary Herzig <[gherzig@oneonta.ny.us](mailto:gherzig@oneonta.ny.us)>  
**Sent:** Thursday, August 20, 2020 3:50 PM  
**To:** Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>  
**Subject:** Re: Talk

Hi Barbara,

Just to keep you informed on the bus issue - OPT Transit Director David Hotaling had a productive conversation with Timothy Nolan this morning. The City has always agreed to provide all the transportation now being provided by Hale with the exception of the 8:50pm and 9:00pm drop off downtown. The reason being that dropping students off downtown with no return transportation provided later in the night creates a number of concerns and feels somewhat irresponsible. We seem to be not that far apart. The biggest roadblock, quite honestly, is Mr. Harclerod's inflammatory approach as seen in his recent email.

Thank you.

Gary

**Gary Herzig**  
**Mayor, City of Oneonta**  
Oneonta, NY 13820  
607.432.6450

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**From:** Gary Herzig  
**Sent:** Thursday, August 20, 2020 2:11:17 PM

**To:** Morris, Barbara  
**Subject:** Re: Talk

Thank you. I agree.

**Gary Herzig**  
**Mayor, City of Oneonta**  
Oneonta, NY 13820  
607.432.6450

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**From:** Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>  
**Sent:** Thursday, August 20, 2020 1:03:19 PM  
**To:** Gary Herzig  
**Subject:** RE: Talk

Dear Gary,

I just saw this article. It is very disturbing. Thanks for our conversation today. I hope we can avoid any future misunderstandings.

<https://www.allotsego.com/3-of-suny-stances-disappoint-mayor/>

Best,  
Barbara

Barbara Jean Morris, Ph.D.  
President  
SUNY Oneonta  
108 Ravine Parkway  
301 Netzer Administration Building  
Oneonta, NY 13820  
607-436-2500

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**From:** Gary Herzig <[gherzig@oneonta.ny.us](mailto:gherzig@oneonta.ny.us)>  
**Sent:** Thursday, August 20, 2020 10:45 AM  
**To:** Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>  
**Subject:** Re: Talk

**Gary Herzig**  
**Mayor, City of Oneonta**  
Oneonta, NY 13820  
607.432.6450

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**From:** Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>  
**Sent:** Thursday, August 20, 2020 10:43:55 AM  
**To:** Gary Herzig  
**Subject:** RE: Talk

Hi Gary,

I am available now. Which number is best to call?

Best,  
Barbara

Barbara Jean Morris, Ph.D.  
President  
SUNY Oneonta  
108 Ravine Parkway  
301 Netzer Administration Building  
Oneonta, NY 13820  
607-436-2500

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**From:** Gary Herzig <[gherzig@oneonta.ny.us](mailto:gherzig@oneonta.ny.us)>  
**Sent:** Thursday, August 20, 2020 10:22 AM  
**To:** Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>  
**Subject:** Talk

Barbara,

I suggest we have schedule a phone call - I can be available this afternoon before 3:00 or any time after 4:00. We are having trouble knowing who to talk with at the college which is resulting in conflicting information or lack of information.

The press loves controversy and is having a field day with portraying conflict.

Thanks,

Gary

**Gary Herzig**  
**Mayor, City of Oneonta**  
Oneonta, NY 13820  
607.432.6450

## **Gary Herzig**

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**From:** Gary Herzig  
**Sent:** Sunday, August 23, 2020 7:55 PM  
**To:** Morris, Barbara; Chambers, Franklin  
**Cc:** Douglas Brenner; Diane Georgeson  
**Subject:** Saturday Night

Hello Barbara and Frank,

While Friday night offered some signs of hope, Saturday night was a completely different story. Probably easiest if I just provide you with some excerpts from the reports of the Sergeants on duty that night:

- *Saturday night we were swamped all night, busier than Friday night with tons of kids walking around center city trying to find a place to go. We had a fight call near 42 Ford Ave, however when we got there parties had scattered. Looking into it more it appears two frats have a beef with each other, Ki Phi and Phi Si. Phi Si lives at 22 Market St and Ki Phi lives at 42 Ford Ave. Hopefully this weekend isn't a preview of how the whole school year is going to be.*
- The bars are running at substantially diminished capacities. This leads to an ABSOLUTE EXPLOSION of house parties. The sheer number of enormous groups of people that we observed walking around the residential streets last night was alarming and unsettling. A quick and easy solution to that would be to increase arrests for such parties however, we simply *cannot* keep up. I will look into conducting proactive "Good neighbor" talks at the frat houses
- -It is my understanding that in light of current Covid conditions, the college has held the students responsible to act according to guidelines. Thus far, no groups of students are wearing masks, and hundreds or even thousands of students are eagerly attending huge gatherings and house parties throughout the city. The students are not heeding to the warnings, and it seems that going away to college is more their "escape from Covid."

Obviously, this is not what any of us wanted to see. There are many unanswered questions including:

- How are most of the students getting downtown?
- Are they primarily on or off-campus residents?
- Are the many on campus restrictions resulting in more students going off campus?
- Is the greatly diminished capacity at the bars resulting in students seeking other places to party?

I think we all can agree that we must find a way to turn this around.

I suggest we meet together in an attempt to discuss how. I can be available Tuesday either before 10:00am, between 1:00 and 3:00pm, or after 4:00pm.

Thank you,  
Gary

**Gary Herzig**



Dear Gary,

97 percent of our courses are being taught remotely. The few courses being taught in person are in music, art, theater, and lab sciences. For example, there are only 26 face to face classes scheduled for today. To date, 2073 students have checked into our residence halls, which equates to 67% of our bed capacity, which two halls offline for quarantine and isolation. Enrollment counts are fluid until we take census on Oct. 15<sup>th</sup>. We do not have an accurate count of students living in the community. All students have access to our campus events, library, dining halls, and facilities whether they live on campus or not. Card access is required for building access. Facilities are only open to students, staff, and faculty, this includes the library and Hunt Union/Starbucks. Red Dragon Outfitters, operated by Auxiliary Services is open to the public with density restrictions in place. It is my understanding that the OPT contract is still being reviewed by the City and has not been finalized.

On another note, a question arose as to whether Hartwick staff and students are being asked to be part of the area control group, we should believe they should be a part of the group. I know you expressed concerns regarding student behavior off campus over the weekend. I expect that these concerns will be discussed at the upcoming control group meeting.

Best,

Barbara

Barbara Jean Morris, Ph.D.

President

SUNY Oneonta

108 Ravine Parkway

301 Netzer Administration Building

Oneonta, NY 13820

607-436-2500

**From:** Gary Herzig <[gherzig@oneonta.ny.us](mailto:gherzig@oneonta.ny.us)>

**Sent:** Sunday, August 23, 2020 11:35 AM

**To:** MacLeod, Kim <[Kim.MacLeod@oneonta.edu](mailto:Kim.MacLeod@oneonta.edu)>

**Cc:** Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>; Luke Murphy <[lmurphy@oneonta.ny.us](mailto:lmurphy@oneonta.ny.us)>; Mark Davies <[mdavies@oneonta.ny.us](mailto:mdavies@oneonta.ny.us)>; David Rissberger <[drissberger@oneonta.ny.us](mailto:drissberger@oneonta.ny.us)>; Kaytee Lipari Shue <[kliparishue@oneonta.ny.us](mailto:kliparishue@oneonta.ny.us)>; Len Carson <[lcarrson@oneonta.ny.us](mailto:lcarrson@oneonta.ny.us)>; Scott Harrington <[sharrington@oneonta.ny.us](mailto:sharrington@oneonta.ny.us)>; Mark Drnek <[mdrnek@oneonta.ny.us](mailto:mdrnek@oneonta.ny.us)>; John Rafter <[jrafter@oneonta.ny.us](mailto:jrafter@oneonta.ny.us)>; David Hotaling <[DHotaling@oneonta.ny.us](mailto:DHotaling@oneonta.ny.us)>; Douglas Brenner <[dbrenner@oneonta.ny.us](mailto:dbrenner@oneonta.ny.us)>; Katie Bottger <[kbottger@oneonta.ny.us](mailto:kbottger@oneonta.ny.us)>; Diane Georgeson <[dgeorgeson@stny.rr.com](mailto:dgeorgeson@stny.rr.com)>; David Merzig <[dmerzig@oneonta.ny.us](mailto:dmerzig@oneonta.ny.us)>

**Subject:** Communications

Ms. Macleod,

I am being contacted by a good number of City citizens expressing confusion regarding your recent statements in The Daily Star. In a time of widespread concern and fear, the least we, as community leaders, can do is to provide good information and transparency.

The following statements regarding the number of students returning to Oneonta -

*as many as 90% of the college's approximately 6,000 students will be taking remote classes this semester and most of the students who do return to campus are in fields that require hands-on learning. and "I think the impression is that everyone is coming back to take classes on campus this fall, but I can tell you that is not the case," -*

has caused considerable confusion. Please share with me the actual number of students now residing on campus and the number living off-campus in the Oneonta community, so that I am able to respond to the the questions which I am receiving.

Regarding bus service, I ask that you reconsider your statement -

*"We are looking just to give our students access to the things they need, which includes food and other supplies," and that the the Student Association is "only looking to hire a private bus if the city does not have buses available for students to do afternoon and evening shopping."*

The City of Oneonta has been clear from the beginning, that we are in full agreement with providing evening transportation for shopping, dining, and other essentials to both downtown and Southside and we have expressed a full willingness to do so. We are all aware that dropping passengers off on Market Street at 9:00pm is not for shopping - as, unfortunately, the only places open downtown after that hour are bars.

I fully believe that we all want to be successful in reopening our colleges and welcoming our students back to Oneonta. I have no doubt that we are all trying our best to do so in good faith. It does appear, however, that we may need to tighten our lines of communication so that we are all hearing the same thing.

Our success will only be possible if we can speak in partnership with one voice and with maximum transparency. I will continue to be available to meet or speak at any time towards achieving that goal.

Thank you,

Gary Herzig  
Mayor, City of Oneonta  
Oneonta, NY 13820  
607.432.6450

## Gary Herzig

---

**From:** Morris, Barbara <Barbara.Morris@oneonta.edu>  
**Sent:** Friday, August 28, 2020 8:15 AM  
**To:** Diane Georgeson  
**Cc:** Brannan, Colleen; Fallon-Korb, Melissa; Gary Herzig; Heidi Bond  
**Subject:** RE: Testing of students

Wonderful- thank you

Barbara Jean Morris, Ph.D.  
President  
SUNY Oneonta  
108 Ravine Parkway  
301 Netzer Administration Building  
Oneonta, NY 13820  
607-436-2500

-----Original Message-----

From: Diane Georgeson <[dgeorgeson@stny.rr.com](mailto:dgeorgeson@stny.rr.com)>  
Sent: Friday, August 28, 2020 7:42 AM  
To: Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>  
Cc: Brannan, Colleen <[Colleen.Brannan@oneonta.edu](mailto:Colleen.Brannan@oneonta.edu)>; Fallon-Korb, Melissa <[Melissa.Fallon@oneonta.edu](mailto:Melissa.Fallon@oneonta.edu)>; Gary Herzig <[gherzig@oneonta.ny.us](mailto:gherzig@oneonta.ny.us)>; Heidi Bond <[bondh@otsegocounty.com](mailto:bondh@otsegocounty.com)>  
Subject: Re: Testing of students

Thank you Barbara, I am available at 9:30.  
I can be reached at [REDACTED]

Best Regards,  
Diane

> On Aug 28, 2020, at 6:50 AM, Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)> wrote:  
>  
> Hi Diane,  
>  
> I would be happy to speak with you directly about our testing. I am available at 9:30 am. If this time does not work, we can find another time to accommodate your schedule.  
>  
> Best,  
> Barbara  
>  
> Barbara Jean Morris, PhD  
> President  
> SUNY Oneonta  
> 103 Ravine Parkway  
> 301 Netzer Administration Building  
> Oneonta, NY. 13820  
> 607.436.2500  
>

> Sent from my iPhone

>

>> On Aug 27, 2020, at 10:09 PM, Diane Georgeson <[dgeorgeson@stny.rr.com](mailto:dgeorgeson@stny.rr.com)> wrote:

>>

>> Colleen,

>>

>> In our conversation earlier today I asked if you would be able to share with me any plans the campus had for testing students going forward.

>>

>> I feel this was not an unreasonable request given that I have been having discussions with Melissa throughout the last few months regarding testing and I had hoped, as the City Health Officer, that we could continue to work cooperatively and with some openness.

>>

>> I am disappointed that I have received no information from you. I have seen an e-mail that was sent to faculty indicating that pool testing will be mandatory for all students who live on campus, have in person classes, or use any campus facilities. There was no mention in this correspondence of testing plans or availability for students who have returned to the community and do not meet these criteria.

>>

>> I would like to know if pool testing will be available for those students or if there is a plan for communicating to those students where they may be able to access testing.

>>

>> I am requesting this because I feel it is my responsibility to assure that we are all doing everything thing we can to keep our community, including students both on and off campus, as healthy as possible.

>>

>> Thanks,

>> Diane

>>

## **Gary Herzig**

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**From:** Morris, Barbara <Barbara.Morris@oneonta.edu>  
**Sent:** Tuesday, September 8, 2020 2:48 PM  
**To:** Gary Herzig; drugovichm  
**Cc:** Legg, Hal  
**Subject:** RE: students

Dear Gary,

We are working with SUNY system to develop a comprehensive messaging strategy for students.

Best,  
Barbara

Barbara Jean Morris, Ph.D.  
President  
SUNY Oneonta  
108 Ravine Parkway  
301 Netzer Administration Building  
Oneonta, NY 13820  
607-436-2500

<https://suny.oneonta.edu/>

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**From:** Gary Herzig <[gherzig@oneonta.ny.us](mailto:gherzig@oneonta.ny.us)>  
**Sent:** Tuesday, September 8, 2020 2:45 PM  
**To:** Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>; drugovichm <[drugovichm@hartwick.edu](mailto:drugovichm@hartwick.edu)>  
**Subject:** Fw: students

Barbara and Margaret,

Please see the below message I received from Chief Brenner - an interesting perspective. Any efforts to put out messaging that reinforces the reality that a recent positive test cannot be considered a safeguard would be helpful for all.

Thank you,

Gary

**Gary Herzig**

**Mayor, City of Oneonta**

Oneonta, NY 13820  
607.432.6450

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**From:** Douglas Brenner

**Sent:** Tuesday, September 8, 2020 1:13 PM

**To:** Gary Herzig

**Subject:** students

Mayor,

I have been reviewing body cameras from the officers encounters with some of the students at gatherings etc. The basic defense the students give is that they feel since they and as they claim, everyone at the gathering tested negative, they can have the party. Some of the students have even offered to produce the test results as a way of arguing their point. We both know that is no excuse or does a negative test result absolve their responsibility to maintaining proper actions, masks and social distancing.

I have relayed this to Chief Fila in an attempt to have her try to get a message to the students regarding negative tests and how it does not play into the whole precautions formula.

Is there some way we could reinforce this? I will advise the officers that negative test or not it is not relevant, I think they know this but just as a reinforcement.

Let me know your thoughts

Douglas W. Brenner

Chief of Police

79 Main Street

Oneonta, NY 13820

607.431.1345

## Gary Herzig

---

**From:** Morris, Barbara <Barbara.Morris@oneonta.edu>  
**Sent:** Monday, September 14, 2020 4:48 PM  
**To:** Diane Georgeson  
**Cc:** Gary Herzig; Greg Mattice; Squair, Lachlan  
**Subject:** RE: Wastewater testing

Dear Diane,

Since students do not have to share local address with us, we do not have information on where students are living. I think the best way to gauge this information is to ask landlords regarding housing capacity and vacancy rates.

DOH based on contact tracing monitors locations of students in isolation off campus.

Regards,  
Barbara

Barbara Jean Morris, Ph.D.  
President  
SUNY Oneonta  
108 Ravine Parkway  
301 Netzer Administration Building  
Oneonta, NY 13820  
607-436-2500

<https://suny.oneonta.edu/>

-----Original Message-----

**From:** Diane Georgeson <[dgeorgeson@stny.rr.com](mailto:dgeorgeson@stny.rr.com)>  
**Sent:** Monday, September 14, 2020 4:41 PM  
**To:** Morris, Barbara <[Barbara.Morris@oneonta.edu](mailto:Barbara.Morris@oneonta.edu)>  
**Cc:** Gary Herzig <[gherzig@oneonta.ny.us](mailto:gherzig@oneonta.ny.us)>; Greg Mattice <[gmattice@oneonta.ny.us](mailto:gmattice@oneonta.ny.us)>; Squair, Lachlan <[Lachlan.Squair@oneonta.edu](mailto:Lachlan.Squair@oneonta.edu)>  
**Subject:** Wastewater testing

Greetings Barbara,

Thank you for taking the time today to review some of your methods and share some of your results re: Wastewater testing.

Our team, led by City Engineer Greg Mattice, is looking forward to continued meetings and sharing of information with Lachlan's group.

Also thank you for clarifying how you arrived at some of the data presented on the SUNY COVID-19 Tracker. Reviewing this again I am hoping you could share with me how many of the 188 students who are in isolation off campus remain in Oneonta.

Could you also let us know how many students plan to remain in the community while continuing their studies online? I did not see an estimate of these numbers in your testing plan which was submitted to the state.