

The Otsego Town Board held an emergency meeting on the 17th day of April 2012 at the Town Building, Fly Creek, NY at 6:00 PM. Notice of the meeting was posted and The Daily Star was given prior notice of the meeting.

Town Board Members Present:

Anne Geddes-Atwell	Supervisor
Bennett Sandler	Councilman
Langhorn Keith	Councilman

Also Present:

Michelle Kennedy	Town Attorney
Pamela Deane	Town Clerk
Joe Mahoney	The Daily Star Reporter

Supervisor Geddes-Atwell called the meeting to order. The purpose of the meeting was to address Verizon's unwillingness to move conduits on Linden Avenue without written consent from the Town Board due to a Stop Work Order placed on the Cooperstown Intermodal Transit Center Project by the Town Zoning Enforcement Officer.

Town Attorney Michele Kennedy submitted one option for the Town Board's consideration, which was to pass a Resolution granting zoning immunity to the Cooperstown Intermodal Transit Center Project, as presented in plans consisting of sixty-six pages dated July 7, 2011 and as amended on August 5, 2011. Attorney Kennedy explained that once the Stop Work Order was issued the decision to initiate a court action or to consider a strategy to prevent or stop a court action rests solely on the Town Board. Any further modifications to the project would not be covered under this Resolution.

Councilman Keith reported meeting with Village Attorney Martin Tillapaugh and Planning Board Attorney James Ferrari. Both agreed that the major cause for the standstill in approving the project concerned the plans for the storm drainage system. The storm drainage system proposed by the Village was an infiltration system whereby solids are spun out by a vortex machine. The Town Planning Board consulted with engineer James Forbes who questioned the use of this infiltration design where water is drained into a pit instead of an off-site pond. The Village successfully answered all of Forbes concerns. Forbes was confident that if the site passed a soil test the test pit and the system would work. A soil test was done and passed. D.E.C., the ultimate authority on storm water, approved the Village's plan. Keith felt that the big remaining question was whether or not the system would adversely impact the neighbors. He was assured by D.E.C's approval and felt confident that the infiltration system proposed by the Village was not only reasonable and practical but would not pose a flooding problem to any of the neighbors. Councilman Keith pointed out that this project has had a Public Hearing allowing citizens to express their opinion. Concerns have been dealt with. To the Planning Board's credit, directional signage were requested. Because of the critical deadline, Federal funding for this project that will benefit Town residents more than Village residents, may disappear. Councilman Keith concluded that it is his opinion that the proposed resolution submitted by Town Attorney Michele Kennedy is entirely appropriate for our sister municipality.

Councilman Sandler asked if there were any material changes that needed to be addressed other than the storm water drainage.

Councilman Keith replied "No".

The Board reviewed and amended the proposed resolution.

MOTION by Councilman Keith, seconded by Councilman Sandler, to adopted the proposed resolution offered by Town Attorney Michele Kennedy as amended, granting zoning immunity to the Cooperstown Inermodal Transit Center Project as presented in Plans consisting of sixty-pages dated July 7, 2011 and as amended on August 5, 2011.

MOTION CARRIED: All were in favor.

RESOLUTION ADOPTED: (Resolution Adopted pgs. 99-103)

MOTION by Councilman Sandler to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 6:50PM.

Respectfully Submitted,

Pamela Deane  
Town Clerk

