

The Town of Otsego Town Board held a Regular Monthly Meeting on the 14th day of February 2024 at 7:00 pm at the Town Building in Fly Creek, NY.

Town Board Members Present:

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| Benjamin Bauer | Supervisor |
| Chris Kjolhede | Councilperson |
| Patricia Kennedy | Councilperson |
| Deb Dalton | Councilperson |

Also Present:

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| Will Green | Town Attorney |
| William Hribar | Highway Superintendent |
| Pamela Deane | Town Clerk |

Supervisor Bauer called the meeting to order and asked everyone in attendance to please rise for the Pledge of Allegiance.

MOTION by Councilperson Dalton, seconded by Councilperson Kjolhede, to accept the January 10th minutes as presented.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Kennedy, seconded by Councilperson Dalton, to accept the February 7th minutes as presented.

MOTION CARRIED: All were in favor.

Supervisor Bauer reviewed correspondence received since last month's meeting.

Supervisor Bauer opened the floor to public comments.

Edward Kukenberger submitted a map showing that the entire Kukenberger Gravel Bank, located on Co. Hwy 26, is on an aquifer. Wells in the area are shallow and only 30 ft. deep. Kukenberger asked that the Town Board consider adopting an Aquifer Protection Plan. He also wanted to know if the Solar Draft were adopted with the proposed 500 ft./1000 ft. setbacks, could the applicant be awarded a variance for lesser setbacks if they applied for one?

Edward Hobbie pointed out that 2 years ago a car veered off Co. Hwy. 26 and drove through a garage approximately 50 ft from the center of the road and what a disaster it would have been if it ran down Solar Panels instead. He stated that he was not opposed to residents having solar panels for their own personal use but was against solar panels being used commercially, such as in the case of solar farms.

Connie Hobbie asked if all public comments are usually entered in the minutes. She was told usually for Town Board minutes / No for Special Meeting Minutes.

Supervisor Bauer closed the floor for public comments.

MOTION by Councilperson Dalton, seconded by Councilperson Kjolhede, to pay the bills and make the necessary transfers.

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| General: | #13-#28 | \$ 5,564.85 |
| Hwy: | #20-#45 | \$ 53,087.47 |

MOTION CARRIED: All were in favor.

The Town Board discussed the balances provided by Supervisor Bauer:

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| General Checking: | \$100,137.84 | Hwy Checking: | \$ 49,361.81 |
| Hwy Equipment Fund: | \$248,917.05 | Gen & Hwy CD | \$400,000.00 |

MOTION by Councilperson Kennedy, seconded by Councilperson Dalton, to accept the Financial Report as given.

MOTION CARRIED: All were in favor.

MOTION CARRIED: All were in favor.

Planning Board Chairman Tom Huntsman gave a report on applications currently being reviewed by the Planning Board.

A Highway report was given by Highway Superintendent Bill Hribar.

- Hribar reported that road signs are disappearing. Cost to replace the signs will be \$3,739.62.
- Hribar reported that he has one truck that needs a new front end. Parts will cost about \$11,000.00.
- Hribar reported that he has another truck down with a bad spot in the frame. The truck can continue to be used until October when the inspection runs out. Repair cost will be between \$50,000.00/\$80,000.00.
- Hribar reported that they have been using the boom mower during their down time.
- Hribar submitted the *Agreement for the Expenditure of Highway Money*. He is proposing that CHIP's Money be spent on Dana Clark Rd., Vibbard Rd., Cook Rd. Armstrong Rd., and Williams Rd.
- Hribar reported that he plans on renting an excavator for the summer. Cost will be \$5,250.00.

Hwy Committee member Councilperson Dalton reported that she and Councilperson Kennedy will be meeting with Hribar prior to each month's meeting to get a full understanding of the things he will be reporting on or requesting. Councilperson Dalton stated that she and Councilperson Kennedy attended a training session for new Councilpersons that discussed a lot of things pertaining to Highway. Councilperson Dalton learned that Cornell University offers an Internship Summer Program. For \$7,000.00 an intern will spend the summer evaluating all the roads in the Town and prioritizing which roads should be maintained first. Councilperson Dalton found towns that have taken advantage of the Internship Summer Program found it very helpful and plan to take advantage of the program again. A letter of intent would need to be sent out by the end of February and an application filed in May.

MOTION by Supervisor Bauer, seconded by Councilperson Kjolhede, authorizing Councilpersons Dalton and Kennedy to send a letter of intent to Cornell University stating that the Town of Otsego is interested in taking part in the Internship Road Evaluation Summer Program.

MOTION CARRIED: All were in favor.

Supervisor Bauer reported on the Land Use Law Committee progress. He and Councilperson Kjolhede created a Power Players Group, which consists of Councilperson Hohensee, ZEO Wylie Phillips, ZBA Chairman Greg Crowell, and former Town Board Councilperson Carina Frank. Although they haven't met yet they plan to meet monthly to work on recommendations and potential improvements to the Land Use Law.

Councilperson Dalton reported on the Cemetery Committee. A town resident has requested permission to purchase burial plots in an old, abandoned Cemetery located on Armstrong Rd. A

representative from the state that deals with cemeteries, Brendan Stanton, strongly advised not to allow future burials in old Town abandoned cemeteries. There are few records stating who and where people are buried in the old Abandoned Cemeteries. After a short discussion It was the consensus of the Town Board to take Stanton's advice and not allow future burials in the Towns abandon cemeteries. Councilperson Dalton is working on a grant to be used to help maintain the old Presbyterian Cemetery across from the Grange Building on Cemetery Rd.

Supervisor Bauer reported on the Comprehensive Plan Committee. The Committee has met and been working on the Comprehensive Plan update process. They are working on contracting with the Mohawk Valley Environmental Development District (MVEDD) who have a planner that can help lead their efforts. Currently the group is discussing how they can get more public input. Their hope is to have more public meetings, open houses, and send out a survey.

Watershed Committee report was given by Councilperson Kennedy. The Watershed received \$500,000.00 from NYS to create a plan for the Watershed. There is a contract that needs to be signed before any money is spent. In the meantime, the Watershed Committee needs to start working on a Plan. For the Town's purpose the Village of Cooperstown is working on amending the CODE under which the Watershed Supervisory Committee exists. The existing law states that if someone has a failed septic system the Watershed Committee is to notify the Town where the violation has occurred, and it is the duty of that Town to bring that resident into compliance. The Watershed Committee does not have any enforcement authority. In the past the Village has been the only municipality that has been enforcing septic systems into compliance. There are a total of 376 septic systems along Otsego Lake.

Supervisor Bauer felt that the informational meeting concerning Private and Commercial Solar Energy Systems was helpful and would like to apply the comments from the public and the two speakers to the proposed Solar law. After a short discussion it was the decision of the Town Board to hold a Solar Law workshop at 6:00 pm at the Town Building on February 28th and start the process of possibly passing a Moratorium. As part of the first step Town Attorney Will Green agreed to write and have available a Moratorium for the March meeting.

Supervisor Bauer presented the NYS Retirement 41-J Plan option. This plan allows the NYS Retirement System to apply all unused sick time toward an employee's retirement credits. Under the CSEA Union Contract the Town is supposed to be applying unused sick time toward the employee's retirement credits.

MOTION by Councilperson Kjolhede, seconded by Councilperson Kennedy, to opt into the NYS Retirement 41-J Plan.

MOTION CARRIED: All were in favor.

RESOLUTION ADOPTED: Resolution Docket # 168

Councilperson Kennedy reported auditing the Town Clerk records and found everything satisfactory.

Supervisor Bauer reminded the Town Board that there were some vacancies that still needed to be filled.

MOTION by Councilperson Kjolhede, seconded by Councilperson Dalton, to appoint Mitchel Owens to the Historical Demolition Committee. (Term 1/01/23 to 12/31/27)

MOTION CARRIED: All were in favor.

MOTION by Councilperson Kjolhede, seconded by Councilperson Dalton, to appoint Kathy Snyder to the Historical Demolition Committee Board. (Term 01/01/24 to 12/31/27)

MOTION CARRIED: All were in favor.

Supervisor Bauer presented the Salt Shed Closeout Agreement that needed to be signed.

MOTION by Councilperson Kjolhede, seconded by Councilperson Kennedy, authorizing Supervisor Bauer to sign the Salt Shed Close-Out Agreement.

MOTION CARRIED: All were in favor.

Supervisor Bauer submitted a Computer Support Agreement offered by Upstate Technology LLC.

MOTION by Councilperson Dalton, seconded by Councilperson Kjolhede, authorizing Supervisor Bauer to sign the proposed Computer Support Agreement offered by Upstate Technology.

MOTION CARRIED: All were in favor.

MOTION by Supervisor Bauer, seconded by Councilperson Kjolhede, to go into Executive Session to discuss litigation. Highway Superintendent William Hribar was invited to join in the session. (8:27 pm)

MOTION CARRIED: All were in favor.

MOTION by Supervisor Bauer, seconded by Councilperson Kjolhede, to come out of Executive Session.

MOTION CARRIED: All were in favor. (8:37 pm)

MOTION by Supervisor Bauer to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 8:38 PM

Next scheduled meeting will be March 13, 2024, at 7:00 pm.

Respectfully Submitted,
Pamela Deane/Town Clerk