

The Town of Otsego Town Board held a Regular Monthly Meeting on the 13th day of March 2024 at 7:00 pm at the Town Building in Fly Creek, NY.

Town Board Members Present:

Benjamin Bauer	Supervisor
Chris Kjolhede	Councilperson
Patricia Kennedy	Councilperson
Deb Dalton	Councilperson
Tom Hohensee	Councilperson

Also Present:

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 Kjolhede, seconded by Councilperson Dalton, to accept the February 14th minutes as presented.

MOTION CARRIED: Supervisor Bauer, Councilpersons Dalton, Kennedy, and Kjolhede voted yes. Councilperson Hohensee abstained.

MOTION by Councilperson Kjolhede, seconded by Councilperson Kennedy, to accept the February 28th minutes as presented.

MOTION CARRIED: Supervisor Bauer, Councilpersons Dalton, Kennedy, and Kjolhede voted yes. Councilperson Hohensee abstained.

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

Supervisor Bauer opened the floor to public comments.

Eileen Kukenberger thought that at the February 14<sup>th</sup> meeting the Town Board had decided to have a Moratorium on Certain Solar Energy Uses. The minutes state that the Town Attorney will draft a Moratorium for the Town Board's consideration.

Supervisor Bauer stated that the February 14<sup>th</sup> minutes were correct. There is a process in adopting a Moratorium and the Town Board, at this point, has not committed to adopting a Moratorium on Certain Solar Energy Uses.

Connie Hobbie asked that copies of the Solar Energy Law that will be used by the Town Board during their Workshop on March 19<sup>th</sup>, with each line numbered, be made available for the audience. It makes it easier for the audience to follow along.

Supervisor Bauer agreed to have available the same copies of the Solar Law being used by the Town Board for the audience.

Edward Hobbie asked if the proposed Moratorium was going to be made available this evening.

Supervisor Bauer replied that it all depends on whether the Town Attorney makes it to the meeting. He is currently detained at the Cherry Valley Court.

Supervisor Bauer closed the floor for public comments.

MOTION by Councilperson Hohensee, seconded by Councilperson Kennedy, to pay the bills and make the necessary transfers.

General:	#30-#43	\$ 11,257.60
Hwy:	#46-#66	\$ 25,826.08

MOTION CARRIED: All were in favor.

The Town Board discussed the balances provided by Supervisor Bauer:

General Checking:	\$429,984.78	Hwy Checking:	\$298,661.92
Hwy Equipment Fund:	\$251,188.37	Gen & Hwy CD	\$400,000.00

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

MOTION CARRIED: All were in favor.

Planning Board Member Ted Feury gave a report on applications currently being reviewed by the Planning Board.

A Highway report was given by Highway Superintendent Bill Hribar.

- CHIP's Money can only be used to pay for maintenance on any section of any Town Road no more than once every 10 years.
- Permission is needed to apply CHIP's Money for equipment.
- Hribar has been notified that the cost of salt will be going down \$4.00/ton.
- Hribar has been having trouble with the fuel pumps. He is hopeful they have bypassed the problem.
- Estimated Cost of paving this year will be \$97,723.00/mile.
- The second half of CHIP's 2023 reimbursement should be coming any day now.

Councilperson Kennedy asked Hribar to identify each truck on all invoices making it easier to keep track of how much each truck is costing in repairs.

Supervisor Bauer informed Hribar that depending on what is wrong with the fuel pump it may be covered under insurance.

Hwy Committee member Councilperson Dalton reported that she and Councilperson Kennedy met with Hribar who explained the Expenditure of Highway Money Agreement (Section 284 for 2024) and how it would include, the condition of the Fuel Pump, and whether Section 284 for 2023 has been completed and reimbursed. Councilperson Dalton stated that the Town Board needs to finalize and sign the 2024 / 284 form, ensuring funding is adequate for stated road repairs and try to avoid delay in receiving CHIP's Reimbursement this year.

Supervisor Bauer reported on the Land Use Law Committee progress. The committee plans to meet on the fourth Tuesday of each month. The Committee discussed potential things to work on. Planning Board Chairman Tom Huntsman talked about clarifying the Subdivision Law. Chairman Bauer is looking into improving the Land Use Application to be more concise and clearer. ZBA Chairman Greg Crowell volunteered to rewrite Section 1.05 which addresses nonconforming lots. ZEO Wylie Phillips is looking into a separate Zoning District for the Lake which would take the place of Section 4.04. The goal of the Committee is to write up draft laws and recommendations to submit to the Town Board for consideration.

Supervisor Bauer reported on the Comprehensive Plan Committee. The Committee met and for most of the meeting discussed the existing Comprehensive Plan and the Goals set in 2008. Supervisor Bauer felt there were a lot of Goals that were never acted upon. One of the Goals in the current Comprehensive Plan he thought the Town Board would be interested in was to repurpose Historic Buildings. The Committee is hoping to create a survey to get more public input and data.

Watershed Committee report was given by Councilperson Kennedy. The most important thing concerning the septic systems around Otsego Lake is enforcement. The Watershed Advisory Committee does not have the authority to enforce bringing failing septic systems into compliance. DEC does not have the staff to enforce those with failing septic systems either. 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. In the past the Village has been the only municipality that has been enforcing septic systems into compliance. Councilperson Kennedy encouraged the Town Board to start working toward some sort of Inter-Municipal Agreement on Enforcement.

Supervisor Bauer reminded the Town Board that there will be another Solar Law Workshop on March 19<sup>th</sup> at 1:00 pm. Councilperson Dalton invited the owner of EPIC, Kevin Green, who deals with weed control around the Solar Panels. Councilperson Kennedy invited Danny Lapin to discuss who pays for cleanup when the panels are no longer being used.

Supervisor Bauer submitted copies of the Moratorium on Certain Solar Energy Uses drafted by Town Attorney Will Green.

MOTION by Councilperson Hohensee, seconded by Councilperson Kjolhede, appointing the Town of Otsego Lead Agency.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Kennedy, seconded by Councilperson Hohensee, to deem the Moratorium draft on

Certain Solar Energy Uses as Type 2 Action.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Kennedy, seconded by Councilperson Dalton, to schedule a Public Hearing for the Moratorium on Certain Solar Energy Uses for April 10<sup>th</sup> at 7:00 pm at the Town Building in Fly Creek.

MOTION CARRIED: All were in favor.

Supervisor Bauer submitted sample pages created by Sunny Web Shop of what they hope to change on the Towns website. The Town Board weighed in their opinions. The site, once completed, will be ADA (American Disability Act) approved.

Councilperson Kjolhede reported conducting an audit of the court and found records to be in order.

MOTION by Kjolhede, seconded by Councilperson Hohensee, to accept the Court Audit as presented.

MOTION CARRIED: All were in favor.

Supervisor Bauer stated the County, Railroad, and Village have all approved a petition allowing a boundary change on Linden Avenue, moving the Village Line further south. He then informed the Town Board that the next step in the process to move the Village boundary line is to hold a joint Public Hearing with the Village of Cooperstown. The Public Hearing was set for April 10<sup>th</sup> at 6:30 pm at the Town Building in Fly Creek. The Village of Cooperstown will advertise the necessary notification.

Councilpersons Dalton and Kennedy reported on a zoom meeting they attended with NYSERDA (New York State Energy Research Development Association). NYSERDA has many energy incentives, programs and money Towns can potentially apply for. Your town must show your municipality is making efforts towards clean energy such as installing heat pumps. You earn points every time you make improvements. When you earn a certain number of points that transfers to money. To start the process the Town Board would have to adopt a Resolution stating that the Town wishes to be a clean energy efficient community. Then NYSERDA will come and help the Town Board assess all Town Buildings and vehicles. You get points for just having the assessment done. The Town Board seemed interested in finding out more about the program. Councilperson Dalton will look into how to get started.

Councilperson Kennedy recommended the Town purchase a Power Point Projector. After a short discussion it was decided the Building and Grounds Committee will be prepared to submit a few quotes at the April meeting.

MOTION by Supervisor Bauer, seconded by Councilperson Kjolhede, to go into Executive Session to discuss litigation.

MOTION CARRIED: All were in favor. (8:10 pm)

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

MOTION CARRIED: All were in favor. (8:23 pm)

MOTION by Councilperson Dalton to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 8:38 PM

Next scheduled meeting will be April 10<sup>th</sup>, 2024, at 6:30 pm.

Respectfully Submitted,  
Pamela Deane/Town Clerk