

The Town of Otsego Town Board held a Public Hearing and a Regular Monthly Meeting on the 8th day of March 2023 at 7:00 PM at the Town Building in Fly Creek, NY.

Town Board Members Present:

Benjamin Bauer           Supervisor  
Tom Hohensee           Councilperson  
Chris Kjolhede           Councilperson

Also Present:

Will Green                Attorney  
William Hribar           Highway Superintendent  
Pamela Deane            Town Clerk

Supervisor Bauer call the Public Hearing to order and asked everyone in attendance to please rise for the Pledge of Allegiance.

Supervisor Bauer explained that the purpose of the Public Hearing was to hear Public Comment on the proposed Local Law #2, Providing a Tax Exemption for Volunteer Firefighters and Ambulance Personnel.

Town resident Deborah Dalton wanted to know if any surrounding towns have adopted a similar Local Law. Supervisor Bauer did not think so.

Town resident Brian Kegelman thought the proposed Local Law would help to incentivize people to join the Fire Company and for that reason was in favor of the proposed Local Law.

MOTION by Councilperson Hohensee, seconded by Councilperson Kjolhede, to close the Public Hearing.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Hohensee, seconded by Councilperson Kjolhede, to accept the February 8<sup>th</sup> minutes as presented.

MOTION CARRIED: All were in favor.

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

Supervisor Bauer read a Resolution offered by Otsego 2000 Opposing Abrogation of Local Appraisal Rights in Proposed NYS Budget. The Resolution also calls for upholding the right of NYS municipalities to assess property values of such large-scale energy projects, as with all properties within the town boundaries, and to collect the required taxes there from as the municipality deems just. Otsego 2000 asked that the Town Board also adopt the sample Resolution they offered.

MOTION by Councilperson Kjolhede, seconded by Councilperson Hohensee, to approve and support the Resolution suggested by Otsego 2000.

MOTION CARRIED: All were in favor.

RESOLUTION ADOPTED: Resolution Docket pg. 164

Supervisor Bauer opened the floor for comments.

Resident Brian Kegelman said Katherine Brady who owns property on Murdock Rd. told him that Town Highway Supervisor Bill Hribar notified her that he would be cutting down 100 trees located on her property. Kegelman said she did not realize that she had a say in the matter. Kegelman informed the Town Board that Town Highway Law 171 says the Highway Superintendent needs to get permission from the Town Board if he or she wants to change the structure of any town road. The Town Board must approve a written proposal submitted by the Highway Superintendent that would then go out to the residents it would affect. Kegelman did not think Hribar could take the existing 20ft. wide roadway and a convert it to a 49 ½ ft roadway without compensating the owners. He did not feel that the Town has the right to just exceed a right-of-way. That is Trespassing.

Supervisor Bauer closed the floor for further comments.

Supervisor Bauer gave a financial report. The Board discussed the following balances in the various accounts:

General Checking:	\$509,401.90	Hwy Checking:	\$740,642.89
Building Reserve Fund:	\$169,398.62	Hwy Equipment Fund:	\$239,621.88
ARPA:	\$173,228.28		

MOTION by Councilperson Hohensee, seconded by Councilperson Kjolhede, to accept the financial report as presented.

MOTION CARRIED: All were in favor.

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

GENERAL:	#27-#36	\$ 2,876.42
HWY:	#22-#46	\$ 32,656.52

MOTION CARRIED: All were in favor.

Supervisor Bauer read ZEO Wylie Phillips' report. Permits issued since last meeting were as follow:  
Zoning Permit: 3                      ZBA: 1

Phillips also reported on applications currently being reviewed by the Planning Board.

Dog Control Officer Tom Steele reported that there had been no complaints since last month's meeting.

Highway Superintendent Bill Hribar gave the Highway Superintendent report.

- Truck #9 a 2001 Freightliner ten-wheeler is in very poor condition and asked the Town Board to consider purchasing two new trucks.
- The large garage door repairs are almost completed. Hribar is noticing a big difference in the amount of water and cold air coming into the building.

Supervisor Bauer submitted an Expenditure of Highway Moneys Agreement for the Town Board and Highway Superintendent to review and consider.

MOTION by Councilperson Kjolhede, seconded by Councilperson Hohensee to approve the proposed Expenditure of Highway Moneys Agreement as written with the stipulation that future amendments can be added.

MOTION CARRIED: All were in favor.

Councilperson Hohensee reported for the Building and Grounds Committee. Principle Engineering inspected the old highway garage and will prepare bids for re-skinning the building.

Councilperson Kjolhede thought it valuable to know where AEDS are throughout the town.

Supervisor Bauer announced that Councilperson Olson has resigned. She and her family are in the processes of moving to Arizona. Supervisor Bauer appointed Patricia Kennedy to take Councilperson Olson's place on the Water Shed Committee.

Supervisor Bauer reported that he and Councilperson Olson are using the Town of Hartwick's RFP proposal as a guide to attract website proposals for the Town of Otsego. Supervisor Bauer hopes to have the RFP ready for the Town Board's review by the April meeting.

Councilman Kjolhede report that there is still only one cannabis dispensary in upstate NY and that is in Binghamton. There has been a substantial rise in cannabis poisonings, specifically with children and gummy bears.

The Town Board discussed the proposal of Local Law #2 Providing Tax Exemption for Volunteer Firefighters and Ambulance Personnel. The Tax Exemption really does not offer much relief. The State offers a \$200 tax credit for Volunteer Firefighters and Ambulance Personnel. You cannot take advantage of both, and the credit offers more relief.

It was decided that Supervisor Bauer, in the spirit of being supportive of the Volunteer Fire Company, will find out how much of a savings there would be if the School and County would adopt a Local Law providing a Tax Exemption for Volunteer Firefighters and Ambulance Personnel also. The Town Board felt those eligible would take advantage of the Tax Credit not the Tax Exemption and decided to table the proposed local law until Supervisor Bauer has had a chance to talk to the school, the County and the Voulo's.

Supervisor Bauer asked if there were any discussion on the proposed Land Use Law changes.

MOTION by Supervisor Bauer, seconded by Councilperson Hohensee, to adopt proposed Local Law #1 amending the Land Use Law.

MOTION CARRIED: All were in favor.

Supervisor Bauer has submitted the Grant Gateway Administration paperwork for the Comprehensive Plan update grant. The Project Manager reviewed the application and sent it back with a few minor suggestions. Supervisor Bauer is working on making those changes, after which DEC would further review. It was suggested that the Comprehensive Committee should not meet until the grant administration is resolved. Supervisor Bauer is still looking for more volunteers to serve on the Comprehensive Committee.

Supervisor Bauer is still working on the proposed Solar Law. It is not yet ready for review.

Supervisor Bauer reminded everyone of the joint Informational Meeting with the Village of Cooperstown to discuss the Annexation proposal at the Cooperstown High School on March 22<sup>nd</sup> at 7:00 PM.

Supervisor Bauer submitted all audits conducted by members of the Town Board.

MOTION by Councilperson Hohensee, seconded by Councilperson Kjolhede to accept the audits of the Town Court, Town Clerk, Town Tax Collector, and the Town Supervisor respectfully.

MOTION CARRIED: All were in favor.

Supervisor Bauer stated that he has been approached by Jacob Staffin who owns parcel #97.00-2-4.41, requesting a zoning change to a portion of his property. Staffin owns 45 acres of which 4 acres of it border the corner of State Highway 80 and State Hwy 28. He wanted to know if he were to subdivide the corner piece (approximately 4 acres) off the 45-acre piece would the Town Board be willing to rezone that corner from RA-2 to General Business. Supervisor Bauer presented a map of Jacob Staffin's property and what it would look like if he were to subdivide 4 acres off and that 4-acre parcel zone changed to the General Business District.

It was the consensus of the Town Board that since the property would be abutting property already allocated in the General Business District, they saw no initial problem with Staffin's rezoning change request. Supervisor Bauer made it clear that this was not a formal approval, public input would still need to be processed and considered, and the Town Board may change its mind at that time. Also, any changes were dependent on first getting Planning Board approval for the subdivision.

Supervisor Bauer stated that Debra Lacates' term on the Assessment Review Board has ended. She is willing to serve another term.

MOTION by Councilperson Kjolhede, seconded by Councilperson Hohensee, to reappoint Debra Lacates to the Assessment Review Board.

MOTION CARRIED: All were in favor.

Supervisor Bauer reported being approached by Bud Lippitt to add the Red Bursey Program to the Town's Insurance Policy. The summer program, which is hosted at the Cooperstown School and the gym, runs on a budget of approximately \$14,000. Lippitt also asked if the Town Board could help with the funding of the program. Bauer did not think there would be any additional cost to the town to add the program to the Town's insurance.

It was the consensus of the Town Board to first confirm with the insurance company if there would be any additional cost before committing to putting the Red Bursey Program on the Town's insurance. The Town Board will table further discussion about giving financial assistance to the program at the April meeting.

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

MOTION CARRIED: All were in favor. (8:17 pm)

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

MOTION CARRIED: All were in favor. (8:43 pm)

MOTION by Councilperson Hohensee to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 8:44 PM

Next meeting will be April 12th at 7:00 PM.

Respectfully Submitted,  
Pamela Deane/Town Clerk