

The Town of Otsego Town Board held one Special Joint Meeting, a Public Hearing, and a Regular Monthly Meeting on the 10th day of April 2024 starting at 6:30 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

Village of Cooperstown

Ellen Tillapaugh	Mayor
Dr. Cindy Falk	Trustee
Dr. Richard Sternberg	Trustee
Hanna Bergene	Trustee
Sydney Bauer	Trustee
George Fasanelli	Trustee
Joseph Membrino	Trustee

Also Present:

Jenna Utter	Village Clerk
Martin Tillapaugh	Village Attorney

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

Supervisor Bauer then opened the Joint Special Meeting with the Town of Otsego Town Board and the Village of Cooperstown Village Board. He explained that the County, Railroad, and Village have all approved a petition allowing a boundary change on Linden Avenue, moving the Village Line further south.

Supervisor Bauer opened the floor for comments. There were no comments from the public.

MOTION by Dr. Sternberg, seconded by Councilperson Kennedy, to close the Public Meeting.

MOTION CARRIED: All were in favor.

Supervisor Bauer felt that the Annexation was a good idea.

Mayor Tillapaugh remarked that this process has taken 6 years to get this far. She felt there were a lot of positive benefits to adopting the Annexation Resolutions such as greater public safety.

Councilperson Kjolhede asked about the County Highway Building and why a new building has been put up if they are moving from that location. Village Attorney Tillapaugh stated that the new DPW building proposed for the County's Milford property near BOCES, came in at a cost of forty million dollars putting the cost of construction about 5 years out. The newly constructed building on Linden Ave. was built to temporarily take the place of the old one which was deemed to be unsafe.

MOTION by Mayor Tillapaugh, seconded by Supervisor Bauer, that the Town of Otsego Town Board and the Village of Cooperstown Village Board jointly sign the proposed Annexation Resolution dated April 10th, 2024, and require each Board Member and Trustee to sign accordingly.

MOTION CARRIED:

AYES: Tillapaugh, Falk, Sternberg, Bauer, Fasanelli, Membrino, Bauer, Hohensee, Kjolhede, Dalton, Kennedy.

MOTION by Supervisor Bauer, seconded by Dr. Sternberg, to close the joint Special Meeting.

MOTION CARRIED:

AYES: Tillapaugh, Falk, Sternberg, Bauer, Fasanelli, Membrino, Bauer, Hohensee, Kjolhede, Dalton, Kennedy.
MOTION by Supervisor Bauer, seconded by Village Trustee Dr. Sternberg to adjourn.

MOTION BY Supervisor Bauer, seconded by Dr. Sternberg to adjourn.

MOTION CARRIED: All were in favor.

Joint Special Meeting ended at 6:36.

At 7:00 PM Supervisor Bauer called to order the Public Hearing to hear public opinion on the Town Board adopting the proposed 6-month Moratorium on Certain Solar Energy Uses. He asked everyone in attendance to please stand for the Pledge of Allegiance.

MOTION by Councilperson Dalton, seconded by Councilperson Hohensee, to open the Public Hearing

MOTION CARRIED: All were in favor.

Supervisor Bauer opened the floor for public comment.

Edward Hobbie asked if the Moratorium is adopted would the Town Board form a committee to research Solar Farms specifically the commercial units wanting to come in on Cops Flat located on County Hwy 26. What he suggested the Town Board do is to see what would be needed to oversee the application. He did not think there was anyone on any of the Boards qualified to oversee a commercial application.

Dale Brenier we need to preserve what farmland and beautiful countryside we have. That's why we live here. Everyone agrees there is a need for alternative energy, but she disagrees with Solar Farm being allowed on prime property. When you allow them to be on prime property you are taking away our farmland, beautiful countryside, pastures, birds, animals, etc. She felt it a waste allowing these structures on prime property that appeal to know one.

Sheila Ross strongly disagreed with allowing Solar Farms. She felt that with all the energy generated not being used locally, that was a lot of crap.

David Hribar had no issue with Solar Farms. He assumed an Environmental Assessment would be done first to see what effects it would have on wildlife.

Jay Bosley stated he was in favor of the Moratorium.

John Phillips thanked the Town Board for being cautious. They are learning more and more about the dangers of Solar Farms everyday. The main statement of the Town's Comprehensive Plan "is to preserve and protect the rural nature of our community. He was in favor of the Moratorium.

Kathy Snyder was in favor of the Moratorium.

Steve Cembrinski has lived on County Highway 26 for 40 years and is very concerned with the situation. He is very ecologically minded and very interested in the extent of research that is done by the Town Board and Planning Board. It's a very big decision.

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

MOTION CARRIED: All were in favor.

MOTION by Councilperson Dalton, seconded by Councilperson Kennedy, to accept the March 13th minutes as presented.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Kjolhede, seconded by Councilperson Hohensee, to accept the March 19th 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.

Steve Cembrinski let the Town Board know that the County will be paving County Highway 26 soon.

Dale Brenier made the complaint that when the Cider Mill opens traffic increases, and many are passing her house doing 60 mph. She wondered if a solar speed limit sign could be placed on Goose St.?

Sheila Ross is opposed to Willow Ave. being moved to go around the Highway Garage. She wants the old Willow Ave. reopened. She also requested the junk on the backside of the property removed and a guardrail added to the new road. The road is dangerous without it. In closing she thought it would be nice if everyone could work together.

Supervisor Bauer closed the floor for public comments.

Supervisor Bauer stated that he received notification from the County that the Toddsville Bridge will be closed from the spring of 2025 to the fall of 2025.

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

General:	#44-#54	\$ 5,000.49
Hwy:	#67-#91	\$ 45,555.20

MOTION CARRIED: All were in favor.

The Town Board discussed the balances provided by Supervisor Bauer:

General Checking:	\$400,908.54	Hwy Checking:	\$739,971.73
Hwy Equipment Fund:	\$252,307.84		

MOTION by Councilperson Dalton, seconded by Councilperson Kennedy, 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.

Councilperson Kennedy reminded Feury that applications in the watershed need Watershed approval.

Feury stated that all approved applications in the watershed are contingent on Watershed approval.

A Highway report was given by Highway Superintendent Bill Hribar.

- Hribar reported that all trucks now have disconnects as mandated by the Town's Insurance Company. Supervisor Bauer will inform the Insurance Company.
- Hribar stated that the rented excavator needs to be added to the Town's insurance policy. Supervisor Bauer volunteered to take care of that.
- Hribar is looking into alternatives for road signs to hopefully stop people from stealing them.

Hribar discussed with the Town Board his road choices for the Expenditure of Highway Agreement. Finally, the Agreement was tabled to the May meeting.

Hwy Committee member Councilperson Kennedy reported that she and Councilperson Kennedy have met with Hribar. They encourage Hribar to attend the Cornell Highway training for Highway Superintendents or their Deputies held in Ithaca at Cornell. Otsego Lake Association, which has an invested interest in what products are used on our Town roads and what might seep into the lake, has agreed to pay the fees to cover training.

Councilperson Kennedy would like the Town Board to consider passing a Resolution to replace resident's mailboxes that have accidentally been knocked down with the plow. Town Board Members were in favor of the idea.

Councilperson Kjolhede brought up having an annual Tire Day and to try to coordinate it with neighboring towns. Councilperson Dalton volunteered to call and coordinate with neighboring towns a Tire Day.

Supervisor Bauer reported on the Land Use Law Committee progress. The committee rewrote Section 1.05. No action was taken by the Town Board at this time. The Town Board requested time to read the proposed re-write before scheduling a Public Hearing.

Councilperson Kennedy reported on the Comprehensive Plan Committee. The attendance at the Committee Meetings has been poor. A Survey *Draft* is currently being circulated through the committee. The Mohawk

Valley Economic Development District (MVEDD) Planner Anthony Marris – Swann suggested that it might be beneficial if some of the committee took a tour of the town.

Councilperson Kjolhede reported on the Land Use Law Committee. The Committee's objective is to clarify any sections of the Land Use Law that might not be clear, so it is easier to understand.

Watershed Committee report was given by Councilperson Kennedy. The Town Board needs to decide what kind of Inter Municipal Agreement is going to be between Municipalities about the Watershed Committee. The last Otsego Memorandum of Understanding was adopted in 1998. There is a meeting scheduled at 3:00 PM on April 17th in the Village of Cooperstown Board Room. All three towns have been asked to attend.

Supervisor Bauer reported that he heard back from County Planning. It was their determination that the Moratorium is not subject to their review. Public Hearing has been held.

MOTION by Councilperson Kennedy, seconded by Councilperson Dalton, to adopt the Moratorium on Certain Solar Energy Uses which will be known as Local Law #1.

MOTION CARRIED: All were in favor.

After a short discussion it was the consensus of the Town Board to hold their Solar Law Workshops on the third Thursday of each month. Next Workshop will be on April 18th at 3:00 PM. Special Guest will be Greg Farmer Director of the Otsego County Land Trust.

Supervisor Bauer told the Town Board that new Website is ready to launch. As problems come up, they will be fixed along the way.

Supervisor Bauer requested that the Town Board pass a Local Law allowing the 2025 Town Budget to exceed the 2% Cap set forth by the State of New York.

MOTION by Councilperson Kennedy, seconded by Councilperson Dalton, to schedule a Public Hearing for May 8th at 7:00 PM to hear Public Comments on the 2025 Town Budget be allowed to exceed the 2% cap set by the State of New York.

MOTION CARRIED: All were in favor.

Supervisor Baurer announced that his wife has been accepted into a PhD program in North Carolina, so they will be moving later this year, and he will not be able to finish out his term. The exact timing of his resignation has not yet been determined, and their actual moving date is still up in the air.

Councilperson Dalton stated that she has invited from NYSERDA Amanda Whalen to the May meeting to explain NYSERDA's Clean Energy Incentives and how the Town Board can qualify for free money being offered.

Supervisor Bauer remarked that the County received greenhouse gas inventory grant money to work with Mohawk Valley Economic Development District. If the Town Board were interested in applying the only commitment would be to inform Mohawk Valley Economic Development the Towns green gas usage such as our utility usage so they could create a baseline of our green gas usage. Before committing to it the Town Board would have to authorize the Town Supervisor to sign a Memorandum of Understanding with the County.

The Town Board decided to table it until next month's meeting.

Supervisor Bauer submitted for the Town Boards review last years and this year's copier contract. They were identical.

MOTION by Councilperson Kennedy, seconded by Councilperson Dalton, to authorize Supervisor Bauer to sign the renewed copier contract.

MOTION CARRIED: All were in favor.

Supervisor Bauer reported that former Town Supervisor Meg Kiernan has agreed to fill the vacancy left by Edward Kukenberger on the Assessment Review Board.

MOTION by Councilperson Hohensee, seconded by Councilperson Dalton to appoint Meg Kiernan to fill the vacancy on the Assessment Review Board left by Edward Kukenberger. (Term 10/1/2023-10/1/2026)

MOTION CARRIED: All were in favor.

Councilperson Hohensee and Councilperson Kennedy met with Paul Schechter from OCX Tech to discuss purchasing audio and video equipment for the Town Hall. He gave them a quote for \$2,500 to purchase and install everything. Town Attorney Green informed the Town Board that once you start recording meetings you must follow the Public Open Meeting Law and make them available to the public.

MOTION by Supervisor Bauer, seconded by Councilperson Hohensee, to purchase the audio and video equipment costing no more than \$2,500.

MOTION CARRIED: All were in favor.

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

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

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

MOTION CARRIED: All were in favor. (8:46 PM)

MOTION by Supervisor Bauer to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 8:38 PM

Next scheduled meeting will be May 8th, 2024, at 7:00 PM.

Respectfully Submitted,
Pamela Deane/Town Clerk