The Town of Otsego Town Board held a Public Hearing and a Regular Monthly Meeting on the 12th day of June 2024 starting 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:

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.

Supervisor Bauer stated that the purpose of the Public Hearing was to hear public comments on modifications to Section 1.05 concerning non-conforming uses and adding a definition for Building Height.

MOTION by Councilperson Dalton, seconded by Councilperson Kennedy, to open the floor for public comment.

MOTION CARRIED: All were in favor.

ZBA Chairman Greg Crowell explained the reason for the proposed changes.

There were no comments.

MOTION by Councilperson Kjolhede seconded by Councilperson Kennedy, to close the floor for public comment.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Dalton, seconded by Councilperson Kjolhede, to accept the May 8th minutes as presented.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Hohensee, seconded by Councilperson Kjolhede, to accept the May 16th minutes as presented.

MOTION CARRIED: Supervisor Bauer, Councilpersons Dalton, Kjolhede, and Hohensee voted yes. Councilperson Kennedy abstained for the reason she did not attend the May 16th meeting.

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

Supervisor Bauer opened the floor to public comments.

Bibik Road resident Denny Mower reported that Project Engineer Bill Brown from Delaware Engineering sent him an e-mail stating he had visited the site with the Town Highway Superintendent, to prepare a preliminary assessment of the ongoing drainage issues and to identify some potential concepts for mitigating, if it possible. He should be done with a summary by the end of this month. Mowers is waiting for his findings.

Robert Nixon, also a resident of Bibik Rd., told the Town Board he was shocked of the amount of water running through his property during the last storm. He lost his driveway and was sure his camp was going into Canadarago Lake.

Brian Kegelman, who resides on Tripp Hill Rd., addressed Mowers and Nixon telling them that the Town is very good at listening about flooding damage problems, but they will not do anything about it even after going to court because they do not care. He went on to accuse the Town Board of not following Highway Law 171 and 147 which require Town Board approval and filing with the Town Clerk. He said his road was widened and there was no approval from the Town Board. Highway Law 147 states that ditches need to be approved by the Town Board and the County Highway Superintendent. He went on to discuss litigation related Claims the Town Board has made against him and his wife and deemed them to be Slanderous. He handed Notices of Claim from both him and his wife dated June 12th regarding the alleged slander.

Shiela Ross, who resides on Willow Ave., complained about the moving of Willow Ave. to the right–of– way on the edge of the southern end of the Highway Property located on Cemetery Rd. She would like to see it put back where it was, through the center of the property.

Supervisor Bauer closed the floor for further comments.

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

###### General: #73-# 87 $ 10,326.35

Hwy: #110-#129 $ 100,736.53

MOTION CARRIED: All were in favor.

The Town Board discussed the balances provided by Supervisor Bauer:

General Checking: $ 41,893.48 Hwy Checking: $54,817.89

Hwy Equipment Fund: $ 254,478.24

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

MOTION CARRIED: All were in favor.

Planning Board Member Elizabeth Horvath gave a report on applications currently being reviewed by the Planning Board.

A Highway report was given by Highway Superintendent Bill Hribar.

* Intern Ryan Sliwiniski has been walking and skateboarding the Town roads and evaluating their condition. He reports regularly to his college instructor. His data will be used to help prioritize road maintenance.
* Hribar stated that Dana Clark Rd. and William Rd. are almost ready for paving.
* Hribar reported that the mower is broken and he will investigate renting one. The fuel pump is going to need to be replaced soon. Replacement parts are getting hard to find.

Supervisor Bauer informed Hribar that there are still 6 months to go before the year is up and his money is running low.

Hribar requested that the Town Board consider changing the Land Use Law to request a 40 ft. culvert pipe instead of a 30 ft. culvert pipe for one’s driveway. The ends always seem to get pinched.

Councilperson Kennedy suggested that the driveway permit cost be increased to help cover the cost of the installation done by the town highway department. Supervisor Bauer volunteered to investigate that.

Supervisor Bauer stated that he had just learned that the Landfill needs to be mowed. After a short discussion it was decided that Supervisor Bauer will get quotes to have it bush-hogged.

Supervisor Bauer reported that there is no signed contract agreement with Mohawk Valley Economic Development District, INC. to update the Town’s Comprehensive Plan. Without the contract the planner cannot prioritize the project. The Town is still waiting for the grant money that has not been released because DEC has not yet approved the contract. Supervisor Bauer submitted a Contract Agreement between the Town of Otsego and the consultant, Mohawk Valley Economic Development District, INC to provide professional technical consulting services associated with the completion of an update to the Town of Otsego’s 2008 Comprehensive Plan for the Town Board to consider.

MOTION Councilperson Dalton, seconded by Councilperson Hohensee, to adopt the proposed agreement offered by Supervisor Bauer.

MOTION CARRIED: All were in favor.

Councilperson Kennedy gave a report on the Watershed Supervisory Committee. Out of the 376 Septic Systems only 3 are not in compliance. They are all in the Town of Otsego with property owners there ignoring Inspection. Town Attorney Will Green researched the property owners in question and one has been dead since 2003. He wondered if the other two are also deceased or have had an address change. After further discussion it was decided that placing an INSPECTION NEEDED NOTICE on the door of the camp might have a better result. In closing Councilperson Kennedy reported that Twenty Properties need to be inspected this year.

Supervisor Bauer stated that he was told by the County Planning Department the changes proposed to the Land Use Law under Section 1.05 and the definition of Building Height, needed to go through SEQRA. The process for the amendments to become law needs to be started over.

MOTION by Councilperson Kennedy, seconded by Councilperson Dalton, to declare Town of Otsego Lead Agency.

MOTION CARRIED: All were in favor.

The Town Board completed a short EAF form.

MOTION by Councilperson Kjolhede, seconded by Councilperson Kennedy, to officially determine that the proposed action will not result in any significant adverse environmental impact.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Hohensee, seconded by Councilperson Kennedy to schedule a Public Hearing on July 10th at 7:00 pm for proposed Local Law #3 amending Section 1:05 and adding a definition for Building Height.

MOTION CARRIED: All were in favor.

Supervisor Bauer talked to Ray Holohan, a CPA in Cooperstown, and he said his charge to oversee the bookkeeping for the Town would be $700/month. Town Attorney Will Green stated that the Town Board could not pay for it using the Supervisor’s salary. The salary is locked in until next year.

After a short discussion it was decided that Supervisor Bauer will get a few more quotes.

Supervisor Bauer stated that the ZBA needs 2 alternates. He asked the Town Board to be pro-active and look for volunteers.

Supervisor Bauer revisited the NYSERDA Clean Energy Program. Already the Town has done:

* A fleet inventory report and
* Changed to LED Street Lights

Supervisor Bauer proposed that the Board pass the Bench Marking Resolution which says ever year the Town will compute their energy usage in the larger buildings, plug it in NYSERDA’s software and post the results on the Towns website. If passed the Town would receive a FREE energy Audit which counts as a 4th action equaling an additional $4000.00.

MOTION by Councilperson Dalton, seconded by Councilperson Kennedy, to adopt the Bench Marking Resolution.

MOTION CARRIED: All were in favor.

RESOLUTION ADOPTED: Resolution Docket (pgs. 184-187)

Supervisor Bauer stated that Bud Lippitt has requested a donation from the Town to help operate the Red Bursey Summer Program. It was the consensus of the Town Board to cover the program’s insurance under the Town.

Supervisor Bauer explained that CPA Ray Holohan, who handles the Town’s paychecks, has switched companies.

He is no longer using ADP. He now uses Paychex.

MOTION by Councilperson Dalton, seconded by Councilperson Kennedy, that the Town switch from ADP to Paychex.

MOTION CARRIED: All were in favor.

Supervisor Bauer suggested that Building and Grounds draft a Building Access Policy that addresses who is allowed to have keys and access to the Town Building. Everyone agreed.

MOTION by Supervisor Bauer, seconded by Councilperson Kennedy, to go into Executive Session to discuss

Ongoing Litigation.

MOTION CARRIED: All were in favor. (8:55 pm)

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

MOTION CARRIED: All were in favor (9:05)

MOTION by Supervisor Bauer to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 9.06 pm.

Next scheduled meeting will be July 10th, 2024, at 7:00 PM.

Respectfully Submitted,

Pamela Deane/Town Clerk