

The Town of Otsego Town Board held a Regular Monthly Meeting on the 14th day of September 2022 at 7:00PM at the Town Building in Fly Creek, NY.

Town Board Members Present:

Benjamin Bauer	Supervisor
Tom Hohensee	Councilperson
Matthew Zwissler	Councilperson
Suzanne Olson	Councilperson
Chris Kjolhede	Councilperson

Also Present:

Will Green	Attorney
William Hribar	Highway Superintendent
Pamela Deane	Town Clerk

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

MOTION by Councilperson Kjolhede, seconded by Councilperson Olson, to accept the minutes of August 10th as written.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Hohensee, seconded by Councilperson Kjolhede, to accept the minutes of September 1st as written.

MOTION CARRIED: All were in favor.

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

Supervisor Bauer opened the floor for comments.

Danny Myer wanted to talk about the flooding problem that occurs on Bibik Rd where he resides. He asked that the Town Board have Engineer Michael O'Reilly from Principal Engineering come and assess the situation and see if he has any solutions. Mr. Myer also thanked Supervisor Bauer and Councilperson Hohensee for coming out to Bibik Rd. to see the problem firsthand.

Walter Dusenbury expressed his concern with a telephone pole along the area where Willow Avenue has been moved to, and how the attached wires are dangerously low. The pole, in his opinion, needs to be moved.

Local Historian Shirlee Rathbone gave a short history of the Old Presbyterian Cemetery across from the former Grange Building now owned by the Fly Creek Historical Society. She also explained that the Historical Society has scheduled a program in the Cemetery at 5:00PM on September 28<sup>th</sup> and asked that the Town have it mowed on or before that date.

MOTION by Councilperson Kjolhede, seconded by Councilperson Olson, to hire Mike Ainslie to mow one time only, the Cemetery across from the Historical Society on or before September 28<sup>th</sup> by 5:00PM if the Town Highway Department finds it does not have time to do it.

MOTION CARRIED: All were in favor.

Rathbun asked the Town Board to consider using some of the ARPA money to cut down some of the old trees in the back of the Old Presbyterian Cemetery across from the Historical Society, put in sidewalks, and add more American Flags along the streets. In closing she thanked the Town Board for their generous ARPA money donation to the Fly Creek Historical Society.

Greg Cromer presented a photo of the Fly Creek Hamlet that he took from a plane a few months prior. He left his business card and a list of prices for the different sizes and frames if the Town Board decided to purchase a photo.

Supervisor Bauer closed the floor for comments.

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

General Checking:	\$441,081.79	Hwy Checking:	\$635,674.92
Building Reserve Fund:	\$169,313.72	Hwy Equipment Fund:	\$259,496.52

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

MOTION CARRIED: All were in favor.

MOTION by Councilperson Olson, seconded by Councilperson Zwissler, to pay the bills and make the necessary transfers.

GENERAL:	#111-#121	\$	2,331.08
HWY:	#827-#841	\$	76,250.79

MOTION CARRIED: All were in favor.

Planning Board Member May Leinhart reported on site plan review applications being currently reviewed by the Planning Board. She would like to see the Planning Board work more closely with the ZBA. She ended by expressing her concern with the ZBA granting so many variances.

Supervisor Bauer stated that he has been searching for more training seminars for the Planning Board and ZBA.

Supervisor Bauer read ZEO Wylie Phillips' report. Permits issued since last meeting were as follow:

Zoning Permits: 4    ZBA: 2    Septic: 2    Site Plan: 2

Chairman of the Otsego County Community Foundation Harry Levine explained that the organization is 3 years old, and its purpose is to distribute funds to non-profit organizations equitably and comprehensively by reviewing applications through a grant committee. The Foundation can help the Town Board set its criteria, set up accounting and set up tracking how the money is used. If the Town Board wanted the Foundation to handle their ARPA funds, they would be responsible for the Foundation's cost to do so. That would be the only fee.

Village of Cooperstown Trustee Cindy Faulk talked with the Town Board about a Planning Study the Village is applying for, better known as the Reconnecting Community Pilot (RCP). The study includes the CVS/ Beaver St. intersection, the lack of sidewalks to Price Chopper, and the lack of sidewalks on Walnut St., going to the school. Some would like to see the south end of the Village more pedestrian friendly by extending sidewalks to the Community Bank. She warned that there would be some hurdles to accomplish that, mainly with NYS D.O.T. In that area St. Hwy 28 is controlled by NYS D.O.T., but not within the Village boundary. While the Village Trustees have continued to think this project through, they have talked to the Railroad and the County who are supportive of the project. At this point it makes more sense to draw the boundary from the Beaver St. Intersection to the Village Line and then down Walnut St., Linden Ave., and the existing Parking Lots. For that reason, the Village would appreciate the Town's support.

Cooperstown Mayor Ellen Tillapaugh asked if the Town Board would consider moving the Town line putting three uninhabited properties located on Linden Ave. in the Village of Cooperstown. This is called Annexation of Uninhabited Territory.

The three parcels under consideration are:

<u>Tax Map #</u>	<u>Owner</u>
131.00-1-25.00	County of Otsego
131.00-1-20.00	Village of Cooperstown
131.00-1-18.00	Village of Cooperstown

Mayor Tillapaugh pointed out that the Town of Otsego does not have a Police Department and although the Village of Cooperstown Police patrol the area, they have no authority to issue tickets for illegal parking or mischief activity. Another point she brought out was the Village/Town Boundary divides Linden Ave. and she thought it in the public's best interest to have a single jurisdiction of a roadway for purposes of paving, plowing, etc. Currently all parcels are tax-exempt. Mayor Tillapaugh felt the proposal would reduce liability for the Town of Otsego and eliminate the need for shared service agreements and /or service contracts for Fire/Ems Services, Law Enforcement Protection and Water /Sewer Agreements.

Town Health Officer Councilperson Chris Kjolhede reported that he was called to evaluate a trailer in the trailer park located on Angur Rd. Kjolhede deemed the trailer inhabitable. The trailer has since been removed.

Highway Superintendent William Hribar reported on highway concerns and work done since last month's meeting. Items reported were as follows:

- NYSEG will be replacing the telephone pole mentioned earlier by Walter Dusenbery, with a 9 ft. pole.
- Improvements to Tanner Hill Rd. have been completed and the rented excavator has been returned.

Hribar is having difficulty with people placing their mailboxes in the town ditches making it impossible to clean the ditches out. Hribar asked the Town Board to pass a Resolution prohibiting resident from putting their mailbox or anything else for that matter in the town right-of-way.

Councilperson Hohensee suggested that Hribar just notify the owners to move their mailboxes.

Hribar requested that he be allowed to purchase a used fire truck for cleaning out culverts and truck sanders. Town Attorney Will Green, informed Hribar that under the Town's Procurement Policy he will need 3 RFP's (Request for Proposal) for 3 similar used fire trucks.

Councilperson Hohensee plans on seeking O'Reilly's guidance on the drainage problem on Bibik Rd. and what is the best way to make improvements to the old highway garage on County Highway 26.

Councilperson Hohensee stated that Bob Satriano from the County, has offered to present the State Mandated Sexual Harassment, Right to Know, and Workplace Violence classes at the Town Building for employees in the fall.

Councilperson Olson wondered about an online version. Councilperson Hohensee volunteered to research that.

Councilperson Olson reported on the Watershed Supervisory Committee (WSC) Meeting on September 1<sup>st</sup>. The RV dump station capacity has been increased to 2,000 gallons. Algae levels above the safety threshold of 4ug/L were discussed as well as sources of runoff around the lake. Watershed inspector Al Keck inspected 8 properties in August. All passed but two.

Supervisor Bauer submitted proposed changes to the Land Use Law. Discussion was tabled until the October meeting.

There was a short discussion with the Town Board Members about upgrading the Town's Website. It was the consensus to budget the upgrades for the 2023 Budget.

Supervisor Bauer submitted a proposed 2023 Budget.

MOTION by Councilperson Zwissler, seconded by Councilperson Hohensee, to schedule a Budget Workshop for September 28<sup>th</sup> at 5:00PM.

MOTION CARRIED: All were in favor.

Supervisor Bauer submitted for the Town Board's review a proposed Local Law#1 allowing the

Town of Otsego to adopt a budget for the fiscal year commencing January 1<sup>st</sup>, 2023, that requires a real property tax levy more than the “tax levy limit” as defined by General Municipal Law 3-c.

MOTION by Councilperson Hohensee, seconded by Councilperson Olson, to schedule a Public Hearing for the Proposed Local Law #1 offered by Supervisor Bauer.

MOTION CARRIED: All were in favor.

MOTION by Supervisor Bauer, seconded by Councilperson Hohensee, to go into Executive Session to discuss employee performance and compensation.

MOTION CARRIED: All were in favor. (9:21PM)

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

MOTION CARRIED: All were in favor. (9:39PM)

MOTION by Supervisor Bauer to go into Executive Session to discuss a Litigation matter.

MOTION CARRIED: All were in favor. (9:40PM)

MOTION by Supervisor Bauer to come out of Executive Session.

MOTION CARRIED: All were in favor. (9:43PM)

MOTION by Supervisor Bauer to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 9:44PM

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

Respectfully Submitted,  
Pamela Deane/Town Clerk