

TOWN OF OTEGO

DECEMBER 14, 2016

The Town Board of the Town of Otego held a regular board meeting on Wednesday, December 14, 2016 at 6:00 pm at the Municipal Building, 3526 State Highway 7, Otego, New York. The purpose of the meeting was to audit the bills and any other business coming before the board.

The following members were present:

Joseph Hurlburt	Town Supervisor
Maryalice Brown	Town Clerk
Barbara Stanton	Councilperson
David Sheldon	Councilperson
JR Hurlburt	Highway Supt.

Minutes

A motion was made by David Sheldon, seconded by Barbara Stanton, to accept the minutes of the November 19 meeting. Motion: 3 Ayes, 0 Nays.

Supervisor's Report

Mr. Hurlburt read the Supervisor's report for November:

General Fund townwide beginning balance:	\$331,435.12
Receipts:	2,694.18
Disbursements:	<u>31,761.95</u>
Ending Balance:	\$302,367.35
General Fund outside village beginning balance:	\$ 19,570.82
Receipts:	950.16
Disbursements:	<u>1,176.18</u>
Ending Balance:	\$ 19,344.80
Highway Fund townwide beginning balance:	\$ 374,292.69
Receipts:	584.32
Disbursements:	<u>34,085.40</u>
Ending Balance:	\$ 340,791.61
Highway Fund outside village beginning balance:	\$ 325,645.42
Receipts:	16,968.30
Disbursements:	<u>17,198.08</u>
Ending Balance:	\$ 325,415.64

A motion was made by Barbara Stanton, seconded by David Sheldon, to accept this report as read. Motion: 3 Ayes, 0 Nays.

Dog Control Officer

Ellen Dwyer gave the dog report: 7 reports of loose/stray dogs, 0 tickets issued, two dogs taken to the shelter.

County Representative

Kathy Clark gave the board information about NYS Dept. of State local government webinars which may be of interest to the planning and zoning boards.

Planning Board

Elizabeth Callahan reported that the planning board worked with the zoning board of appeals on an area variance. Dan Wilber, Code Officer, also reported on the variance. The Crossroads Inn was granted an area variance to permit a dwelling on a lot not up to code. The owner is looking to build a modular next to the inn which is housing homeless people who are supported by county social services. The board did not realize the tenants were being housed by the county, but Mr. Wilber said this was only a change in the length of stay for tenants, not the use of the property which is a motel. The board received a letter from a neighbor Mr. Hitchcock complaining about the use of the property and the variance request. Mr. Hurlburt will visit Mr. Hitchcock to discuss his concerns.

Comprehensive Plan

The town attorney asked the board to complete an environmental review of the proposed environmental effects of adopting the comprehensive plan. The result was that adoption of the plan will not result in any significant environmental impact.

A motion was made by David Sheldon, seconded by Barbara Stanton, to issue a declaration that the comprehensive plan will not result in a negative impact on the environment. Motion: 3 Ayes, 0 Nays.

The following resolution was offered by Barbara Stanton, seconded by David Sheldon:

WHEREAS, the Town Board of the Town of Otego directed the Town Planning Board to prepare a proposed comprehensive plan update and the Town Planning Board did draft a proposed comprehensive plan update, in two parts; and
WHEREAS, the Town Planning Board held public hearings on March 1, 2016 (for Part 1) and on June 21, 2016 (for Part 2), and otherwise assured full opportunity for citizen participation in the preparation of such proposed plan; and
WHEREAS, the Town Planning Board presented the proposed comprehensive plan update and recommendations to the Town Board at its regular meeting on July 13, 2016; and
WHEREAS, on or about September 2, 2016, the Town referred the proposed comprehensive plan update to the Otego County Planning Department for review and comment, in accordance with General Municipal law section 239; and
WHEREAS, by resolution adopted on September 7, 2016 the Town Board, by a vote of 4-0, declared itself lead agency on this action for purposes of the New York State Environmental Quality Review Act ("SEQRA"); and
WHEREAS, by resolution adopted on September 7, 2016, the Town Board scheduled a public hearing on the comprehensive plan update for October 12, 2016, and authorized publication of the notice of the public hearing at least ten days prior to the public hearing; and
WHEREAS, the Town Clerk published a notice of the public hearing in the Oneonta Daily Star and posted the notice of the public hearing on the town's sign board and on the Town's website; and
WHEREAS, copies of the proposed comprehensive plan update were made available for public inspection in the office of the Town Clerk and at the local library; and
WHEREAS, the Otsego County Planning Department responded to the Town on September 20, 2016 and approved the comprehensive plan with the condition that the Otsego County agricultural plan be addressed in accordance with Town Law section 272-a; and
WHEREAS, the Town Planning Board and the Town Board have reviewed the comments from the Otsego County Planning Department and confirmed that the Planning Board did in fact consider the Otsego County agricultural maps and agricultural plan in its comprehensive plan update and summarized that information on pages 13 through 16 and on page 43 of Part 1 of the comprehensive plan update; and
WHEREAS, the Town Board conducted the public hearing on October 12, 2016 and heard comments on the plan from approximately 20 members of the public; and
WHEREAS, at its regular meeting on December 14, 2016, the Town Board determined that adoption of the comprehensive plan constitutes a Type 1 action pursuant to SEQRA, completed the environmental review of the proposed comprehensive plan in accordance therewith, determined that the adoption of the comprehensive plan update would not result in any significant adverse environmental impacts, and issued a negative declaration;

NOW, THEREFORE, BE IT RESOLVED this 14th date of December, 2016, by the Town Board of the Town of Otego, Otsego County, New York, as follows:

1. The Town Board hereby finds that the adoption of the proposed comprehensive plan update will promote the health, safety, and general welfare of the people of the Town of Otego and will be in the best interests of the people of the Town of Otego.
2. In accordance with section 272-a of the New York State Town Law, the Town Board hereby adopts the comprehensive plan dated July 13, 2016, effective immediately.
3. The Town Clerk is hereby directed to file a copy of the comprehensive plan in the Office of the Town Clerk, to post a copy on the town's Website, and to provide a copy of the comprehensive plan to the Otsego County Planning Department.

Motion: 3 Ayes, 0 Nays.

There were some concerns raised by residents at the public hearing. These concerns can still be addressed by the two boards and the plan amended if necessary. The plan should be reviewed periodically since concerns can change over time. Comments from the public hearing will be reviewed to see how best to address these issues.

Highway Report

Mr. Hurlburt reported that the new truck is working great. The department is installing guide rails and doing in house repairs when not plowing roads.

Agreement for the Control of Snow and Ice on County Roads

A motion was made by David Sheldon, seconded by Barbara Stanton, to adopt the attached agreement for the control of snow and ice on county roads for three years commencing January 1, 2017 and ending May 31, 2020. Motion: 3 Ayes, 0 Nays.

Shared Services Agreement with NYSDOT

A motion was made by Barbara Stanton, seconded by David Sheldon, to have the town highway superintendent sign the shared services agreement with NYS Department of Transportation for a four year period. Motion: 3 Ayes, 0 Nays.

MEGA Energy

A motion was made by Barbara Stanton to explore a Community Choice Aggregation program and enter into an administration agreement with Municipal Electric and Gas Alliance (MEGA).

Discussion followed. This resolution would not obligate the town to adopt the Community Choice Aggregation Program. Education of the public about the program would be done by MEGA and the town would also have to adopt a local law. The board decided to table action on the resolution until the January meeting when all board members should be present.

Barbara Stanton withdrew her motion.

Local Law #1 of 2017

The town attorney submitted Local Law #1 of 2017, a local law for Flood Damage Prevention. This law updates the town's previous law on flood prevention and incorporates the new flood maps. The law must be in place for residents to purchase flood insurance. The law was given to the board and will be sent to NYS Dept. of Environmental Conservation (NYSDEC) as required for their review.

A motion was made by David Sheldon, seconded by Barbara Stanton, to hold a public hearing on Local Law #1 of 2017 on January 11, 2017 at 6:00 pm.

Assessment case

The assessment case with Countryside Management has been pending for five years. The town attorney has come to a compromise settlement of the assessment that would avoid going to court. This would require a tax return payment of around \$2500 to Countryside Management.

A motion was made by David Sheldon, seconded by Barbara Stanton, to pay a settlement not to exceed \$2500.00 to settle the assessment case with Countryside Management. Motion: 3 Ayes, 0 Nays.

School Closing

Glenn Seroka addressed the board about the likely closing of Otego Elementary School. He feels a better option is to close the Unadilla Elementary school since Otego has the bus garage, more parking, playing/practice fields, etc. Not to mention the part it plays in the community. The clerk will draft a letter for Mr. Hurlburt to sign and send to the Unatego school board.

Warrant #12

A motion was made by David Sheldon, seconded by Barbara Stanton, to pay the warrant in the following amounts: General Fund vouchers # _____ in the amount of \$ _____.
Highway Fund vouchers # _____ in the amount of \$ _____.
Motion: 3 Ayes, 0 Nay

The meeting was adjourned at 8:00 pm.

Maryalice Brown
Town Clerk

_____ Town Supervisor

_____ Town Clerk

_____ Councilperson

_____ Councilperson

_____ Highway Supt.