

September 14, 2026

Minutes of the Regular Monthly Meeting of the Town of Otisco held on September 14, 2026 at 7:00 pm at the Otisco Town Hall, 1924 Barker Street, with the following members present:

PRESENT: Supervisor Glenn R. Hall
Councilman Jesse Spaulding
Councilman Tyler Knapp
Councilman Doug LaFrance
Counselman Roger Volles

OTHERS PRESENT: Thomas Chartrand, Financial Advisor; Douglas Hoffman, Highway Superintendent; Craig Billinson, Attorney for the Town; Cheryl Brunet, Town Clerk; Mandie Young, Deputy Town Clerk; and approximately 15 others.

The minutes of the August 10, 2026 Regular Monthly Town Board Meeting have been distributed via email to all members of the town board by the Town Clerk prior to the meeting.

Motion was made by Councilman Spaulding and seconded by Councilman Volles to accept the August 10, 2026 minutes.

All in favor, motion carried

(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

HIGHWAY SUPERINTENDENT'S REPORT:

After an approximately three-year wait, the new plow truck was delivered the previous week. The smaller truck remains outstanding and is expected soon.

Three very large poplar trees on Barker Road were reported as splitting and potentially hazardous to the roadway.

A tree-removal proposal of more than \$7,000 was discussed. The contractor would remove the trees and brush, while the town would retain and collect the logs to help reduce the cost.

Motion was made by Councilman Volles and seconded by Councilman Spaulding to approve the tree work pending follow-up clarification on the scope, particularly responsibility for the logs and final pricing.

All in favor, motion carried

(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

A payment/check related to guardrail damage on Case Hill was discussed. The repair is on the contractor's work list and will be completed when scheduled.

The department is finishing work on equipment, including stake racks and another truck, so surplus equipment can be placed at auction.

Brush cutting is expected to begin the following week. Crews are also checking snowplows, preparing equipment, hauling stone, and restocking supplies.

Shirts have been ordered and were expected to arrive within approximately one week.

SUPERVISOR'S REPORT:

Thomas Chartrand, Financial Advisor, reviewed monthly financial reports.

- Receipts and disbursements were generally quiet for the month.
- Interest rates on both accounts were reported at just under 3.5%, with no need identified to move funds between accounts.
- Court fines remain low year to date. A small state reimbursement was received.
- Highway fuel reimbursements are performing well and are expected to remain within budget.
- Highway expenditure item 8, a paving project, was noted at approximately \$328,000.
- General-fund spending was 48% and revenues were 96%.
- Highway-fund spending was 56% and revenues were 90%.
- No significant overruns or other concerns were identified; overall finances were reported to be in good shape.

A fire-hydrant maintenance charge was discussed. Spafford serves as the lead agency for the shared district involving Spafford, Marcellus, and Otisco. Tax revenue collected for Otisco's share is transferred to Spafford at the beginning of the year, and Marcellus follows the same process. The hydrant-maintenance charge is a relatively minor portion of the district's costs; the largest portion is repayment of a zero-interest loan, which benefits district residents. The matter will also be reviewed during the evening budget workshop. Cheryl will forward the maintenance bill to the Town of Spafford. Any applicable damage-related cost may be pursued through the town's insurance, subject to confirmation.

The Amber Firehouse contacted town and county representatives regarding possible funding to relocate or alter the fire hydrant near the building entrance and parking-lot sign. The available funding, total project cost, town contribution, and approval process remain unclear. Additional information is needed before the town can determine whether and how to participate.

Motion was made by Councilman LaFrance and seconded by Councilman Knapp to accept the August Supervisors Report.

All in favor, motion carried

(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

Business Discussion

Park fence: Availability and pricing still need to be obtained from the prospective provider. Trees planted twice along the eastern property line have died, and ongoing concerns were noted about dogs crossing onto the neighboring property. A fence is being considered as an alternative; discussion will continue.

ATV law: The recently adopted law requires Apple Valley Wheelers, Inc. to submit a map, which has not yet been provided.

Moratorium on Commercial Construction

The current moratorium is scheduled to expire at the end of October. Two pending local laws (SEQR and Commercial Business) must first be submitted to the county for review, creating a timing gap before the town may vote on them.

Because board members and the public have not yet had sufficient opportunity to review the proposed laws, the related public hearing will be scheduled for November.

Glenn R. Hall gave a summary of Local Law No. 4 of 2026 – **Temporary Moratorium on Commercial and Industrial Construction**

A motion was made by Councilman LaFrance and seconded by Councilman Spaulding to hold a **public hearing at 7:00 pm during the October 12 Board Meeting** to extend the **Commercial Construction Moratorium for four months.**

All in favor, motion carried
(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

Amber Road Variance: Corey Dwyer was in the audience to address any concerns the public may have regarding the proposed 5 unit apartment construction. Supervisor Hall noted that the plans are available if anyone wishes to see them.

A motion was made by Councilman Volles and seconded by Councilman Spaulding to schedule a **vote on the Amber Road Variance request at 7:05 pm during the October 12 Board Meeting**

All in favor, motion carried
(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

The proposed new SEQR Law and Business Law have been provided to the Town Board Members for review before being sent to the County.

A motion was made by Councilman Spaulding and seconded by Councilman LaFrance to schedule the following Public Hearings *and to note that the regular meeting will be moved from November 9th to Thursday November 5th*

The proposed SEQR Law at 7:00 pm
The proposed Business Law at 7:20 pm
The Tentative 2027 Budget at 7:30 pm

All in favor, motion carried
(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

Supervisor Hall explained that the November Board meeting must always be held within 3 days of the November Elections.

Attorney Billinson and Supervisor Hall met with Dutch Hill Solar/UGE. They requested a resolution. Supervisor Hall read a summary of the resolution. Attorney Billinson provided the following **Resolution #31 of 2026**.

Town of Otisco Resolution #31 of 2026

Acknowledging Receipt and Partial Satisfaction of Conditions of Conditional Solar Permit – OYA Dutch Hill Road Solar, LLC

WHEREAS, the Town Board of the Town of Otisco previously granted a Conditional Solar Permit dated January 12, 2026 to OYA Dutch Hill Road Solar, LLC (“Applicant”) for the proposed approximately 5.0 MW solar energy facility located at 1019 Dutch Hill Road in the Town of Otisco, subject to certain conditions required to be satisfied prior to commencement of construction or as otherwise provided in said Conditional Solar Permit; and

WHEREAS, the Applicant has subsequently submitted additional documentation to the Town in support of its request for satisfaction and discharge of certain conditions contained in the Conditional Solar Permit, including a revised Decommissioning Plan dated July 31, 2026 and associated decommissioning cost estimate, documentation concerning financial security for decommissioning, documentation concerning insurance coverage, a New York State Department of Environmental Conservation Letter of Authorization for coverage under the applicable SPDES General Permit, and correspondence from the New York State Department of Agriculture and Markets concerning the Applicant's Final Notice of Intent; and

WHEREAS, the revised Decommissioning Plan incorporates additional provisions requested by the New York State Department of Agriculture and Markets concerning removal and disposition of level spreaders, geotextile material and gravel; and

WHEREAS, the New York State Department of Environmental Conservation has issued a Letter of Authorization for coverage under SPDES General Permit GP-0-25-001, Permit ID NYR11R465, subject to the terms, conditions and continuing requirements of said General Permit; and

WHEREAS, the New York State Department of Agriculture and Markets, by correspondence dated August 10, 2026, determined that the Final Notice of Intent submitted in connection with the project was complete, but expressly advised that such determination did not constitute authorization to commence the project and that the review process required pursuant to Agriculture and Markets Law §305(4) remained to be completed; and

WHEREAS, the Applicant has advised the Town that a final determination from the New York State Department of Agriculture and Markets remains pending and will be provided to the Town upon receipt; and

WHEREAS, the Town Board desires to acknowledge the Applicant's substantial progress toward satisfying the conditions of the Conditional Solar Permit without prematurely discharging conditions for which final documentation, approvals or financial security remain outstanding;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby acknowledges receipt of the foregoing materials and determines that the Applicant has substantially satisfied those conditions of the Conditional Solar Permit addressed by the revised Decommissioning Plan and the NYSDEC SPDES Letter of Authorization, subject to any continuing requirements imposed by the Conditional Solar Permit and applicable State permits and approvals; and

BE IT FURTHER RESOLVED, that with respect to Condition 1 (Insurance) of the Conditional Solar Permit, the Town Board acknowledges receipt of the insurance documentation submitted by the Applicant; provided, however, that Condition 1 shall not be deemed finally satisfied until the Applicant has provided satisfactory evidence of insurance coverage that is current and in effect and otherwise complies with the insurance requirements of Town of Otisco Local Law No. 5 of 2024, including any required endorsements naming the Town of Otisco, its officers, employees and agents as Additional Insureds;

BE IT FURTHER RESOLVED, that with respect to Condition 2 (Decommissioning Bond/Financial Security), the Town Board accepts the revised Decommissioning Plan dated July 31, 2026 and approves the decommissioning cost calculation of \$824,000.00. The year 1 bond value will be \$593,000.00 and with a 2% annual escalator, the bond amount will increase to \$954,000.00 in year 25 of the project. Condition 2 shall be deemed only partially satisfied and shall remain outstanding until the Applicant submits and the Town approves the actual bond, letter of credit or other acceptable financial-security instrument required by the Conditional Solar Permit and Local Law No. 5 of 2024, in a form satisfactory to the Attorney for the Town, and subject to all required periodic adjustments, renewals and continuing maintenance;

BE IT FURTHER RESOLVED, that Condition 3 (Building Permits) remains in full force and effect according to its terms, and nothing contained in this Resolution shall constitute satisfaction, waiver or discharge of said condition, and no construction activity requiring a

Building Permit shall commence until all required Building Permits have been issued by the Town of Otisco Code Enforcement Officer;

BE IT FURTHER RESOLVED, that Condition 4 (Driveway Permits) remains applicable according to its terms to the extent that any driveway, access or highway permit from the Town, County or State is required for the Project, and nothing contained in this Resolution shall constitute a determination that no such permit is required or a waiver of the Applicant's obligation to obtain any such required permit prior to construction;

BE IT FURTHER RESOLVED, that with respect to Condition 5 (Stormwater Pollution Prevention Plan), the Town Board acknowledges the New York State Department of Environmental Conservation Letter of Authorization for coverage under SPDES General Permit GP-0-25-001, Permit ID NYR11R465, as satisfying the requirement of Condition 5 that the Applicant obtain SPDES coverage; provided, however, that the Applicant shall remain responsible for compliance with all continuing requirements and conditions of said General Permit and for satisfying all requirements pertaining to the Stormwater Pollution Prevention Plan ("SWPPP") prior to any land disturbance, as required by Condition 5;

BE IT FURTHER RESOLVED, that with respect to Condition 6 (Compliance with Attorney's Letter dated January 9, 2026), the Town Board acknowledges the documentation submitted by the Applicant in furtherance of the outstanding items, representations and commitments identified in the January 9, 2026 letter from Phillips Lytle LLP to the Town Board and Attorney for the Town; provided, however, that Condition 6 has not been finally satisfied because, among other matters, the review process required pursuant to Agriculture and Markets Law §305(4) remains pending, and the Applicant shall submit to the Town, promptly upon receipt, the final determination issued by the New York State Department of Agriculture and Markets, together with any conditions, mitigation requirements or other directives contained therein, and shall demonstrate compliance with any such requirements and with any other remaining applicable representations and commitments contained in the January 9, 2026 letter;

BE IT FURTHER RESOLVED, that Condition 7 (Ongoing Compliance) constitutes a continuing obligation of the Applicant and shall remain in full force and effect throughout the construction, operation and, to the extent applicable, decommissioning of the Project, including continuing compliance with Town of Otisco Local Law No. 5 of 2024 and all applicable Town, County, State and Federal laws, and nothing contained in this Resolution shall constitute satisfaction, waiver or discharge of said continuing compliance;

BE IT FURTHER RESOLVED, that nothing contained in this Resolution shall be construed as a waiver, modification or discharge of any condition or requirement of the Conditional Solar Permit except to the extent expressly determined herein, nor shall this Resolution constitute authorization to commence any work for which a condition, permit, approval, financial security, fee or other prerequisite remains outstanding, and all conditions and requirements not expressly determined herein to have been satisfied shall remain in full force and effect according to their terms; and

BE IT FURTHER RESOLVED, that upon receipt and satisfactory review of the remaining required preconstruction documentation, including the final determination of the New

York State Department of Agriculture and Markets and the required decommissioning financial-security instrument, this matter may be returned to the Town Board for consideration of a further resolution determining whether the remaining preconstruction conditions and requirements of the Conditional Solar Permit have been satisfied, provided that any continuing conditions and obligations imposed by the Conditional Solar Permit shall thereafter remain in full force and effect according to their terms.

A motion was made by Councilman Spaulding and seconded by Councilman Knapp to adopt resolution #31 of 2026 **Acknowledging Receipt and Partial Satisfaction of Conditions of Conditional Solar Permit – OYA Dutch Hill Road Solar, LLC**

All in favor, motion carried
(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

Be it so Ordered by the Town Board of the Town of Otisco.

Dated: September 14, 2026.
Otisco, N.Y.

Glenn R. Hall, Town Supervisor

Cheryl Brunet, Town Clerk

Town of Otisco Resolution #32 of 2026

Town of Otisco Employee Conduct, Integrity, Ethics, Fraud Prevention, Technology Use, Workplace Violence, and Substance Abuse Policy

1. Purpose and Policy Statement-

The Town of Otisco (the “Town”) is committed to maintaining the highest standards of integrity, professionalism, accountability, safety, and public trust. Town employees are public servants entrusted with public resources and are expected to conduct themselves in a manner that promotes confidence in municipal government.

2. Applicability-

This Policy applies to all Town officers, employees, seasonal employees, part-time employees, volunteers, and any individual acting on behalf of the Town to the extent permitted by law.

3. Relationship to Existing Policies-

This Policy supplements but does not replace the requirements of the Town’s Code of Ethics, Employee Code of Conduct, Sexual Harassment Prevention Policy, or other Town

policies, collective bargaining agreements, the New York Civil Service Law, New York General Municipal Law Article 18, or other applicable federal, State or local laws, rules and regulations (hereinafter collectively referred to as “Applicable Policies”).

4. Standards of Conduct-

Employees shall perform their duties honestly, comply with applicable laws and policies, treat others with respect, protect Town assets, and avoid conduct that undermines public confidence.

5. Fraud, Waste, Abuse and Misappropriation-

Employees shall not engage in theft, fraud, embezzlement, payroll fraud, falsification of records, procurement fraud, misuse of Town funds, or unauthorized expenditures. Misappropriation or unauthorized personal use of Town property, equipment, vehicles, fuel, supplies, facilities, records, or electronic resources is strictly prohibited.

6. Payroll and Timekeeping Integrity-

Employees shall accurately record hours worked, leave time, overtime, and all payroll information. Falsification of payroll records constitutes serious misconduct.

7. Use of Town Property and Resources-

Town vehicles, equipment, tools, fuel, facilities, credit cards, purchasing accounts, computers, telephones, and supplies shall be used only for authorized governmental purposes, unless otherwise approved by the Town Supervisor or Town Board.

8. Ethics and Conflicts of Interest-Employees shall comply with the Town Code of Ethics and applicable provisions of New York General Municipal Law Article 18 and other Applicable Policies and shall avoid actual or perceived conflicts of interest.

9. Gifts and Gratuities-

Employees shall not solicit or accept gifts, favors, compensation, or benefits intended to influence official actions.

10. Confidential Information-

Employees shall comply with applicable records retention requirements, the Freedom of Information Law, and other laws governing public records. Employees shall protect from unauthorized disclosure confidential personnel, legal, financial, investigative, medical, and other non-public information obtained through Town employment.

11. Technology, Computer, Internet and Email Use-

Town technology resources are provided for governmental purposes only. Employees shall safeguard passwords, avoid utilizing or downloading unauthorized software, protect electronic records, comply with cybersecurity practices, comply with the Town’s ACH Policies and refrain from unlawful, offensive, harassing, or inappropriate use of Town systems.

Employees shall have no expectation of privacy regarding information and data stored upon or transmitted through Town-owned equipment or systems, subject to applicable law.

12. Social Media and Public Communications-

Only authorized individuals may speak on behalf of the Town. Employees shall not disclose confidential information through social media or electronic communications.

13. Workplace Respect and Professional Conduct-

Employees shall maintain a professional workplace and treat co-workers, residents, contractors, vendors, and visitors fairly, respectfully, and professionally.

14. Workplace Violence Prevention-

Employees shall at all times comply with the Town's Code of Conduct. Failure to comply shall constitute misconduct. The Town maintains zero tolerance for threats, intimidation, harassment, assaultive conduct, fighting, stalking, or acts of workplace violence. Employees shall immediately report threats or violent conduct to their department Supervisor, to the Town Supervisor or to the Town Board.

Any employee who believes there is an imminent threat of harm shall immediately contact law enforcement.

15. Weapons-

The unauthorized possession of weapons on Town property or while conducting Town business is prohibited except as otherwise authorized by law.

16. Drug and Alcohol Policy-

Employees must report to work fit for duty and free from impairment. The possession, use, sale, or distribution of illegal drugs during work or on Town property is prohibited.

The possession or consumption of alcohol during working hours or breaks, while operating Town equipment or vehicles, or while conducting Town business is strictly prohibited.

17. Cannabis and Prescription Medications-

The Town recognizes applicable protections under New York law concerning lawful off-duty conduct. However, employees may not perform Town duties while impaired.

Employees whose prescription medications may impair safe performance shall notify their supervisor in advance when safety concerns exist.

18. Reasonable Suspicion of Impairment-

Where a supervisor or Town official reasonably believes that an employee is impaired and unable to safely perform assigned duties, the employee's supervisor or Town official may temporarily remove the employee from duty pending further review and may take such action as is permitted by law, applicable collective bargaining agreements, and Applicable Policies.

19. Reporting Misconduct-

Employees shall promptly report to their supervisor, the Town Supervisor or to the Town Board suspected fraud, theft, safety violations, harassment, discrimination, ethical violations, misuse of Town property, cybersecurity incidents, or other misconduct.

Employees shall also report suspected violations of this Policy or Applicable Policies by elected officials, officers, employees, contractors, consultants, or volunteers acting on behalf of the Town.

20. Whistleblower Protection and Non-Retaliation-

No employee shall suffer retaliation for making a good-faith report of misconduct, violations of Town policies or for cooperating in an investigation.

21. Investigations-

The Town, or its designee, shall investigate alleged violations of this Policy or other Town policies. Employees are expected to cooperate fully in any such investigation and preserve relevant records and evidence.

No employee shall knowingly destroy, alter, conceal, or remove records relevant to a pending investigation.

22. Discipline-

Violations of this Policy or other Applicable Policies may result in counseling, warnings, suspension, demotion, termination, restitution, referral to law enforcement, or other corrective action consistent with applicable law, collective bargaining agreements, and Civil Service requirements.

23. Amendments-

The Town Board reserves the right to amend or supplement this Policy from time-to-time by Resolution.

24. Severability-

If any clause, sentence, paragraph, section, article, subdivision, provision, or part of this Policy shall be adjudged by any Court of competent jurisdiction to be void, invalid or unenforceable, such adjudication or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations and only apply to the clause, sentence, paragraph, section, article, subdivision, provision, or part thereof directly involved in the controversy in which such adjudication or judgment shall have been rendered or so adjudged, and the remainder of this Policy shall remain valid and in full force and effect.

25. Construction-

Nothing contained herein shall be construed to diminish or limit any obligations imposed by any applicable federal, state, or local law, collective bargaining agreement, or other Applicable Policy.

26. Effective Date-

This Policy shall take effect immediately upon adoption by the Town Board.

27. Employee Acknowledgment-

Employees shall acknowledge receipt of this Policy and agree to comply with its provisions.

Employee Acknowledgment

I, the undersigned, acknowledge that I have received and reviewed the Town of Otisco Employee Conduct, Integrity, Ethics, Fraud Prevention, Technology Use, Workplace Violence, and Substance Abuse Policy. I understand that I am expected to comply with its provisions.

Employee Name: _____

Signature: X _____ Date: _____

A motion was made by Councilman LaFrance and seconded by Councilman Spaulding to adopt Resolution #32 of 2026 **Town of Otisco Employee Conduct, Integrity, Ethics, Fraud Prevention, Technology Use, Workplace Violence, and Substance Abuse Policy**

All in favor, motion carried
(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

Town Board of the Town of Otisco

September 14, 2026.

Be it so Ordered by the Town Board of the Town of Otisco.

Glenn R. Hall, Town Supervisor

Cheryl Brunet, Town Clerk

Motion was made by Councilman Volles and seconded by Councilman Spaulding to pay the bills out of the proper funds. They are General Abstract # 9 in the amount of \$19,921.40 and Highway Abstract # 9 in the amount of \$325,818.20.

All in favor, motion carried
(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

Motion was made by Councilman LaFrance and seconded by Councilman Volles to accept the August Bank Reconciliation.

All in favor, motion carried
(Hall, Spaulding, Knapp Volles and LaFrance) Ayes 5 Noes 0

Open discussion:

Pete Sheedy asked if there was any new information on the turbines? Supervisor Hall has none. Also asked if there was a time limit to begin construction. Supervisor Hall does not know.

A vigorous discussion was held regarding Pine View Run and apparent violations of the Noise Ordinance. Supervisor Hall noted the progress and process to address any issues that occur going forward.

Several residents had questions regarding the new cell tower. Coverage has been disappointing for some people/homes..

EXECUTIVE SESSION

Supervisor Glenn Hall advised those present at the meeting that:

1. The Town Board has to discuss negotiations with the Union that is representing the Highway Department employees relative to the terms of a new Collective Bargaining Agreement which would take effect retroactively to January 1, 2027.
2. These discussions should properly take place in Executive Session with the Board meeting in private since issues, including sensitive financial planning affecting the Town's budget and other policies relating to the Highway Department employee's employment terms, will be discussed.
3. Although minutes of the discussions at the Executive Session will be taken as required by law, disclosure of these discussions at this time could have a significant impact on the Town Board's ability to negotiate in the best interests of the Town.
4. Request that a Motion be made that the Town Board enter into Executive Session.

Motion was made by Councilman Knapp and seconded by Councilman Spaulding p to enter into Executive Session at 8:03 pm.

All in favor, motion carried

(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

Motion was made by Councilman Spaulding and seconded by Councilman LaFrance to exit Executive Session at 9:20 pm.

All in favor, motion carried

(Hall, Spaulding, Knapp, Volles and LaFrance) Ayes 5 Noes 0

Re-enter into Regular Meeting

2027 PRELIMINARY BUDGET REVIEW

The tentative budget was summarized and explained by Financial Advisor Thomas Chartrand. Line items were reviewed by Supervisor Hall and the Councilman and adjusted per discussion.

Motion was made by Councilman Knapp and seconded by Councilman Spaulding to move the 2027 Tentative Budget to the 2027 Preliminary budget.

All in favor, motion carried
(Hall, Spaulding, LaFrance, Volles, and Knapp) Ayes 5 Noes 0

Motion was previously made to set the public hearing for Thursday, **November 5, 2025 at 7:30 pm**. The regular meeting will follow.

Motion to Adjourn was made by Councilman Volles and seconded by Councilman Spaulding at 10:38 pm.

All in favor, motion carried
(Hall, Spaulding, Volles, Knapp and LaFrance) Ayes 5 Noes 0

Respectfully submitted: _

Cheryl Brunet, Town Clerk