

The Otsego Town Board held a regular monthly meeting on the 8th day of January 2014 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Anne Geddes-Atwell	Supervisor
Bennett Sandler	Councilman
Julie Huntsman	Councilwoman
Carina Franck	Councilwoman
Thomas Hohensee	Councilman

Also Present:

Michelle Kennedy	Town Attorney
John Schallert Jr.	Highway Superintendent
Pamela Deane	Town Clerk

Supervisor Geddes-Atwell called the regular meeting to order and asked all those present to please rise for the Pledge of Allegiance.

Councilwoman Franck asked that Tammy Graves's statement referencing Harrison Hummel's ZBA variance be amended to read "Two of the variances he was given were relief from property line setbacks bordering the Canadarago Acres Homeowners Association property line and he went beyond what relief he was given *in 2009* from the ZBA".

MOTION by Councilwoman Huntsman, seconded by Councilman Hohensee, to accept the minutes of 12/11/13, 1/2/14 and 1/6/14 as amended.

MOTION CARRIED: All were in favor.

MOTION by Supervisor Geddes-Atwell, seconded by Councilman Sandler, to accept the minutes of 12/30/13 as presented.

MOTION CARRIED: Supervisor Geddes-Atwell, Councilmen Sandler and Hohensee and Councilwoman Franck voted yes. Councilwoman Huntsman abstained. (She did not attend the meeting of 12/30/13)

Supervisor Geddes -Atwell read correspondence received since last meeting.

Supervisor Geddes-Atwell opened the floor for public comment.

Joseph Potrikus, and Shelia Ross voiced their requests, comments, concerns and/or opinions.

Joseph Potrikus reported for the Planning Board stating that they were very pleased with the Board's choice of appointments. Potrikus reminded the Board that the Planning Board and ZBA are required by NYS law to attend four hours of training each year. He stated that the Planning Board feels that courses offered locally are limited and they would like to have the authorization to attend courses offered by Lorman in Albany and Syracuse.

Supervisor Geddes-Atwell closed comments from the public.

Supervisor Geddes-Atwell gave a financial report. Balances are as follows in the various accounts:

General Savings: \$ 4,673.64	General Checking: \$ 672,437.13
Highway Savings: \$ 7,792.90	Hwy Checking: \$ 432,675.92
Building Reserve Fund: \$150,543.70	
Hwy Equipment Fund: \$ 127,881.81	

MOTION by Councilwoman Huntsman, seconded by Councilwoman Hohensee, to pay the following invoices and make the necessary transfers.

GENERAL:	#1-#14	\$ 18,363.76
HWY:	#1	\$ 100.00

Zoning Enforcement Officer Tavis Austin submitted a monthly report to the Board. Since last meeting the following permits were issued:

Zoning Permit: 4

The Board discussed further Harrison Hummel's zoning violations. Austin informed the Board that Mr. Hummel did not re-apply to the ZBA for a variance.

Town Attorney Michelle Kennedy recommended that the Town Board authorize legal action against Harrison Hummel for Land Use Law violations.

MOTION by Councilman Sandler, seconded by Councilwoman Huntsman, to authorize the legal action against Harrison Hummel for Land Use Law violations.

MOTION CARRIED: All were in favor.

Councilman Sandler reported that he plans to have a RFP (Request for Proposal) draft for replacing part of the Town Building roof, ready for the February meeting. He is hopeful that the edits to the RFP will be completed and ready to be sent out by March.

Councilwoman Huntsman hopes to have a law drafted by the February meeting for Board members to review, forbidding the spreading or dumping of brine and other gas industry wastes.

Highway Superintendent John Schallert gave a highway report. He feels that the Town's dirt roads have been neglected for a long time and need to be addressed but most of the highway equipment is in good shape. Schallert stated that none of the plows for the pickup trucks are in working order including the 1 ½ ton. He has contracted with Joseph Potrikus to assist in plowing until he is able to get a plow. Estimated cost on a new plow for one pick-up truck was \$5,300.00 and for a new pick-up truck and plow \$40,500.00.

Highway employee and Fly Creek Fire Chief Michael Thayer, asked permission to put an 8x8x40 storage unit on the town highway Cemetery Road property. The unit would be used to store Fly Creek Fire Company items.

Schallert personally felt that the Town does not have enough room for the storage unit and before any decision is made all neighbors should be consulted. Sheila Ross, a neighboring property owner, was not in favor of the unit because of it being so large in size.

Town Attorney Michelle Kennedy asked for pre-approval for funds to pay for filing fees concerning the Gerbracht matter. Gerbracht has a residence on Otsego Lake with an unsatisfactory septic system.

MOTION by Councilman Sandler, seconded by Councilwoman Huntsman, authorizing Supervisor Geddes-Atwell to issue a check not exceeding \$100.00 to Town Attorney Michelle Kennedy to cover filing fees for the Gerbracht matter.

MOTION CARRIED: All were in favor.

Councilman Hohensee reported that the RFP's (Request for Proposals) for the Town's revaluation is complete and ready to be mailed out. There has only been one applicant that has applied for the upcoming Town Assessor vacancy. It was the Board's decision to re-advertise the position.

Town Attorney Michelle Kennedy recommended that the Board upgrade their current Public Officers Insurance Policy. The Insurance Company has rejected every claim she has put in for.

Supervisor Geddes-Atwell informed the Board that the Office of the State Comptroller has requested that the Town have a Resolution exempting the ZEO from residing in the Town of Otsego.

MOTION BY Councilwoman Huntsman seconded by Councilman Sandler, exempting the ZEO (Zoning Enforcement Officer) from having to be a resident of the Town of Otsego.

MOTION CARRIED: All were in favor.

RESOLUTION ADOPTED: (Resolution Docket pg. 120)

Supervisor Geddes-Atwell called for comments to the existing Surplus, Ethics and Procurement Policies.

MOTION by Councilwoman Huntsman, seconded by Councilman Sandler, to accept the Towns Surplus Policy and Ethics Policy as they stand.

MOTION CARRIED: All were in favor.

It was the consensus of the Board to revisit the Procurement Policy at the February meeting after everyone has had a chance to review it.

MOTION by Councilman Sandler, seconded by Councilman Hohensee, to go into Executive Session to discuss pending litigations and the Union Contract.

MOTION CARRIED: All were in favor. 8:45PM

MOTION by Councilman Sandler, seconded by Councilwoman Huntsman, to come out of Executive Session.

MOTION CARRIED: All were in favor. 9:30PM

MOTION by Councilman Sandler to adjourn.

MOTION CARRIED: All were in favor.

Meeting was adjourned at 9:40PM.

The next regular meeting will be at the Town Building in Fly Creek on the 12th day of February 2014 at 7:00PM.

Respectfully Submitted,

Pamela Deane
Town Clerk