

The Town of Otsego Town Board held a Regular Monthly Meeting on the 9th day of January at the Town Building, Fly Creek, NY at 7:00PM.

Town Board Members Present:

Meg Kiernan	Supervisor
Thomas Hohensee	Councilperson
Carina Franck	Councilperson
Bennett Sandler	Councilperson

Also Present:

William Hribar Sr.	Highway Superintendent
Pamela Deane	Town Clerk

Supervisor Kiernan asked everyone to please rise for the Pledge of Allegiance.

MOTION by Councilperson Hohensee, seconded by Councilperson Sandler, to accept the December 28th minutes as presented.

MOTION CARRIED: All were in favor.

Supervisor Kiernan opened the floor for comments.

Joan Kegelman stated that her husband Brian was contacted by the Town's Insurance Company to discuss their current claim. She stated that the insurance representative told her and her husband Brian that the Town Attorney never returned his phone calls so the case was closed. For that reason they were never contacted. Joan stated that she and her husband were told later that former Town Attorney Michelle Kennedy informed the Town Board that the claim would not be covered by Insurance because of negligence by the Town. At a Town Board meeting Brian mentioned an assault to their son Carter by Highway Superintendent William Hribar, which Hribar denied. The Insurance Representative told Brian that the Highway Superintendent did not assault Carter but saved him from getting run over by a piece of moving highway equipment. With that Brian played a video with no audio, of the incident which showed the machinery stopped and Carter talking to the operator before Hribar pushed him. He then called the State Police telling them Kegelman was interfering with work being done on the road. The video does not match up with Hribar's version of the incident.

Brian Kegelman thought this important because the Insurance Company is trying to determine who is telling the truth. Kegelman went on to say that there seems to be a rumor circulating that they in the past had a berm removed which was used to prevent flooding. The Insurance Representative told him that the Town observed contractor Roger Heroux removing dirt from a berm and putting it by a culvert. He admitted using Heroux's services in the past but never to remove a berm which he insists was never there. He alleges the Town Board has been calling him a liar to the District Attorney and others and he and his wife wanted everyone to know that they are not liars and this has got to stop.

Joan Kegelman doesn't understand why the Town Board is so angry with them. They are frustrated because water from Murdock Rd. was redirected to empty into their pond. Up until that point they claim their property never flooded. Now it floods all the time. They just want the road put back to the way it was.

Councilperson Sandler pointed out that the year their property flooded so badly was considered a 100-year flood.

Supervisor Kiernan pointed out that the Town tried to hire an engineer but Mr. Kegelman repeatedly wrote letters to the engineer's boss complaining how incompetent they were. The Insurance Company will handle it from this point on.

Carl Wenner reminded the Town Board, which he was a member of at the time, of the day former Town Supervisor Ann Geddes Atwell informed them that the state was requiring the Town Board to substantially reduce the Town's surplus. Wenner reminded the Town Board that he was strongly against it and found out after calling the State Comptroller's Office that it was a recommendation not a requirement. He also found out that the Town Board knew that. He doesn't appreciate being lied to by the Town Board. He will not appreciate the budget going up and down as he predicts it will do once the surplus is depleted.

Councilperson Sandler denied telling the public that the State Comptroller required the Town Board to substantially reduce the surplus.

Councilperson Hohensee stated that it was the consensus of the Town Board to spend down the surplus.

Councilperson Franck stated that she was just coming onto the Town Board but that was the way she remembered it also.

Planning Board Chairman Tom Huntsman discussed applications the Planning Board is currently reviewing and upcoming projects.

Zoning Enforcement Officer Ed Hobbie reported that the former B&B Ranch or better known formerly as the

Chamberlin Manson on Bed Bug Hill, has been sold. The new owner Frank Clifford, will be changing the name to “The Inn Of Fly Creek”.

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

General Savings: \$ 4,706.14	General Checking: \$354,185.47
Highway Savings: \$ 7,847.36	Hwy Checking: \$394,534.06
Building Reserve Fund: \$176,535.54	Hwy Equipment Fund: \$333,855.05

MOTION by Councilperson Franck seconded by Councilperson Sandler, to accept the financial report as presented and make the necessary transfers.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Franck, seconded by Councilperson Sandler, to pay the bills and make the necessary transfers as amended

GENERAL: #1-#14	\$ 4,596.17
HWY: #1-#5	\$ 3,052.19

MOTION CARRIED: All were in favor.

Dog Officer Tom Steele reported handling 1 dog running at large which found his way home eventually, 1 drop off.

Zoning Enforcement Officer Edward Hobbie discussed applications now currently being processed and reviewed by the various boards. The following permits were issued since last meeting:

Zoning Permits: 3      Subdivisions: 2      ZBA: 1      Site Plan Review: 1

Highway Superintendent Bill Hribar gave the highway report. Some issues discussed were:

- He recommended the Town Board consider petitioning the State to reduce the speed limit on Raymond Fish Rd. and Jones Rd. Both roads have had multiple accidents do to people driving too fast.
- The fuel pump needs a new computer and a metering wheel. Estimated replacement cost is \$6,200.00 for the two. The new computer for the fuel pump will not be as rugged as the old ones and will need to have shelter.
- Boom Mower has been rented for May.
- The Town of Hartwick is not open to shared services which means they will not be helping with the ditching in front of the Pierstown Grange.
- Used 175 tons of salt out of 500 tons budgeted.

Councilperson Franck stated that the Town of Otsego was not awarded funding for the Salt Shed. She plans to meet with Jordan Clements from Otsego County Soil and Water and see if the Town can reapply.

Supervisor Kiernan submitted a report by NYMIR which listed several corrective safety recommendations to the highway department. Highway Superintendent Hribar stated that all safety recommendations have been implemented.

Councilperson Hohensee reported that the next Safety Committee meeting is set for February 4<sup>th</sup> at 4:00pm.

Supervisor Kiernan submitted a Sexual Harassment Policy and Ethics Policy sent by the State of New York. The Town Board Members were instructed to review the Policies, sign them and return them to her by the next meeting.

Supervisor Kiernan reported on a conversation she had with the State Comptroller. The Cooperstown Fire District’s Budget needs to be included in the overall amount to be collected from the taxpayers because it is a contracted item and they are a taxing entity of the Village of Cooperstown, not the Town of Otsego. This means this amount is to be used when calculating the tax cap. The Fly Creek Fire Company and the Schuyler Lake Fire District are not. Because Cooperstown Fire Company’s budget was not included with the Town Budget the Town Budget appeared not to exceed the 2% tax cap but in essence it did. Also to exceed the 2% tax cap the Town Board must pass a Local Law. There was a \$10,000.00 increase in the Cooperstown Fire District’s Budget over last year. The Comptroller instructed Supervisor Kiernan to put \$10,000.00 in a savings account specifically earmarked to be applied to the taxes next year.

Supervisor Kiernan submitted the SPCA Contract for the Town Board to review. The Town Attorney, Peter Hobaica had reviewed and so no issues.

MOTION by Councilperson Sandler, seconded by Councilperson Hohensee, to authorize Supervisor Kiernan to sign the SPCA Agreement.

MOTION CARRIED: All were in favor.

Supervisor Kiernan submitted a Shared Services Contract that the Town of Hartwick wanted the Town of Otsego to sign before agreeing to assist in projects. This contract allows neighboring towns to rent or lease highway machinery and equipment, exchange or borrow equipment and/or borrow or lend materials and supplies from each other. The Town Attorney had no issues. Bill Hribar Sr. thought Hartwick was reconsidering their help at this time. Supervisor Kiernan said she would follow up with Hartwick's Town Supervisor.

Supervisor Kiernan submitted a proposal which increases the Annual Income for seniors 65 years of age or older to be eligible for the Real Property Exemption from a maximum income of \$16,000.00 to \$18,000.00. The Town Board reviewed the proposal and discussed the benefit and impact it may or may not have on the Town.

Supervisor Kiernan shared a letter Councilperson Potrikus wrote and her responses to his inquiries. One concern Councilperson Potrikus had was where would that lost revenue come from if the Town Board agreed to raise the income limit exemption for those 65 or older. Supervisor Kiernan answered by pointing out three new homes that are being built between Fly Creek and Cooperstown would more than cover it. Another question Councilperson Potrikus had was what steps are being taken to assure that expenses in the highway account will be closely monitored. Supervisor Kiernan answered Councilperson Potrikus by saying that she and Councilperson Franck will be meeting with Highway Superintendent Hribar monthly to review expenses. Councilperson Potrikus will work with Hribar with issues concerning trucks and equipment.

MOTION by Councilperson Sandler, seconded by Councilperson Franck, to schedule a Public Hearing for the February 13<sup>th</sup> meeting to increase the annual income for the senior exemption.

MOTION CARRIED: All were in favor.

Town Clerk Pam Deane submitted her Year-End report which was review and signed by the Town Board members.

MOTION by Councilperson Sandler, seconded by Councilperson Franck, to go into Executive Session to discuss a legal matter.

MOTION CARRIED: All were in favor. (8:50PM)

MOTION by Councilperson Sandler, seconded by Councilperson Franck, to come out of Executive Session.

MOTION CARRIED: All were in favor. (9:25PM)

MOTION by Councilperson Sandler to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 9:26PM

Respectfully Submitted,  
Pamela Deane/Town Clerk