

The Otsego Town Board held a regular meeting on the 11th day of January 2012 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
Carl Wenner	Councilman
Langhorn Keith	Councilman

Also Present:

Michelle Kennedy	Town Attorney
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.

MOTION by Councilman Wenner, seconded by Councilman Keith, to accept the minutes of December 14th, December 28th, and January 2nd, as presented.

MOTION CARRIED: All were in favor.

Supervisor Geddes-Atwell read correspondence she received since last meeting. Among the correspondence was:

- A liquor license renewal for Doubleday Café, Inc. There were no objections from the Board.
- A letter from John Phillips who felt that his interview for Planning Board was inappropriate for the following reasons.
 - a. Was questioned by not only Town Board members but applicants applying for the Town Board vacancy.
 - b. The Chairman of the ZBA was invited to participate in interviews of ZBA applicants but the Planning Board Chairman was not invited to participate in the interviewing of Planning Board applicants.
 - c. Chairman Geddes-Atwell informed him that because it was at that time a four person Board, she cast her vote with the two Councilmen voting in favor of appointing Dr. Tom Hunstman to avoid a tie and move the process along. As it turned out, the newly appointed member did not participate at the Planning Board meeting because they were not yet sworn in.

Phillips ended his letter requesting that the Ethics Board review the decision of the Town Board to appoint the spouse of a Town Board Councilperson to the Planning Board and a new application process be established so that the people of the Town of Otsego can see who is applying for various positions and what their qualifications and experience for that position are.

- A letter from town resident Orlo Burch. Burch stated that even though the Board's decision to appoint Councilwoman Huntsman's spouse to the Planning Board may be legal, he feels it to be unethical.

Supervisor Geddes-Atwell opened the floor for comments.

John Phillips expressed his disappointment that his letter that was sent to the Board was not read in its entirety and requested that it be entered into the minutes.

Councilman Wenner submitted three more articles finding government corrupt and incompetent. The articles referenced were as follow:

- The first article referenced Equal Employment Opportunity Commission (EEOC) warning employers that requiring a high school diploma from a job applicant might violate the Americans with Disabilities Act.
- The second article stated that with President Obama delaying the Keystone XL oil pipeline that would facilitate access to the estimated 1.7 trillion barrels of oil in North America, the U.S. Navy is reportedly slated to spend \$12 billion at a rate of \$15 per gallon on a biofuel - gasoline blend-a purchase justified by the proposition that dependence on oil is a national security threat. Navy Secretary Ray Mabus stated that this is being done for one reason in mind and that is "it makes us better fighters".
- The last article states that the federal government's updated dietary guidelines, as part of a campaign against obesity, diabetes and other problems has been a flop. Students do not find the food inviting and have instead been bringing their own lunches and eating more junk food than before.

Supervisor Geddes-Atwell closed the floor for Public Comment.

Supervisor Geddes-Atwell **submitted** a financial report. Balances are as follow in the various accounts:

General Savings: \$ 4,668.28
Highway Savings: \$ 7,783.97
Building Reserve Fund: \$150,371.04
Hwy Equipment Fund: \$156,017.73

General Checking: \$ 600,998.83
Hwy Checking: \$ 406,085.66

MOTION by Councilman Wenner, seconded by Councilwoman Geddes-Atwell, to accept the financial report as given.

MOTION CARRIED: All were in favor.

MOTION by Councilman Wenner seconded by Councilwoman Huntsman, to pay the following invoices and make the necessary transfers. Payment of Voucher #3 to BAS in the amount of \$520.00 subject to Supervisor Geddes-Atwell's findings on whether payment is due now or later on in the year.

GENERAL:	#1-#2	-#4-#20	\$24,254.11
HWY:	#1-#4		\$26,317.83

MOTION CARRIED: All were in favor.

After a short discussion the following Council persons volunteered for the following committees:

- Highway Committee- Councilman Wenner and Councilwoman Huntsman
- Highway Building and Grounds – Councilman Sandler
- Communication – Councilman Sandler
- Ethics Board – Councilman Wenner
- Watershed Supervisory Committee - Councilman Sandler
- Gas Committee – Supervisor Geddes-Atwell and Councilman Wenner

Highway report was given by Councilman Wenner in Highway Superintendent Shawn Mulligan's absence. Mulligan is still waiting for insurance money to cover the cost of the stolen spreaders. On another note, he is hoping to lease two new trucks this year. Mulligan feels leasing is a better option than buying.

Highway employee Michael Thayer informed the Board that the water at the new highway garage has developed a strong odor.

Dog Control Officer Report was given by Tom Steele. Since last meeting he has tickets pending in the Town Court and has answered two calls.

Planning and Zoning report was given by Planning Board liaison Rosemary Craig. On behalf of the Planning Board Craig extend a thank you to John Phillips for his twelve years of smart, respectful and thoughtful service on the Planning Board. The Village of Cooperstown has made it clear that they legally are not bound to come back to the Town Planning Board and do not plan to do so. Supervisor Geddes-Atwell asked Craig if she would be willing to get the Planning Board's opinion on expanding the Business District on Linden Avenue to encompass the Village's Gateway Project. Craig gladly agreed.

Supervisor Geddes-Atwell reported on the Watershed Committee. Addison Bissell's improvements to his septic system located on St. Hwy 80 needs to be passed by the Watershed Committee before it goes to Planning Board Committee.

Councilman Wenner reported that more volunteers need to be solicited for the Ethics Board. Sheila Ross and Orlo Burch have both resigned. Until volunteers are appointed, Orlo Burch's complaint will have to be on hold.

Supervisor Geddes-Atwell reported having received four more applications for the Zoning Board of Appeals' vacancy. It was the Board's decision to schedule a Special Meeting on January 16th for interviews at 5:30PM and appointments at 6:30PM for the Zoning Board of Appeals.

Town Attorney Michelle Kennedy reported that Honey Joe Acres LLC is contesting the Town Board's decision to abandon the upper portion of Honey Joe Road.

Supervisor Geddes-Atwell stated that the newly elected Justices Gary Kuch and Leslie Freedman, are requesting that the Justice salaries listed in the 2011 Budget be restored to the 2012 Budget.

Councilwoman Huntsman felt that given the qualifications of the justice- elect (one being and attorney the other having gone to training,) the 2011 salary of \$22,000.00, should be restored.

Councilman Wenner's feeling was that the salary approved in the 2012 budget was reasonable, based on the Justice salaries in other Towns within the County. He also would like to see the office reverted back to rotating elections.

Councilman Keith felt that you get what you pay for. He felt the Town of Otsego appropriated salary in 2011 was

in line with other Towns of the same population.

MOTION by Councilman Keith seconded by Councilwoman Huntsman, to hold a public hearing on February 8th at 7:00PM to gain public opinion on restoring the Justices salary to \$22,000.00 from the current budgeted salary of \$15,000.00.

MOTION CARRIED: Supervisor Geddes-Atwell, Councilmen Keith and Sandler, and Councilwoman Huntsman voted yes. Councilman Wenner voted no.

Supervisor Geddes-Atwell submitted an Agreement from Time Warner. Councilman Keith volunteered to review the agreement before the February 8th meeting.

Supervisor Geddes-Atwell stated that a MOTION is needed to satisfy Community Bank to remove former Town Supervisor Meg Kiernan as a signer for Town bank accounts.

MOTION by Councilman Sandler, seconded by Councilwoman Huntsman to remove former Town Supervisor Meg Kiernan and add Councilman Lang Keith as signer for all Town accounts with Community Bank.

MOTION CARRIED: All were in favor.

The following audits were assigned:

- Town Clerk – Councilman Wenner
- Tax Collection – Councilman Keith
- Town Justice – Councilman Sandler
- Town Supervisor – Councilwoman Huntsman

MOTION by Councilman Wenner, seconded by Councilwoman Huntsman, to go into Executive Session to discuss pending litigation between Honey Joe Acres LLC and the Town of Otsego.

MOTION CARRIED: All were in favor.

MOTION by Councilman Keith, seconded by Councilman Wenner, to come out of Executive Session.

MOTION CARRIED: All were in favor.

MOTION by Councilman Keith, seconded by Councilwoman Huntsman, authorizing Supervisor Geddes-Atwell to sign any legal papers on behalf of the Board concerning the Honey Joe Acres litigation against the Town of Otsego.

MOTION CARRIED: All were in favor.

MOTION by Councilman Keith, seconded by Councilman Wenner, authorizing Town attorney Michelle Kennedy to enter into negotiation with the owners of Honey Joe Acres and their attorney, settlement subject to Town Board approval.

MOTION CARRIED: All were in the favor.

MOTION by Councilman Keith to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 9:35PM.

Respectfully Submitted,

Pamela Deane
Town Clerk