

A Regular meeting of the Town Board was held on the 13th day of January, 2010 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Meg Kiernan	Supervisor
Bill Michaels	Councilperson
Anne Geddes-Atwell	Councilperson
Carl Wenner	Councilperson
John Schallert	Councilperson

Also Present:

Paul Elkan:	Town Attorney
Shawn Mulligan	Highway Superintendent
Pamela Deane	Town Clerk

Supervisor Kiernan called the meeting to order and asked all those in attendance to please rise and pledge the American Flag.

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Michaels, to accept the minutes of December 9th, December 28th, and January 4th as presented.

MOTION CARRIED: Supervisor Kiernan and all Councilpersons voted aye.

Supervisor Kiernan stated that she received a letter signed by some of the residents on Bibik Road requesting that Bibik Road be placed on the 5-year paving schedule.

Supervisor Kiernan opened the floor for comments.

George Hymas thanked Highway Superintendent Shawn Mulligan and Councilperson Carl Wenner for meeting with him to see and discuss the problem he has getting to his house during the winter months located on Vibbard Road.

Jim Ainslie welcomed newly elect Supervisor Kiernan and Carl Wenner. He then stated that while traveling his 70 mile mail route he has counted 90 vacant or for sale properties. In the last year he has counted only 4 of those properties sold. Town of Otsego use to be a place where people wanted to live. It is his belief that one of the reasons there are so many properties for sale here is the Local Land Use Laws are too strict and are keeping business out of the area. He urged the Town Board to consider revisions to the Land Use Law encouraging new businesses to come to the Town of Otsego.

Dora Cooke submitted a list of appointed and elected officials along with their addresses and phone numbers for the Town of Burlington that she received along with her tax bill for property that she owns in Burlington. She thought it a great idea and helpful to taxpayers and suggested that the Town of Otsego consider doing something similar next year.

Dora Cooke then addressed the Board's decision made at the Organizational Meeting to reduce the mileage reimbursement from 45 cents/mile to 40 cents/mile. She pointed out that NYS reimburses 55 cents/mile, that the Board did not increase the mileage reimbursement when gas went up. In closing Cooke didn't feel the Board examined all the facts before they made their decision to lower the mileage reimbursement.

Councilperson Wenner stated that it was his suggestion to lower the mileage reimbursement based on the assumption that the mileage had been raised during the time gas prices were higher.

Financial report was given by Supervisor Kiernan. Balances are as follow in the various accounts:

General Savings: \$ 4,654.91	Highway Savings: \$ 7,761.66
General Checking: \$ 770,622.43	Highway Checking: \$733,282.94
Highway Equipment Fund: \$ 154,065.90	

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Michaels, to make the necessary transfers and close out the year.

MOTION CARRIED: Supervisor Kiernan and all Councilpersons voted aye.

MOTION by Councilperson Michaels, seconded by Councilperson Geddes-Atwell, to pay all bills

presented except Hubbell's bill of \$2,400 for work and materials completed on the salt shed addition and \$51,768.00 to Wood Done Right.

General: # 1-#25 #27-#34 \$117,866.86
Hwy: #240-#250 \$ 24,932.74

Supervisor Kiernan asked for discussion.

After much deliberation the original MOTION was amended by Councilperson Geddes-Atwell, seconded by Councilperson Michaels, to pay all bills presented except Wood Done Right, Hubbell's and Bruce Hall.

MOTION CARRIED: Supervisor Kiernan and all Councilpersons voted aye.

MOTION by Councilpersons Michaels, seconded by Councilperson Wenner, authorizing the Town Supervisor to pay Bruce Hall Corporation once all materials ordered are delivered and to pay Wood Done Right 10% out of the 15% remaining of the original bill once the Building Committee approves the completion of the punch list. The remaining 5% of the contract remains withheld for final approval of the Building Committee and the Full Town Board.

MOTION CARRIED: Supervisor Kiernan, Councilpersons Michaels, Geddes-Atwell, and Wenner voted yes. Councilperson Schallert voted no.

MOTION by Councilperson Wenner to pay Art Hubbell's bill.

Town Attorney Elkan recommended that the Board pay only for materials and work completed and deduct Hubbell's charges for returning materials not used and for his sketches of the building.

There was no second. MOTION DIES.

It was decided that Councilperson Schallert will discuss the salt shed extension bill with Mr. Hubbell.

Highway Superintendent report was given by Highway Superintendent Shawn Mulligan. Fuel expenses for this month are as follow:

FUEL	GALLONS	TOTAL COST/MONTH	YTD GALS	YTD EXP.
Gas	-0-	\$ -0-	-0-	\$ -0-
Diesel	600.0	\$ 1,529.34	600.0	\$ 1,529.34
Heating	-0-	\$ -0-	-0-	\$ -0-
Svc.		\$ 12.04		\$ 12.04

Mulligan reported asking County Highway Superintendent Ron Tiderencil's advice on whether or not it was legal for the Town to piggy back on the County's engineering bid. Tiderencil told him that yes, if the Town wanted to accept the County's engineering bid they legally could do so. Mulligan stated that the Town would save over \$20,000.00 by going with the County's engineering bid for repairs to the Mill Street Bridge. Town Attorney Paul Elkan agreed to draft an agreement with the Town of Middlefield whereby the Town of Otsego and the Town of Middlefield each agree to pay half of the cost of repairs to the Mill Street Bridge.

Mulligan explained that he has been discussing a Municipal Service Incentive Grant with the Town of Hartwick Highway Superintendent whereby the two Towns would share the cost and ownership of a 2010 Broom. The grant states that each Town would pay 100% up front for the broom but would be reimbursed 90% leaving an actual payment of 5% for each town. The total cost of the broom under the grant is \$48,500.00. This would mean final cost for the new broom for each town would be \$2,400.00.

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Schallert, authorizing Highway Superintendent Shawn Mulligan to apply for the Municipal Service Incentive Grant.

MOTION CARRIED: Supervisor Kiernan and Councilpersons Schallert and Michaels voted yes. Councilperson Wenner voted no.

Zoning Enforcement Office Hank Schecher reported the following permits were issued since last month.

Zoning Permits: 2 Site Plan Review: 1

Planning Board representative John Phillips thanked the Town Board for expediting yearly appointments to the Planning Board. He reported that Planning Board activity has been quiet.

Town Justices James Wolff and Dora Cooke presented the court's yearly financial records which were examined by the Town Board. Wolff pointed out that the Town generates approximately \$87,000.00 in revenue from the Town Court. Wolff also presented salary and Court budget comparisons from other Town's in Otsego County.

MOTION by Councilperson Michaels, seconded by Councilperson Schallert, to accept and sign the Town Courts annual report as presented.

MOTION CARRIED: Supervisor Kiernan and all other Councilpersons voted aye.

Town Clerk Pamela Deane submitted an annual financial report which was reviewed by the Town Board.

MOTION by Councilperson Michaels, seconded by Councilperson Geddes-Atwell, to accept and sign the Town Clerk's annual report as presented.

MOTION CARRIED: Supervisor Kiernan and all other Councilpersons voted aye.

Councilperson Geddes-Atwell reported that she has had the Town's website information updated. Town resident Orlo Burch requested that information about the upcoming census be added. The Board had no objections.

Supervisor Kiernan reported that Highway employee Michael Rhyde, Councilperson Carl Wenner and Highway Superintendent Shawn Mulligan have agreed to serve as a Highway Committee.

Supervisor Kiernan submitted the existing Town Policies for the Town Board to review.

MOTION by Councilperson Michaels, seconded by Councilperson Geddes-Atwell, to accept the Town's Investment Policy as currently written.

MOTION CARRIED: Supervisor Kiernan and all Councilpersons voted aye.

MOTION by Councilperson Wenner, seconded by Councilperson Michaels, to accept the Ethic Policy as currently written.

MOTION CARRIED: Supervisor Kiernan and all other Councilpersons voted aye.

Councilperson Michaels offered to loan the Town his 1856 map to be hung on display at the Town Building in the meeting room. The Board members were very appreciative of Councilperson Michaels' offer, however given slightly fragile condition of the map took the advice of Planning Board members, John Phillips and Steve Purcell, who suggested that the NYS Historical Society examine it first and see if there are steps that can be taken to preserve the map from deteriorating further.

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Wenner to adjourn.

MOTION CARRIED. Supervisor Kiernan and all Councilpersons voted aye.

Meeting ended at 8:53 PM.

The next regular meeting will be held at the Town Building in Fly Creek on the 10th day of February, 2010 at 7:00 PM.

Respectfully Submitted,

Pamela Deane
Town Clerk