

The Otsego Town Board held a regular monthly meeting on the 12th day of February 2014 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Anne Geddes-Atwell	Supervisor
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.

MOTION by Councilwoman Huntsman, seconded by Councilman Hohensee, to accept the minutes of 01/08 as presented.

MOTION CARRIED: All were in favor.

Supervisor Geddes –Atwell read correspondence received since last meeting.

Supervisor Geddes-Atwell opened the floor for public comment.

Joseph Potrikus handed the Town Board a letter giving an account of when a beaver dam broke during a heavy thunderstorm early July of last year. Excess water forced tons of rock and debris down a stream located on his Christian Hill property. The debris plugged a town culvert that ran under Christian Hill Rd. The Town Highway crew removed in September, on two separate occasions, much of the excess rock and debris from the stream bed even though Potrikus’s wife Doreen asked them to stop. Potrikus is seeking restitution from the Town for damage done to his property and materials taken from the site. He has requested a written reply within the next 30 days.

As Planning Board liaison, Joseph Potrikus reported that the Planning Board has had very few new projects to review.

MOTION by Councilwoman Huntsman, seconded by Councilman Hohensee, to close comments from the public.

MOTION CARRIED: All were in favor.

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

General Savings: \$ 4,673.64	General Checking: \$ 684,856.88
Highway Savings: \$ 7,792.90	Hwy Checking: \$ 780,365.16
Building Reserve Fund: \$150,543.70	
Hwy Equipment Fund: \$ 127,881.81	

Village Library Trustees Chuck Newman and Deb Dalton thanked the Town Board for their generous financial support. A referendum seeking funding from taxpayers by way of adding an additional line item on the school tax bill will be put before the voters this year. If the referendum passes the Village will no longer need to ask for funding from the Town. The Village’s fiscal year starts June 1<sup>st</sup>.

John Phillips made the Board aware of the 2<sup>nd</sup> annual Cider Run that will take place on Saturday April 26 at 10:00AM in Fly Creek. This year it will benefit the Big Buddy Program of Delaware and Otsego County. A 10k has been added to the original 5k of last year. This year 500 participants are expected which is an increase from the 350 participants last year. The Fly Creek Fire Department has agreed to provide traffic and ambulance services. Other volunteer groups have agreed to provide water stations.

The Board seemed very supportive of the run and its cause.

Councilwoman Franck noted that the Clark Sports Center will be holding a 26.2 mile marathon around Otsego Lake through the towns of Springfield, Middlefield and Otsego Saturday June 14<sup>th</sup> starting at 8:00AM.

Supervisor Geddes-Atwell submitted a Computer Service Contract for the Town Computers offered by Scott Dibble, owner and sole operator of Upstate Technology. The contract was reviewed and discussed by the Board and their Attorney.

MOTION by Supervisor Geddes-Atwell, seconded by Councilwoman Huntsman, authorizing the Town Supervisor to sign the proposed Computer Service Contract.

MOTION CARRIED: All were in favor.

Councilman Hohensee reported that five people have applied for the upcoming assessor vacancy. The Board discussed their availability to conduct interviews.

Town Attorney Michelle Kennedy recommended that the Town Board file actions against Mr. and Mrs. Harrison Hummel III for committing violations under Town Law. Town Court is limited to only fining the Hummel's. The Supreme Court can instruct the Hummel's to remove structures that are in violation. Since the Hummel's violations have violated their neighbor's rights and they are requesting that Hummel's newly built structures be removed she recommended that the Town Board file action against the Hummel's with the Supreme Court. The Town has been lenient in granting the Hummel's five variances in the past.

MOTION by Councilman Hohensee, seconded by Councilwoman Huntsman, authorizing the Town Supervisor to write a check not to exceed \$200.00, to Town Attorney Michelle Kennedy, to cover the filing fee required to proceed with legal action against Harrison and Judith Hummel before the Supreme Court .

MOTION CARRIED: All were in favor.

Zoning Enforcement Officer Tavis Austin reported the same as Planning Board Liaison Joe Potrikus that there is little building going on in the Town of Otsego. He is working on a catalog system suggested by Planning Board member Ed Hobbie that hopefully will make things easier for anyone reviewing ones file with multiple projects. By cataloging the projects this will allow the viewer to see in what order the projects were reviewed and approved. He is also planning on creating a flow chart that will show those not familiar with the Zoning process what projects require Zoning Board and/or Planning Board approval and the process for that review.

There were no permits issued since last month.

Councilwoman Julie Huntsman proposed Local Law #1 prohibiting the disposal of waste associated with natural gas and oil exploration or extraction, or other hydrocarbon exploration and extraction activities. The Town Attorney previously reviewed the law.

MOTION by Councilwoman Huntsman, seconded by Councilwoman Franck, to schedule a Public Hearing for proposed Local Law #1 of 2014 for 7:00PM on March 12<sup>th</sup>.

MOTION CARRIED: All were in favor.

Councilwoman Huntsman requested permission to send to Governor Cuomo a copy of a Resolution the Board passed on October 9<sup>th</sup> 2013 Continuing the Moratorium on High-Volume Hydraulic Fracturing and to Advance a Renewable Energy Economy in NYS.

MOTION by Councilman Hohensee, seconded by Councilwoman Huntsman, approving Councilwoman Huntsman's letter to the governor.

MOTION CARRIED: All were in favor.

Supervisor Geddes-Atwell explained that the Board needs to appoint a delegate who will vote on the Boards behalf at the General Session of the NYC Training Conference in February.

MOTION by Supervisor Geddes-Atwell, seconded by Councilwoman Franck, to appoint Councilwoman Huntsman as the Town delegate and Supervisor Geddes-Atwell to act as the Town's alternate at the NYC Training Conference General Session.

MOTION CARRIED: All were in favor.

Highway Superintendent John Schallert reported that the Town roads are all in satisfactory condition and currently there are no problems with any of the Town trucks. He has given Town Attorney Michelle Kennedy specifications for a new pickup truck, which she will review and advertise. He requested a new entrance into the highway garage. He thought the project could be done in-house. In closing he asked to meet with the Board in Executive Session.

MOTION by Supervisor Geddes-Atwell, seconded by Councilwoman Huntsman, to go into Executive Session to discuss a highway personnel issue.

MOTION CARRIED: All were in favor. (8:35PM)

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

MOTION CARRIED: All were in favor.(8:57PM)

Supervisor Geddes-Atwell asked the Board to consider changing website service from Sunny Web Shop to Upstate Technology. Upstate Technology can offer a more sophisticated, user friendly and self-servicing website that would also be compatible with the Town's new copier. The Board requested a proposal from Upstate

Technology along with references.

Supervisor Geddes-Atwell submitted Fire Protection and Ambulance Service Agreements for 2014 between the Town of Otsego and the Village of Cooperstown.

MOTION by Councilman Hohensee, seconded by Councilwoman Huntsman, authorizing the Town Supervisor to sign the proposed agreement.

MOTION CARRIED: All were in favor.

Town Attorney Michelle Kennedy pointed out that she has not reviewed the agreement and compared it to the last agreement.

MOTION by Councilwoman Huntsman, seconded by Councilman Hohensee, to rescind the MOTION authorizing the Town Supervisor to sign the proposed Fire Protection and Ambulance Service Agreement until after the Town Attorney has had an opportunity to review them.

MOTION CARRIED: All were in favor.

Board members discussed the Town Procurement and Investment Policies. A vote on both policies will take place during the March meeting.

Internal audits were assigned: It is as follow:

- Town Court- Councilman Sandler
- Town Supervisor – Councilman Hohensee
- Town Tax Collector – Councilwoman Huntsman
- Town Clerk - Councilwoman Franck

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

GENERAL:	#16-#43	\$36,517.81
HWY:	#217-#237	\$26,645.75

MOTION by Supervisor Geddes-Atwell, seconded by Councilwoman Huntsman, to go into Executive Session to discuss litigations and personnel issues. (10:10PM)

MOTION CARRIED: All were in favor.

MOTION by Supervisor Geddes-Atwell, seconded by Councilwoman Huntsman, to come out of Executive Session. (10:45PM)

MOTION CARRIED: All were in favor.

MOTION by Councilman Hohensee to adjourn.

MOTION CARRIED: All were in favor.

Meeting was adjourned at 10:46PM.

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

Respectfully Submitted,

Pamela Deane  
Town Clerk

