

A Regular meeting of the Otsego Town Board was held on the 9th day of March 2011 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Meg Kiernan	Supervisor
Bill Michaels	Councilman
Anne Geddes-Atwell	Councilwoman
Carl Wenner	Councilman

Also Present:

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

Supervisor Kiernan called the meeting to order and asked all those present to please rise for the pledge of allegiance.

MOTION by Councilman Wenner, seconded by Councilwoman Geddes-Atwell, to accept the February 9th minutes as presented.

MOTION CARRIED: Supervisor Kiernan, Councilmen Wenner, and Councilwomen Geddes-Atwell voted yes. Councilman Michaels abstained.

Supervisor Kiernan discussed briefly correspondence she received since last month's meeting.

Supervisor Kiernan opened the floor for public comments.

Dr. Antoinette Kuzminski read a resolution passed by the Senior Medical Staff at Bassett that they find the method of hydrofracking gas an unacceptable threat to the health of their patients, and it should be prohibited until such time as it is proven to be safe. They also would like to see the authority of the Environmental Protection Agency (EPA) over all such activities restored.

Julie Huntsman submitted a report on how the survey on prohibiting shale gas industrialization in the Town of Otsego was done. As of March 9th the results are:
339 cards were returned from a mailing to registered voters, who wanted the Town to prohibit fracking.
684 people previously signed a petition against fracking in the Town of Otsego.

Attorney Michele Kennedy wanted the Board to know that they have options. She reminded the Board that they have a tremendous responsibility to the people in this Town who elected them to their current positions. Kennedy explained that the Board needs to adopt legislation closing one loop hole in District 2 and urged that they act promptly.

John Kosmer stated that he attended the Town of Middlefield meeting where he learned that people lost the sale of their house once the buyers found out that land adjacent to the home they were considering buying had a gas lease on it.

Adrian Kuzminski stated that he too attended the Town of Middlefield meeting and while there, one of the comments made was that we live in a democracy. That once may have been true but in these matter representatives from Federal, State and County government have failed us. Kuzminski felt that the Town level of government is the resident's last line of defense and he asked that the Town Board take their responsibility seriously.

Julie Huntsman told the Board that there should be no doubt that an overwhelming majority of residents in this Town want hydrofracking prohibited.

Dr. Amy Freeth is a physician at Bassett. In doing her own investigation she found an independent survey had been done on a Colorado Community where 200 wells were being proposed to be drilled. The survey showed a negative impact on the economy, water, and health and air quality. She stated that the chemicals used in hydrofracking gas can not be removed and just a small amount can pose a real health threat causing possible birth defects for generations to come. Dr. Freeth was impressed how the community has come together and spoken out on this issue

Nicholas Weir asked the Board to please stop this. It would be like jumping into the deep end of a pool and not knowing how to swim.

Dr. James Dalton stated that for the most part those in medicine are slow to make a statement that might be politically charged. Recently the Board of Trustees and Medical Staff at Bassett Health Care overwhelmingly approved a resolution that opposed gas drilling until it can be proven to be safe. You can't afford to make a mistake that will affect our children and future generations.

James Herman is a Hartwick resident bordering 360 acres of farm land that straddles Otego Creek, which travels over the aquifer that feeds over 230 families in the Town of Hartwick. This 360 acre farm now has a gas lease on it. You can't drill in one place and contain it exclusively. It spreads. What is done in one Town can affect others in another town.

Attorney Michele Kennedy stated that EPA has expanded their study on hydraulic fracking to include the full life cycle to see if it leads to water contamination and causes people to be sick. The industry has repetitively claimed that there has never been a proven incident of water contamination by hydraulic fracking. If nothing else, this is a conservative measure until the EPA completes the study and the results have been examined.

Dr. Tom Huntsman accepted a 50% pay cut to come to this area because of the uniqueness and quality of life. He guesses that a majority of the staff at Bassett Health Care came to this area for the same reasons. If that is compromised it will be hard to recruit healthcare professionals here. One of the promises from the gas companies is that they will provide jobs. A lot of the jobs are considered low income and are not permanent. Most of those hired are independent and live out of state. The money earned will then go out-of-state. He fears professional people with a long term commitment will be replaced with short term people with personal commitments. Profits are the push for this. Nothing else.

Amanda May read parts of two letters written to long time resident Schatzie Hall from a friend of hers living in Sayre, PA.. Alfred Thurston. The truck traffic is maddening. Thurston counted one eight wheeler per minute that went past his house. What used to be a dirt country road in front of his house now has 8" of blacktop. The truck drivers and laborers are mostly independent people working 12 hour days, six and seven days a week. He has 3 wells being drilled less than 2 miles from him and 4 more within 3 miles. One of the drilling companies asked permission to put a holding pond on 15 to 20 acres of his property. Thurston told the gentleman "no". Thurston went on to say in the letter that helicopters are flying low all over his farm scaring the cows. In one week three landed on his property. The gas companies paint a rosier picture than what exists.

Roberta Honsey warned that there is alternative energy but there is no alternative to clean water.

Ellen Pope's family has been here for seven generation. She grew up here, left, and is now glad to back. Pope felt that there are a lot of options out there that are not being considered. Pope felt that we need to be proactive and promote businesses that are in keeping with our agriculture heritage. For instance a Hop processing facility, a pasteurization facility so milk can be bought locally, and a food processing plant.

Orlo Burch, as a member of the Ethics Committee, asked the Board if any one of them are lease holders or working with someone that is. All Board members present answered no.

John May wondered how many of the Board members entered the building with their mind made up.

Supervisor Kiernan closed the floor for comments. Supervisor Kiernan explained that both Lang Keith and Michele Kennedy, who are not only Town residents but also attorneys, have been voluntarily assisting the Board with

revisions to the current Land Use Law.

Lang Keith, after reading the Town's Land Use Law and Comprehensive Plan, felt that any fair reading of the law would conclude that heavy industry such as gas drilling was not intended to be a permitted use but felt the Town should not take a chance. He outlined simple proposed changes with the Town Board.

MOTION by Councilman Michaels, seconded by Supervisor Kiernan, to schedule a workshop with the Planning Board and Zoning Board of Appeals with a special meeting of the Town Board immediately following on March 16th at 7:00PM at the Town Building.

MOTION CARRIED: All were in favor.

Supervisor Kiernan publicly thank Lang Keith and Michele Kennedy for all their help.

Dog Control Officer Report was given by Tom Steele. Steele reported answering three calls this month.

Superintendent of Highway report was given Highway Superintendent Shawn Mulligan. Expenses were as follow since last month:

FUEL	GALLONS	TOTAL COST/MONTH	YTD GALS	YTD EXP.
Gas	100	\$ 269.08	100	\$ 269.08
Diesel	2,904	\$ 9,141.25	2,904	\$ 9,141.25
Heating	-0-	\$ -0-	-0-	\$ -0-
Svc.		\$ -0-	-0-	\$ -0-

Mulligan asked that the Board adopt the County Emergency Plan Agreement.

MOTION by Councilman Michaels, seconded by Councilwoman Geddes-Atwell, authorizing the Town Supervisor to sign the County Emergency Plan Agreement.

MOTION CARRIED: All were in favor.

Mulligan reported that the new CAT loader has been delivered.

Mulligan received one bid for the old sweeper. Mulligan open and read publicly the sweeper bid. The bid was from J&J Equipment for \$2,300. Mulligan requested a decision from the Board whether to accept low bid of from Tracey Road Equipment of \$44,664.00 which included a trade or J&J Equipment low bid of \$46,778.00 without the trade and the separate bid from J&J Equipment of \$2,300 leaving a total cost of the new sweeper \$44,478.00.

MOTION by Councilwoman Geddes-Atwell, seconded by Councilman Wenner, to accept the Tracey Equipment's bid, with the trade, as advised by the Town Attorney Paul Elkan.

MOTION CARRIED: Supervisor Kiernan, Councilman Wenner, and Councilwoman Geddes-Atwell voted yes. Councilman Michaels voted no.

Mulligan submitted an Expenditure of Highway Agreement for the Board's consideration. It was decided to table the proposed agreement until the April regular meeting.

Mulligan stated that the new aluminum sander and box is coming apart and is going to need a replacement. It can

not be repaired any more. It was the decision of the Board to have the Highway Committee research the situation and come back to the Board with a recommendation.

Councilman Wenner requested a comparison be done on the total cost plus repairs of the Highway Superintendents pickup truck vs. a new pickup truck and plow. Mulligan agreed to get those figures for him.

Councilman Michaels suggested to Mulligan that when a snow storm with a lot of accumulation is predicted, the highway crew plow their routes several times during the storm rather than once when it is over. The routes would take less time to do and less wear and tear on the equipment. He asked Mulligan to consider long term vs. overtime.

Zoning Officer Hank Schecher gave his monthly report. There were no Permits issued since last month:

Supervisor Kiernan gave the financial report.

General Savings: \$4,660.13	General Checking: \$615,720.95
Highway Savings:\$7,773.31	Highway Checking: \$592,760.49
Building Reserve Fund: \$150,062.47	
Highway Equipment Fund: \$279,971.74	

MOTION by Councilman Michaels, seconded by Councilwoman Geddes-Atwell, to accept the financial report as presented:

MOTION CARRIED: All were in favor.

The Board reviewed the proposed bills to be paid. Councilman Wenner was opposed to paying \$8,500 to the County toward the Survey of Roads Agreement.

MOTION by Councilwoman Geddes-Atwell, seconded by Councilman Michaels to pay the following bills and make the necessary transfers:

General: #42-#67	\$ 38,229.97
Highway: #23-#39	\$ 154,335.26

MOTION CARRIED: Supervisor Kiernan, Councilman Michaels and Councilwoman Geddes-Atwell voted yes. Councilman Wenner voted no.

Councilman Michaels felt that Lang Keith’s proposal should have been reviewed by the gas committee and the gas committee then made a recommendation to the Town Board.

Councilman Wenner reminded Councilman Michaels that the gas committee had made it clear that they would not be making any recommendations.

Councilman Michaels recommended that in the future when a committee is being established, guidelines and expectations are spelled out.

Supervisor Kiernan reported that Dr. Chris Kjolhede has agreed to act as the Town’s Health Officer.

MOTION by Supervisor Kiernan, seconded by Councilman Geddes-Atwell, to appoint Dr. Chris Kjolhede as the Town’s Health Officer.

MOTION CARRIED: Supervisor Kiernan, Councilwoman Geddes-Atwell, and Councilman Michaels, voted yes. Councilman Wenner voted no.

MOTION by Councilman Michaels, seconded by Councilman Wenner, to adjourn.

MOTION CARRIED: All were in favor.

Meeting end at 9:35PM.

The next regular meeting will be held at the Town Building in Fly Creek on the April 13th, 2011 at 7:00 PM.

Respectfully Submitted,

Pamela Deane
Town Clerk