

The Otsego Town Board held a Public Hearing and Regular Monthly Meeting on the 9th day of April 2014 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Anne Geddes-Atwell	Supervisor
Julie Huntsman	Councilperson
Thomas Hohensee	Councilperson
Bennett Sandler	Councilperson
Carina Franck	Councilperson

Also Present:

John Schallert	Highway Superintendent
Michelle Kennedy	Town Attorney
Pamela Deane	Town Clerk

Supervisor Geddes-Atwell re-opened the Public Hearing from last month to hear any public comment on the proposed Local Law #1. The proposed law prohibits the disposal of waste in the Town of Otsego which is associated with natural gas and oil exploration or extraction or other hydrocarbon exploration and extraction activities.

There were no comments from the public.

MOTION by Councilperson Huntsman, seconded by Councilperson Sandler, to close the Public Hearing.

MOTION CARRIED: All were in favor.

Supervisor Geddes-Atwell called the regular meeting to order and asked all those present to please rise for the Pledge of Allegiance.

MOTION by Councilperson Sandler, seconded by Councilperson Huntsman, to accept the minutes of March 12th as amended.

MOTION CARRIED: Supervisor Geddes-Atwell, Councilpersons Huntsman, Hohensee, and Sandler, voted yes. Councilperson Franck abstained. (She was not present for the March meeting).

Supervisor Geddes –Atwell read correspondence received since last meeting.

Supervisor Geddes-Atwell opened the floor for public comment.

Kathleen Chase expressed her disappointment with the Town Planning Board's decision to accept Joseph Galati's site plan for Blackbird Hollow, formally known as the Hickory Grove. Chase quoted three sections of section 3.15 of the Land Use Law pertaining to Heirloom Barns and Buildings, which she felt were not followed and/or taken out of context. They were as follow:

- The intent of the law was to protect the historic and rural character of the Town. Currently this building is listed on the National Register of Historic Places. The site plan shows that the outer appearance of this building will be changed drastically and not resemble the historic building it once was.
- Chase did not feel the addition of an in-ground swimming pool and 30-foot pavilion added to the rural character of the area.
- The law states that only minimal impact to the neighborhood be allowed. The Planning Board stipulated a closing time for the pool and pavilion to be 11:00PM. The Best Western closes their pool at 9:00PM and the Otesaga Hotel closes its pool at 6:00PM. Neither of these pools is located directly in a residential hamlet.

Chase closed by asking that the Town Board review the law and the Planning Boards approval and if it is concluded that the Planning Board has been wrongly applying this section of the law, then it is her hope that the Town Board will take the appropriate action to correct it.

Orlo Burch questioned items listed under Executive Session and whether or not they were actually qualified to be discussed in Executive Session.

John Phillips updated the Board on the Cider Run Marathon scheduled to take place in Fly Creek April 26<sup>th</sup>. To date 300 runners have registered and the Sheriffs Department has been notified. There will be Fly Creek Fire Police directing traffic.

MOTION by Councilperson Huntsman, seconded by Councilperson Franck, 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: \$ 4,674.21	General Checking: \$ 638,294.06
Highway Savings: \$ 7,793.86	Hwy Checking: \$ 749,564.29
Building Reserve Fund: \$150,543.70	
Hwy Equipment Fund: \$ 127,881.81	

MOTION by Councilperson Huntsman, seconded by Councilperson Sandler, to accept January and March financial report as presented.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Huntsman, seconded by Councilperson Bennett, to pay the following invoices and make the necessary transfers.

GENERAL: #59-#77	\$ 68,242.79
HWY: #253-#260	\$ 3,226.23

Town Attorney Michelle Kennedy reported that she has filed the Harrison and Judith Hummel litigation with the County Clerk. She guessed that the Hummel's would be served within the next few days. It could take up to four to five months to get on the Supreme Court's calendar.

Supervisor Geddes-Atwell introduced Mang Insurance Agent, Tim Parsons. Parsons offered two insurance options. The Town currently is covered by Selective Insurance. Parsons offered NYMIR as an alternative. There was a time when municipalities could not get insurance or the limits they needed. Because of this NYMIR was formed by a number of municipalities that took a risk and formed what is known as a reciprocal. NYMIR only insures municipalities. It is endorsed by the Association of Towns and the Association of Counties. Otsego County, City of Oneonta and the Village of Cooperstown are only three of over 600 municipalities within the state that have insurance with NYMIR. Their Board of Directors is made up of Public Officials. As a reciprocal the Town would become part owner of the company and pay, in addition to their annual premium, a capitalization fee of \$390.00 for five years. Claims are defended by specialists. NYMIR pays the first part of the claim. A re-insurance company pays the rest. This is done in order to protect NYMIR's surplus and assets. Both NYMIR and Selective have an "A" rating. Parsons and Town Attorney Michelle Kennedy both recommended that the Board go with NYMIR.

MOTION by Councilperson Sandler, seconded by Councilperson Huntsman, to cancel the Town's insurance with Selective and subscribe with NYMIR.

MOTION CARRIED: All were in favor.

Zoning Enforcement Officer Tavis Austin reported the following permits were issued since last meeting:

Zoning Permits: 3	Site Plan Review: 1
-------------------	---------------------

He also submitted a chart cataloging recent projects.

Councilperson Hohensee reported receiving only one Revaluation RFP. He felt the proposal was high and suggested that the Board talk to newly appointed Town Assessor Richard Maxwell for input and suggestions.

Councilperson Sandler listed maintenance projects that needed to be addressed. A new roof on the Town Building, more insulation in the attic of the Town Building, repair of the urinal in the men's room, frozen water line at the new highway garage and the installation of another entrance to the highway garage, just to name a few.

MOTION by Councilperson Huntsman, seconded by Councilperson Sandler, to appoint the Town as Lead Agency for the environmental review of the proposed Local Law #1 of 2014 and that the Town Board recognizes this action as a Type 1 action under SEQRA.

MOTION CARRIED: All were in favor.

Councilperson Huntsman submitted a Climate Smart Communities Pledge, which the Board reviewed and will consider. Councilperson Huntsman and Councilperson Franck volunteered to act as a committee to explore ways the Town Buildings can be more energy efficient.

Highway Superintendent John Schallert updated the Board on the following items:

- He plans to cancel his Internet service and land line and purchase a Smart Phone.
- He plans to work on getting invoices current.
- He plans to work on deciding what roads will be scheduled under the yearly CHIPs Project.
- He is working with Mirabito in sorting out the fuel bills.

- He is working on updating all highway personnel records.
- He has hired Eric Cane to replace Richard Miller.
- He has been in contact with FEMA representatives and informed the Board that the Town should be receiving \$23,000.00 soon.

No Highway Report which includes Salary Expenses, Bridge Expenses, Fuel Expenses, F.C.F.D. Expenses, Utility Expenses, commodity Expenses and Miscellaneous Expenses, was submitted.

Councilperson Sandler gave a Watershed report. A modification to Addison Bissell's septic system was approved and Linden Summers still has not complied as promised. Town Attorney Michelle Kennedy will send a letter to Mr. Bissell setting June 30<sup>th</sup>, 2014 as a deadline for completion.

Supervisor Geddes-Atwell announced that the Court Consolidation between the Town and the Village took place Friday, March 28th. They are still working on getting the Internet and Court Programs to operate correctly.

MOTION by Councilperson Sandler, seconded by Councilperson Huntsman, to accept the CSEA Contract as ratified.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Sandler, seconded by Councilperson Franck, to accept the Procurement Policy as amended.

MOTION CARRIED: All were in favor.

The Board discussed the concerns Kathleen Chase had with Section 3:15 Heirloom Barns and Buildings in the Town Land Use Law as well as limiting the uses and districts. The current wording of the Heirloom Barn Law potentially allows every structure in the town that meets the age requirement of the law, to be renovated into a commercial structure or multiunit apartment house, which was never the intent. The Board also discussed staying within the footprint of the historic building.

Supervisor Geddes-Atwell and Councilperson Franck volunteered to serve as a committee to research and draft proposed changes to Section 3:15 of the Heirloom Barns and Buildings Law and present proposed changes to the Board for review.

A Special meeting and Workshop was scheduled for April 30<sup>th</sup> at 6:00PM to discuss the Town's Revaluation and amendments to Section 3.15 Heirloom Barns and Buildings of the Land Use Law.

MOTION by Councilperson Hohensee to adjourn.

MOTION CARRIED: All were in favor.

Meeting was adjourned at 9:31PM.

The next regular meeting will be at the Town Building in Fly Creek on the 14<sup>th</sup> day of May 2014 at 7:00PM.

Respectfully Submitted,

Pamela Deane  
Town Clerk