

The Otsego Town Board held a regular monthly meeting on the 11th day of April 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:

Shawn Mulligan	Highway Superintendent
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.

Supervisor Geddes-Atwell

MOTION by Councilman Keith, seconded by Councilwoman Huntsman, to accept the minutes of March 14th as presented.

MOTION CARRIED: All were in favor.

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

- A letter from the Fly Creek Cider Mill announcing it's intention to renew their annual application to operate their farm winery. The Town Board had no objections.
- A letter from Kathy Steere requesting the Town Board please look into the possibility of high-speed internet being made available to rural areas of the Town and
- A letter from Hughson & Benson Insurance notifying the Town Board that the Fly Creek Volunteer Fire Company's Old E-15 currently stored in the Town of Otsego Highway Barn, is listed as having coverage on the Fly Creek VFD's insurance policy.

Supervisor Geddes-Atwell introduced Otsego County Conservation Association (OCCA) representative Rima Shamieh. Shamieh explained that OCCA is a private agency that provides both continuous and project specific Land Use Planning support at a minimal cost. They are currently working with the Towns of Milford and New Lisbon. She went on to explain that OCCA is dedicated to promoting the appreciation and sustainable use of Otsego County's natural resources through education, advocacy, resource management, research and planning. Their offices are located on the corner of State Hwy 80 and Allen Lake Rd.

Councilman Wenner asked how OCCA was funded. Shamieh's reply was through memberships, fund raisers, fund drives and grants.

MOTION by Councilwoman Huntsman, and Councilman Keith, to go into Executive Session to discuss personnel issues and potential litigations surrounding Honey Joe Rd. and the Linden Avenue Project.

MOTION CARRIED: All were in favor.

MOTION by Councilman Sandler, seconded by Councilwoman Huntsman, to come out of Executive Session

MOTION CARRIED: All were in favor

Town Attorney Michele Kennedy explained that while in Executive Session she explained to the Town Board that the decision to initiate a court action rests with the Town Board, not with any other Board or authority of the Town and therefore it's appropriate at this time that this Board consider a strategy from this point forward on how to resolve the issues surrounding the Cooperstown Intermodal Transit Center Project (or also known as the Linden Avenue Project). The Town Board has decided to allow a two week window for Village Attorney Martin Tillapaugh, Planning Board Attorney James Ferrari and Town Board Councilman Lang Keith to reach a settlement agreeable to all parties.

MOTION by Councilman Sandler, seconded by Councilman Keith, to schedule a Special Meeting of the Town Board two weeks from today (4/25) to resolve any unsolved issues regarding the Cooperstown Intermodal Transit Center Project.

MOTION CARRIED: All were in favor. Meeting was scheduled for 7:00PM.

Supervisor Geddes-Atwell opened the floor for Public Comment.

Fly Creek resident Sheila Ross felt that purchasing a 4x4 dump truck was a waste of taxpayer's money given the mild winters we have had lately. Ross felt the purchase of another 10 wheeler would make more sense. They hold more sand which would allow the driver to go a greater distance before running out.

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

General Savings: \$ 4,466.24	General Checking: \$ 629,092.54
Highway Savings: \$ 7,785.90	Hwy Checking: \$ 633,258.74
Building Reserve Fund: \$150,408.44	
Hwy Equipment Fund: \$156,956.75	

MOTION by Councilman Wenner, seconded by Councilman Keith, to accept the financial report as given.

Supervisor Geddes-Atwell asked for discussion.

Councilman Wenner pointed a few discrepancies which were discussed briefly by the Board. Supervosr Geddes-Atwell said she would review the report.

MOTION CARRIED: All were in favor.

MOTION by Councilman Wenner seconded by Councilman Keith, to pay the following invoices and make the necessary transfers.

GENERAL: #66-#80	\$24,214.18
HWY: #48-#56	\$31,842.85

MOTION CARRIED: All were in favor.

Councilman Keith reported that mediation concerning the Linden Avenue Project has been on going between Planning Board Attorney James Ferrari and Village Attorney Martin Tillapaugh. One way or another all issues will be resolved in two weeks.

Councilman Sandler reported that the only issues remaining before a Certificate of Compliance will be issued by County Codes for the newly erected Highway Garage is the circuit breaker panel needs to be labeled.

Zoning Enforcement Officer Hank Schecher, made known that he was not pleased with the the way the Town Board is handling the Linden Avenue Project. He pointed out that the Village did not apply for a demolition permit and has violated the STOP WORK ORDER.. "When then do we go after applicants that do not comply?"

Dog Control Officer Tom Steele reported that he has issued two tickets since last meeting. Other than that things have been quiet.

Highway 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	374	\$ 1,297.89	874.0	\$ 2,863.84
Diesel	2,646	\$ 10,161.09	5,489.7	\$ 20,871.99
Heating	-0-	\$ -0-	-0-	\$ -0-
Svc.		\$ -0-		\$ -0-

Mulligan submitted the Pug mill and Stone and Oil Bids which were as follow:

	Paver	Pugmill Mixer	Roller	Chipper
Gorman Bros. Inc.	.18/gal	.09/gal	.15/gal	.18/ga
	Oil Material Type HFMS2 @ \$2.647/gal.			
Suit-Kote	\$2,500/day	\$1,600/day	\$1,700/day	\$1,800/day
	Oil Material Type HFMS2 @ \$2.498/gal			

Mulligan stated that he awarded the bid to the lowest bidder, Suit-Kote.

Gorman Bros. Inc., - Magnesium Chloride - \$1.12/gal.
 Suite – Kote- Magnesium Chloride - \$1.30/gal.

Mulligan stated that he awarded the bid for Magnesium Chloride to the lowest bidder Gorman Bros. Inc.

Mulligan submitted two truck quotes comparable to the 4x2 and 4x4 International that was bid by Ben Funk &

Henderson. Quotes were as follow:

Peterbilt General: 4x2 - \$159,452.00
4x4 - \$185,452.00

Kenworth Truck Co.: 4x2 - \$146,600.00
4x4 – cannot meet truck specs.

Councilwoman Huntsman reported that the Highway Committee met with the highway employees and Highway Superintendent Mulligan and listened to their reasons for wanting a new 4x2 and 4x4. She acknowledged Mulligans foresight in planning ahead and establishing an equipment replacement schedule. It was the Highway Committees recommendation to purchase the 4x4 only with the lease agreement.

There was concern from the Town Attorney and some of the Board members that the truck bid was too specific making the bid process illegal. Councilman Lang asked Mulligan if other trucks would have been able to bid and Mulligan answered “yes”. With that Councilman Lang said he was confident that Mulligan had complied with the law.

MOTION by Councilman Keith, seconded by Councilman Huntsman, to award the truck bid to Ben Funk & Henderson for the 7500 4x4 because, not only were they the lowest bidder but the truck that was bid is better suited for comfort, terrain and climate.

MOTION CARRIED: All were in favor.

Councilman Sandler reported that the Watershed Supervisory Committee has hired an engineering firm to evaluate the replacement of the Mill Street Dam on Otsego Lake and the addition of micro hydro power generation.

Councilman Sandler is looking at firms that are selling to municipalities cookie cutter websites. The advantage is that they are very user friendly.

Supervisor Geddes-Atwell stated that she and Councilman Sandler meet with Joe Siracusa and made it clear that the Town does not want to spend a lot of time or money on the sidewalk project that is to go in the State Right of Way in front of the Farmer’s Museum. The Town will act only a sponsor and a vehicle for this project to happen. Siracusa seemed to be very amenable to that.

Town Attorney Michele Kennedy submitted an Agreement which was reviewed by the Board. The short summation of the plan is the Farmer’s Museum agrees to escrow the entire anticipated cost of the project. They also agree to place Federal replacement dollars in a second escrow account until the project has been completed and all parties have signed off. Last but not least, the Farmer’s Museum agrees to maintain the sidewalk indefinitely. Barbara Thomas from NYS D.O.T. has read and approved the proposed agreement.

Councilman Wenners submitted for the Town Board’s consideration, amendments to the Ethics Code, a proposal for a Local Term Limits Law and a resolution stating that the Town Board will not restrict comments from the public during the public comment period at a regular Town Board Meeting. Further discussion was tabled for the May meeting.

Supervisor Geddes-Atwell submitted minor Land Use Law changes for the Board to look over before the May meeting.

MOTION N by Councilman Wenner, seconded by Councilman Sandler to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 9.40PM.

Respectfully Submitted,

Pamela Deane
Town Clerk