

A Regular Meeting of the Town Board of the Town of Otsego was held on the 10th day of June 2009 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Thomas Breiten Supervisor
Anne Geddes-Atwell Councilperson
John Schallert Councilperson
Meg Kiernan Councilperson
Bill Michaels Councilperson

Others Present:

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

Supervisor Breiten called the regular meeting to order and asked all those in attendance to please rise for the pledge of allegiance.

MOTION by Councilperson Kiernan, seconded by Councilperson Michaels, to accept the minutes of May 13th, as presented.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

Supervisor Breiten opened the floor for comments.

Dennis Bresee believes several of his stocked fish went down the opened culvert on Kostelic Rd., into Oaks Creek as a result of the Highway Superintendent removing debris in front of a culvert. Mulligan informed Bresee that the culvert is no longer working properly. The culvert bottom is rusted out and the water is running under it. There are plans to replace the culvert this summer and a heavy iron screen will be placed on the inlet end to help control the build up of debris left by beavers and reduce the amount of fish loss.

Another complaint Bresee had were the deep ruts in the road that show up after every rain. He offered, free of charge, all the shale the Town needs to improve the road, from his shale bed,

John Phillips objected to comments he heard the Board had made claiming he was a hypocrite for accepting work from the Town while asking the Board every month to please be conservative when spending money. Phillips wanted to clarify that the work he did for the court was bid out. He was the lowest bidder. The money he was paid was from a grant, not local tax dollars. He was just trying to feed his family like everyone else. Phillips again reminded the Board that the economy is spiraling downward and he continued to ask that they spend money wisely. He asked why engineer Jon McManus was hired to oversee the construction of the new highway garage when a local retired contractor, having over 30 years experience, offered to oversee the project for free.

Councilman Schallert answered that the Board felt McManus was a better choice since he has been with the project since the beginning.

Supervisor Breiten submitted a financial report. Balances are as follow in the various accounts:

General Savings:	\$ 19,942.92	Highway Savings:	\$ 407,377.20
General Checking:	\$ 31,549.66	Hwy Checking:	\$ 42,546.65
MBIA Gen:	\$ 184,650.00	MBIA Hwy:	\$ -0-
Equipment Fund:	\$ 53,687.07		
CD-WNB-matures 8/3/09	\$1,000,000.00		
CD-WNB-matures 8/2/09	\$ 300,000.00		

MOTION by Councilperson Michaels, seconded by Councilperson Geddes-Atwell, to accept the financial report as given and make the necessary transfers.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

MOTION by Councilperson Kiernan, seconded by Councilperson Geddes-Atwell, to pay the following bills and make the necessary transfers:

GENERAL:	#117-#143	\$ 36,720.97
HWY:	# 98-#118	\$196,323.56

Supervisor Breiten asked for discussion.

Councilperson Geddes-Atwell questioned general voucher #131 from Krazy Toms for new carpeting.

John Phillips stated that that bill should have been sent to him. Payment was his responsibility as part of the court renovations work he did under the grant. Given that information, the bill was given to Phillips and voucher #131 was removed from the warrant.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

Highway Superintendent Shawn Mulligan read the Highway Superintendents report. Fuel expenses are as follow:

<u>FUEL</u>	<u>GALLONS</u>	<u>TOTAL COST/MONTH</u>	<u>YTD GALS</u>	<u>YTD EXP.</u>
Gas	119.0	\$ 220.64	1,220.0	\$ 1,792.90
Diesel	778.0	\$1,690.10	9,509.5	\$ 21,131.74
Heating	66.4	\$ 121.41	4,974.0	\$ 9,254.91

Mulligan reported he has hired Michael Rhyde to fill a mechanic and driver vacancy.

Mulligan also reported that he has received notification that a house on Vibbard Road is going to be rented year-round leaving him no choice but to make major improvements to Vibbard Roads. He has \$14,000.00 CHIPs money left to apply to the improvements.

Town Attorney Paul Elkan stated that Manacherian owns the property that abuts Vibbard Road and has loggers cutting trees right now. Elkan recommended that Mulligan call Manacherian and ask him to please direct the loggers to clear cut a strip all along Vibbard to widen the road. This would reduce time and money spent by the Town.

The Board discussed briefly traffic on Hoke Road. At the last Town Board meeting, Two residents requested the speed limit be reduced.

MOTION by Councilperson Michaels, seconded by Councilperson Schallert, to request from the State that the speed limit on Hoke Road be reduced to 35 mph.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

At Supervisor's Breiten's request he and Mulligan will review the 2009 County Snow and Ice Agreement before the July monthly meeting.

Zoning Report was submitted by Zoning Officer Henry Schecher which was reviewed by the Board. Permits were as follow since last meeting:

Zoning Permit: 4

Peddlers Permit: 1

Site Plan Review: 3

Schecher brought up that the 30% clear cutting rule within 500ft. of Otsego and Canadarago Lake shorelines stated in section 4.04 of the Land Use Law is not clear. After a short discussion it was agreed that Supervisor Breiten and Schecher would work together on a formula that will better achieve the intent of the law and propose it to the Board at the July meeting.

Councilperson Michaels reported attending the Planning Board workshop. He conveyed to the Planning Board that the Town Board would like their input on the idea that it should be at the discretion of the Zoning Enforcement Officer whether or not any applicant building on a slope of 15% or better needs site plan review. He didn't feel the Planning Board members were receptive to the idea.

Schecher felt the 15% slope guideline had been taken from slope guidelines used by DEC. He further stated that DEC has revised the 15% slope guideline to 25%.

Supervisor Breiten suggested that Councilperson Michaels submit proposed modifications to Section 4.02 of the Land Use Law at the July meeting for Board discussion.

Watershed report was given by Councilperson Kiernan. A letter was sent by the Watershed Supervisory Committee to an individual on Otsego Lake whose septic system has failed, posed a public health threat and is in violation of the Otsego Lake Watershed Rules and Regulations. Kiernan reported that the owner is in the process of correcting the problem. It is the Town Health Officer's Responsibility to press charges against anyone in violation who neglects to correct the problem. So far everyone has been making an effort to comply.

Councilperson Michaels, Building and Grounds Committee, was reported the heating contract for the Highway Garage addition has been signed. A \$1,500.00 proposal from McManus Engineer to be Clerk of the Works was submitted along with an \$8,700.00 estimate to drill a 200ft. well from Dan Bosc.

Michaels asked for confirmation that there was still money available to pay for the Highway Garage Addition. Supervisor Breiten replied that \$500,000.00 was appropriated in the budget for the addition and renovations. He couldn't promise there would be any money available to apply to costs over that amount. The committee needs to bid out work not included the original bid to get a cost estimate. At that point the Board can estimate if there will be any additional money to fund the rest of the project.

Councilperson Geddes-Atwell reported that Time Warner has sent a survey map which she has reviewed. The only service they provide is either on a main road or in the hamlet. She requested authorization to hire Computel

Consultants to analyze the Town's utility bills, including Time Warner. Any overcharges they find they will retain 50% as payment for their service.

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Michaels, to contract with Computel Consultants.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

MOTION by Councilperson Michaels to adjourn.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

Meeting ended at 8.45 PM.

The next regular meeting will be held on July 8th, 2009 at 7:00PM at the Town Building in Fly Creek, NY.

Respectfully submitted,

Pamela Deane
Town Clerk