

The Otsego Town Board held a regular monthly meeting on the 12th day of June, 2013 at the Town Building, Fly Creek, NY at 7:00PM.

Town Board Members Present:

Anne Geddes-Atwell	Supervisor
Bennett Sandler	Councilman
Carl Wenner	Councilman
Thomas Hohensee	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.

MOTION by Councilman Wenner, seconded by Councilman Sandler, to accept the minutes of May 8<sup>th</sup> as presented.

MOTION CARRIED: All were in favor.

Supervisor Geddes-Atwell read correspondence received since the May meeting.

Supervisor Geddes-Atwell opened the floor for public comments.

Dora Cooke felt it wrong of the Town Board to consider changing rather than enforcing the Town Land Use Law every time someone has an illegal sign or business.

Councilman Carl Wenner read four articles pointing to the corruptive nature of government and the negative impact government policies have. The bigger government gets, the less trustworthy it gets.

Supervisor Geddes-Atwell closed the floor for further public comments.

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

General Savings: \$4,671.30	General Checking: \$ 674,477.79
Highway Savings: \$7,789.00	Hwy Checking: \$ 512,201.63
Building Reserve Fund: \$150,468.44	
Hwy Equipment Fund: \$ 207,059.42	

MOTION by Councilman Wenner to pay all invoices excluding Judge Kuch's reimbursement for a portion of his cell phone bill

There was no second. MOTION DIED.

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

GENERAL: #89-#114	\$ 20,241.90
HWY: #71-#89	\$ 32,341.94

MOTION CARRIED: Supervisor Geddes-Atwell and Councilmen Hohensee and Sandler voted yes. Councilman Wenner voted no.

Zoning Enforcement Officer Tavis Austin submitted a monthly report to the Board. Since last meeting the following permits were issued:

Zoning Permit: 3	Site Plan Review: 2	Variance Application: 1
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Austin discussed briefly applications under Planning Board consideration. Austin suggested that the Board think about amending the Land Use Law to allow the Planning Board the authority to grant variances during site plan review. The hope is this would speed up the process for applicants. In closing Austin told the Board that he will be creating a sign photo inventory of all the signs, legal and illegal, displayed throughout the Town.

Supervisor Geddes-Atwell submitted to all Board members, a copy of a Resolution being proposed by the Planning Board concerning the Town's Ethics Policy. Further discussion was tabled until the July meeting.

Councilman Wenner reported for the Highway Committee. Wenner stated that Mulligan plans on continuing making town road sign- in house with reflective paint. The cost of making the signs verses buying them is much cheaper plus the homemade signs are not being stolen. Deputy Highway Superintendent Michael Thayer has been

searching for good used trucks. He asked the Board if they were in favor of buying used vehicles, and if so what their policy is if he finds one worth buying.

Councilman Sandler asked Thayer to do his homework before looking at used trucks, knowing what makes, models, and years to stay away from. It was the consensus of the Board that purchasing a good used truck was a better option than buying new.

Supervisor Geddes-Atwell proposed a Resolution to pay off the truck loan.

MOTION by Councilman Wenner, seconded by Councilman Sandler, to only pay the amount due in August on the truck loan.

MOTION CARRIED: Councilmen Wenner, Sandler, and Hohensee voted yes. Supervisor Geddes-Atwell voted no.

Highway Superintendent Shawn Mulligan's written report showed fuel expenses for this month as follow:

FUEL	GALLONS	TOTAL COST/MONTH	YTD GALS.	YTD EXP.
Gas	0	0	1094	\$3,463.25
Diesel	986	\$3,082.93	8,711.4	\$26,821.04
Heating	0	0	0	0
Svc.	0	0	0	0

Mulligan reported that one of his employees, Joseph Hoag, is resigning effective June 20<sup>th</sup>.

Dog Control Officer Tom Steele reported answering 1 barking dog complaint and picked up 1 stray.

Councilman Hohensee reported that 2,500 surveys will be mailed in the next few days to residents in the Canadarago Lake watershed. The purpose of the survey is to determine what the resident's needs, interests and aspirations are concerning Canadarago Lake. The information from the survey will be used to pursue grants.

Councilman Wenner questioned how accurate the results will be based on the nature of the questions and number of participants.

Councilman Sandler reported that the Otsego Lake Watershed has done a second round of septic inspections. Out of seventeen systems only one system failed. The septic tank at Linden Summers residence has been located but has not been inspected yet.

Town Attorney Michelle Kennedy updated the Board on James and Adele Gerbracht's failed septic system. To date, the Gerbracht's have ignored multiple deadlines given by the Watershed Supervisory Committee to upgrade their failed septic system. Attorney Kennedy stated that she has waived her legal fees on this matter to date; however, there will be a court filing fee of \$210.00 and up to a \$100.00 fee to the server all of which are the responsibility of the Town.

MOTION by Supervisor Geddes-Atwell, seconded by Councilman Sandler, to pre-approve a filing fee payment of \$210.00 and up to \$100.00 process server fee.

MOTION CARRIED: Supervisor Geddes-Atwell, Councilmen Sandler and Hohensee voted yes. Councilman Wenner abstained.

Town Attorney Michelle Kennedy updated the Board on Addison Bissell and his Cobblecote B&B on Otsego Lake. Zoning Enforcement Officer Tavis Austin sent Bissell a letter stating that the Town recognizes his B&B operation as grandfathered, but not his Marina or Cafe. Bissell claims that a resort was in operation there before the Town's Land Use Law was adopted and the Marina and Cafe should also be grandfathered. Bissell wanted to know if Austin would reconsider his decision or should he proceed to the ZBA. Austin and Kennedy asked Bissell for a detailed list of events that have taken place there prior to the adoption of the Land Use Law. As of yet Bissell has not provided sufficient documentation proving that there was a resort continuously in operation prior to the adoption of the Town's Land Use Law and therefore eligible to be grandfathered. He has submitted however, his septic system plans, which Kennedy plans to forward to an independent engineer and request in writing the amount of the engineer's professional fee to evaluate Bissell's system.

Supervisor Geddes-Atwell suggested that the Time Warner Franchise Fee be increased.

MOTION by Councilman Sandler, seconded by Supervisor Geddes-Atwell, to increase the franchise fee from 1% to 2%.

MOTION CARRIED: Supervisor Geddes-Atwell, Councilmen Sandler and Hohensee voted yes. Councilman Wenner no.

Supervisor Geddes-Atwell read a letter from Village of Cooperstown Library Board Secretary Carla MacMillan asking the Board to appoint 3 community members to serve on the Village of Cooperstown Library Board.

MOTION by Supervisor Geddes-Atwell, seconded by Councilman Sandler, to appoint Annmarie Bascio for a three year term and Chuck Newman and Deb Dalton for a one year term to the Library Board to represent the Town.

MOTION CARRIED: Supervisor Geddes-Atwell, Councilmen Sandler and Hohensee voted yes. Councilman Wenner abstained.

Supervisor Geddes-Atwell proposed a Resolution listing what mandated training for members of the Planning Board and ZBA will be deemed acceptable. Further discussion was tabled until the July Town Board meeting.

Councilman Wenner submitted two proposals for the Board's consideration, addressing protocol for public comments and three Land Use Law changes which were tabled for discussion until the July Town Board meeting.

Supervisor Geddes-Atwell proposed guidelines for new personnel hiring. The Board agreed with the proposal.

MOTION by Councilman Wenner, seconded by Councilman Sandler, to go into Executive Session to discuss the Honey Joe Road litigation.

MOTION CARRIED: All were in favor.

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

MOTION CARRIED. All were in favor.

MOTION by Councilman Wenner to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 9:40PM.

Respectfully Submitted,

Pamela Deane  
Town Clerk