

A combined Public Hearing and Regular Meeting of the Town Board of the Town of Otsego was held on the 9th day of July, 2008 at the Town Building, Fly Creek, and NY at 6:00 PM.

Those present were:

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

Others Present:

Pamela Deane	Town Clerk
Martin Tillapaugh	Town Attorney
Shawn Mulligan	Highway Superintendent

Chairman Breiten called the Public Hearing to order. Breiten stated that the purpose of the Public Hearing was to hear public comment on the proposed Hickory Grover Sewer District. He added that he received an e-mail from Geoffrey Ward. Ward states that he has a camp a short distance from the proposed sewer system site, on Red House Road. For that reason he is opposed to the sewer district proposal along with the cost it would impose.

Chairman Breiten opened the floor for comments:

Phil Eastman, resident of Lakeshore Drive, pointed out that three Towns share Otsego Lake and unless the Towns of Springfield and Middlefield co-operate with the Town of Otsego in doing their part in protecting Otsego Lake, the Town of Otsego's efforts are meaningless.

John Nichols, resident of 6 mile point, agreed with Eastman, that in order to make a difference in the water quality of Otsego Lake you need the co-operation of the Towns of Springfield and Middlefield. Nichols pointed out that there are 355 homes along Otsego Lake and yet only 29 homes are in the proposed district.

Kathy Chase added that when this project was originally proposed one year ago people could choose whether or not they wanted to be included in the proposed sewer district which is different than the proposal being presented tonight.

Sarah Seaver, a resident of Badger Lane, felt there has been a lack of information and what information there was is misleading. She also noted that not everyone's septic system in the proposed district has been tested. Maybe those systems that have not been tested are fine and do not need replacing.

Cliff Forman reminded the Board of their statement that they were going forward with the project because they wanted to be sure that everyone was informed. Well, the people have been informed and are opposed to the project.

Betty Davis of Lakeshore Drive stated that she is totally opposed to the proposed Sewer District.

Tim Wales, engineer and Otsego Lake resident, stated that as the engineer of the project it was his job to collect data and come up with some alternatives. Establishing a sewer district would be the most cost effective and best option in assuring Otsego Lake's water quality. The alternative to a Sewer District is individual septic systems. There is no such thing as a "free lunch". You can't build a septic system next to the lake and not pollute it. His children recently swam in the lake and got sick. Residents along the lake he said, should feel a responsibility to protect the water.

Phil Eastman remarked that he feels the timing is bad. Everyone is rebounding from their assessment increase.

Sarah Seaver stated that when the beaver dam recently broke, and all the run off ran into Otsego Lake, neither the Watershed or the Biological Field Station could tell residents if the water was safe to drink or swim in. They collect all sorts of data all year round but no one had an answer.

MOTION by Councilperson Michaels, seconded by Councilperson Kiernan, to close the Public Hearing.

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye.

Chairman Breiten called the regular meeting to order and asked everyone in attendance to please rise for the pledge of allegiance.

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Kiernan, to accept the minutes of June 7th as presented.

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye.

Chairman Breiten read correspondence received since last meeting.

Chairman Breiten opened the floor for comments.

Mary Winne, resident of Johnston Road, submitted a letter addressing the blind intersection of Day Road, Johnston and State Hwy. 28 where a recent accident claimed the life of a 23 year old young man. She asked for the Board's support in sending a request to NYS D.O.T. to conduct a traffic study and consider lowering the speed limit from Cooperstown to Fly Creek to 45 mph, putting a double yellow line just past Goose Street to Johnston and Day Road intersection, and/or cutting the hill on State Hwy 28 down to increase site distance.

The Board was in agreement that the intersection is dangerous and they will request a traffic study from NYS D.O.T. The Board thought that possibly another solution to the problem would be to place "Right Turn Only" signs at the end of Johnston and Day Road.

Historical Society member Wesley Ciampo submitted a preliminary "Welcome to Fly Creek" sign drawing for the Board's consideration. The Historical Society would like to place one at the north end and one at the south end of State Hwy 28.

After a short discussion it was decided that Councilperson Geddes-Atwell would meet with the Trustees of the Historical Society to discuss the size, cost, maintenance, and ownership of the sign.

Carl Wenner stated that he was against tax payers paying for upkeep and plowing of a Town road and then being told they can't use it. He was referring to the Board considering changing Jones Road to "No Thru Traffic".

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

General Savings:	\$ 83,300.64	HWY Savings:	\$ 61,192.91
General Checking:	\$ 69,470.71	Hwy Checking:	\$ 26,820.77
MBIA Gen:	\$332,149.65	MBIA Hwy:	\$ 306,734.60
MBIA Equipment Fund:	\$ 378.79	CD-12month	\$1,000,000.00

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

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye

In the Highway Superintendent's absence, Shawn Mulligan's report was read by Chairman Breiten. 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	.0	\$ -0-	854	\$ 2,409.40
Diesel	.0	\$ -0-	9,899.8	\$ 33,697.44
Heating	.0	\$ -0-	4,302.5	\$12,771.07
Svc.	.0	\$ -0-	-0-	\$ -0-

Mulligan reported that the Town received \$13,455.00 from the auction of surplus trucks and machinery.

Mulligan stated that the Town received a yellow flag notice for Forkshop Bridge from NYS D.O.T. The bridge has a crack that needs to be welded. Stonehouse and Allison Road bridges were both officially opened for traffic today.

Councilperson Michaels reminded the Board of his suggestion to make Jones Road "No Thru Traffic". Attorney Tillapaugh suggested that Mulligan should get clearance from NYS D.O.T. first before erecting the signs.

MOTION by Councilperson Michaels, seconded by Councilperson Schallert, to designate Jones Road "No Thru Traffic".

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye.

MOTION by Councilperson Kiernan, seconded by Councilperson Geddes-Atwell to request NYS D.O.T. to reduce the speed limit on Jones Road to 45 mph.

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye.

Councilperson Michaels asked if it would be more feasible for the highway employees to work four 10 hour days instead of five eight hour days, given the price of gas.

Mulligan replied that the highway employee's hours to be worked are specified under the CSEA contract. To change them was not an option unless offered while negotiating the new contract.

MOTION by Chairman Breiten, seconded by Councilperson Geddes-Atwell, to pay the following invoices and make the necessary transfers.

GENERAL:	#137-#158	\$ 63,017.13
HWY:	#438-#456	\$ 34,417.74

Councilperson Geddes-Atwell said that the sales tax should be removed from Paul Lord's voucher. The Board agreed.

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye. (Chairman Breiten, Councilpersons Kiernan, Michaels, and Geddes-Atwell voted yes. Councilperson Schallert abstained.)

In Zoning Officer John Stucin's absence Chairman Breiten submitted his report for the Board's review. The following permits were issued since last month:

Driveway Permits: 2	Zoning Permits: 8
---------------------	-------------------

Chairman Breiten informed the Board that the Town recently received a \$570.00 engineering bill from Wayne Bunn for reviewing a cell tower application for the Planning Board. Town Attorney Martin Tillapaugh informed the Board that it is the obligation of the applicant of the cell tower, SBA Towers LLC., to pay the engineering fee. Chairman Breiten volunteered to notify SBA Towers LLC of the engineering bill and request re-imbursement for Wayne Bunn's services.

Chairman Breiten reported that at the last Linden Avenue meeting it was settled that the little league field will be moved to another location. The Town Board needs to consider making a zone change allowing the municipal parking lot that was put in a few years ago by Bassett.

Councilperson Michaels reported that the building and grounds committee will soon have preliminary plans and cost estimates for a highway addition to the Cemetery Road highway facility.

Town Attorney Tillapaugh and Councilperson Kiernan reported meeting with CSEA representatives and are now waiting a proposal from CSEA for the Boards consideration.

Councilperson Geddes-Atwell reported that she is trying to co-ordinate a website training session for early August.

MOTION by Councilperson Kiernan, seconded by Councilperson Geddes-Atwell to accept all reports, as given.

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye.

Watershed Manager Win McIntyre reported that 53 postcard surveys were sent out to residents in the proposed sewer district asking them if they were in favor of the creation of a sewer district. The results of the survey revealed that 5 residents were and 35 residents were not. McIntyre informed the Town Board that it was the recommendation of the Watershed Committee that the Town Board end the process to create the Hickory Grove Sewer District now and the Watershed Committee will go back to inspecting individual systems. Letters would then go out to residents along Otsego Lake informing them their septic system must be in compliance by Fall of 2009.

MOTION by Councilperson Michaels, seconded by Councilperson Geddes-Atwell, to follow the Watershed Committee's recommendation and end the proposed Hickory Grove Sewer project.

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye.

Councilperson Michaels submitted a proposal on how he would like the voice mail on the new phone system at the Town Building to be set up.

MOTION by Councilperson Kiernan, seconded by Councilperson Geddes-Atwell, authorizing Councilperson Michaels to send the proposal to all elected officials and staff for their input.

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye.

Town Attorney Tillapaugh informed the Board that he is still awaiting information from the Association of Towns concerning tax breaks for volunteer fire fighters.

MOTION by Councilperson Schallert, seconded by Councilperson Geddes-Atwell, authorizing Chairman Breiten to make budget revisions in various accounts.

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye.

Attorney Tillapaugh reported that the Town was served a fine and violation notice from DEC for not reporting an oil spill. The highway department has a 300 gal tank where waste oil is disposed of. Over a period of many years a small amount of oil has spilled over onto the ground. DEC is calling this an oil spill. The Town is also being fined for not color coding the waste oil tank with a purple emblem. Tillapaugh has scheduled to meet with NYS attorneys next Thursday to discuss what it is the Town needs to do to be in compliance.

MOTION by Councilperson Kiernan, seconded by Councilperson Geddes-Atwell, to go into Executive Session to discuss a personnel issue.

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye.

MOTION by Councilperson Michaels, seconded by Councilperson Geddes-Atwell, to come out of Executive Session.

MOTION CARRIED: Chairman Breiten and all Councilpersons voted aye.

MOTION by Councilperson Michaels, seconded by Councilperson Geddes-Atwell, to adopt the following proposal:

During the triennial period:

- The Town will pay \$8.00 per parcel to the assessor's office for personal services commencing October 1, 2009, \$8.30 beginning 10/1/2009 and \$8.50 per parcel, commencing October 1, 2010 plus mileage reimbursement and continuing education.
- The Town will commit to funding a triennial re-valuation with an entity providing contracted services of "valuation only".
- The assessor will be responsible to complete and maintain all data collection for all properties in the Town sufficient for use by entity doing the triennial revaluation.

MOTION CARRIED: Councilpersons Kiernan, Michaels, and Geddes-Atwell voted yes. Chairman Breiten and Councilperson Schallert voted no.

MOTION by Councilperson Michaels to adjourn.

MOTION CARRIED: Chairman Breiten and all Councilpersons vote aye.

Meeting ended at 9:50PM.

The next regular meeting will be August 13th, 2008 at 7:00PM at the Town Building in Fly Creek.

Respectfully submitted,
Pamela Deane/Town Clerk