

The Town of Otsego Town Board held a Regular Monthly Meeting on the 13th day of July, 2018 at the Town Building, Fly Creek, NY at 7:00PM.

Town Board Members Present:

Meg Kiernan	Supervisor
Thomas Hohensee	Councilperson
Bennett Sandler	Councilperson
Joseph Potrikus	Councilperson
Carina Franck	Councilperson

Also Present:

Michelle Kennedy	Town Attorney
William Hribar Sr.	Highway Superintendent
Pamela Deane	Town Clerk

Supervisor Kiernan called the Regular Monthly meeting to order and asked everyone to please rise for the Pledge of Allegiance.

MOTION by Councilperson Hohensee, seconded by Councilperson Potrikus, to accept the June 13th minutes as presented.

MOTION CARRIED: All were in favor.

Supervisor Kiernan read correspondence received since the last regular meeting.

Supervisor Kiernan opened the floor for comments.

Robert Bohm introduced Boy Scout troop 1254 that came to the meeting to learn about our government and communications, which is needed to acquire an Eagle Scout Badge. Bohm was not able to attend the Heirloom Barn and Building Public Hearing last month but did read the comments made by the public. One comment that was made a few times was that the definition was vague. Bohm liked the idea of definitions being vague, giving the Planning Board more flexibility. He did not want to see government boxing people in, telling them what they can and can't do. He would like to see less government.

John Phillips announced that the Fly Creek Fire Company will be holding a 50/50 raffle limiting the number of tickets sold to 200 at \$100.00 each. If they sell all the tickets they will have raised \$10,000.00 to buy much needed equipment without burdening the taxpayers.

Carl Wenner referenced some comments at the Public Hearing last month on the Local Law #1 (removing the Heirloom Barn and Building Section from the Land Use Law) where some people felt Councilperson Potrikus should recuse himself from voting because he is currently seeking site plan approval for a project under Section 3.15 Heirloom Barn and Buildings. Wenner did not agree that Councilperson Potrikus should recuse himself from voting. His reason for this was because Councilperson Potrikus is a businessperson and does work within the town. He felt the denial from the Planning Board on the Michaels application divided the town and will continue to divide the town every time these applications are denied.

Supervisor Kiernan closed the floor for comments.

Supervisor Kiernan gave a financial report. The Board discussed the following balances in the various accounts:

General Savings: \$ 4,700.84	General Checking: \$ 382,504.94
Highway Savings: \$ 7,838.52	Hwy Checking: \$ 484,305.58
Building Reserve Fund: \$176,402.19	Hwy Equipment Fund: \$ 333,602.82

MOTION by Councilperson Hohensee seconded, by Councilperson Sandler, to accept the financial report as presented.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Sandler, seconded by Councilperson Hohensee to pay the bills and make the necessary transfers.

GENERAL: #94-#109	\$ 3,116.10
HWY: #141-#157	\$ 9,437.31

MOTION CARRIED: All were in favor.

Dog Control Officer Tom Steele gave his report. Since last meeting there have been no drop offs, 2 running at large complaints, 1 neglect complaint of a dog being left in a car and 1 dog bite.

Zoning Enforcement Officer Edward Hobbie discussed applications now currently being processed and reviewed by the various boards. The following permits were issued since last meeting:

Zoning Permits: 6	ZBA Application: 1
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Planning Board member Chip Jennings reported on applications the Planning Board is currently reviewing.

Highway Superintendent William Hribar Sr., gave his highway report. He is in the process of replacing a culvert under the direction of the DEC on Buck Road. The cost will be covered under CHIP's reimbursement.

The town's 1989 roller constantly needs repair and he would like the Town Board to consider replacing it.

He ran into a problem on Lower Toddsville Road while cleaning out a culvert that had not been cleaned out in over 10 years. A resident plugged the culvert with two big rocks keeping the water from flowing over the bank towards his property. The homeowner whose culvert was plugged was Thomas Molloy. Molloy strongly objected to the culvert being cleaned out. He claimed the water then comes into his garage. During the discussion one of the highway employees was bitten by Molloy's tenant's dog. Hribar asked for some direction from the Town Board. Did they want him to reopen the culvert and let the water run as it used to or continue as it has for the last 10 years crossing over the road and running down the left side of the road. He warned that if the Town Board chooses that avenue he will have to take out three driveways to put in three culverts and dig a larger ditch.

It was the consensus of the Town Board that Hribar needs to open up the culvert and home owner Tom Molloy needs to put back a preexisting swale to divert the water away from his garage.

Councilperson Franck proposed a Resolution authorizing Jordan Clements from Otsego County Soil and Water to write a grant on behalf of the Town of Otsego for funds for the siting, engineering, purchasing, and installation of a new salt shed to be located on the Highway site on Cemetery Road.

MOTION by Councilperson Franck, seconded by Supervisor Kiernan to adopt the proposed Resolution authorizing Jordon Clements to write a grant for the siting, engineering, purchasing, and installation of a new salt shed.

MOTION CARRIED: Supervisor Kiernan, Councilpersons Sandler, Hohensee, and Franck voted yes. Councilperson Potrikus voted no for the reason he did not feel there was enough information regarding the grant. The Town Board reserves the right to review the application before it is submitted.

RESOLUTION ADOPTED: (Resolution Book pg. 138)

Councilperson Potrikus gave his report on Buildings and Grounds. He received 1 quote to replace the Old Highway Garage Building Roof on County Highway 26 from Edward Leslie Roofing for \$33,000.00 and 1 quote of \$10,000.00 for 2 part epoxy paint from American Roofing. Resident Carl Wenner volunteered, along with Councilperson Hohensee, to go up on the Highway Garage Roof and inspect the condition. The Town Board agreed to go with whatever procedure Councilperson Hohensee and Wenner recommend after they have evaluated the roof, so long as the cost is not increased over 1% of the original estimate.

Councilperson Sandler reported on Watershed activity. Inspections continue. So far there have been no problems found in the Town of Otsego. The last 4 years NYS DOT has been spraying Finale to control the bamboo. This year they will be applying Roundup due to the influx of poison ivy.

Supervisor Kiernan submitted a letter addressed to Town Clerk Pam Deane, from the Town's computer tech person Scott Dibble addressing ongoing problems, that most of the town offices experience such as e-mails, the website and protecting and storing town files.

Supervisor Kiernan will meet with Dibble and discuss the improvements he suggested.

Town Attorney Michelle Kennedy reviewed the proposed changes to the Land Use Law before filling out Parts 2 and 3 of the EAF. There seemed to be a misunderstanding between the Town Board and Attorney Kennedy. Attorney Kennedy added some of the criteria in Section 3.15, need for the repurposing Heirloom Barn and Buildings, to the Service Trade Establishment definition. The Town Board only wanted the removal of Section 3.15 and anywhere else it is referenced. The only other place it is referenced is under the Service Trade Establishment definition.

Attorney Kennedy felt that under the circumstances another public hearing should be held and the process started over.

MOTION by Councilperson Franck, seconded by Councilperson Hohensee to authorize Town Attorney Michelle Kennedy to omit Section 3.15 entitled Heirloom Barns and Buildings and to change the definition of Service Trade Establishment by omitting the sentence that reads "the maximum building square footage of 3000 sq. ft. shall not apply to any Service Trade Establishment that meets the requirement of Section 3.15 Heirloom Barns and Buildings."

MOTION CARRIED: Supervisor Kiernan, Councilpersons Franck, Hohensee, and Sandler voted yes. Councilperson Potrikus voted no.

MOTION by Councilperson Potrikus to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 8:50PM

Respectfully Submitted,
Pamela Deane/Town Clerk