

The Otsego Town Board held a regular monthly meeting on the 8th day of July, 2015 at the Town Building, Fly Creek, and NY at 7:00 PM.

Town Board Members Present:

Anne Geddes-Atwell	Supervisor
Thomas Hohensee	Councilperson
Carina Franck	Councilperson

Also Present:

Michael Thayer	Highway Superintendent Deputy
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 Councilperson Hohensee, seconded by Councilperson Franck, to accept the minutes of June 10th.

MOTION CARRIED: all were in favor.

Supervisor Geddes –Atwell placed correspondence received since the Town Boards June meeting on the table for review.

The “Guidelines for Public Comment” used by the Village of Cooperstown was again discussed. Councilperson Franck was in favor of having guidelines. She felt that by having guidelines everyone would be assured equal time to speak and it would allow the Board more time to conduct the business before them.

Councilperson Hohensee also felt it important to have well established, appropriate, reasonable criteria for public comment.

MOTION by Councilperson Franck, seconded by Councilperson Hohensee, to adopt the proposed “Guidelines for Public Comments” as amended.

MOTION CARRIED: All were in favor.

It was agreed that the guidelines would take effect at the August Town Board meeting.

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, to open the floor for public comments.

MOTION CARRIED: All were in favor.

James Atwell, a Village resident, wanted the Board to know that besides the Fly Creek Methodist Church praying for peace between Planning Board and Town Board official’s two additional facilities in the area were doing the same. He hoped that this information would give them inspiration.

Carl Wenner, a Fly Creek resident, felt it was despicable of the Town Board to limit public comment. He brought to their attention that there is already in effect a Protocol for Public Comment Policy that was adopted while he served on the Town Board a few years ago.

Councilperson Hohensee thanked Wenner for his comments. He stated that he would rather there was no limit on public comments but he is hoping this policy will bring more order to the monthly meetings.

Councilperson Franck explained to Wenner that the guidelines that were adopted are mainly pointed to a large group so that everyone’s voice will have the opportunity to be heard.

Richard Sternberg, village resident, suggested that the Board rescind any prior protocol policy.

Suzanne Summer, resident of Stoller Hill Rd., lodged a complaint concerning the condition of her road. Stoller Hill Rd. is so rutted it is barely passable and unsafe. She and her neighbors, Rick and Corlissa Card, questioned why Hecox Rd. which is a dead-end road with only one taxpayer which happens to be the highway superintendent was oiled and stoned and a road with three taxpayers and unpassable is overlooked. When Summers called Schallert he told her that school bus routes take precedent over other

roads. Summers and the Cards disagreed with his logic. Rick Card asked who decides what roads are improved with the CHIPs money given by the state. The Town Board told Card that the Highway Superintendent submits a proposal; the Town Board reviews the proposal, sometimes modifies it, and finally adopts it. To date, they have not received any road improvement proposal from Superintendent Schallert. Summers and the Cards requested that, at the very least, calcium be applied to their road to control the dust.

John Phillips, a Fly Creek resident, stated that since last month's meeting he has researched the probability of eliminating unwanted species from Canadarago Lake and has found that a boat wash will not work. Any unwanted species need to be removed from the premises and burned or else they will become problematic somewhere else. Cooperstown abolished their boat wash because it simply did not work. He felt the Board should be more concerned with the fact that there is no investigation being done on the septic systems along Canadarago Lake.

Joseph Potrikus, a Fly Creek resident was in total disagreement with the adoption of the Protocol Policy limiting public comments to 5 minutes. He felt one of the obligations of the Town Board was to listen to what residents have to say.

Sheila Ross, a Fly Creek resident, felt the Board needs to let people talk. "You folks need to pull yourself together", she said.

Fran Enjem, Richfield Town Supervisor, thanked the Town Board for their \$4,200.00 commitment towards the boat wash. The Town of Richfield Town Board has increased their contribution to \$5,000.00 and the Town of Exeter has pledged \$1,500.00. As far as limiting public comment, Enjem stated that the Association of Towns recommends a 5-minute limit. Enjem agreed that guidelines are needed and applauded the Town Board. His Town Board only allows 3 minutes for public comments.

James Atwell felt the boat wash was a start in getting public awareness. He went on to say that it is not so much the comments that are made during the public comment period but the tone in which the comments are made. Tone has little to do with content but everything to do with attitude. People need to rein in their tone, stick to the subject matter, and lower their decibel meter.

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, to close the floor for comments.

MOTION CARRIED: All were in favor.

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

General Savings: \$ 4,681.66	General Checking: \$ 428,241.55
Highway Savings: \$ 7,806.29	Hwy Checking: \$ 715,245.86
Building Reserve Fund: \$154,430.53	Hwy Equipment Fund: \$252,885.68

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, to accept the financial report as given, pay the following invoices and make the necessary transfers.

GENERAL: #116-# 127	\$ 4,598.67
HWY: # 97-# 110	\$ 28,084.37

MOTION CARRIED: All were in favor.

After a short discussion,

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, to reschedule the Town Board's August meeting to August 5th at 7:00PM.

MOTION CARRIED: All were in favor.

In the absence of Code Enforcement Officer Tavis Austin, Councilperson Hohensee submitted the Zoning Officer report, which was reviewed by the Board.

Zoning Permits: 2 ZBA Applications : 1 Site Plan Review: 1

Planning Board liaison Joseph Potrikus reported that the Planning Board elected him Chairman, filling Donna Borgstrom's vacancy. The Planning Board is requesting that the Town Board fill Donna Borgstrom's vacancy as soon as possible.

Dog Control Officer Tom Steele reported responding to four calls this month.

Councilperson Hohensee stated that another bid opening has been set for the Solar Project because no RFP's were submitted. The new bid opening date will be July 23rd.

Deputy Michael Thayer gave the Highway report. Thayer was asked the repair status of the loader damaged after the emergency brake gave way, went rolling backwards down Brody Mt. Rd. finally resting on its side in a ditch. Thayer admitted to knowing the Town received payment from the insurance company but asked if along with the check there was an itemized account for how much the insurance company was allowing for what replacement parts? Supervisor Geddes-Atwell suggested he call the town's insurance agent Tim Parsons for clarification.

Thayer reported that Cook, Hecox, and Bristol Road have been oiled and stoned. Other work is being done on Keys Road, Bed Bug Hill and Thayer Road.

The Board reviewed again the proposed resolution offered by the Planning Board regarding Legal Notification of proposed town laws and amendments.

MOTION by Councilperson Franck, seconded by Councilperson Hohensee, to adopt the proposed resolution regarding Legal Notification of Proposed New Laws or Amendments as amended consistent with existing state law #1.

MOTION CARRIED: All were in favor.

RESOLUTION ADOPTED: Resolution Docket (pg.127)

MOTION by Supervisor Geddes-Atwell, seconded by Councilperson Franck, to go into Executive Session to discuss under Section 105:

- Proposed litigation with respect to the Keglman property on Tripp Hill
- Suggested litigation with respect to pending claims made by Joseph Potrikus regarding his property located on Christian Hill
- Three enforcement actions brought forth from the Watershed Committee against Strollo and Lombardo matter, Scalise matter and Cannon matter
- And the pending 2014 tax matter concerning the Glimmerglass Condominium owner's assessment challenge.

MOTION CARRIED: All were in favor. (8:25PM)

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, to come out of Executive Session.

MOTION CARRIED: All were in favor. (10:15)

MOTION by Councilperson Hohensee, seconded by Councilperson Franck that the Town Board request engineering plans from Lamont Engineering within the next two weeks regarding both Tripp Hill and Murdock Hill Roads. And that shall include review and assessment of Mr. Keglman's proposals.

MOTION CARRIED: All were in favor.

MOTION by Supervisor Geddes-Atwell, seconded by Councilperson Hohensee

The proposal of the Glimmerglass Condominium owners in their tax assessment challenge is that the total valuation of the condos will be listed on the role at \$4,875,600.00. A three bedroom will be listed at \$212,800.00 with a rental value of \$2,100/month. The two bedrooms will be listed at \$193,500.00 with a rental value of \$1,900.00/month. Assuming the following, a 5% vacancy 20% expenses and 9% capitalization rate, the owners have further proposed a waiver of ½ of the reimbursement owed for the 2014 and 2015 tax years; interest may be owed in accordance with state law. Finally the Town Board has suggested paying 100% of the reimbursement of town taxes to offset the school district, ½ reimbursement of the towns full reimbursement on the condition that the Town's full reimbursement does not exceed \$8,000.00. Therefore the reimbursement to the Glimmerglass Condominium owners will still total ½ of all taxes paid for 2014 and 2015 plus any mandated interest on the ½ reimbursement.

MOTION CARRIED: All were in favor.

The Town Board attempted to call Joseph Potrikus to ask a follow up question concerning his property damage claim but there was no answer. Attorney Kennedy left a message informing Potrikus that Highway Superintendent John Schallert has not yet given the Town Board an estimated value on the material removed from his property. The Town Board is prepared to consider the estimated value Schallert submits. Since no value has been submitted yet the Town Board will table further discussion of this matter until the August meeting. Attorney Kennedy encouraged Potrikus to submit a verbal claim if he so chooses.

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, to table Joseph Potrikus Claim until the August meeting.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Hohensee, seconded by Councilperson Franck to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 10:26PM.

The next regular meeting will be at the Town Building in Fly Creek, on August 5th at 7:00PM.

Respectfully Submitted,
Pamela Deane/Town Clerk