

The Otsego Town Board held a regular monthly meeting on the 14th day of August 2013 at the Town Building, Fly Creek, NY at 7:00PM.

Town Board Members Present:

Julie Huntsman	Councilwoman
Bennett Sandler	Councilman
Carl Wenner	Councilman
Thomas Hohensee	Councilman

Also Present:

Shawn Mulligan	Highway Superintendent
Michelle Kennedy	Town Attorney
Pamela Deane	Town Clerk

In Supervisor Geddes-Atwell's absence, Councilwoman Huntsman called the meeting to order and asked all those present to please rise for the Pledge of Allegiance.

MOTION by Councilman Wenner, seconded by Councilman Hohensee, to accept the minutes of July 10th, as presented.

Councilwoman Huntsman called for discussion.

Councilman Wenner wanted it noted that Supervisor Geddes-Atwell admitted that she just didn't want to add his Protocol Policy Proposal to the evening's agenda.

MOTION CARRIED: All were in favor.

Councilwoman Huntsman read correspondence received since the July 10th meeting. Among the correspondence was:

- A request from the Otsego Town Court asking permission to apply for the JCAP (Justice Court Assistance Program) Grant.
- A letter from residents Elliot and Martha Helfand requesting the 45mph speed limit on County Hwy 22 be expanded to Bibik Rd. intersection. Cars come up over the hill at 55mph or better, nearly hitting motorists coming out of Bibik Rd.

Both requests were tabled until the September meeting. The Board would like the court to be more specific in stating what they plan to use the grant money for. In regard to the speed limit reduction request, Councilwoman Huntsman wanted to take a look at the section of road the Helfand's are referring to before rendering her vote.

Councilwoman Huntsman opened the floor for public comments.

County Representative John Kosmer stated that there is some movement to get out of negotiations early with MOSA. The County is leaning toward going with private haulers on a bid basis.

Kosmer also reported that there is more and more interest growing in agriculture in Otsego County with the production of local wine, beer and yogurt. All these things require the expertise of the Cooperative Extension, which he supports whole heartily.

Fly Creek resident Sheila Ross expressed her dismay with the Board's decision to purchase a used ten wheeler dump truck and sander for \$28,000. Her feeling was the Town was only buying someone else's headache. She also was not in favor of the Town purchasing a \$20,000.00 wood chip furnace when the new highway garage was only costing the Town \$6,000.00 in fuel oil to heat. Ross could not understand why the Highway employees are instructed to bring the brush they cut back to the Town Highway Garage to chip when it would be much less labor intensive if the highway employees just chipped the brush along the road as it is cut. Having the piles of wood chips at the Highway Garage for residents to help themselves also causes another problem. In closing she reminded the Board that there was money appropriated in the prior budget to pave around the Cemetery Road Highway Garage. She felt it important that that still happen.

Councilman Wenner read that Congress and their staff are going to have subsidies to cover the cost of their health insurance. With that in mind Wenner asked everyone to imagine a school where parents send their daughters. In the meantime an organization with a very bad reputation buys the school. The parents of these girls naturally are worried and concerned for their daughters. People are not so quick to dismiss or accept things when it involves them or people they love. Just something to think about.

Fly Creek resident Dora Cooke would like Board members to give a reason when they abstain from voting. She felt the public is entitled to an explanation.

Councilwoman Huntsman closed the floor for further public comments.

Councilman Sandler gave a financial report. Balances are as follow in the various accounts:

General Savings: \$4,671.30	General Checking: \$ 714,857.64
Highway Savings: \$7,789.00	Hwy Checking: \$ 511,853.49
Building Reserve Fund: \$150,468.44	
Hwy Equipment Fund: \$ 207,059.42	

It was the consensus of the Board to table accepting the financial report given they had a few questions for the Supervisor concerning some of the accounts.

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

GENERAL: #125-# 141	\$21,140.03
HWY: #106-#124	\$58,471.38

MOTION CARRIED: Councilmen Sandler and Hohensee, and Councilwoman Huntsman voted yes. Councilman Wenner was not in agreement with the Town paying any portion of Judge Kuch’s cell phone bill and for that reason his vote was no.

After a brief discussion it was consensus of the Board to hold a 2014 Budget Workshop on the 16th of September at 6:00PM.

Village Library Board Member Deb Dalton reminded the Town Board of the Village’s request to increase the Town’s contribution in next year’s budget. The library offers much more then books. Many people in the area do not have internet service so they use the internet service at the library. Dalton made it clear that this is a short-term request. The Village Library Board is exploring alternative ways to fund the library.

Dog Control Officer Tom Steele reported picking up 2 dogs and answering 3 running-at-large complaints.

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

Zoning Permit: 5	Variance Application: 1
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Austin discussed briefly projects being reviewed by the Planning Board. One STOP WORK order has been issued to the Hummel’s residence on Marble Rd. Two additional STOP WORK orders may be issued.

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	1,520	\$ 4,809.71
Diesel	0	\$0	10,512.2	\$32,409.82
Heating	0	\$0	0	0
Svc.	0	\$0	0	0

Mulligan stated he is still looking to hire another heavy equipment operator. He further stated that he has met with and shown FEMA representatives the flood damage on Raymond Fish Road, Wiley Town Road and the bridge on the upper end of Stonehouse Rd. He is waiting to hear their decision on how they want the roads repaired. He is also waiting for the FEMA adjustor to give him the total reimbursement amount FEMA is going to allow for repairs. Mulligan closed by informing the Board that the used 10 wheeler Freightliner has arrived. So far no major problems have been revealed after a thorough inspection.

Councilman Wenner noted that he disagreed with Sheila Ross and felt that buying good used equipment is a smart and responsible way to go. If the Town needed to spend \$10,000.00 a year for 10 years on repairs on this truck they still would not have spent what a new 10-wheeler would cost.

Councilman Sandler noted that he disagreed with Sheila Ross's opinion on the purchase of a \$20,000.00 wood chip furnace. He estimated that it would cost \$2000.00 a year for heat meaning that the boiler would pay for itself in 5 years.

Councilman Sandler reported on the last Water Shed meeting. The failure rate of septic systems in the watershed is dropping drastically. There has been an increase in discussion regarding getting the Otsego Lake Association and other environmental groups to explore ways to reduce the number of invasive species that may be entering the lake.

Town Attorney Michelle Kennedy submitted a list of Land Use Law Amendment proposals pertaining to definitions regarding Bed and Breakfasts, Hotels, Motels, and Recreational Facilities. It was decided by the Board to wait until after hearing what comments the Planning Board may have before moving forward.

Councilwoman Huntsman and Councilman Hohensee reported meeting with Planning Board Chairman Donna Borgstrum to discuss revisions to the current Code of Ethics Policy. Councilwoman Huntsman submitted the proposed changes to the Board for their review and comment.

Councilman Wenner objected to the inclusive language (himself/herself) referenced in the proposal.

MOTION by Councilman Wenner, seconded by Councilman Sandler, to adopt the proposed changes to Sections "J" and "K" of the Code of Ethics Policy as presented with the exception of omitting all inclusive language.

MOTION CARRIED: All were in favor.

Councilman Wenner submitted once again for discussion, a Protocol for Public Comment proposal. Further action on the proposal was tabled until the September meeting when Supervisor Geddes-Atwell will be present for comment and voting.

Attorney Michelle Kennedy explained that she would be representing the Town on a salary basis as Town Attorney and on an hourly basis when handling assessment litigations. For this reason the Town Board needs to pass a Local Law pursuant to NYS Town Law Section 20, NY Municipal Home Rule Law Section 10, NYS statute of Local Governments Section 10 and other applicable statutes, allowing compensation at a negotiated hourly rate for the Town Attorney with the submission of a Board approved voucher.

After a short discussion a Public Hearing for the proposed Local Law was set for September 11th at 7:00PM.

MOTION by Councilman Sandler, seconded by Councilman Wenner, to go into of Executive Session to discuss litigations concerning tax certiorari matters, claims filed by T. Pacherille and A. Pacherille, and Gerbracht watershed matter and collective bargaining negotiations with CSEA.

MOTION CARRIED: All were in favor. Time was 9:05PM

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

MOTION CARRIED: All were in favor. Time 9:55PM

MOTION by Councilman Wenner to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 9:55PM.

Respectfully Submitted,

Pamela Deane
Town Clerk