

A Regular Meeting of the Town Board of the Town of Otsego was held on the 9th day of September 2009 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

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

Others Present:

Pamela Deane Town Clerk
Shawn Mulligan Highway Superintendent
Paul Elkan Town Attorney

Supervisor Breiten called the regular meeting to order and asked all those in attendance to please rise for the pledge of allegiance.

MOTION by Councilperson Kiernan, seconded by Councilperson Geddes-Atwell, to accept the minutes of August 12th as presented.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

MOTION by Councilperson Kiernan, seconded by Councilperson Geddes-Atwell, to accept the minutes of August 20th as presented.

Councilperson Michaels felt the minutes were not correct in stating that a color for the roof on the new highway garage was selected. The Board agreed.

MOTION to accept the minutes as amended was CARRIED: Supervisor Breiten and all Councilpersons voted aye.

The minutes will be amended before being entered into the Book of Record.

Supervisor Breiten reviewed briefly correspondence he received since the last monthly meeting.

Supervisor Breiten read a notice from Doubleday Café, Inc. announcing their intent to upgrade their Retail Liquor and Wine License to an On-Premises Liquor License. The Board had no objection.

Supervisor Breiten opened the floor for comments.

Scott Fickbohm, District Manager for Otsego County Soil and Water Conservation District, reported on the Hydrology and Hydraulics Study currently being done on Canadarago Lake. Fickbohm gave updated statistics on the several studies that have been conducted. One of the most obvious changes in the lake since 2001 is the water clarity. This is likely the result of the establishment of zebra mussels. A copy of his report was filed with the Town Clerk.

Dennis Bresee, resident of Bresee Rd., reminded the Board of his offer to the Town to take as much shale from his shale bed (free of charge) to fix all the pot holes on his road. An additional 15 loads were taken from his shale bed to fix other roads. He was paid \$400 for the shale but he feels that was only because highway employees told him about the additional loads that were taken. He does not believe Highway Superintendent Shawn Mulligan ever intended to pay him for the additional shale that was taken. He also complained that Mulligan had no right to take the wood cut along the road, in a town truck, and deliver it to his personal home. He believes the trees cut along the road belong to the landowner.

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

General Savings:	\$ 4,651.12	Highway Savings:	\$ 7,755.35
General Checking:	\$ 955,294.49	Hwy Checking:	\$ 891,191.75
MBIA Gen:	\$ -0-	MBIA Hwy:	\$ -0-
MBIA Equipment Fund:	\$ 53,742.67		

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

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

MOTION by Councilperson Kiernan, seconded by Councilperson Schallert, to pay the following bills and make the necessary transfers:

GENERAL: #185-#200 #202-#205 \$ 22,389.52
HWY: #148-#163 \$ 35,674.01

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.
(#201 – payment for medical expense reimbursement will be sent to Highway Employee William Hribar once proof of payment has been presented)

Highway Superintendent Shawn Mulligan read the Highway Superintendents report. 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	350.1	\$ 760.10	1,737.2	\$ 2,919.40
Diesel	470.0	\$1,151.74	11,723.0	\$ 26,245.15
Heating	-0-	\$ -0-	4,974.0	\$ 9,254.91
Serv.	-0-	-0-	-0-	-0-

Mulligan will have the amended Snow and Ice Agreement from the County sent to all Board members before the October meeting.

Zoning Report was submitted by Zoning Officer Henry Schecher and was reviewed by the Board. Permits were as follow since last meeting:

Zoning Permit: 6 Driveway Permit: 1 Site Plan Review: 1

Councilperson Kiernan submitted a Watershed Committee Report of July's meeting which the Board reviewed.

Engineer Jon McManus updated the Board on the new Highway Garage addition.

- Colors have been selected for the sides and roof of the building.
- Tubing has been installed in the floor and pressure tested.
- Half of the floor has been poured.
- RFP's for Phase II of the project will be sent out to local contractors and a notice will be put in the Daily Star. Deadline for proposals will be September 30th. McManus will review all proposals and be prepared to make a recommendation at the October meeting.

Councilperson Geddes-Atwell reported that she will be meeting with Computel Consultants to discuss the proposed Time Warner Agreement.

Ethics Board Member Orlo Burch, reported on the outcome of the investigation concerning Bruce Hall's allegations made at the August meeting. Burch talked to John McLean the owner of the construction company building the new Highway Garage. McLean stated to him that he didn't buy the concrete from Halls because he had priced it out elsewhere before he bid the project and that he was not pressured by anyone on the Town Board to not purchase it from Bruce Halls. Burch stated that the Town Board will be receiving a report from the Ethics Committee.

Town Attorney Paul Elkan said that he contacted the Board of Elections and found that the deadline to file a proposition with the Board of Elections is September 18th.

MOTION by Councilperson Kiernan, seconded by Councilperson Schallert, to schedule a Public Hearing proposing the allowance of Organized Game of Chance in the Town of Otsego, September 17th at 5:00PM.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

It was the consensus of the Board to hold a 2010 Budget Workshop immediately following the Organized Game of Chance Public Hearing.

Councilperson Geddes-Atwell requested that Dennis Bresee's complaint be investigated by the Ethics Board.

MOTION by Supervisor Breiten, seconded by Councilperson Michaels, to adjourn.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted yes.

Meeting ended at 8.30 PM

The next regular meeting will be held on October 14, 2009 at 7:00 PM at the Town Building in Fly Creek, NY.

Respectfully submitted,
Pamela Deane
Town Clerk