

The Town of Otsego Town Board held a Public Hearing and a Regular Monthly Meeting on the 10th day of October 2018 at the Town Building, Fly Creek, NY at 7:00PM.

Town Board Members Present:

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

Also Present:

William Hribar Sr.	Highway Superintendent
Pamela Deane	Town Clerk

Supervisor Kiernan asked everyone to please rise for the Pledge of Allegiance.

Supervisor Kiernan called the public hearing to order. She explained that the purpose of the Public Hearing was to hear public comments pertaining to the 2019 Town Budget possibly exceeding the 2% cap set by the State of NY. The floor was then opened for public comment.

Carl Wenner felt that if the budget were to continually increase the next 10 years residents, particularly retirees, will not be able to afford the taxes and will be forced to move out of the area.

Sheila Ross echoed Wenner's concern.

Supervisor Kiernan closed the Public Hearing.

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, to accept the September 12th minutes as presented.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Potrikus, seconded by Councilperson Franck, to accept the September 17th minutes as presented.

MOTION CARRIED: Supervisor Kiernan, Councilpersons Franck and Potrikus voted yes. Councilperson Hohensee abstained.

MOTION by Councilperson Franck, seconded by Councilperson Potrikus, to accept the October 1st minutes as presented.

Supervisor Kiernan asked for discussion.

Councilperson Potrikus asked the Town Board members if they thought it appropriate and beneficial to request the Town Clerk to record in the minute's comments made during the budget workshops regarding specific items for future use.

Councilperson Hohensee thought it more prudent to add a "comment" column to the budget to help the Town Board remember from year to year what was appropriated and for what. The consensus of the Town Board agreed.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, to accept the October 4th minutes as presented.

MOTION CARRIED: Supervisor Kiernan, Councilpersons Franck, and Hohensee voted yes. Potrikus abstained.

Supervisor Kiernan introduced Otsego County Planner of OCCA, Danny Lapin. He discussed how OCCA's "Circuit Rider Planner Program" could be used to benefit the Town as it relates to the revision of Section 3.15 Heirloom Barns and Buildings Law. The purpose of this Program is to first assist in the facilitation and preparation of the Heirloom Barns and Buildings Law by partnering with Otsego 2000 and Professor Cindy Falk from the Cooperstown Graduate Program. Secondly, train and educate the Planning Board on how to properly administer site plan review applications being reviewed under the Heirloom Barns and Buildings Law. Lapin would work at the Town Boards digression. The cost would be \$70.00/hr. OCCA would pay half of the cost reducing it to \$35.00/hr. It was estimated the entire cost would be approximately \$2,100.00.

Supervisor Kiernan thanked Lapin for coming.

Supervisor Kiernan read correspondence received since the last regular meeting.

Kathryn Mollach thanked the Town Board and Highway Superintendent Bill Hribar for agreeing to divert the runoff from further damaging the Pierstown Grange foundation. She invited everyone to a potluck dinner and slide show at the Pierstown Grange on October 17th at 6:30PM.

Sheila Ross was not in favor of OCCA and Otsego 2000 rewriting the Heirloom Barns and Buildings Law. She felt that was solely the job of the Town Board. OCCA and Otsego 2000 are a private entity with their own agenda.

Carl Wenner submitted a chart he had drafted showing the additional fuel, wages, and toll costs the XNG trucks would encounter if they were to take the major highways instead of the secondary roads they are now traveling. At 200 trips/day Wenner estimated XNG would spend an additional \$19,210.00/day.

As far as the OCCA Circuit Rider Planner Program Proposal, Wenner agreed with Ross's statement. He felt Otsego 2000 and Danny Lapin are both from the hard left liberal group, the Town Board should be rewriting the law, and finally, we do

not need more bureaucracy.

Councilperson Franck stated that she values the expertise in preservation that organizations like OCCA and SHIPO can offer and will always consider their recommendation.

Later on in the meeting Councilperson Potrikus stated that he took offense to the fact that as an Heirloom Barn Committee Member he repeatedly was not apprised prior to monthly meetings when action had been taken regarding the Heirloom Barn Law. Specifically, until he arrived, he was not aware of Mr. Lapin coming to the Town Board meeting to discuss a proposal on re-writing the Heirloom Barn Law. It was not listed on the agenda. After hearing Mr. Lapin's proposal he was uncomfortable with spending \$2,100.00 for Lapin's services for two reasons. First there was no money appropriated in the budget and second there is no assurance that his proposal would be approved.

Councilperson Franck pointed out that she and Councilperson Potrikus tried to rewrite the law on their own and were unsuccessful. She personally welcomed the input from professionals. In a letter SHIPO agreed that there was a problem with the law and it should be rescinded.

Supervisor Kiernan agreed that it has been found that this is not a simple fix.

Councilperson Hohensee agreed that Councilpersons Potrikus and Franck working together was not working out.

Supervisor Kiernan closed the floor for further public comments.

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

General Savings: \$ 4,704.37	General Checking: \$ 361,923.17
Highway Savings: \$ 7,844.40	Hwy Checking: \$ 485,032.77
Building Reserve Fund: \$176,468.86	Hwy Equipment Fund: \$ 333,728.92

MOTION by Councilperson Hohensee, seconded by Councilperson Potrikus, to accept the financial report as presented and make the necessary transfers.

Supervisor Kiernan asked for discussion.

Councilperson Potrikus was not in favor of appropriating an unexpended balance of \$175,000.00 to the DB fund leaving only \$65,000.00 in reserve. Supervisor Kiernan corrected Councilperson Potrikus in that the \$175,000.00 reserve was moved from the B fund to DB fund. Only \$89,200.00 was applied to the unexpended balance in the DB fund leaving \$85,800.00 in reserves.

Councilperson Potrikus was still concerned that in five years the Towns reserve would be depleted and the Budget would then need to be increased significantly. He wondered if it would be better to go over the 2% cap and increase the budget 5% or 10% over the next two years and reduce the surplus balance spending.

After a long discussion it was decided to leave the proposed budget as is which does not exceed the 2% cap, and if changes are to be made it would be after the Budget Public Hearing.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Potrikus, seconded by Councilperson Hohensee, to pay the bills and make the necessary transfers. Also the MOTION was to include authorizing Supervisor Kiernan to pay all Highway Bills falling under the CHIP's reimbursement that are received before the November meeting.

GENERAL: #135-#145	\$ 1,967.34
HWY: #194-#214	\$ 152,596.46

MOTION CARRIED: All were in favor.

Dog Control Officer Tom Steele gave his report. There were no calls since last month.

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: 3	Subdivisions: 1	Lot Line Adjustment: 1
ZBA: 1	Site Plan Review: 2	

Hobbie reported that all lots from the Apple Blossom subdivision on Thayer Road have been sold.

Highway Superintendent William Hribar Sr. gave his highway report. Blacktopping has been completed. Shoulder work and some ditching still need to be done. The salt shed has been somewhat put back together for now. The rain has been raising havoc with the roads. In closing Hribar wanted to thank the highway crew for all the hard work they have done this summer. There were some days they did not even stop for lunch.

Councilperson Potrikus reported for the Building and Grounds Committee. The wall around the building has been completed along with the sealing of the old Town Barn roof on County Highway 26. The seal has an 8 to 10 year life expectancy.

Councilperson Franck thanked Zoning Enforcement Officer Ed Hobbie and Town Clerk Pam Deane for the new Town of Otsego Sign at the end on the driveway.

Supervisor Kiernan handed out the NYS Sexual Harassment Policies mandated by the State of New York. Further action was not taken. It was the decision of the Town Board to read the proposed policies first and act at the November meeting.

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, allowing the 2019 Town Budget total to exceed the 2% cap set by the State of New York if need be.

MOTION CARRIED: All were in favor.

Supervisor Kiernan reported that the Town of Otsego was chosen by Otsego County to participate with 3 out of the 5 topics offered through the Shared Services Program. The three topics were Hydro Seeding, Municipal Accounting Software and Highway Assessment Management. The County will write up the Memorandum of Agreement between Otsego County and the Town of Otsego.

Supervisor Kiernan submitted an Agreement offered by Time Warner, which was discussed by the Town Board.

MOTION by Councilperson Potrikus, seconded by Franck, to schedule a Public Hearing on November 14th at 7:00PM to hear public comment on the proposed Time Warner Agreement.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Potrikus, seconded by Councilperson Hohensee, to adopt the Tentative Budget.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Potrikus, seconded by Councilperson Hohensee to schedule a Public Hearing on November 14th at 7:00PM to hear public comments on the proposed 2019 Preliminary Town Budget.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Franck, seconded by Supervisor Kiernan, to go into Executive Session to discuss a legal matter.

MOTION CARRIED: All were in favor. (9:14PM)

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

MOTION CARRIED: All were in favor. (9:59PM)

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, to appoint Attorney Peter Hobaica to fill the unfulfilled Town Attorney position ending 12/31/2018.

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

MOTION by Supervisor Kiernan to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 10:00PM

Respectfully Submitted,
Pamela Deane/Town Clerk