

A Regular meeting of the Otsego Town Board was held on the 12th day of October, 2011 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Meg Kiernan	Supervisor
Bill Michaels	Councilman
Anne Geddes-Atwell	Councilwoman
Carl Wenner	Councilman
John Schallert	Councilman

Also Present:

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

Prior to the Town Board meeting Town Board members Kiernan, Michaels, Geddes-Atwell and Wenner met at 6:00PM and inspected the old highway garage and its contents.

Supervisor Kiernan at 7:00PM called the meeting to order and asked all those present to please rise for the pledge of allegiance.

MOTION by Councilwoman Geddes-Atwell, seconded by Councilman Wenner, to accept the September 14th minutes as presented.

MOTION CARRIED: All were in favor.

MOTION by Councilman Michaels, seconded by Councilwoman Geddes-Atwell, to accept the September 21st minutes as presented.

MOTION CARRIED: Supervisor Kiernan, Councilwoman Geddes-Atwell and Councilmen Wenner and Michaels voted yes. Councilmen Schallert abstained.

MOTION by Councilwoman Geddes-Atwell, seconded by Councilman Wenner, to accept the October 5th minutes as presented.

MOTION CARRIED: All were in favor.

Supervisor Kiernan discussed correspondence received since last month's meeting. Among the correspondence was:

- A letter from Sheila Ross requesting a copy of the Town's Surplus Policy. After reading the letter Ross explained that she was particularly interested in knowing what the Town's position is on trees that are cut by the Town Highway crew. It was Ross's opinion that cut trees brought back to the Town Highway Garage site belong to the taxpayers. She objected to the Highway Superintendent and highway employees cutting it up and taking it home. Former highway employee Bruce Rose stated that while he was employed with the town and worked under Spike Boyd, limbs cut from trees along the town road were cut up and neatly stacked off the side of the road for the land owner. If the landowner didn't want the wood then some of the highway employees would take it home. The stumps were brought back to the highway garage site on Cemetery Road and buried.

Supervisor Kiernan told Ross that the Town does not have a Surplus Policy.

- A letter from Chris Chandler giving his version of a misunderstanding he and Highway Superintendent Shawn Mulligan had over a driveway on Bailey Road where Chandler is currently building a new house. After a short discussion it was agreed that Chandler would pay for a 15" culvert pipe and the Town's Highway crew would install it.

Supervisor Kiernan opened the floor to the Public for comments.

Councilman Wenner submitted for the Board to read and think about, three articles showing our government in action. The First article talked about Attorney General Eric Holder, and his involvement in directing weapons into the hands of Mexican Drug Lords which were later used to kill U.S. Border Patrol agent Brian Terry. The second article entitled "Look whose relative just got \$135.8 million energy loan" discloses that the sister-in-law of John Podesa, President Obama's influential White House transition director, served as the lobbyist for a wind power firm that was just awarded a \$135.8 million loan guarantee from the Department of Energy. The third article talked about a secret Government death panel that puts Americans on a kill list.

Wenner felt that these articles are again more proof of stupid things government does. He reminded everyone that we live under a Republic not a Democracy.

Sheila Ross complained that she saw highway trucks being washed in the front of the highway garage since last

meeting. Ross also submitted legislation stating that road signs must be a minimum of 6 inches high with 4 inch high reflective lettering. The Town road signs the highway crew are making, are neither. Ross also stated that she requested a copy of all letters of complaint against the Highway Superintendent for the past three years and she knows of two letters that were sent to the Town Board that were not among the copies she received.

Village Library Board of Trustee President Chuck Newman let the Board know how grateful the Village is for the Town's budget contribution last year. The library has approximately 3,600 subscribers. 40% of the subscribers are from the Village of Cooperstown, 20% the Town of Middlefield and 40% from the Town of Otsego. He explained that the Library has an budget of \$85,000.00. The largest part of the funding comes from the Village.

Supervisor Kiernan closed the Public Comment session.

Financial report was given by Supervisor Kiernan. Balances are as follow in the various accounts:

General Savings: \$ 4,665.35	General Checking: \$604,381.92
Highway Savings:\$7,776.10	Highway Checking: \$322,746.12
Building Reserve Fund: \$150,276.94	
Highway Equipment Fund: \$176,455.65	

MOTION by Councilman Michaels, seconded by Councilwoman Geddes-Atwell, to accept the financial report as presented:

MOTION CARRIED: All were in favor

MOTION by Councilman Wenner, seconded by Councilwoman Geddes-Atwell, to pay the following bills and make the necessary transfers:

General:	#195-#213	\$18,579.64
Highway:	#136-#150	\$57,793.41

MOTION CARRIED: Supervisor Kiernan, Councilwoman Geddes-Atwell, and Councilmen Michaels and Wenner voted yes. Councilman Schallert abstained.

Councilwoman Geddes-Atwell reported that the draft for the Local Law Road Agreement is ready for review and the committee, which includes fifteen towns, is looking for feed-back and suggestions from Town Boards throughout the County. The Road Use Agreement is scheduled to come later.

Councilman Wenner urged the Board to consider adopting their own Road Use Local Law as an alternative. He felt it would be less expensive if the Town had its own law.

Highway Superintendent report was given by Highway Superintendent Shawn Mulligan. Fuel expenses for this month are as follow:

FUEL	GALLONS	TOTAL COST/MONTH	YTD GALS	YTD EXP.
Gas	-0-	\$ -0-	1,096.5	\$ 3,526.74
Diesel	1,058.0	\$ 3,527.77	11,261.0	\$ 38,799.93
Heating	-0-	\$ -0-	-0-	\$ -0-
Svc.		\$ -0-		\$ 1,093.50

Mulligan first wanted to address Sheila Ross's complaints. To the best of his knowledge the trucks were being washed in the rear of the building. As far as the road signs he estimated the Town's savings to be at least \$1000.00 this year alone by making the signs in house and the homemade signs are not being stolen. Mulligan found that twenty road signs were missing. The replacement cost for the signs averaged \$40.00 each.

Mulligan explained that the surplus of wood on the Town highway site is there because he has no other place to leave the wood. He has given the Highway employees permission to take and use all that they want. Councilman Schallert wanted cut trees left along the side of the road for the landowner to do with whatever they want. Mulligan argued that it would be a huge liability not to mention unsightly to leave the cut wood along the road. It was decided to turn this issue over to the Highway Committee to sort out and find a solution.

Mulligan reported that a turnaround on Vibbard Road has been made. The plow will go as far a George Hymas's house and back up to the turnaround.

Mulligan stated that he has been notified that the spreader is fixed. He plans to travel down to Pennsylvania with the ten wheeler and bring it back after making sure everything is in working order.

Supervisor Kiernan mentioned that she met with Highway Superintendent Shawn Mulligan and the Fly Creek Fire Chief to discuss emergency protocol in the event of a storm emergency. It was decided to give authority to Fly Creek Fire Chief Michael Thayer to call in highway employees to help clean up storm damage if he can not reach

the Highway Superintendent.

Building and Grounds Committee member Councilman Michaels stated that he received an estimate from plumber Chuck Hascup for the purchase and installation of a 40 gallon hot water heater and an additional ¾ inch water line to the rear of the highway building. The estimate totaled \$892.31.

MOTION by Councilwoman Geddes-Atwell, seconded by Supervisor Kiernan accepting Chuck Hascup's estimate to purchase and install a 40 gallon hot water heater and install an additional water line to the rear of the highway building.

MOTION CARRIED: All were in favor.

Former Highway employee Bruce Rose suggested that there be a one inch water line coming into the water pump so not to burn out the water pump out.

Councilman Michaels noted that the following during his inspection of the old highway garage:

- Remove "Highway Dept" sign from outside of the building.
- Remove all tanks, inside and out containing any fluids
- Press, welder and supplies to be moved to the new building
- All outside metal and tires removed
- Clean out rear shed.
- Continue to sort through rear work bench and supply closet.
- Assemble all material considered scrap to center of building
- Leave all heaters, heating oil and all lighting.

Zoning Enforcement Hank Schecher reported on Planning Board activity. Permits were as follow since last meeting:

Subdivision: 1

A Budget Workshop was scheduled for 6:00PM Wednesday October 19th.

MOTION by Councilwoman Geddes-Atwell, seconded by Councilman Wenner to go into Executive Session to discuss with Town Attorneys Martin Tillapaugh and Paul Elkan settlement strategy regarding pending assessment litigations with the Thanksgiving Home and the Hadley properties.

MOTION CARRIED: All were in favor

MOTION by Councilman Michaels, seconded by Councilwoman Geddes-Atwell to come out of Executive Session.

MOTION CARRIED: All were in favor.

MOTION by Councilman Wenner to adjourn.

MOTION CARRIED: All were in favor.

Meeting adjourned at 8:45PM.

The next regular meeting will be held at the Town Building in Fly Creek on the 9th, day of November 2011 at 7:00 PM.

Respectfully Submitted,

Pamela Deane
Town Clerk