

A combined 2012 Budget Public Hearing and Regular Monthly Meeting of the Otsego Town Board were held on the 9th day of November 2011 at the Town Building, Fly Creek, and NY at 7:00 PM.

Town Board Members Present:

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

Also Present:

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

Supervisor Kiernan called the Public Hearing to order and opened the floor for comments.

Sheila Ross wanted to know if it was true that the Board had budgeted \$250,000.00 for a Salt Shed.

Supervisor Kiernan replied that no money has ever been budgeted for a new salt shed.

Newly elected Town Justice, Gary Kuch, was concerned with the \$7,400.00 reduction to the Town Justice budget. When he ran for the position he assumed that the current appropriation would remain the same. Kuch found the amount appropriated for each judge unacceptable and will not accept the office with the proposed amount which is \$7,500.00 for each justice and \$7,500.00 for a Court Clerk.

Sheila Ross felt the proposed salary was now finally in line with other Towns in the County and agreed with the Boards decision to reduce the Justice budget from \$29,900.00 to \$22,500.00.

Gary Kuch warned that if neither he nor the other newly elected Judge Leslie Friedman accepts the office the State of New York will assign a Town Justice and the Town will be ordered to pay, he thou \$250.00 a day.

Supervisor Kiernan closed the Public Hearing and asked all those present to please rise for the Pledge of Allegiance.

MOTION by Councilwoman Geddes-Atwell, seconded by Councilman Michaels to accept the October 12th minutes as given.

MOTION CARRIED: All were in favor.

MOTION by Councilwoman Geddes-Atwell, seconded by Councilman Wenner, to accept the October 19th minutes as given.

MOTION CARRIED: All were in favor.

MOTION by Councilwoman Geddes-Atwell, seconded by Councilman Wenner to accept the October 24th minutes as give.

MOTION CARRIED: All were in favor.

Supervisor Kiernan opened the floor for comments.

Fly Creek Fire Chief Michael Thayer requested that the Fly Creek Fire Company be allowed to park some apparatus in the old highway garage until the apparatus is sold. Councilman Michaels requested that the apparatus be insured and the Town be named as insured. The Board agreed with Michael's request and Thayer agreed to do so.

Sheila Ross complimented the Highway Superintendent on cleaning up the highway grounds since last meeting.

Councilman Carl Wenner submitted more articles announcing more bail outs and loans pointing to the corruption of the United States Government. Wenner believes that people look to the government to fix

their problems but the government can't do it. Wenner also congratulated Julie Huntsman and Bennett Sandler on their election victory. He urged them to carefully read their Oath of Office before signing it.

Councilmen Michaels and Schallert also publicly congratulated Huntsman and Sandler on their win to the Town Councilmen seats.

Supervisor Kiernan closed the floor for Public Comment.

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

General Savings: \$ 4,665.35	General Checking: \$ 606,983.16
Highway Savings: \$ 7,779.10	Hwy Checking: \$ 486,585.42
Building Reserve Fund: \$150,276.94	
Hwy Equipment Fund: \$156,891.51	

MOTION by Michaels, seconded by Councilman Schallert, to accept the financial report as given.

MOTION CARRIED: All were in favor.

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

GENERAL: #216-#235	\$ 18,690.45
HWY: #151-#170	\$ 51,531.70

MOTION CARRIED: All were in favor.

MOTION by Councilman Michaels, seconded by Councilman Schallert, to adopt the proposed Preliminary 2012 Budget.

Supervisor Kiernan asked for discussion.

Councilwoman Geddes-Atwell requested that the Justices salaries be reinstated to the 2011 budgeted amount.

Councilman Michaels argued that the Judges salaries were out of line with the other Towns in the County. He pointed out that part of the reduction proposed was due to budgeting for a Court Clerk. Michaels also felt that elected officials should feel an obligation to serve.

Councilman Schallert stated that it has been brought up for the last two years that the Justices salaries were excessive and he thought that now with the current Judges stepping down it was a good time to reduce the salaries so that they are more in line with the other Towns in the County.

Councilwoman Geddes-Atwell felt that it was wrong to change the Justices salaries with the Judges-Elect thinking they were running on the 2011 budgeted amount. She was more inclined to return the Judges salaries to the 2011 rate and in the future hold the salaries at that amount.

Supervisor Kiernan pointed out that the Justices Elect are also acting Judges in the Village of Cooperstown meaning that they are already trained and the Town can share updated literature expenses with the Village. Kiernan further pointed out that even though the Town of Otsego is registered as having 4000 residents the number increases in the summer to an estimated 10,000.

MOTION by Supervisor Kiernan, seconded by Councilwoman Geddes-Atwell, to return the Justice Budget to the 2011 rate of \$29,900.00.

MOTION FAILS: Supervisor Kiernan and Councilwoman Geddes-Atwell vote yes. Councilmen Schallert, Michaels and Wenner voted no.

Councilman Wenner submitted once again criteria for Town Acquisition of Private Roads. Further discussion was tabled until the December meeting.

Councilman Wenner was not in favor of spending money on a generator. It was the consensus of the Board to move the money appropriated for a generator to the Capital Reserve Fund.

MOTION by Councilman Michaels, seconded by Councilman Wenner to adopt the 2012 Preliminary Budget.

MOTION CARRIED: Supervisor Kiernan and Councilwoman Geddes-Atwell voted no. Councilmen Schallert, Michaels and Wenner voted yes.

Zoning Enforcement Officer Hank Schecher reported receiving a copy of the Town's Zoning Map from Planner Nan Stolzenburg. County Planning is now working with it to see if copies can be made and it can also be put on the Town's website.

Supervisor Kiernan suggested that the Town's Business District be expanded to include Linden Avenue. This would solve a lot of the Linden Avenue Projects problems. Schecher agreed to run this idea by the Planning Board and invite Planning Board Chairman Joe Galatti and Village representatives to the next Town Board meeting.

Superintendent of Highway report was reviewed by the Board. Fuel expenses are as follow:

FUEL	GALLONS	TOTAL COST/MONTH	YTD GALS	YTD EXP.
Gas	347	\$ 1,044.02	1,443.5	\$ 4,570.76
Diesel	813	\$ 2,708.95	12,074	\$ 41,508.88
Heating	-0-	\$ -0-	5,017.6	\$ 9,140.13
Svc.		\$ -0-		\$ 1,093.50

Mulligan reported that the Fork Shop Bridge is scheduled to be repaired and re-opened next week.

Mulligan took full responsibility for the ten wheeler Mack breaking down in Pennsylvania. Mulligan knew the truck had a problem but didn't know it was serious. An oil sample had been sent out but had not come back yet. The trucks engine needs to be totally rebuilt. Estimated cost was \$21,000.00. Full warrantee ran out in March. The extended 5 year warrantee does not cover everything needed. Because the truck has such low hours and only 22,000 miles Mulligan is hoping Mack will cover the entire cost of the rebuilt engine. Mulligan was asked by the Board to find out the difference between the parts and labor warrantee on a new engine and a rebuilt one.

MOTION by Councilman Michaels, seconded by Councilwoman Geddes-Atwell, to declare an emergency repair on the Mack ten wheeler.

After a short discussion MOTION was withdrawn.

Mulligan submitted the County Snow and Ice Agreement for the Boards review. Town Attorney Paul Elkan saw no issues with the Agreement.

MOTION by Councilman Wenner, seconded by Councilwoman Geddes-Atwell, authorizing Supervisor Kiernan to sign the County Snow and Ice Agreement with the Town.

MOTION CARRIED: All were in favor.

Councilman Michaels reported for the Building and Grounds Committee. The new hot water tank has been installed at the highway garage. Another water test is needed before a Certificate of Compliance is issued by the County. The first water test failed.

Councilman Wenner again proposed criteria for acquisition of private roads. After much discussion no decisions were made. Further discussion was tabled until the December meeting.

Supervisor Kiernan submitted the Fire and Ambulance Agreement with Cooperstown.

MOTION by Councilman Wenner, seconded by Councilman Michaels, to authorize the Town Supervisor to sign the Fire Agreement with Cooperstown.

MOTION CARRIED: All were in favor.

MOTION by Councilman Wenner, seconded by Councilman Michaels, authorizing the Town Supervisor to sign the Ambulance Agreement with the Village of Cooperstown.

MOTION CARRIED: All were in favor.

Supervisor Kiernan submitted a Surplus Agreement which the Board briefly reviewed. Further discussion was tabled until the December meeting.

Councilman Michaels submitted proposed corrections to an amendment to the Land Use Law pertaining to Adult Housing Facilities that was adopted on May 18, 2009. It was referenced in the back of the Land Use Law but never inserted in the law as a Permitted Use. The same goes for the definition of Adult Housing Facility.

MOTION by Councilman Michaels, seconded by Councilman Wenner, to schedule a Public Hearing on the amendments for December 14th at 7:00PM.

MOTION CARRIED: All were in favor.

MOTION by Councilman Schallert, seconded by Councilman Michaels, to go into Executive Session.

MOTION CARRIED: All were in favor.

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

MOTION CARRIED: All were in favor.

Supervisor Kiernan announced that while in Executive Session the salaries for the Justices position were discussed.

MOTION by Councilman Wenner to adjourn.

MOTION CARRIED: All were in favor.

Meeting adjourned at 9:10 PM.

Respectfully Submitted,

Pamela Deane
Town Clerk