

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

Town Board Members Present:

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

Others Present:

Pamela Deane	Town Clerk
Shawn Mulligan	Highway Superintendent

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 Geddes-Atwell, seconded by Councilperson Kiernan, to accept the minutes of November 11th as presented.

Supervisor Breiten asked for discussion.

Councilperson Michaels requested a minor change.

Supervisor Breiten called for a vote.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

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

Supervisor Breiten submitted for the Board's review the Fire and Ambulance Agreement between Cooperstown and the Town of Otsego. Other than a few minor corrections that need to be made the Board was in favor of the proposed Agreement.

Supervisor Breiten opened the floor for comments.

Carl Wenner submitted a series of e-mails published by the Wall Street Journal from computers at the University of East Anglia's Climate Research Unit in the United Kingdom. The e-mails written by leading scientists, point to the fact that global warming is a hoax and man-made. Based on this information Wenner would like the Board to make decisions based on common sense rather than what "feels good" or "think green". Wenner also stated that he was informed by Highway Superintendent Mulligan that Councilpersons Michaels and Schallert were not interested in pursuing the idea of heating the highway garage with a waste oil. Mulligan also informed him that he could purchase certified waste oil for half the cost of fuel oil. Wenner was under the impression that the whole reason for building a new highway garage was to cut fuel costs. He thought the Town should be seriously looking into a waste oil burner. In closing he commended the Board members that voted to remove the "No Thru Traffic" sign on Jones Road.

John Phillips reminisced back when he was first appointed to the Planning Board 9 years ago and Breiten was then the Planning Board Chairman. They didn't always agree on issues but in the end they agreed to disagree. Phillips commended Breiten for being fiscally responsible and thanked him for his six years of service as Town Supervisor.

Dora Cooke, on behalf of Judge Wolff and herself, wanted to thank Supervisor Breiten for his interest in and support of the Town Court. She also thanked Supervisor Breiten for his accomplishments as Town Supervisor. Dora worked with Supervisor Breiten previously for many years on the Planning Board before assisting him with the bookkeeping for the Town accounts. Dora complemented him on his handling of the 2006 flood- following up so that all damages to roads and bridges were repaired and the proper paper work for re-imburement from FEMA was completed and filed. She ended by saying Tom had been a good guy to work with.

Town Clerk Pamela Deane stated that she remembers when the Town owed almost two million dollars. It had just been paid off when Supervisor Breiten took office. The Board had no debt or surplus. During Supervisor Breiten's years of office he invested wisely and made sure all necessary paperwork was completed and filed with FEMA during the 2006 flood so the Town was completely refunded for all

damages that occurred due to the flood. During his time in office taxes were never increased and the Town surplus grew to 2 million dollars.

Judy Cook, a resident of Feed Store Rd., asked what the Board plans to do with the old Town Garage. Personally she would like to see it torn down. Members of the Board told her that no decisions have yet been made regarding the building.

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

General Savings:	\$ 4,653.15	Highway Savings:	\$ 7,758.73
General Checking:	\$ 693,177.03	Hwy Checking:	\$ 765,822.18
Equipment Fund:	\$ 153,786.40		

MOTION by Councilperson Kiernan, seconded by Councilperson Michaels, to accept the financial report as given.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

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

GENERAL:	#226-#248	\$ 39,594.62
HWY:	#203-#226	\$ 38,456.80

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

MOTION by Councilperson Kiernan, seconded by Councilperson Schallert, to authorize Supervisor Breiten to balance all accounts for the year.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

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	240	\$ 546.29	2,239.3	\$ 4,028.53
Diesel	261	\$ 639.52	13,996.00	\$ 31,378.84
Heating	212	\$ 496.78	5,273.8	\$ 9,955.31
Serv.	-0-	\$ 143.50	-0-	\$ 143.50

Mulligan reported meeting with NYS D.O.T. to discuss the Main Street Bridge. It was noticed that the catch basin on the Middlefield side was not draining as fast as it should into the Susquehanna. Mulligan worked with the Village of Cooperstown to clean the drains out. He felt this should correct the problem. NYS D.O.T. measured the existing cracks and will re-measure them again next year to see if there has been any change.

Mulligan reported discussing repairs to the Mill Street Bridge with Engineer John Seligman from Spectra Engineering. Mulligan agreed to get a quote from Spectra as to what they would charge to put together a bid package for the Main Street Bridge repairs.

Mulligan stated that he researched three different options in regards to notifying the Dog Control Officer in case of an incident.

Pager:	\$55.00 initial cost	\$13.00/monthly Service Charge
Verizon:	cost of a phone plus	\$28.00/monthly Service Charge - 300 min. or \$11.00/month and 10 cents/min.
AT&T	Trac phone	\$25.00/ 3 months - 100 min.

MOTION by Councilperson Michaels, seconded by Councilperson Geddes-Atwell, authorizing the purchase of a pager.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

Mulligan apologized for hiring Hubbell Construction to build an addition to the existing salt shed. He didn't realize that he needed approval from the Town Board. He asked the Board's permission to continue the project. He informed them that he has money left over from CHIP's that would cover the cost of the shed addition. Mulligan felt that with this larger salt shed he could purchase all the salt

needed for the winter at a lower cost and not worry if suppliers run out in mid winter. The existing shed isn't large enough to hold one full truck load without some of the salt being exposed to the rain.

Councilperson Geddes-Atwell was concerned with the present location of the salt shed and how close it is in proximity to the residents that borders the Town Highway property and to their well.

Mulligan and other Board members felt that so long as the salt stayed under cover there would be little or no leaching into the ground.

After discussion it was the consensus of the Board to wait and see how much Hubbell charges for the work done so far. Hubbell's total quote for the addition was \$5,500.00.

Mulligan reported hiring two temporary wing men for the winter.

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

Zoning Permit: 2      Fire Work Permit: 1

Hank requested permission to purchase zoning software and a color laser printer.

The Board approved a spending limit of \$500.00 for software and a printer.

John Phillips acted as spokesmen for the Planning Board. Most of the Board member's education requirements are in compliance. The Planning Board urged the Board to make a decision on the Planning Board vacancy as soon as possible, preferably before their January meeting, to assure that the Planning Board has a quorum.

Dog Officer Tom Steele reported answering 3 calls since last meeting.

Councilperson Kiernan submitted Watershed Committee meeting minutes for December 3<sup>rd</sup> which were reviewed by the Board and filed with the Town Clerk.

Engineer Jon McManus updated the Board on the Highway Garage addition project. The installation of the boiler will be completed the week of Christmas. He requested authorization to issue a \$900.00 change order to add glycol to the heating system. McManus stated that the target date for completion is early January.

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Michaels, authorizing McManus's to issue a \$900.00 change order.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

McManus proposed a Warranty Document which was reviewed by the Town Board.

After a short discussion and the modifications to the document agreed upon, the Board accepted the proposed document, as amended.

McManus submitted material prices from Bruce Hall and Home Depot for the Highway Garage Office Renovations. Home Depot's material estimate was approximately \$2,000.00 lower than Bruce Hall's but the cost estimate did not include the delivery charge. McManus also felt it would be easier and more cost effective to make exchanges and returns with Bruce Hall's since they are located in the Town.

MOTION by Councilperson Schallert, seconded by Councilperson Kiernan, to purchase and to have delivered all materials needed for Highway Garage Office Renovations from Bruce Hall before the end of the year.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

Councilperson Geddes-Atwell reported attending a presentation on gas drilling to find out if municipalities can adopt Town Laws regulating gas drilling. The role of Local Government is limited however Towns can require a bond to cover the cost of repairing any damage done to roads caused by the gas drilling company. Towns can also require a site plan review, protect parks, preserve view-sheds, and residential areas, and historic structures. Towns have the right to adopt applicable local laws to address road protection, noise, fugitive lights and storm water.

MOTION by Councilperson Kiernan, seconded by Councilperson Michaels, to go into Executive Session to discuss CSEA negotiations.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

MOTION by Councilperson Kiernan, seconded by Councilperson Geddes-Atwell, to come out of Executive Session.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

Supervisor Breiten announced that while in Executive Session the Board discuss the proposal offered by CSEA.

MOTION by Councilperson Schallert, seconded by Councilperson Geddes-Atwell, to accept the proposal of health insurance deductible, co-pays, and raises offered by CSEA.

MOTION CARRIED: All Councilpersons voted yes. Supervisor Breiten voted no on the basis that no other Town Employees were given raises by the Board.

It was the consensus of the Board, after a short discussion, to schedule the year-end meeting for December 28<sup>th</sup> at 8:30 AM and the Organizational Meeting for January 4<sup>th</sup> at 8:30 AM. The Town Clerk will submit notification of these meeting to the Oneonta Daily Star.

MOTION by Councilperson Kiernan to adjourn.

MOTION CARRIED: Supervisor Breiten and all Councilpersons voted aye.

Meeting adjourned at 8:40PM

Respectfully submitted,  
Pamela Deane  
Town Clerk