

The Otsego Town Board held a regular monthly meeting on the 12th day of December, 2012 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Anne Geddes-Atwell	Supervisor
Bennett Sandler	Councilman
Julie Huntsman	Councilwoman
Carl Wenner	Councilman
Langhorne Keith	Councilman

Also Present:

Shawn Mulligan	Highway Superintendent
Michelle Kennedy	Town Attorney
Pamela Deane	Town Clerk

Supervisor Geddes-Atwell called the meeting to order and asked all those in attendance to please rise for the Pledge of Allegiance.

MOTION by Councilman Wenner, seconded by Councilman Keith, to accept the minutes of November 14th as presented.

Supervisor Geddes-Atwell asked for discussion.

Councilman Wenner was disappointed that the proposed November minutes did not mention his disagreement with policy protecting the names of those lodging a complaint. He felt those having a complaint filed against them should have the right to know who lodged the complaint. Town Clerk Pamela Deane after asking permission to speak, stated that it becomes selective enforcement when Town Laws are only enforced when a complaint is filed and pins neighbor against neighbor.

MOTION CARRIED: All were in favor.

Supervisor Geddes-Atwell read correspondence received since last meeting.

Supervisor Geddes-Atwell opened the floor for public comment.

Councilman Wenner wanted to wish everyone a Merry Christmas while it is still legal.

John Phillips wanted everyone to be aware of a letter that he submitted and was not read with the other correspondence, asking that he be considered for the upcoming Planning Board vacancy.

Supervisor Geddes-Atwell closed the floor for Public Comment.

After a short discussion it was decided that the Board will hold their year-end meeting on December 27th at 7:00PM.

Supervisor Geddes-Atwell gave a financial report. Balances are as follow in the various accounts:

General Savings	\$ 4,670.13	General Checking	\$639,125.06
Highway Savings	\$ 7,787.70	Hwy. Checking	\$496,443.13
Building Reserve Fund	\$150,430.63	Hwy. Equipment Fund	\$107,029.32

Councilman Wenner pointed out discrepancies in some of the totals. Supervisor Geddes-Atwell stated that she will reconfigure the different fund balances and give a revised report at the year-end meeting.

MOTION by Councilman Wenner, seconded by Councilwoman Huntsman, to pay the following invoices and make the necessary transfers:

GENERAL:	#210-# 223	\$ 19,213.72
HWY:	#171-# 191	\$ 44,519.85

MOTION CARRIED: All were in favor.

Councilman Wenner asked all Board members to think about the consequences of conducting a new Town Revaluation if the housing market continues to pick up.

Dog Control Officer Tom Steele reported responding to one stray dog call since last meeting.

Supervisor Geddes-Atwell submitted the 2013 SPCA contract which was reviewed by the Board. Further discussion was tabled until the year-end meeting.

In Tavis Austin’s absence Supervisor Geddes-Atwell presented the Zoning Enforcement Officer’s report. The following permits were issued since last meeting:

Zoning Permits 2 Firework Permit 1

Councilman Wenner reported that the Highway Committee along with Highway Superintendent Shawn Mulligan decided to replace the regular tire chains with spot on chains on most of the plow trucks. Chains are expensive and the committee felt this investment would save on the cost of replacing chains.

Highway Superintendent Shawn Mulligan’s written report showed fuel expenses for this month as follow:
General Savings

FUEL	GALLONS	TOTAL COST/MONTH	YTD GALS.	YTD EXP.
Gas	200.0	627.86	2,035.0	\$6,543.10
Diesel	813.0	2,967.90	12,909.2	\$46,335.51
Heating	0	0	0	0
Svc.		0		0

Mulligan stated that PESH conducted a safety inspection at the new highway garage. The Town was sighted on a few minor violations which have been corrected. Mulligan asked the inspector his opinion on ventilating the building. He stated that because the garage has radiant heat fumes from the trucks will automatically be vacuumed out if the garage door is cracked opened. He suggested that a ventilation system for the welding area and carbon monoxide detectors be installed.

Stacie Haynes and Meg Kiernan asked if the Board had any objections of a 5k run being held on Town roads on April 27th, 2013 to benefit the United Way. They plan to partner with the Cider Mill, notify the County Sheriff’s Department, use volunteers, and close town roads that are being used for the run while volunteers redirect traffic. All participants will be obligated to sign a liability waiver. In closing Haynes assured the Board that the United Way is a fully insured organization.

MOTION by Councilwoman Huntsman, seconded by Councilman Keith, to support the proposed event.

MOTION CARRIED: Supervisor Geddes-Atwell, Councilmen Sandler and Keith and Councilwoman Huntsman voted yes. Councilman Wenner abstained.

Councilman Sandler reported for the Building and Grounds Committee. OSHA suggested running an air quality test in the new highway garage. The cost of the test would run approximately \$2,000.00. Councilman Sandler was more in favor of placing carbon monoxide detectors and forgoing the air quality test.

Highway Superintendent Shawn Mulligan reported that NYS engineers yellow flagged the Fork Shop Bridge. The problem has been corrected. He plans to replace the decking on the bridge in the spring and is currently looking into alternative decking material.

Mulligan stated that the Village of Cooperstown has agreed to maintain the sidewalks, and any mowing or plowing on the southern end of Linden Avenue located outside the Village but in the Town of Otsego, so long as the Town signs a “Shared Service Agreement” with them. The Board was under the impression that the Village had agreed to maintain the upper end of Linden Avenue during the review process. Supervisor Geddes-Atwell agreed to talk to Village Mayor Jeffrey Katz.

Councilman Wenner informed the Board that he discovered after much research, that the Town has two options to offset the two Town Justice terms that are currently the same. One way is to eliminate one of the Town Justice positions for two years and then re-instate it. The second solution would be to have one of the Justices agree to resign, the Town Board then would re-appoint them to serve the upcoming year and then they would run again in November giving them a new term date which would then be offset from the other Judge.

Supervisor Geddes-Atwell volunteered to talk to the Town Justices and get their opinion.

Supervisor Geddes-Atwell asked the Board what they thought about having a computer maintenance agreement with Scott Dibble. The Board was in favor of having a computer maintenance agreement and authorized Supervisor Geddes-Atwell to sign the proposed agreement by Upstate Technology LLC

that excluded mileage.

MOTION by Councilman Wenner, seconded by Councilman Sandler, to go into Executive Session to discuss potential litigation.

MOTION CARRIED: All were in favor.

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

MOTION CARRIED: All were in favor.

MOTION by Councilman Wenner, seconded by Councilman Sandler, authorizing Town Attorney Michele Kennedy to enter into a stipulation on behalf of the Town to dismiss without prejudice, the matter pending before the Otsego Town Court related to the Town Dog Ordinance.

MOTION CARRIED: All were in favor.

MOTION by Supervisor Geddes-Atwell to adjourn.

MOTION CARRIED: All were in favor.

Meeting was adjourned at 8:40PM.

Respectfully Submitted,
Pamela Deane/Town Clerk