

The Town of Otsego Town Board held a Regular Monthly Meeting on the 12th day of December 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
Bennett Sandler	Councilperson

Also Present:

William Hribar Sr.	Highway Superintendent
Pamela Deane	Town Clerk

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

MOTION by Councilperson Potrikus, seconded by Councilperson Sandler, to accept the November 14th minutes as presented.

MOTION CARRIED: All were in favor

Supervisor Kiernan read correspondence received since last month's monthly meeting.

Supervisor Kiernan opened the floor for comments.

Brian Kegelmann accused the town highway department of digging ditches and redirecting the flow of water onto his property on three separate occasions. He referenced NYS law that prohibits such an act. He believed that the highway department employees trespassed onto his property during all three instances. He warned that if the town highway department exceeds the town's 25 foot right-of-way and trespasses onto his property again he will have a berm built 25 ½ feet from the road to assure that runoff from the road does not come onto his property. When asked who his attorney was, Kegelmann replied Mr. Sullivan from Syracuse. Kegelmann informed the Board that he would be sending a Notice of Claim to the Town.

County Representative Andrew Marietta updated the Town Board of County Board activity. The County Budget was passed on December 5th. The County Financial position has improved. The County Board realizes that they have fallen behind on updating the County's software and highway equipment and maintaining buildings and highways. Therefore a substantial investment has been made in County highway trucks, highway equipment, County vehicles, the County Jail and financial software that will be shared with municipalities within the County. There will be some positive changes to the Transfer Stations as well as it will be open 6 days a week instead of 4. Marietta felt that things are moving in a positive direction.

Robert Bohm thought it important that the Town Budget be passed before the 2019 election. He also would like to see more input from business owners, rather than students, when revising the Heirloom Barn Law.

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:	\$ 370,808.61
Highway Savings:	\$ 7,844.40	Hwy Checking:	\$ 271,758.24
Building Reserve Fund:	\$176,513.27	Hwy Equipment Fund:	\$ 333,812.70

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

MOTION CARRIED: All were in favor.

MOTION by Councilperson Franck, seconded by Councilperson Hohensee, to pay the bills and make the necessary transfers, as amended

GENERAL:	#163-#176	\$	3,288.53
HWY:	#237-#259	\$	60,341.85

MOTION CARRIED: All were in favor.

Dog Control Officer Tom Steele gave his report. Steele delivered 1 dog to the shelter, responded to 2 dogs running at large calls and 1 dog bite.

Planning Board member Ted Feury reported on applications the Planning Board is currently reviewing. The Planning Board asked that the Town Board reappoint Bill Deane as Secretary, Ryan Miosek as Planning Board Attorney and Thomas Huntsman as Planning Board Chairman. It was also reported that the Planning Board has a list of items in the Land Use Law that need clarification. ZEO Ed Hobbie also has a list of items that he would like to see it address as well.

Councilperson Franck wanted to publicly thank Scottie Baker for her years of service on the Planning Board. She felt that Scottie had done an exceptional job dealing with different applications and the public.

Highway Superintendent Bill Hribar gave his report:

- The Tele Communication for the Town of Otsego has been moved from Cherry Valley to Roses Hill. The truck radios now have good reception.
- He has decided to rent the boom mower again for next year and has it scheduled for all of May. The cost is

\$5,400.00/per month with unlimited hours.

- The highway employees have started Driver Vehicle Inspection Reports (DVIR) whereby highway employees go through an inspection list and document the condition of everything about the vehicle they will be driving that day. The DVIR books will be kept with each truck.
- He asked the Town Board to consider buying a new roller. The one that the Town owns is old and needs a new part costing \$1,000.00. One quote he received for a new roller was \$112,000.00.
- He requested permission to retire the 2010 and 2006 pickup trucks and purchase a new one. Supervisor Kiernan asked Hribar to get a few quotes so the Town Board would have an idea what a new truck would cost before rendering a decision.

Councilman Hohensee noted that daily safety “tailgate talks” are to take place and items discussed need to be documented. This was one requirement of the NYS Department of Labor Notice of Violation following the November 2015 fatality of the Town Highway worker. Mr. Hribar stated that talks are taking place but not being documented. Councilman Hohensee reiterated that “tailgate talk” discussions need to be documented.

Councilperson Potrikus, with an easel, paper and a marker, wrote out objectives shouted out by Town Board Members concerning the revision of the Heirloom Barn Law. They were as follow:

Objectives:

- Save Barns, Save Historic Structures, Increase tax base, preserve rural nature, promote business, and promote peace in neighborhoods, adaptive re-use.

Eligibility:

- Historic structure, date, significance, Glimmerglass Historic District (1924 bldgs. of any kind, 1945-Barns), Location.

Pitfalls:

- Neighborhood objections, contradictions to zoning, lack of clarity of law, spot zoning, define what makes it worth saving, resources required to manage the law (town), resources required by the applicant.

Thoughts:

- Is the heirloom barn law an historic preservation law or an adaptive re-use law? Can it be both?

Next Step:

- What do we call it?

Councilperson Franck submitted a summary of ideas submitted by the CGP Students, Professor Cindy Faulk of the Cooperstown Graduate Program, and members of the Planning Board. Some of the points she noted were:

- Whether people might rather take advantage of a tax incentive to renovate their barn. She pointed out that the existing law already allows many uses and residents also have the option to apply for a Use Variance from the ZBA.
- If the Board chooses to re-write the Heirloom Barn Law some areas of consideration are age of the structure and use.
- The words Heirloom and Restoration need to be more clearly defined.

Councilperson Franck thought it beneficial if the Town Board reviewed the CGP Students recommendation and guidelines.

After a short discussion it was decided to schedule a combined Year-End and Organizational Meeting on December 28th at 12:00 noon.

MOTION by Councilperson Sandler to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 9:50PM

Respectfully Submitted,
Pamela Deane/Town Clerk