

The Otsego Town Board held a Regular Monthly meeting on the 14th day of December 2016 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Meg Kiernan	Supervisor
Thomas Hohensee	Councilperson
Carina Franck	Councilperson
Bennett Sandler	Councilperson
Joseph Potrikus	Councilperson

Also Present:

John Schallert	Highway Superintendent
Michelle Kennedy	Town Attorney
Pamela Deane	Town Clerk

Supervisor Kiernan called the regular meeting to order and asked everyone to please rise for the Pledge of Allegiance.

MOTION by Councilperson Hohensee, seconded by Councilperson Sandler, to accept the minutes of November 9th as presented.

MOTION CARRIED: All were in favor. Councilperson Potrikus wanted it noted that he left the meeting at 9:50 before the meeting was adjourned.

Supervisor Kiernan reviewed correspondence received since last meeting. Among the correspondence was :

- A letter from Addison Bissell addressing Walker Cottage and the alleged nonconforming deck. He feels he has proven with photos that the replaced deck was within the original footprint. As for the little cabin that has always been an accessory structure and is presently classified by the town as such and considered a permitted use. Thirdly, he has proven with photos that the alleged marina does not exist and never has. The beach is posted "PRIVATE" and consists of a two slip boat dock, a few lawn chairs, canoe and kayak. Team parties are permitted as residential use under the Town's Land Use Law Article 6: 6.01. It was deemed that the side yard for the cabin is insufficient so he is applying for an area variance.

Supervisor Kiernan open the floor for Public Comment. There were no comments from the public and the Public Comment period was closed.

Zoning Enforcement Officer Edward Hobbie reported on applications applied for since last months meeting. Some of the applications were as follow:

- Micro Brewery at the corner of State Hwy. 205 and 80.
- The relocation of the old Hardware Store now owned by Edward and Eileen Kukenberger.
- Discussed work being done at Brookwood.

Hobbie is undergoing mediations with Harrison Hummel III on Marble Rd., Joseph Galati owner of Blackbird Hollow (formally known at the Hickory Grove) and Attorney Doug Zamillus and Addison and Boyd Bissell.

Supervisor Kiernan submitted a revised Zoning Permit Application that she has been working on with Hobbie for the Board to review.

Supervisor Kiernan gave a financial report. The following balances in the various accounts were discussed at great lengths by the Board:

General Savings: \$ 4,690.45	General Checking: \$ 322,615.79
Highway Savings: \$ 7,820.95	Hwy Checking: \$ 437,601.89
Building Reserve Fund: \$179,654.88	Hwy Equipment Fund: \$ 263,913.62

MOTION by Councilperson Hohensee, seconded by Councilperson Potrikus, to accept the financial report showing a total checking and savings ending balance of \$1,248,965.26 as presented.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Sandler seconded by Councilperson Franck, to pay the following invoices, as corrected, and make the necessary transfers.

GENERAL: # 154-# 174	\$ 2,015.69
HWY: # 404-# 424	\$ 13,074.95
#125-#128	

MOTION CARRIED: All were in favor

Dog Control Officer Thomas Steele reported dropping off 1 stray to the Susquehanna Animal Shelter. Planning Board Liaison Steve Purcell discussed applications the Planning Board is currently reviewing. He

mentioned that the old Hardware Store now owned by Edward and Eileen Kukenberger, is being proposed to be relocated to parcel #114.00-1-6.00 on St. Hwy. 28 just north of Goose Street.

Purcell notified the Town Board that the Planning Board voted unanimously to appoint Wayne Bunn as their Engineer and Bill Deane as their clerk. Purcell also stated that the Planning Board voted unanimously to recommend to the Town Board that John Phillips be reappointed Chairman.

Councilperson Potrikus asked his opinion as to what the relationship was between the Planning Board members and the Town Board members. Purcell felt the relationship between the two boards was better now than some of the Town Board members have been attending the Planning Board meetings but more work needs to be done to improve communications.

Councilperson Sandler asked if any of the Planning Board members have reached out to any of the Town Board members. Purcell answered no and admitted that needs work.

Councilperson Sandler reported that the money offered by the NYSERDA program he discussed last month will be offered on a first come first serve basis. Otsego could be eligible to receive \$50,000 or \$100,000. The Town Board needs to have in place a Coordinator, which he volunteered to accept, a Task Force of 3 or 4 individuals and a Green Team. Further discussion was tabled for another time.

Highway Superintendent John Schallert submitted a check of \$3,701.00 he received for surplus items sold by McFadden & Sons Auction. A list of items sold and what they brought was also submitted for the Boards review.

Schallert stated that he felt the fire extinguisher inspection done by ABM Fire Equipment Inc. was in his opinion, pricey. After a short discussion it was decided that the Safety Committee will get quotes from other agencies.

Supervisor Kiernan submitted proposed Local Laws for Historic Structure Demolition, a Moratorium for the Heirloom Barn Law and Flood Damage Preservation. A Public Hearing was set for the proposed Local Laws for January 11th, 2017 meeting at 7:00PM.

The Susquehanna Animal Shelter Contract was reviewed by the Board.

MOTION by Councilperson Potrikus, seconded by Councilperson Franck, to approve Susquehanna Animal Contract for 2017 as presented.

MOTION CARRIED: All were in favor.

The year-end meeting to pay remaining bills, conduct interviews for upcoming vacancies and make appointments for 2017, was scheduled for December 28th at 5:00PM with December 29th as a backup if weather does not permit.

Supervisor Kiernan discussed with the Board submitting an informational letter consisting of Town Official Contact phone numbers and upcoming events in 2017 with the Town and County Tax Bills. Kiernan volunteered to draft the informational letter.

Supervisor Kiernan informed the Board that the County plans on giving seniors 65 years of age or older having an income less than \$16,000 a 50% reduction in their assessment. Town Assessor Richard Maxwell will calculate how much tax this will add to those not eligible for the deduction.

MOTION by Councilperson Sandler, seconded by Councilperson Hohensee, to go into Executive Session to discuss the Summer's and Bissell litigation as well as the CSEA Highway Contract Negotiations.

MOTION CARRIED: All were in favor. (8:45PM)

MOTION by Councilperson Sandler, seconded by Councilperson Franck, to come out of Executive Session.

MOTION CARRIED: All were in favor. (9:15PM)

MOTION by Councilperson Hohensee, seconded by Councilperson Franck, authorize Town Attorney Michelle Kennedy to file an action against Boyd Bissell for breach of contract on the condition that Duane Sprague, PLS submit to the town in advance a sworn affidavit explaining the technology used to measure the deck on the Bissell property and the admissibility survey based on such technology.

MOTION CARRIED: All were in favor.

MOTION by Councilperson Franck, seconded by Councilperson Sandler, to approve the cost of \$210.00 to obtain an index number and up to \$75.00 for server process fee.

MOTION by Councilperson Potrikus, seconded by Councilperson Franck to approve the CSEA Contract.

MOTION CARRIED: All were in favor.

MOTION by Councilman Sandler to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 9:20PM.

Respectfully Submitted,
Pamela Deane/Town Clerk