

The Otsego Town Board held a Public Hearing and Regular monthly meeting on the 9th day of October, 2013 at the Town Building, Fly Creek, NY at 7:00PM.

Town Board Members Present:

Anne Geddes-Atwell	Supervisor
Julie Huntsman	Councilwoman
Bennett Sandler	Councilman
Carl Wenner	Councilman
Thomas Hohensee	Councilman

Also Present:

Michelle Kennedy	Town Attorney
Pamela Deane	Town Clerk

Supervisor Geddes-Atwell called the meeting to order and asked all those present to please rise for the Pledge of Allegiance. After the pledge she asked everyone to please remember former Town Assessor Ferd Thering and former highway employee Edward Koshar, both of whom died within the last few weeks.

MOTION by Councilman Wenner, seconded by Councilman Hohensee, to accept the minutes of September 11th, September 16th, and September 25th, as presented.

MOTION CARRIED: All were in favor.

Supervisor Geddes-Atwell reviewed correspondence received since the September 11th meeting.

Supervisor Geddes-Atwell opened the floor for public comments.

Councilman Wenner stated that it was announced that the website for Obama Care would cost the tax payers \$93,000,000.00. The actual cost was \$634,000,000.00. The moral of the story is if you look to the Government to do things well you will constantly be disappointed.

MOTION by Councilman Sandler, seconded by Councilman Hohensee, to close the floor for public comment.

MOTION CARRIED: All were in favor.

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

General Savings: \$4,672.46	General Checking: \$ 681,629.04
Highway Savings: \$7,790.93	Hwy Checking: \$ 523,759.77
Building Reserve Fund: \$150,505.76	
Hwy Equipment Fund: \$ 127,860.44	

MOTION by Councilwoman Huntsman, seconded by Councilman Sandler, to accept the financial report.

MOTION CARRIED: Supervisor Geddes-Atwell, Councilmen Sandler and Hohensee and Councilwoman Huntsman voted yes. Councilman Wenner voted no because he did not like the way the summary report was done.

Supervisor Geddes-Atwell called for a Motion on the monthly bills.

Councilman Wenner requested the removal of voucher #162 reimbursing Judge Gary Kuch for hotel and meals at a magistrate training seminar. Wenner felt the hotel rates were excessive. It was the consensus of the Board to pull voucher #162 for the time being.

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

GENERAL: #154-#161 #163-#171	\$ 26,571.53
HWY: #139-#161	\$ 11,353.34

MOTION CARRIED: Supervisor Geddes-Atwell, Councilmen Sandler and Hohensee, and

Councilwoman Huntsman, voted yes. Councilman Wenner voted no. He did not think the Town should be paying for part of Judge Kuch’s cell phone bill.

Councilwoman Huntsman reported for the Highway Committee. Things discussed during their meeting were:

- 2009 Mack’s are currently undergoing major repairs.
- 2012 #8 International is in for repairs.
- All road damage caused by the spring flood has been repaired.
- The upper Stone House Bridge is scheduled to be repaired and reopened. D.H. Smith has quoted the repair cost to be \$60,000.00. 75% of the cost will be reimbursable by FEMA.
- William Hribar Jr. has started employment with the highway.
- Plan to use 1996 International for backup.
- Consensus of the highway employees is to replace the Mack’s motors with 2nd generation engines. Estimated cost is \$25,000.00 each.

Zoning Enforcement Officer Tavis Austin reported on Planning Board activity and submitted a monthly report to the Board. Since last meeting the following permits were issued:

Zoning Permit: 3 ZBA application: 1 Demolition Permit: 1

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

FUEL	GALLONS	TOTAL COST/MONTH	YTD GALS.	YTD EXP.
Gas	-0-	-0-	1,920.0	\$ 6,127.99
Diesel	1,378	\$4,491.87	13,837.20	\$43,154.40
Heating	0	0	0	0
Svc.	0	0	0	0

Mulligan has requested three projects under the Counties Hazard Mitigation Plan. A Tonka Block Retaining Wall to prevent further erosion on Bissell Rd. and two generators. He suggested that the Board adopt the proposed Hazard Mitigation Plan from the County. Towns that adopt the plan will not only be eligible for more reimbursement money from the Federal Government but will receive reimbursement money faster.

MOTION by Councilwoman Huntsman, seconded by Councilman Sandler, to designate the Town Lead Agency, declare a Type 2 SEQR Action and adopt the proposed Hazard Mitigation Plan offered by the County.

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

Councilman Wenner congratulated Highway Superintendent Shawn Mulligan for all the reimbursement money the Town has received so far.

Mulligan submitted a Snow and Ice Agreement proposed by Otsego County.

MOTION by Councilman Sandler, seconded by Councilman Hohensee, to adopt the Snow and Ice Agreement offered by the County, designating the Town Lead Agency and declaring a Type 2 SEQR Action.

MOTION CARRIED: All were in favor.

Councilman Hohensee reported that surveys that were sent out to residents in the Canadarago Lake watershed and returned are being reviewed. There is no easy answer to the flooding and septic problem for those on the west side of the lake because the outlet is at a higher elevation than the lake.

Town Attorney Michelle Kennedy had a draft stipulation from the Gerbracht’s lawyer. She informed the Board that James and Adele Gerbracht have agreed to enter into a settlement agreement with a primary provision that they will replace the septic system subject to all rules and regulations of the Watershed Advisory Committee. Deadline for compliance is October 31, 2014. They are hoping to combine their septic system with their neighbor.

MOTION by Councilman Sandler, seconded by Councilwoman Huntsman, to designate the Town as Lead Agency, declare a Type 2 SEQR Action and approve the stipulation for presentation to opposing Council.

MOTION CARRIED: All were in favor.

A 2014 Budget Workshop was set for October 30th at 6:00PM.

Councilwoman Huntsman proposed a Resolution to continue the Moratorium on High-Volume Hydraulic Fracturing and to Advance a Renewable Energy Economy in NYS.

MOTION by Councilwoman Huntsman, seconded by Councilman Sandler, to designate the Town as Lead Agency and declare a Type 2 SEQR Action.

MOTION CARRIED: Supervisor Geddes-Atwell, Councilwoman Huntsman, and Councilmen Sandler and Hohensee voted yes. Councilman Wenner voted no.

MOTION by Councilwoman Huntsman, seconded by Councilman Sandler, to adopt the proposed Resolution to continue the Moratorium on High-Volume Hydraulic Fracturing and to Advance a Renewable Energy Economy in NYS.

MOTION CARRIED: Supervisor Geddes-Atwell, Councilwoman Huntsman and Councilmen Sandler and Hohensee voted yes. Councilman Wenner voted no.

RESOLUTION ADOPTED: (Resolution Docket pg. 112)

MOTION by Councilman Wenner, seconded by Councilman Sandler, to go into Executive Session to discuss litigations facing the Town and CSEA negotiations. (Time 8:21PM)

MOTION CARRIED: All were in favor.

MOTION by Councilman Wenner, seconded by Councilman Sandler, to come out of Executive Session. (Time 9:15PM)

MOTION by Councilman Wenner, seconded by Councilman Hohensee, to reduce James and Adele Gerbracht assessment to \$435,000.00 as proposed by Town Attorney Michelle Kennedy.

MOTION CARRIED: All were in favor.

The Board reviewed further the proposed tentative 2014 budget.

MOTION by Councilman Wenner to adjourn.

MOTION CARRIED: All were in favor.

Meeting ended at 9:50PM.

Respectfully Submitted,

Pamela Deane
Town Clerk