

TOWN OF OTEGO

May 8, 2013

The Town Board of the Town of Otego held a regular board meeting on Wednesday, May 8, 2013 at 6:00 pm at the Municipal Building, 3526 State Highway 7, Otego, New York. The purpose of the meeting was to hold a public hearing on Local Law #2 of 2013, audit the bills and any other business coming before the board.

The following members were present:

Joseph Hurlburt	Town Supervisor
Maryalice Brown	Town Clerk
Terry Brown	Councilperson
George Dolezel	Councilperson
Barbara Stanton	Councilperson
David Sheldon	Councilperson
JR Hurlburt	Highway Supt

Local Law #2 of 2013

The town clerk read the legal notice that appeared in the Daily Star on April 24. Beth Westfall, town attorney, explained the law. There were no comments from the public.

The public hearing was closed.

A motion was made by George Dolezel, seconded by Barbara Stanton, to adopt Local Law #2 of 2013, a local law providing for the defense of Town of Otego Officers and Employees ad Certain Volunteers, as attached.

Motion: 5 Ayes, 0 Nays.

Minutes

A motion was made by Terry Brown, seconded by David Sheldon, to accept the minutes of the April 10 meeting. Motion: 5 Ayes, 0 Nays

Supervisor's Report

Mr. Hurlburt read the Supervisor's report for April:

General Fund townwide beginning balance:	\$370,469.03
Receipts:	6,172.47
Disbursements:	<u>28,208.95</u>
Ending Balance:	\$348,432.55
General Fund outside village beginning balance:	\$50,671.28
Receipts:	120.42
Disbursements:	<u>1,672.54</u>
Ending Balance	\$49,119.16
Highway Fund townwide beginning balance:	\$297,218.85
Receipts:	632.73
Disbursements:	<u>26,463.45</u>
Ending Balance:	\$271,388.13
Highway Fund outside village beginning balance:	\$535,745.05
Receipts:	.27
Disbursements:	<u>27,776.39</u>
Ending Balance:	\$507,968.93

A motion was made by Barbara Stanton, seconded by David Sheldon, to accept this report as read.

Motion: 5 Ayes, 0 Nays

Dog Control Report

Ellen Dwyer gave her report: five reports of loose or stray dogs, one dogs taken to the shelter. Ms. Dwyer has started the dog enumeration for this year. The town received a report from the NYS Dept. of Agriculture and Markets that gave a satisfactory report to the Delaware Valley Humane Society for the shelter facilities.

County Representative

Kathy Clark reported that a local development corporation has been formed to facilitate the sale of Otsego Manor.

The county has also gotten a \$750,000 grant to improve the interoperability of the county microwave system.

Assessor

Marie Walters notified the board that her name has changed to H. Marie Lawrence.

Planning Board

At the planning board meeting on May 7, the following proposal was made and is hereby presented to the town board: the Town of Otego Planning Board wishes to affirm its support for the creation of a separate entity in the Town of Otego to accept and distribute external grant money. Many action items in the Town's Comprehensive Plan would be facilitated if such an entity should exist. Other agencies and organizations in the Town would benefit as well.

The planning board continues to work on the comprehensive plan. The most recent working copy will be emailed to the town board members. The planning board hopes to have the plan completed in 2 ½ months.

Code Officer

Mr. Bruni recently attended a seminar called BYOD "Bring Your Own Device" and how this policy can compromise security. It is important that the town is aware and keeps private town data (employee, court) secure.

Highway Report

JR Hurlburt reported that our Chips allocation this year will be \$91,849 which is a \$20,000 increase over last year.

Mr. Hurlburt then informed the board that the culvert on Flax Island Road needs to be replaced. The cost of the culvert will be \$38,884 under state contract. The estimated total cost will be \$42,800. He will bring more information to the June meeting

A motion was made by George Dolezel, seconded by David Sheldon, to purchase the culvert for Flax Island Road for \$38,884.00. Motion: 5 Ayes, 0 Nays.

There are three contractors that will be getting prices to Mr. Hurlburt for the highway garage roof repair.

Mr. Hurlburt got one quote to seal the roof of the lower highway building from Cen-pe-co.

A motion was made by George Dolezel, seconded by David Sheldon, to hire Cen-pe-co to seal the roof for \$4552.50. Motion: 5 Ayes, 0 Nays.

Green Street Bridge

The following resolution was put forward by Terry Brown, seconded by David Sheldon:

WHEREAS, the Town Board solicited sealed competitive bids for the Upper Green Street Bridge Replacement Project, Contract No T01-G-13 ("the Project") and on April 18, 2013 received and reviewed six proposed bids for the Project; and

WHEREAS, the bid submitted by Lil' Dave Excavating was incomplete in several respects because the base bid sheets were blank, the Receipt of Addenda and Non-Collusive Affidavit were not completed, and several other forms were partially incomplete; and

WHEREAS, the next lowest bid was submitted by Larry Stevens, doing business as Stevens Excavating the base amount of \$261,777.23; and

WHEREAS, the bids have been reviewed by the Town's Highway Superintendent, the Town's engineers and the Town's attorney, all of whom have recommended acceptance of the bid from Stevens, as the lowest responsible bidder;

NOW, THEREFORE, BE IT RESOLVED by the Town Board as follows:

1. The Town Board hereby rejects the bid submitted by Lil' Dave Excavating because it was incomplete in several respects, such that it did not meet the Project specifications and therefore was not a responsible bid.
2. The Town Board hereby accepts the bid submitted by Stevens in the base amount of \$261,777.23 as the lowest responsible bid and awards the Project to Stevens.
3. The Town Board hereby authorizes the Town Supervisor to execute all documents necessary to complete the Project, including but not limited to an Agreement, Notice of Award, Notice to Proceed, Change Orders, and Certificate of Substantial Completion, in accordance with the Project specifications.
4. The Town Board hereby authorizes Delaware Engineering, PC to prepare the Contract with Stevens and to forward it to Stevens for execution.

Motion: 5 Ayes, 0 Nays

Time Warner

No action

Municipal Sign

Mr. Dolezel reported that the materials to install the municipal sign will be about \$1800.

The town clerk read a letter from Laura Reyda in opposition to the purchase of the sign.

Gas Drilling

Nelson Dubois submitted a statement to the board. Members of the board have stated that they favor natural gas drilling if done safely and responsibly. Mr. Dubois contends that drilling safety is a major factor in people's negativity toward drilling, stating water issues and crime among the concerns.

Charles Bremer spoke on behalf of Concerned Citizens of Otego. The question of natural gas drilling in the 2012 town wide survey showed 14% undecided, 38% in favor, and 47% opposed. Concerned Citizens of Otego firmly believe that the results of this survey should be the basis for the Town's Comprehensive Plan and for any changes or modification to the current zoning law.

Carolee Byrnes submitted 70 pages of signatures requesting that the town prohibit heavy in the Town of Otego. This amounts to over 1000 signatures and is still ongoing.

Katie Higgins submitted a statement to the board. She gave the board a calendar of the month of April showing the poor safety record of the gas industry. Also mentioned was the mid-level appeals court decision last week that governments in New York can ban hydraulic fracturing and shale-gas drilling with their border. Fracking is not safe.

Dennis Higgins submitted comments prepared by Jannette Barth, an economist with the Pepacton Institute. In it she criticizes the report by the Empire Center for NYS Policy titled "The Economic Effects of Hydrofracturing on Local Economies". She contends that the report is a puff piece for the shale gas industry and goes on to dispute the research that was used and further contends that the authors did not take a critical look at all the results or were trying to produce a report with conclusions that would appeal to the gas industry.

Sustainable Development

Stuart Anderson addressed the board about establishing a municipal authority to assist in obtaining grant money. There was discussion if an authority is really necessary, or if a committee might suffice. Mr. Anderson said that some groups won't give money to a government, it being too political. Such a local authority may be a not-for-profit corporation also. The town attorney will gather some information for the board.

Otego Elementary School

Cathy Nardi addressed the board about the possible closing of Otego Elementary School. She does not want to see the building become empty as it brings problems such as vandalism. She wonders if the school could be redistricted and our tax base offered to another district.

Town Insurance

Mr. Dolezel has been in contact with Tim Parsons from Mang Insurance. It was decided to make some changes to the town policies.

A motion was made by David Sheldon seconded by Terry Brown, to increase the content coverage to \$187,000 resulting in a premium increase of \$333 and to increase the umbrella coverage to 2 million dollars resulting in a \$685 premium increase. Motion: 5 Ayes, 0 Nays.

Code Officer

The town clerk and town supervisor received a letter of resignation from Mr. Bruni effective the end of July 2013.

Mr. Hurlburt appointed Barbara Stanton and David Sheldon as the search committee to look for a replacement.

Mr. Bruni has served the town well and will be missed.

Warrant #5

A motion was made by Terry Brown, seconded by David Sheldon to pay the warrant in the following amounts: General Fund vouchers # _____ in the amount of \$ _____.

Highway Fund vouchers # _____ in the amount of \$ _____.

Motion: 5 Ayes, 0 Nays

The meeting was adjourned at 8:00 pm.

Maryalice Brown

Town Clerk

_____ Town Supervisor

_____ Town Clerk

_____ Councilperson

_____ Councilperson

_____ Councilperson

_____ Councilperson

_____ Highway Supt.