

TOWN OF OTEGO

JULY 12, 2017

The Town Board of the Town of Otego held a public hearing and regular board meeting on Wednesday, July 12, 2017 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 for the approval of a Cable Television Agreement between Time Warner Cable Northeast LLC and the Town of Otego, audit the bills and any other business coming before the board.

The following members were present:

Barbara Stanton	Deputy Supervisor
Maryalice Brown	Town Clerk
David Sheldon	Councilperson
Terry Brown	Councilperson
Royce Livingston	Councilperson
Kevin Stanton	Deputy Highway Supt.

Public Hearing

Ms. Stanton opened the public hearing on the cable franchise agreement. There was a question about broadband, but this agreement is for cable services only. The municipal building has been receiving internet at no charge with previous agreements, but the town attorney told the board that this will be ending with the change in company ownership. Unfortunately, there are no other businesses in the area that provide cable services.

The hearing was closed at 6:10 pm and the regular meeting opened.

Minutes

A motion was made by David Sheldon, seconded by Terry Brown, to accept the minutes of the June 14 meeting. Motion: 4 Ayes, 0 Nays.

Supervisor's Report

Ms. Stanton read the Supervisor's report for June:

General Fund townwide beginning balance:	\$406,577.73
Receipts:	28,051.74
Disbursements:	<u>19,992.68</u>
Ending Balance:	\$414,636.79
General Fund outside village beginning balance:	\$ 25,313.78
Receipts:	115.20
Disbursements:	<u>1,134.87</u>
Ending Balance:	\$ 24,294.11
Highway Fund townwide beginning balance:	\$ 426,049.98
Receipts:	6.76
Disbursements:	<u>6 625.07</u>
Ending Balance:	\$ 419,431.67
Highway Fund outside village beginning balance:	\$ 646,609.67
Receipts:	18,488.42
Disbursements:	<u>38,744.94</u>
Ending Balance:	\$ 626,353.15

A motion was made by Terry Brown, seconded by David Sheldon, to accept this report as read. Motion: 4 Ayes, 0 Nays.

Dog Control Officer

Ellen Dwyer gave the dog report: 6 reports of loose/stray dogs, 1 dog taken to shelter.

County Representative

Kathy Clark reported on county activities: update on the solar farm, there have been technical issues with some of the solar panels; the emergency radio system is still being worked on.

Planning Board

Kate Lawrence reported that the board reviewed the plans for new construction at the cell tower which involves upgrading equipment so no building permit is required.

Beth Westfall, town attorney, reported to the board that the current subdivision law is out of date and needs to be overhauled to be closer to state law. She is working on it and will submit it to the planning board which will review and bring it to the town board. This will also help to bring the various building laws into agreement.

Code Officer

Mr. Wilber has issued a pool permit, septic permits, and has been doing housing inspections on rentals.

Building Code Law

The town attorney has given a draft to Dan Wilber for his review.

Highway Report

Mr. Stanton reported that Hines Rd. has been paved and Franklin Mountain Rd is being worked on.

It was also reported that all the windows on the town grader were shot out while it was parked on Jerauld Rd. Insurance is covering most of the repair.

Village Water Well

The village has just gotten the results, the arsenic levels went down. They are going to submit the grant.

Cemetery Mowing

Mr. Crawford spoke to the town clerk and said that there have been some burials in the old cemeteries and flowers, etc are being planted in ways that make mowing more difficult than it already is. The town clerk will try to get names of the families and request that they only plant in monument rows or take it upon themselves to take care of their plots.

Charter Franchise

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

An application has been duly made to the Board of the Town of Otego, County of Otsego, New York, by Time Warner Cable Northeast LLC n/k/a Charter Communications, a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 6005 Fair Lakes Road, East Syracuse, NY 13057, for the approval of a renewal agreement for Time Warner Cable's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission.

The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Otego, New York on July 12 2017 at 6 PM and notice of the hearing was published in the Oneonta Daily Star on June 29, 2017.

NOW, THEREFORE, the Town Board of the Town of Otego finds that:

1. Time Warner Cable Northeast LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner Cable Northeast LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable Northeast LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Town of Otego hereby grants the cable television franchise of Time Warner Cable Northeast LLC and the Town of Otego for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

BE IT FURTHER RESOLVED that the Board of the Town of Otego hereby confirms acceptance of this Franchise Renewal Agreement.

Motion: 4 Ayes, 0 Nays.

Tax Collector Annual Report

The tax collector presented the board with her annual report of taxes collected.

Dedication of Municipal Sign

August 12 will not work for Mr. Hurlburt. Another date will be set at the August board meeting.

Handbook

It was decided to wait until the August meeting when the town supervisor and highway superintendent will be in attendance.

School Repurposing Committee

Ken Olsen heads the Unatego District Repurposing Committee. He invites the town board members to attend their meetings as the committee would like input from all parts of the community. There will be a meeting on July 24 at 6:30 pm at the high school.

Warrant #7

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: 4 Ayes, 0 Nay

The meeting was adjourned at 7:00 pm.

Maryalice Brown
Town Clerk

_____ Deputy Supervisor

_____ Town Clerk

_____ Councilperson

_____ Councilperson

_____ Councilperson

_____ Highway Supt.