

A Regular meeting of the Town Board was held on the 10th day of February, 2010 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Meg Kiernan	Supervisor
Anne Geddes-Atwell	Councilperson
Carl Wenner	Councilperson
John Schallert	Councilperson

Also Present:

Paul Elkan:	Town Attorney
Shawn Mulligan	Highway Superintendent
Pamela Deane	Town Clerk

Supervisor Kiernan called the meeting to order and asked all those in attendance to please rise and pledge the American Flag.

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Schallert, to accept the minutes of January 14th as presented.

MOTION CARRIED: Supervisor Kiernan and all Councilpersons voted aye.

Councilperson Wenner asked that it be noted that he was opposed to authorizing the Highway Superintendent to apply for the Municipality Service Incentive Grant. The Supervisor did not call for a vote for those that opposed. He understands now to vocalize a “no” vote if the Supervisor forgets to call for a vote of those that oppose a motion.

Supervisor Kiernan read correspondence received since last meeting: Some of the correspondence read was as follow:

- Letters from Cooperstown Country Club and Double Day Café, Inc. informing the Town of their intent to renew their liquor licenses. The Board had no objections.
- The SPCA renewal contract. The Board had no objections to the Supervisor signing the agreement.
- An e-mail from Councilperson Bill Michaels, stating that he has drafted a letter to NYS D.O.T. expressing a concern that the new blinking light at Johnston/Day intersection has the potential to increase traffic turning there for visitors looking for Fly Creek Cider Mill. He plans to change the language for the reprinting of his brochures this spring. He has also maxed out all the Fly Creek directional signs allowed by NYS D.O.T. and the Town. Councilperson Michaels had two suggestions that may alleviate the problem:
 - 1. Add the distance to Fly Creek to the green and white NYS sign coming out of the Glen in Cooperstown which now only gives the distance to Oaksville and Richfield Springs and/or
 - 2. Increase the sign for Johnston Road at the intersection of Johnston and NYS Hwy 28.

Councilperson Wenner was not optimistic that this would solve the problem.

Further discussion was tabled until next month.

Supervisor Kiernan opened the floor for Public Comment...

Dawn Hage asked if the State has rendered a decision to grant the Town’s request to reduce the speed limit on Goose Street to 35 mph.

Highway Superintendent Mulligan found in the archives where NYS D.O.T. granted a speed reduction request of 35 mph for Goose St. back in November of 1985. He has ordered new speed limit signs for Goose Street.

Councilperson Schallert requested that Town Attorney Paul Elkan research whether or not it is legal for the Town Board to place “No Thru Traffic” signs on Town roads they feel are dangerous. Elkan agreed.

The financial report was read by Councilman Kiernan. Balances are as follow in the various accounts:

General Savings: \$ 4,654.91	General Checking: \$664,658.42
Highway Savings: \$ 7,761.66	Highway Checking: \$723,690.09
Highway Equipment: \$154,065.90	

MOTION by Councilman Schallert, seconded by Councilman Geddes-Atwell, to accept the financial report as given.

MOTION CARRIED: Supervisor Kiernan and all Councilpersons voted aye,

Supervisor Kiernan presented for the Board’s consideration a request from the Milford Senior Citizens for \$200.00.

Town Attorney Paul Elkan informed the Board that they are not legally allowed to give money to private organizations. Given this information, it was the consensus of the Board to deny the Milford Senior Citizens request.

Town of Attorney Paul Elkan stated that he was contacted by Attorney Lester Sittler with a request that the Town pay contractor Art Hubbell out-of-pocket expenses of \$1,200.00 for work and material on the salt shed extension. Elkan informed the Board that they are under no obligation to pay Hubbell anything.

Councilperson Schallert felt that a payment of \$980.00 was more than fair to cover labor and material cost.

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Schallert, to pay Hubbell \$980.00 toward labor and materials he incurred on the salt shed extension with the provision that any further contracts made outside the Members of the Town Board the person making the contract is liable for the work.

MOTION CARRIED: Supervisor Kiernan and all Councilpersons voted aye.

Attorney Paul Elkan agreed to contact Hubbell’s Attorney Lester Sittler, with the Town Boards decision.

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Schallert, to pay the following bills and make the necessary transfers.

General: #38-#62	\$34,989.79
Hwy: #251-#268	\$38,788.56

MOTION CARRIED: Supervisor Kiernan and all Councilpersons voted aye.

Highway Superintendent report was given by Highway Superintendent Shawn Mulligan. Fuel expenses for this month are as follow:

FUEL	GALLONS	TOTAL COST/MONTH	YTD GALS	YTD EXP.
Gas	-0-	\$ -0-	-0-	\$ -0-
Diesel	3,391	\$ 9,236.14	3,991	\$ 10,765.48
Heating	-0-	\$ -0-	-0-	\$ -0-
Svc.		\$ 12.04		\$ 12.04

Mulligan reported that the Town of Hartwick has decided to decline from entering into the Municipal Service Incentive Grant with the Town of Otsego to purchase a broom.

Mulligan submitted the Agreement for the Expenditure of Highway Moneys which the Board reviewed.

MOTION by Councilperson Geddes-Atwell, seconded by Councilperson Wenner, to accept the Agreement for the expenditure of Highway Moneys as presented by the Town Highway Superintendent.

MOTION CARRIED: Supervisor Kiernan and all Councilpersons vote aye.

Zoning Enforcement Office Hank Schecher reported the following permits were issued since last month.

Zoning Permits: 2	Site Plan Review: 1
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Planning Board representative John Phillips reported that Planning Board activity has been quiet and the members have been focusing on filling their education requirements.

Dog Control Officer Tom Steele reported receiving 1 complaint this month.

Councilperson Schallert submitted a sketch of the highway garage break room which the Board reviewed.

MOTION by Councilperson Schallert, seconded by Councilperson Geddes-Atwell, authorizing engineer Jonathan McManus to put out to bid the completion of the break room, once the Building Committee and the Town Attorney have approved the specifications and the bid document.

MOTION CARRIED: Supervisor Kiernan and all Councilpersons voted aye.

Supervisor Kiernan reported that the CSEA four year contract with the highway employees has been signed.

The Board reviewed the Town's Procurement Policy. After a short discussion it was decided to table further discussion until the March meeting.

Supervisor Kiernan announced that all the department audits have been completed and filed with the Town Clerk.

Councilperson Wenner stated that he felt the salt shed extension started by contractor Art Hubbell should be completed and painted the same color dark green as the highway garage. If the Highway Superintendent feels it's in the best interest of the Town to extend the shed and have a larger supply of salt on hand then he supports that. The other alternative is to tear it down and he didn't feel that made any sense.

Councilperson Geddes-Atwell expressed concern with the salt contaminating neighboring wells.

Councilperson Schallert was concerned not only with the neighboring wells becoming contaminated with salt but adding an addition to a structure that he feels is falling apart. He felt the Board needs to look at run-off, whether or not it makes sense adding an addition to an old structure, or if a new and much larger structure where a tractor trailer can easily back in and dump is a better option. It was decided that Mulligan will meet with the Building Committee to discuss different options.

MOTION by Supervisor Kiernan, seconded by Councilperson Schallert to adjourn.

MOTION CARRIED. Supervisor Kiernan and all Councilpersons voted aye.

Meeting ended at 8:45 PM.

The next regular meeting will be held at the Town Building in Fly Creek on the 10th day of March, 2010 at 7:00 PM.

Respectfully Submitted,

Pamela Deane
Town Clerk