

A Regular meeting of the Town Board was held on the 9th day of June, 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
Bill Michaels	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 Wenner, to accept the minutes of May 10th as presented.

MOTION CARRIED: All were in favor.

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

- A letter from Wood Done Right's Bond Administrator Evergreen UNI asking for the status of the project. The Committee reported that the job has been completed and recommended that the Bond be released. It was the consensus of the Board to release the \$370,246.00 Bond.
- The Supreme Court decision was reached giving Chase half of the assessment they were asking for. Payment was made by the County and will be re-levied on the 2011 tax bills.
- A letter from NYS notifying the Town that their equalization rate is still at 100%.
- A letter from the Fly Creek Fire District requesting a letter of endorsement supporting Fly Creek 1st Responders application to have transporting status. Currently because Fly Creek does not have ambulance transporting status, Fly Creek Fire District has had to contract with Cooperstown to transport.

MOTION by Councilwoman Geddes-Atwell, seconded by Councilman Schallert, to endorse the Fly Creek Fire District's efforts in applying for ambulance transporting status.

MOTION CARRIED: All were in favor.

RESOLUTION ADOPTED: Resolution Docket pg. 87

Supervisor Kiernan opened the floor for comments.

Jeff Emerson requested that the 4 tree stumps left in front of his father's house after trees were cut down by the Town Highway Department, be removed.

After a short discussion it was the consensus of the Board that this matter should be handled at the discretion of the Highway Superintendent. Highway Superintendent Shawn Mulligan agreed to have the stumps removed.

Fly Creek Fire Chief Michael Thayer, asked for the Town Highway's assistance in placing six dry hydrants in the Fly Creek Fire District. He has gotten permission from DEC and is now in the process of getting easements. Having the dry hydrants will save a minimum of 15 minutes set up time when refilling the trucks with water. Fly Creek Fire Department agrees to pay for all fuel expenses. They are asking for assistance with equipment and man power.

Mulligan stated that he and Highway Employee Peter Chase have agreed to volunteer their time.

The Board was in full support of Mulligan and Chase using Town equipment to help the Fly Creek Fire Department installed dry hydrants.

Thayer further asked the Town Board if they would be interested in putting in next year's budget money for American Flags that the Fly Creek Fire Department has installed on telephone poles in the Fly Creek

Hamlet, north and south of the blinking light. The Fly Creek Fire Department has bought and installed the ones placed this year at the request of several residents. Thayer thought the Flags were about \$5.00 each. The Board will take it into consideration when drafting the Preliminary 2011 Budget.

Fly Creek resident Dora Cooke wanted to know why a color, scanner, fax, copier has been placed in the main office when it was removed from the final budget. .

Councilman Michaels stated that although he felt this machine would offer all the offices many advantages he wanted it noted that he didn't ask for anyone to bring the machine. He just followed through getting information to help the Board with their decision to buy the copier or not.

Furthering the discussion it was decided to hold another office meeting to discuss whether or not the combination fax, scanner, color copier is worth keeping.

Fly Creek resident John Phillips asked the Board again for the total cost of the new Highway Garage. He also asked what the long term plans were for the old highway Garage. The Board had no answer to either question.

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

General Savings: \$ 4,656.63	General Checking: \$706,721.05
Highway Savings: \$ 7,764.53	Highway Checking: \$649,368.25
Highway Equipment: \$154,255.84	

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

MOTION CARRIED: All were in favor.

MOTION by Councilman Wenner, seconded by Councilwoman Geddes-Atwell, to pay the following bills and make the necessary transfers.

General: # 269-#291	\$44,334.11
Hwy: # 325-#337	\$46,388.04

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	140.0	\$ 312.93	1,216	\$ 2,826.93
Diesel	803.7	\$ 1,862.84	8,752.4	\$ 22,845.14
Heating	-0-	\$ -0-	-0-	\$ -0-
Svc.		\$ 12.04		\$ 12.04

Mulligan submitted bid results for a new loader. The results were as follow:

MILTON CAT:	938H 197hp. 9'5" D.H. 33,190 wt.
	\$128,918.00
	<u>25,000.00</u> trade
	\$103,918.00 final cost

ANDERSON EQUIP./KOMATSU:	WA3206 167hp 9'8" D.H. 31,590wt.
	\$143,331.00
	<u>- 33,000.00</u> trade
	\$110,331.00 final cost

FIVE STAR EQUIPMENT / JOHN DEERE:	624K 198hp 10'7" D.H. 33,477wt
	\$132,180.00
	<u>= 30,000.00</u> trade
	\$ 102,180.00 final cost

(with a lease term 24 to 64 months, 3.95% interest, payment plan /monthly/quarterly or /yearly, 1 payment buyout)

Mulligan also submitted bids from all three bidders for smaller/less expensive loaders, which did not

meet the bid specifications. Mulligan was not interested in purchasing a loader smaller than what the highway department is using now.

Councilman Schallert stated that he was approached that very day by a JCB salesman who quoted a price of \$115,000.00 with a \$30,000.00 trade leaving a final cost of \$85,000.00 for a slightly larger loader than the 624 JD loader the Town now has. Councilman Schallert said the cost of the JCB loader is less than State Bid price and therefore the Town would not have to re-bid in order to purchase this loader if that is what they wanted to do. The loader came with a 2 yr warranty and after 1 yr JCB would buy it back for the same price the Town paid and replace it with a new one. Councilman Schallert told Mulligan that the salesman could have a loader here for him and his crew to try out in two days. Mulligan agreed to try out the JCB loader. Councilman Schallert will contact the JCB salesman to get a loader delivered so the highway department can try it out.

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

Zoning Permits: 2 Subdivision: 1 Driveway: 1

Schecher reported that the Planning Board is now reviewing the Linden Avenue Project. A Special Meeting has been scheduled for the 22nd of June to further review their project.

Dog Officer Thomas Steele reported having a busy month. He hopes to start the dog enumeration very soon.

Councilman Michaels reported for the Building and Grounds Committee. They are starting phase II of the New Highway Garage Project which consists of building an office for the Highway Superintendent, break room for the highway employees and a bathroom. Councilman Michaels announced that the lowest second bidder has also withdrawn his bid. The Board has two options. They can award the bid to the third lowest bidder which is Wood Done Right or the Board can choose to re-bid the project. It was the committee's recommendation to re-bid the project-labor only.

MOTION by Councilman Michaels, seconded by Councilman Schallert, to re-bid the project labor only.

MOTION CARRIED: Supervisor Kiernan, Councilwoman Geddes-Atwell, Councilmen Schallert and Michaels vote yes. Councilman Wenner voted no.

Councilman Michaels submitted Engineer Jonathan McManus's proposal to re-bid the project.

Pre-Bid & Pre Construction Services:	\$2,000.00
Bid Phase Services:	\$3,000.00
Construction Phase Services:	<u>\$2,000.00</u>
Total	\$7,000.00

MOTION by Councilman Michaels, seconded by Councilman Schallert, to contract services with McManus Engineering Group for the proposed amount of \$7,000.00.

MOTION CARRIED: Supervisor Kiernan, Councilwoman Geddes-Atwell, Councilmen Schallert and Michaels vote yes. Councilman Wenner voted no.

Councilwoman Geddes-Atwell stated that she was unable to attend the Watershed Committee meeting but gave a report from minutes she received. There were two new applications, ten inspections completed, and 4 violation notices sent out. Most residents have been very co-operative.

Supervisor Kiernan reported that the Village has announced their intention to be Lead Agency for the Cooperstown Intermodal Transit Center Project (Linden Ave. Project). She explained that the Town Planning Board and Town Board have 30 days to contest it. The Board had no objections with the Village being Lead Agency. Supervisor Kiernan further reported that a committee meeting has been scheduled for the 17th of June to review the application to assure all is ready for the Town of Otsego Planning Board's review on the 22nd.

Supervisor Kiernan stated that the Village Library Board is requesting the following official appointments to the Board: Chuck Newman (3yr term) Deb Dalton (2yr. term) and Sally Goodwin (1yr term).

MOTION by Councilwoman Geddes-Atwell, seconded by Supervisor Kiernan to approve the requested

appointments.

MOTION CARRIED: Supervisor Kiernan, Councilwoman Geddes-Atwell, and Councilman Michaels vote yes. Councilmen Wenner and Schallert voted no.

MOTION by Councilman Wenner, seconded by Councilwoman Geddes-Atwell to go into Executive Session to discuss a personnel issue.

MOTION CARRIED: All were in favor

MOTION by Councilman Wenner, seconded by Councilman Schallert to come out of Executive Session.

MOTION CARRIED: All were in favor.

MOTION by Councilman Michaels, seconded by Councilman Schallert, to appoint Joseph Potrikus to fill Douglas Green's position on the Planning Board (term ending 12/31/15), Rosemary Craig as Planning Board Alternate and Christopher Voulo as ZBA Alternate.

MOTION CARRIED: Councilmen Schallert, Michaels and Wenner voted yes. Supervisor Kiernan and Councilwomen Geddes-Atwell voted no.

MOTION by Councilman Michaels to adjourn.

MOTION CARRIED. Supervisor Kiernan and all Councilpersons voted aye.

Meeting ended at 9:28 PM.

The next regular meeting will be held at the Town Building in Fly Creek on the 14th day of July, 2010 at 7:00 PM.

Respectfully Submitted,

Pamela Deane
Town Clerk