

A Regular meeting of the Town Board was held on the 14th day of July, 2010 at the Town Building, Fly Creek, NY at 7:00 PM.

Town Board Members Present:

Meg Kiernan	Supervisor
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 Councilman Michaels, seconded by Councilman Wenner, to accept the minutes of June 9th as presented.

MOTION CARRIED: All were in favor.

Supervisor Kiernan reported that to date \$461,000.00 has been spent on the new highway garage addition.

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

- A letter from the Village of Cooperstown claiming Lead Agency Status on the Cooperstown Intermodal Transit Center Project for the purpose of SEQRA.
- A letter from Engineer Tim Wales offering his services to the Town.
- A letter from CSEA stating that they are willing to discuss Health Care Solutions.
- A letter from the City of Oneonta asking that the Town Board endorse their request to NYS Department of Health to expand their Primary Operating Territory.
- A letter from MOSA breaking down the tire count collected on tire day: 1 auto tire with rim, 346 auto tires w/o rims, 43 truck tires w/o rims and 36 large loader-like tires.

Supervisor Kiernan opened the floor for public comment. There were no comments from the public.

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

General Savings: \$ 4,658.37	General Checking: \$713,858.04
Highway Savings: \$ 7,767.43	Highway Checking: \$648,806.93
Highway Equipment: \$154,448.13	

MOTION by Councilman Michaels, seconded by Councilman Wenner, to accept the financial report as given.

MOTION CARRIED: All were in favor.

Councilman Michaels asked what the \$125.00 labor cost on the CornerStone Telephone bill was for. The Town Clerk explained that it was for a service call for two phone lines that have static. CornerStone was notified that the problem was not resolved and after a week of waiting for a repairman we are still waiting.

MOTION by Councilman Michaels seconded by Councilman Wenner, to pay all bills presented except for the \$125.00 labor charge on voucher #297 to CornerStone Telephone, and make the necessary transfers.

General: # 293-#296 #298-#312	\$21,235.53
Hwy: # 338-#360	\$77,460.16

MOTION CARRIED: All were in favor.

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	119.1	\$ 278.03	1,335.1	\$ 3,104.96
Diesel	500.0	\$ 1,191.00	9,252.4	\$ 24,036.14
Heating	-0-	\$ -0-	-0-	\$ -0-
Svc.		\$ 12.04		\$ 12.04

Mulligan stated that repairs to the Mill Street Bridge are complete and inspected by the State

Mulligan reported that all materials ordered and paid for in January for the break room and office in the new highway garage were delivered by Bruce Halls to the Highway Garage on Cemetery Rd.

Mulligan reported that JCB delivered a loader for highway employees to try out. They were not impressed with its performance. Mulligan submitted auction prices he received off the internet showing that CAT and John Deere loaders average resale is \$25,000 more then JCB. Mulligan also showed that Cat uses the least fuel. It was Mulligan's recommendation that the Board either approve the John Deere or the Cat loader bid from June. The John Deere bid was \$1,700 less then CAT but the CAT loader's fuel consumption is significantly less. Mulligan could not guarantee that either dealer would honor their bid prices given in June for more then one or two more days.

Highway Mechanic Michael Rhyde stated that it is his opinion that the JCB loader is not as rugged as the CAT or John Deere loader and will have a much shorter longevity.

Councilman Schallert felt more research was needed. He was not in favor of buying another John Deere loader since the current John Deere loader after 10yrs and 8000 hours needs extensive repairs. He felt getting feedback from Towns now using JCB loaders would be useful in making a decision rather then just taking the salesmen's word at face value. He would like to see a comparison of major repairs and down time between different loaders during the first three years. Schallert did not see any reason why the Board couldn't table their decision.

Mulligan stated again that he could not guarantee that the bid prices would still be good in August. He felt that there will probably be a cost increase. He also warned that the Town's John Deere loader could break down between now and then which would reduce the trade-in value.

Councilman Wenner felt comfortable leaving the decision up to the Highway Superintendent as to what loader would work better for the Town.

After much discussion it was the consensus of the Board to table their decision until the August meeting.

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

Zoning Permits: 5

ZBA Application: 1

Planning Board member John Phillips reported that the Planning Board is now reviewing a possibly controversial subdivision located in Pierstown on Reiss Road as well as with the Cooperstown Intermodal Transit Center Project. The engineer reviewing the project James Forbes, has quoted a fee of 5% of the total cost of the project which amounts to approximately \$15,000. This is an issue since there is only \$1,500.00 budgeted for engineering fees for the Planning Board.

Dog Officer Tom Steele reported that there have been no dog complaints since last meeting.

Councilman Michaels submitted for the Board's review and approval, a material list of additional supplies totaling \$4,520.36 needed in the installation of the break room and office in the new highway garage addition.

MOTION by Councilman Schallert, seconded by Councilman Michaels, to approve the material list as presented.

MOTION CARRIED: Supervisor Kiernan, Councilmen Michaels and Schallert voted yes. Councilman Wenner voted no.

Councilman Michaels reported that engineer John McManus will have the bid documents for the break room and office project, completed in the next two weeks.

MOTION by Councilman Michaels, seconded by Councilman Schallert, to approve the bid documents pending Town Attorney Paul Elkan's review and approval of the documents.

MOTION CARRIED: Supervisor Kiernan, Councilmen Michaels, and Schallert voted yes. Councilman Wenner voted no.

Watershed report was given by Supervisor Kiernan. She stated that there is one property owner on Otsego Lake whose septic system has failed and they have chosen to ignore the Watersheds violation notices. Zoning Office Hank Schecher suggested that the violation be turned over to the County Code Office for enforcement.

Councilman Wenner reported that he learned at a meeting held by the County, also attended by Supervisor Kiernan and Highway Superintendent Shawn Mulligan, that there are companies that offer a service whereby for a one time fee of \$8,500.00 (if all the Towns in the County, subscribe cost is more if they don't) will do a road study if a project involving large trucks is involve in your Town. The company does test boring to determine the life expectancy of the road under normal conditions before heavy equipment, such as gas drilling rigs, or logging trucks, travel the road. The County is hoping for a coordinated effort between all the Towns. The cost of the testing is passed on to the applicant.

Supervisor Kiernan proposed a Local Law for the Board's consideration addressing the "Preservation of Town Roads" to insure that the Town's roads are not damaged or harmed to the overall detriment of the Town by a few individual users who utilize the roads in a manner that causes extraordinary deterioration and/or wear and tear.

MOTION by Councilman Michaels to adjourn.

MOTION CARRIED. Supervisor Kiernan and all Councilpersons voted aye.

Meeting ended at 8:30 PM.

The next regular meeting will be held at the Town Building in Fly Creek on the 11th day of August, 2010 at 7:00 PM.

Respectfully Submitted,

Pamela Deane
Town Clerk