

Fleming Town Board Meeting

April 11, 2016

Call to Order by Supervisor Gary B. Searing at 6:30 pm, followed by the Pledge of Allegiance.

Roll Call by Town Clerk Jo Anne Cox found the following Board Members present:

Supervisor Gary B. Searing

Councilman Jim Young

Councilman Gerald Dudek

Councilman David Ward

Councilman Don Oltz

also present: Attorney Michael D. Quill

Constable Alan Parsons

Mary Beth Leeson, Cuddy & Ward, LLP

Approval of Minutes: Motion to approve minutes from 3/14/2016 as presented by Town Clerk, Jo Anne Cox was made by Councilman Ward, seconded by Councilman Oltz. APPROVED AYES 5-0

Specific Presentation: Mary Beth Leeson of Cuddy & Ward, LLP gave a presentation on the Town of Fleming's financial audit report for the year ending December 31, 2015. She gave the board an opportunity for questions and stated all looked well with the audit.

Supervisor Searing publicly introduced and welcomed our new Town Attorney, Michael D. Quill.

Public to be Heard: The Public to be Heard forum was read by Town Clerk, Jo Anne Cox.

Glen Hilton of 2887 Stone School Rd spoke regarding a neighbor that has many unregistered vehicles, downed brush, piles of debris and a falling down barn that he feels detracts from his neighborhood. After recently receiving the Town Newsletter he thought this would be a good time to address the board on what could be done about this.

Andrew Snell, Watershed Specialist representing the Owasco Lake Watershed Inspection Program spoke regarding a pilot program they are rolling out involving the towns of Fleming, Owasco and Niles referred to as TAIPP (Tributary Adoption Identification Program Project). The purpose is to easily identify specific sites in the Veness Brook Sub watershed thru signage. Signs will be erected at road/stream crossings which will include a stream intersection ID as well as a phone number to call to report stream issues. They will provide signs for the pilot project. The town may be responsible to install. They hope to get this started sometime this summer.

Old Business: None

New Business:

- (a) Motion to declare a 2012 court phone surplus made by Councilman Young, seconded by Councilman Dudek. APPROVED AYES 5-0
- (b) Motion to approve a summer swim program at the YMCA for \$1,440.00 was made by Councilman Oltz, seconded by Councilman Ward. APPROVED AYES 5-0

Building Code / Zoning Enforcement Officer: Don Bowen submitted his monthly summary and mentioned he attended and completed a three day seminar as well as attended the Planning Board meeting. He also spoke in regards to an article that was in The Citizen involving the growth of solar farms across New York State. He wants everyone to be aware that landowners have been receiving solicitations from solar farm companies. Per Attorney Andrew Leja most municipalities do not have land use regulations specifically covering these types of developments. Don will discuss this with the Planning Board at the next monthly meeting. Also discussed again, was the progress on the removal of the vacant mobile home on West Lake Rd.

Assessor: Fred Farrell submitted a Special Franchise form which tells the state that there have been no new private gas pipes, oil or power lines put in for the town. The state handles all of our utilities evaluation and this year it went down 24% so we will take a hit of \$ 958,747.00 off the tax roll from the State of New York. Fred received a letter from Fair Tax America and they would like to review the assessment of the Mid Sate Mutual building on RTE 34. All exemptions are done and all approvals are mailed out. The Tentative Tax Roll is done. Fred is asking the board who is in favor of him taking steps towards starting a reevaluation of the town. Onea, his clerk, has been offered a job with the city for the summer so he would like to know as soon as possible because she would need training to assist him. He explained his cost would be approximately \$500.00 per parcel and the cost of a private company approximately \$50,000.00. Per Supervisor Searing the board will discuss how they want to go forward with the reevaluation and let Fred know.

Highway / Recycling: Kerry spoke in regards to the increase in the budget for the chips program. Dublin Quality Structure would like a deposit of \$3500.00 for quote of \$5,894.60 approved at the last board meeting for the install of a door and exhaust fan. The board members have no problem with that.

- (a) Motion to approve Kerry Smith to attend Highway School on June 5th-8th at a cost of \$110.00 was made by Councilman Young, seconded by Councilman Oltz. APPROVED AYES 5-0
- (b) Motion was made by Councilman Young to approve a Resolution that the Town of Fleming Highway Superintendent, Kerry Smith will change the weight limit on Dietrich Road from 16 ton rating to 15 ton rating as suggested by Clark Patterson lee due to compensating for new asphalt over lay on the bridge deck and per his conversation with David P. Orr of Cornell Local Roads Program. This was seconded by Councilman Ward. It was approved on the following roll call:

Councilman Young	YES
Councilman Dudek	YES
Councilman Ward	YES
Councilman Oltz	YES
Supervisor Searing	YES

Requests and Comments of the Board: Councilman Oltz spoke in regards to polling options. He has received numerous complaints regarding the polling location not centrally located. Town Justice Dennis Donavon and Councilman David Ward also spoke commenting when they were campaigning it was the number one complaint. Supervisor Searing stated that any decision to change a polling place is up to the Cayuga County Board of Election Commissioners not our town board. He also was in favor of setting a public hearing to receive public comment on making any polling switch before the board voted. This was denied. Motion was made by Councilman Young, seconded by Councilman Ward to bring the resolution to a vote. The resolution reads as follow: A Resolution that the Town of Fleming designates the Fleming Fire Department No. 2, at Rte 34 in the Town of Fleming, as the sole polling place for all elections conducted in said town. This was approved on the following roll call:

Councilman Young	YES
Councilman Dudek	NO
Councilman Ward	YES
Councilman Oltz	YES
Supervisor Searing	NO

Councilman Young asked John Carter a question pertaining to repairs on Sewer Stations 3 & 6. John replied it was general maintenance due to normal wear & tear.

Executive Session: Motion to move into Executive Session for employment of a particular individual was made by Councilman Dudek, seconded by Councilman Young. APPROVED AYES 5-0 No action taken. Motion to move back into open meeting made by Councilman Oltz, seconded by Councilman Ward. APPROVED AYES 5-0

Budget Transfers / Amendments: Motion to approve made by Councilman Ward, seconded by Councilman Oltz. APPROVED AYES 5-0

Town Clerk's Report: Motion to approve was made by Councilman Young, seconded by Councilman Dudek. APPROVED AYES 5-0

Supervisor's Report: Councilman Ward had a question on a particular Highway Fund entry which will be checked into. Motion to approve made by Councilman Oltz, seconded by Councilman Ward. APPROVED AYES 5-0

Approval of Bills for Payment:

General Fund	\$5,679.31	Motion to approve made by Councilman Young, 2 nd by Councilman Ward. APPROVED AYES 5-0
Highway Fund	\$13,969.76	Motion to approve made by Councilman Young, 2 nd by Councilman Oltz. APPROVED AYES 5-0
Sewer Fund	\$30,464.08	Motion to approve made by Councilman Dudek, 2 nd by Councilman Ward. APPROVED AYES 5-0

Water District # 1	\$38,186.84	Motion to approve made by Councilman Young, 2 nd by Councilman Oltz. APPROVED AYES 5-0
Refuse Fund	\$818.24	Motion to approve made by Councilman Oltz, 2 nd by Councilman Dudek. APPROVED AYES 5-0
Special Lighting District	\$158.19	Motion to approve made by Councilman Ward, 2 nd by Councilman Dudek. APPROVED AYES 5-0
Water District Capital Project	\$148,551.19	Motion to approve made by Councilman Oltz, 2 nd by Councilman Dudek. APPROVED AYES 5-0

Adjournment: Motion to adjourn was made by Councilman Dudek, seconded by Councilman Oltz. The time was 8:00 pm. APPROVED AYES 5-0

Respectfully Submitted,

Fleming Town Clerk