

**FLEMING TOWN BOARD MEETING
AUGUST 10, 2015**

Call to Order by Supervisor Gary B. Searing at 6:00 P.M. followed by the Pledge of Allegiance and a moment of silence for Sportscaster Frank Gifford.

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

Supervisor Gary B. Searing
Councilman Gerald Dudek
Councilman Fritz Allen
Councilwoman Ellen DelloStritto
Councilman Don Oltz

Also present: Attorney Dale Yates
Constable Alan Parsons

Approval of Minutes: Motion was made by Councilman Oltz to approve minutes as presented by Town Clerk Jo Anne Cox, seconded by Councilwoman DelloStritto. Approved Ayes 5-0

Public Hearings or Specific Presentations: Sandi Mettler of 5641 South Street Road spoke in opposition to the proposed Local Law No 3 of 2015 adding the section requiring a Special Use Permit will include self storage building units as a permitted use requiring a Special Use Permit in the Town's commercial district. She spoke on reasons why, in her opinion, there is no need for Self Storage Units in the Town of Fleming. Chris DePalma of Rosetta Estates, LLC followed up with statistical information based on formulas and demographics done in the Town of Fleming. They concluded there definitely is a need for Self Storage Units. They will start with three buildings and construct more as needed. Motion was made to close the public hearing by Councilman Oltz, seconded by Councilman Dudek. APPROVED AYES 5-0

Public to Be Heard: John Baker of 5837 Dunning Ave spoke regarding the removal of a mobile home at 5929 Dunning Ave. His question was will another mobile home be able to be placed on this property. Don Bowen-Code / Zoning Officer explained the current zoning law allows you to modify the current structure. Once removed, in order to place another mobile home on the property in must be 1,100 square feet and no older than 10 years of age. The largest they currently make are 16 x 76 feet. Therefore, it would not conform to the current zoning laws.

Old Business: None

New Business:

- (a) Motion was made by Councilman Dudek to set the 1st Budget Workshop date for Wednesday, September 16th, 2015 at 9:30 A.M., seconded by Councilman Allen. APPROVED AYES 5-0

Building Code/Zoning Enforcement Officer-Don Bowen: Don presented his monthly summary and stated there has not been much new activity for the month of July. He also attended the mortgage foreclosure sale at the courthouse for the 5218 Silver Street Road property.

Highway/Recycling-Kerry Smith: Kerry submitted his Agreement to Spend Town Highway Funds and briefly went over the improvements to be made. This was approved on the following roll call:

Supervisor Searing	YES
Councilman Dudek	YES
Councilman Allen	YES
Councilwoman DelloStritto	YES
Councilman Oltz	YES

Superintendent of Public Works-John Carter: The Stone School Road Water Tank's inspection was due in 2013. John is asking for approval to accept a proposal from Conrady Consultant Services at a cost of \$1875.00. Motion was made to approve by Councilman Oltz, seconded by Councilman Allen. APPROVED AYES 5-0

Supervisor Searing discussed the next step for the sale of the land proposal. We received the new appraisal which will be available for the public to view with the Town Clerk. We will advertize Sunday, August 16th, 2015 accepting bids thru Thursday, August 20, 2015.

Requests and Comments of the Board: Councilman Oltz asked our Assessor Fred Farrell the reason he signed the 2015 Final Tax Roll **Under Protest Without Recourse**. Fred explained because of the fact many of the assessments in the Town of Fleming are not equal, he would be held responsible for inaccuracies putting his license in jeopardy. We have not been at 100% since the 1980's. When asked by Councilman Dudek how we can fix this he said "**only with a reval**". He was also asked about a particular property on Dietrich Road for sale with an extremely low assessment. Fred said the reason was when the property was split and sold a new survey map and deeds were never recorded. Supervisor Searing asked him to look into this property and make necessary corrections. Councilman Oltz then asked Attorney Dale Yates how we were doing on the return of the esements. Dale Yates informed him about ten came back as bad addresses and they have been re-mailed. He has received about fifteen back signed. The rest are trickling in.

Budget Transfers: Motion to approve was made by Councilman Oltz, seconded by Councilwoman DelloStritto. APPROVED AYES 5-0

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

Supervisor's Report: Motion was made to approve by Councilman Oltz, seconded by Councilwoman DelloStritto. APPROVED AYES 5-0

Approval of Bills for Payment:

General Fund	\$9,244.70	Motion to approve was made by Councilwoman DelloStritto, 2 nd by Councilman Dudek. APPROVED AYES 5-0
Highway Fund	\$39,746.41	Motion to approve was made by Councilman Oltz, 2 nd by Councilman Allen. APPROVED AYES 5-0
Water District #1	\$11,046.54	Motion to approve was made by Councilwoman DelloStritto, 2 nd by Councilman Oltz. APPROVED AYES 5-0
Sewer Fund	\$23,222.95	Motion to approve was made by Councilman Oltz, 2 nd by Councilman Allen. APPROVED AYES 5-0
Refuse Fund	\$823.57	Motion to approve was made by Councilwoman DelloStritto, 2 nd by Councilman Dudek. APPROVED AYES 5-0
Special Lighting District	\$172.19	Motion to approve was made by Councilwoman DelloStritto, 2 nd by Councilman Allen. APPROVED AYES 5-0

Adjournment: Motion was made to adjourn by Councilman Dudek, seconded by Councilman Oltz. The time was 6:50 P.M. APPROVED AYES 5-0

Respectfully Submitted,

Town Clerk