

FLEMING TOWN BOARD MEETING

DECEMBER 10, 2018

Call to Order by Supervisor Oltz at 6:30 p.m. followed by the Pledge of Allegiance.

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

Supervisor Don Oltz
Councilwoman Karen VanLiew
Councilman David Ward
Councilman Russ Bell
Councilman Jim Young

also present: Attorney Michael D. Quill Jr.
Attorney Andrew Leja

Motion to approve minutes from November 14, 2018 as presented by Town Clerk Jo Anne Cox was made by Councilman Young, seconded by Councilwoman VanLiew. Ayes 5-0

Old Business: Attorney Andrew Leja gave a presentation of the necessary steps for Todd DuMond to get a Special Use Permit for the proposed soybean processing plant on White Road. He explained they have gone through the first step by attending the Town of Fleming Planning Board for approval. It will now be a two-step process. The Town Board will first due a SEQRA review and once completed the Town Board will move into the Special Use Permit review. Mr. DuMond has been asked for more information to declare the application complete. Once the application is declared complete the Town Board will then set up a Public Hearing date.

New Business:

- (a) Agreement was made to set Year End Meeting for December 27, 2018 at 9:00 a.m.
- (b) Agreement was made to set Reorganizational Meeting for January 3, 2019 at 9:00 a.m.
- (c) Motion was made by Councilman Ward for **Resolution Water Units 2019 Bond 963.75 units; O & M units**, seconded by Councilman Bell. Ayes 5-0 Motion was made by Councilman Young for **Water District #6, 57.90 units**, seconded by Councilwoman VanLiew. Ayes 5-0
- (d) Motion was made by Councilman Young for **Resolution Sewer Units 2019 Bond 674.50 units; O & M 669.50 units**, seconded by Councilman Ward. Ayes 5-0
- (e) Motion was made by Councilman Young to approve **Resolution to Amend Water Rates WHEREAS, the Town Board of the Town of Fleming at its monthly Town Board Meeting held on December 10, 2018 hereby modifies and amends Local Law 1 of 2015 regarding the water rates as follows: The required minimum charge of \$25.00 per quarter per user will include up to 4,000 gallons of water per quarter; The water rate will increase to \$3.50 per 1000 gallons for usage above 4,000 gallons. These rates shall become effective immediately and will be reflected beginning with the January 1, 2019 billing**, seconded by Councilman Bell. This was approved on the following roll call:

Councilwoman VanLiew	YES
Councilman Ward	YES

Councilman Bell	YES
Councilman Young	YES
Supervisor Oltz	YES

(f) Motion was made by Councilman Young to approve a **Resolution to accept and award bid for the Town of Fleming Consolidated Water System Improvements Phase IIA Project WHEREAS, the Town Board of the Town of Fleming at its monthly Town Board Meeting held on December 10, 2018, hereby accepts the Base Bid in the amount of \$481,430.00 and Alternate Bid A in the amount of \$135,950.00 for a total contract price of \$617,380.00 as received from Randsco Pipeline, Inc., and hereby awards the contract to Randsco Pipeline, Inc.,** seconded by Councilman Bell. This was approved on the following roll call:

Councilman Young	YES
Councilman Bell	YES
Councilman Ward	YES
Councilwoman VanLiew	YES
Supervisor Oltz	YES

(g) Motion to accept an Audit Proposal from Insero & Co. at a cost of \$8,400.00 all service inclusive was made by Councilman Young, seconded by Councilwoman VanLiew. This was approved on the following roll call:

Councilman Young	YES
Councilman Bell	YES
Councilman Ward	YES
Councilwoman VanLiew	YES
Supervisor Oltz	YES

(h) Approval was made for Bookkeeper, Lisa Schiminske to close the CLNB Sewer Receipts checking account and instead operating from the Tompkins Trust checking account.

(i) Motion was made by Councilman Ward to approve setting a Public Hearing for DuMond Special Use Permit for January 14, 2019, seconded by Councilwoman VanLiew. Ayes 5-0

Building Code/Zoning Enforcement Officer Don Bowen: Don submitted his monthly report noting very little activity for the month of November.

Assessor Jeff Bartholomew: Jeff's topic tonight was primarily about recent audits of Real Property Tax Exemption Administration in other municipalities. He has prepared a summary document that describes his status and work that is underway. With the Boards approval he would like to have two specific documents recorded in the minutes for the December 14, 2018 Town Board Meeting. The Board agrees and they are as follows:

Town of Fleming Specific Rules Regarding Exemption Administration for the 2019 Assessment Roll

Agricultural Land Exemption:

1. When land is rented to a farm operation located outside of the Town of Fleming, that farm operation is deemed to be a qualifying operation in terms of the Ag Land exemption if that farm receives the Ag Land exemption on their own property in that other town. In other words, we are relying upon the assessors in those other towns to have ensured that those farmers truly meet the qualifications for the exemption they receive.
2. Satisfactory proof of the existence of an active 5-year lease:

- (a) A copy of the actual lease.
- (b) A completed and notarized (or not notarized) copy of the RP-305c Affidavit, signed by both parties.
- (c) A written document detailing the essential terms of the lease (essential for the qualification for the exemption), signed by both parties.

Specifically, if they qualify for the exemption on their own property, there should be no need for us to seek their gross sales documentation to prove they qualify as a renter of property in Fleming.

Utilities Department John Carter: John stated Water & Sewer has been fairly quiet other than a water leak on Dunning Ave. Technical checks will be made shortly on pump stations.

Highway/Recycling Kerry Smith: Absent

Supervisor Oltz wished all a Merry Christmas and a Happy New Year.

Motion to approve Budget Transfers & Amendments made by Councilman Ward, seconded by Councilman Bell. Ayes 5-0

Motion to approve Town Clerk’s report made by Councilman Young, seconded by Councilwoman VanLiew. Ayes 5-0

Motion to approve Supervisor’s report made by Councilman Ward, seconded by Councilman Young. Ayes 5-0

Approval of Bills for Payment:

General Fund	\$16,770.72	Motion to approve made by Councilwoman VanLiew, 2 nd by Councilman Bell. Ayes 5-0
Highway Fund	\$47,999.01	Motion to approve made by Councilman Ward, 2 nd by Councilman Bell. Ayes 5-0
Water District #1	\$21,444.14	Motion to approval made by Councilman Ward, 2 nd by Councilman Bell. Ayes 5-0
Sewer Fund	\$21,278.64	Motion to approve made by Councilman Young, 2 nd by Councilwoman VanLiew. Ayes 5-0
Refuse Fund	\$469.78	Motion to approve made by Councilman Young, 2 nd by Councilman Bell. Ayes 5-
Special Lighting Group	\$175.43	Motion to approval made by Councilman Young, 2 nd by Councilman Bell. Ayes 5-0
Capital Project	\$9,091.10	Motion to approve made by Councilwoman VanLiew, 2 nd by Councilman Young. Ayes 5-0

Motion to move into Executive Session for personnel reasons made by Councilman Bell, seconded by Councilman Ward. Ayes 5-0

Motion to move back into Open Session made by Councilman Ward, seconded by Councilman Bell. Ayes 5-0

Approval was made in Executive Session to give an increase of \$150.00 per pay period to Dylan Smith for holding his Water License. This was approved on the following roll call:

Councilwoman VanLiew	YES
Councilman Ward	YES
Councilman Bell	YES
Councilman Young	YES
Supervisor Oltz	YES

Approval was made to offer William Gabak the part-time Zoning Officer position and Harold Gilfus the part-time Code Enforcement Officer position. These appointments will be made at our year end meeting December 27, 2018.

Motion to adjourn was made by Councilman Ward, seconded by Councilman Bell. The time was 7:25 p.m. Ayes 5-0

Respectfully Submitted,

Jo Anne Cox