

FLEMING TOWN BOARD MEETING

DECEMBER 11, 2017

Call to Order by Supervisor Gary B. Searing 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 Gary B. Searing

Councilman Jim Young

Councilman Gerald Dudek

Councilman David Ward

Councilman Don Oltz

also present: Attorney Michael D. Quill Jr.

Constable Alan Parsons

Peter Adams, Adams and Son, Inc.

Motion to approve minutes from November 9, 2017 and November 13, 2017 as presented by Town Clerk Jo Anne Cox was made by Councilman Young, seconded by Councilman Dudek. APPROVED AYES 5-0

Presentations: Public Hearing is now open on the Mike Palmieri Special Use Permit.

- (a) Michael Palmieri of 6028 South Street Road spoke in regards to his request for a Special Use Permit which was previously presented at the December Planning Board Meeting. He is requesting to perform Architectural Design work on a part-time basis from an existing detached garage/storage building on his property. Motion to approve was made by Councilman Dudek, seconded by Councilman Ward. This was approved on the following roll call:

Councilman Young YES

Councilman Dudek YES

Councilman Ward YES

Councilman Oltz YES

Supervisor Searing YES

Public Hearing is now closed.

- (b) Peter Adams of Adams and Son, Inc. gave a presentation on the Town of Fleming 2018 Insurance Renewal Proposal staying with the same company known as Trident. He compared rates from 2017 to 2018 and reviewed policy coverage. The Board will address this at the yearend meeting on December 28<sup>th</sup>.

Public To Be Heard: The Public To Be Heard Forum was read by Town Clerk Jo Anne Cox.

Anthony Recckio of 6050 West Lake Road spoke in regards to the proposed Local Law #3-2017 "A Local Law amending the Town of Fleming Zoning Law". In particular, he inquired when and how it was

determined on the lake shore what the criteria was for determining front and back yards. He also questioned the reason for the three foot fence rule on the lake shore.

Douglas Young of Spruce Haven Farm LLC addressed the board along with a letter to the board regarding a request for interim approval of a six month test of milk whey in an anaerobic digester. The board thanked Doug for his presentation.

Old Business:

- (a) Motion was made by Councilman Young to approve a Sewer Contract with the City of Auburn, Seconded by Councilman Oltz. This was approved on the following roll call:

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

- (b) Motion was made by Councilman Young to approve a **Resolution WHEREAS, the Town Board of the Town of Fleming at its monthly Town Board Meeting held on December 11, 2017, hereby authorizes the Supervisor to sign the revised Municipal Cooperation Agreement for the treatment of sewage and wastewater with the City of Auburn**, seconded by Councilman Ward.

This was approved on the following roll call:

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

- (c) Motion was made by Councilman Young to approve **Local Law #2-2017 "A Local Law modifying and amending sections one and eight of the Town of Fleming Zoning Law as adopted on December 22, 2008 and revised on May 13, 2013"**, seconded by Councilman Oltz. This was approved on the following roll call:

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

- (d) Motion was made by Councilman Young to approve **Local Law #3-2017 "A Local Law amending the Town of Fleming Zoning Law"**, seconded by Councilman Ward. This was approved on the following roll call:

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

New Business:

- (a) Motion was made by Councilman Young to set a Yearend Meeting for December 28, 2017 at 9:00 a.m., seconded by Councilman Dudek. APPROVED AYES 5-0
- (b) Motion was made by Councilman Ward to set the Reorganizational Meeting for January 8, 2018 at 6:30 p.m., seconded by Councilman Oltz. APPROVED AYES 5-0
- (c) Motion was made by Councilman Young to approve Water and Sewer Units Additions and Subtractions for the year 2018, seconded by Councilman Ward. APPROVED AYES 5-0
- (d) Motion was made by Councilman Oltz to approve **Resolution 2018 Water Units, Bond 964.75 Units; O&M 946.75 Units; Water District #6 57.40 Units**, seconded by Councilman Dudek. APPROVED AYES 5-0
- (e) Motion was made by Councilman Ward to approve a **Resolution 2018 Sewer Units, Bond 675.50 Units; O&M 670.50 Units**, seconded by Councilman Oltz. APPROVED AYES 5-0
- (f) Motion was made by Councilman Ward to approve a **Resolution WHEREAS, the Town Board of the Town of Fleming at its monthly Town Board Meeting held on December 11, 2017, hereby authorizes Donald Oltz to be a voting member of the Owasco Lake Watershed Management Council**, seconded by Councilman Young. This was approved on the following roll call:

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

Building Code/Zoning Enforcement Officer-Don Bowen: Don presented the board with his monthly report. He also spoke further on the request from Doug Young of Spruce haven Farm LLC regarding interim approval of six month test of milk whey in anaerobic digester. The Town Attorney explained to Don Spruce Haven will have to now file for a Special Use Permit. Don will follow up with Doug.

Assessor-Jeff Bartholomew: Jeff informed the Board he has approximately 181 properties left to verify data along with 31 commercial properties. He has also sent a reminder letter 11/20/2017 stating all Agricultural Exemption packets need to be turned in by March 1, 2018 in order to renew their exemptions for next year. Jeff also noted he has been updating the Town website on various topics related to exemptions.

Utilities Department-John Carter: ABSENT

Highway/Recycling-Kerry Smith: Kerry reported they did repair work on Glanville Road the best that they could for the season, chipped more of the brush pile down and they are now getting prepared for snow removal.

Requests and Comments of the Board: Councilman Oltz would like to request that all department heads if not able to attend the monthly board meeting to give an oral report must submit a written report. Motion was made by Councilman Oltz, seconded by Councilman Ward. APPROVED AYES 5-0

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

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

Supervisor's Report: Motion to approve will be postponed to year end meeting due to needed clarifications on two line items from the Bookkeeper.

Approval of Bills for Payment:

General Fund	\$35,290.83	Motion to approve made by Councilman Young, 2 <sup>nd</sup> by Councilman Ward. APPROVED AYES 5-0
Highway Fund	\$77,508.14	Motion to approve made by Councilman Oltz, 2 <sup>nd</sup> by Councilman Young. APPROVED AYES 5-0
Water District #1	\$24,942.38	Motion to approve made by Councilman Young, 2 <sup>nd</sup> by Councilman Dudek. APPROVED AYES 5-0
Sewer Fund	\$10,458.84	Motion to approve made by Councilman Ward, 2 <sup>nd</sup> by Councilman Oltz. APPROVED AYES 5-0
Refuse Fund	\$798.01	Motion to approve made by Councilman Young, 2 <sup>nd</sup> by Councilman Oltz. APPROVED AYES 5-0
Water District Capital Project	\$15,497.88	Motion to approve made by Councilman Ward, 2 <sup>nd</sup> by Councilman Oltz. APPROVED AYES 4-0 Councilman Young ABSTAINED
Special Lighting District	\$165.43	Motion to approve made by Councilman Ward, 2 <sup>nd</sup> by Councilman Young. APPROVED AYES 5-0

Adjournment: Motion to adjourn made by Councilman Dudek, seconded by Councilman Oltz. The time was 7:40 p.m. APPROVED AYES 5-0

Supervisor Searing wished everyone a Merry Christmas.

Respectfully Submitted,  
Jo Anne Cox, Town Clerk