

## Fleming Town Board Meeting

December 12, 2016

Call to Order by Supervisor Gary B. Searing at 6:30 pm followed by the Pledge of Allegiance. Supervisor Searing also thanked Councilman Dudek for filling in for him while he was out ill.

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

Brent Rosiek, Engineer for Clarke Paterson Lee

Approval of Minutes: Motion to approve minutes from 11/14/2016 as presented by Town Clerk Jo Anne Cox was made by Councilman Young, seconded by Councilman Dudek. APPROVED AYES 5-0

Presentations: Brent Rosiek of Clark Paterson Lee spoke regarding updates on the Glanville Road Water Main and the low pressure issue on Stone School Road and Silver Street Road. He spoke on how they would remedy both situations.

The Public be Heard Forum was read by Town Clerk Jo Anne Cox.

Sheila Tucker of 5680 Silver Street Road and Timothy Axton of 5681 Silver Street Road addressed the board regarding a concern they have with the State of New York Developmental Center (residential home) located at 2640 Quicksilver Drive. They recently were informed of a Level 3 Sex Offender residing in the house. Sheila was very concerned for the other residents who have mental disabilities as well as neighborhood children. He has since then been removed from the home. They would like to see minutes or any other information on the original public hearing when the approval for this state home took place. This would allow them to review the guidelines for the residents living there. Sheila believes she has a time frame as to when this public hearing occurred. She will see what she can find and work with our Code Enforcement Officer Don Bowen. As Supervisor Searing explained we will provide what we can. Timothy Axton will also follow up with Don Bowen.

### Old Business:

- (a) Bookkeeper Lisa Schiminske reviewed items she needed to get resolved before our end of the year:

- Time Warner Internet upgrade. Motion to approve was made by Councilman Young, seconded by Councilman Dudek. APPROVED AYES 5-0
- Approval was made to allow Lisa to fill out a new duty position with Civil Service Commission for the Assessor's clerk, Onea to become an employee with the town. Onea can work fifteen hours or less.
- Payroll policy for ZBA and Planning Boards. Because these are appointed positions and receive a salary the board decided to keep salaries the same but will establish a percentage of meetings they must attend or would be removed from the board. The town attorney will draft a Local Law to that effect which would require a public hearing.
- Per Lisa's conversation with the State Comptroller's office the additional revenue from the Waters Haulers Fund must go to the fund balance.
- Encumbrance for Highway equipment. According to the State Comptroller when we have entered into a contract complete funds must be readily available for the same year.
- Lisa reminded the board she will need to know who is attending the Association of Towns NYC trip sooner rather than later.
- Lisa expressed concerns that she and the Town Clerk had with Municipal Solutions. They encountered many clerical errors regarding the most recent renewal of the \$1,610,000 Bond Anticipation Note 2016. She felt the board should be aware of these issues.

(b) A letter will be sent to Mr. Sigona informing him that his request to remove his vacant property on Sand Beach Road from the sewer district was again denied.

(c) Motion to approve **Resolution #14 of 2016 SEQRA Notice of Intent to Serve as Lead Agency for the Town of Fleming Glanville Road Water Main** was made by Councilman Young, seconded by Councilman Oltz. This was approved on the following roll call:

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

Motion to approve a public hearing to be held for the Glanville Road Water Main will be held Monday, February 13 2016 at the 6:30 pm board meeting made by Councilman Young, seconded by Councilman Dudek. APPROVED AYES 5-0

(d) Motion to approve the Language Access Plan draft provided by Bookkeeper Lisa Schiminske was made by Councilman Ward, 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

(e) Creating a Local Law regarding increasing the non-compliance fee for installation of a water meter was revisited again with the board and the town attorney. It was decided a letter would be drafted giving the resident 60 days to allow for the water meter to be installed in their home. If non-compliant, then a meter pit would be installed in their yard. They would incur the cost.

(f) Motion to approve a **Resolution Supporting Town Assessor in Updating of 2017 Assessment Roll** was made by Councilman Oltz, 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	ABSTAIN

New Business:

- (a) Year end meeting was set for Wednesday, December 28, 2016 at 9:00 am.
- (b) Reorganizational meeting was set for Tuesday, January 3, 2017 at 9:00 am.
- (c) Motion to approve Resolution Water Units 2016 Bond 963.25 Units; O&M 945.25 Units made by Councilman Young, seconded by Councilman Ward. APPROVED AYES 5-0
- (d) Motion to approve Resolution Sewer Units 2016 Bond 675.00 Units; O&M 670.00 Units made by Councilman Dudek, seconded by Councilman Oltz. APPROVED AYES 5-0
- (e) A Letter from Auburn regarding a change in the sewer billing of Schedule D (homes on Lake Ave Ext that tie directly into the Auburn sewer line on Kearney Ave) was discussed with the board, Utilities John Carter and Town Attorney Michael Quill. This was simply an informative letter.

Building Code/Zoning Enforcement Officer-Don Bowen: Don submitted his monthly report. Some discussion was made on the Sean Lattimore project regarding the status of the proposed hotel. Don explained Sean is going to receive some funding and this will be a lengthy process to complete.

Assessor-Fred Farrell: Fred stated he has been slowly working on updating properties and assured the board he is doing weekly replications to the county. He and Jeff Lowe had to cancel recent plans to visit properties due to the weather. Fred was asked to return the recorder as soon as possible.

Utilities Department-John Carter: Motion to approve a quote from Global Water Specialists, LLC for a repair of a backflow preventer at a cost of \$970.00 was made by Councilman Young, seconded by Councilman Oltz. APPROVED AYES 5-0

John was also asked about the status of the new Utility truck. He stated the truck should soon be in the town's possession.

Highway/Recycling-Kerry Smith: Kerry gave a brief summary of projects the Highway Department has been working on to date. He also mentioned he is having a hard time getting three estimates for contracting jobs that need to be done.

Motion was made by Councilman Oltz to approve a three year contract with Cayuga County regarding snow removal, 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

Requests and Comments from the Board: Councilman Oltz presented a bill from Taylor Rental for \$330.00 given to him by town resident Andrew Campbell which was a result of the Christmas tree decorating at the traffic circle. The lift was needed to complete the job. The board agreed that this would be a onetime payment. Motion was made by Councilman Ward, seconded by Councilman Oltz. APPROVED AYES 5-0

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

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

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

Approval of Bills for Payment:

General Fund	\$13,885.69	Motion to approve made by Councilman Young, 2 <sup>nd</sup> by Councilman Ward. APPROVED AYES 5-0
Highway Fund	\$2,266.53	Motion to approve made by Councilman Young, 2 <sup>nd</sup> by Councilman Dudek. APPROVED AYES 5-0
Water District #1	\$39,354.48	Motion to approve made by Councilman Oltz, 2 <sup>nd</sup> by Councilman Ward. APPROVED AYES 5-0
Sewer Fund	\$19,828.84	Motion to approve made by Councilman Dudek, 2 <sup>nd</sup> by Councilman Young. APPROVED AYES 5-0

Refuse Fund	\$40.15	Motion to approve made by Councilman Young, 2 <sup>nd</sup> by Councilman Ward. APPROVED AYES 5-0
Special Lighting District	\$158.43	Motion to approve made by Councilman Dudek, 2 <sup>nd</sup> by Councilman Oltz. APPROVED AYES 5-0
Water District Capital Project	\$1,322.00	Motion to approve made by Councilman Oltz, 2 <sup>nd</sup> by Councilman Ward. APPROVED AYES 5-0

Executive Session: Motion to move into Executive Session for personnel reasons was made by Councilman Oltz, seconded by Councilman Ward. 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

Adjournment: Motion to adjourn made by Councilman Dudek, seconded by Councilman Oltz. The time was 8:30 pm. Supervisor Searing wished everyone a Merry Christmas. APPROVED AYES 5-0

Respectfully Submitted,

Town Clerk