

FLEMING TOWN BOARD MEETING

MAY 8, 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

Brent Rosiek, Clark Patterson Lee

David Stathis, Computer Systems Engineer

Approval of Minutes: Motion to approve minutes from 4/10/2017 and 4/24/2017 as presented by Town Clerk Jo Anne Cox was made by Councilman Oltz, seconded by Councilman Ward. APPROVED AYES 5-0

Public Hearings or Specific Presentations:

- (a) Dave Stathis addressed the board regarding his recommendation for a new server network needed for the six computers in the office along with the "Cloud" as a backup. Motion was made by Councilman Young to approve funds for the Dell Office state bid not to exceed \$4500.00, 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

- (b) **Public Hearing for the potential Local Law No. 1 of 2017 "Temporary Moratorium of Commercial Wind and Solar Development".**

Jamie Moore, Chairman of the Planning Board, spoke in favor of the Moratorium. He felt due to the fact that preserving agriculture in the Town of Fleming was a priority, rules and regulations should be in the town's Zoning for Commercial Wind and Solar Development. Douglas Ross, also on the Planning Board, spoke against the Moratorium. Stating that this town needs progress and opportunity for growth. He feels a Moratorium of any sort discourages growth in the Town of Fleming. Doug also feels you can go through the normal channels of the Planning Board and Zoning Board to achieve the same result in order to protect the town without the use of a Moratorium.

Old Business:

- (a) Motion to approve the 2016 Audited Financial Reports presented April 10, 2017 by Tessa Crawford of Cuddy & Ward, LLP 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

- (b) Motion to allow Supervisor Searing to sign a three year contract agreement between the Town of Fleming and WeCare Waste and Recycling LLC was made by Councilman Dudek, 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

- (c) Put into record, was clarification regarding the start date of our new Assessor, Jeff Bartholomew. His official start date will be effective 4/10/2017.

- (d) Motion was made by Councilman Ward to pass a **Resolution whereas, the Town Board of Fleming in regular session duly convened, resolved the authorization of a sewer rate increase to the Fleming sewer customers from \$5.40 per thousand gallons to \$5.65 per thousand gallons effective immediately and to be reflected beginning with the June 1st billing**, seconded by Councilman Young. This was approved on the following roll call:

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

At this time the Public Hearing is now closed.

- (e) Motion was made by Councilman Young to authorize Supervisor Searing to sign a Clarke Patterson Lee Zoning Amendment Proposal on Commercial Wind and Solar Development at a cost of \$5000.00, seconded by Councilman Oltz. APPROVED AYES 5-0

- (f) Motion was made by Councilman Young to pass a **Resolution whereas, Resolution #5 of 2017 SEQRA Notice of Intent to Serve as Lead Agency for the Town of Fleming Consolidated Water District Improvements-Phase 11A Low Pressure Areas**, seconded by Councilman Dudek. Supervisor Searing then signed the SEQRA form.

This was approved on the following roll call:

Councilman Young	YES
Councilman Dudek	YES

Councilman Ward	YES
Councilman Oltz	YES
Supervisor Searing	YES

(g) A motion was made by Councilman Young to pass a **Resolution whereas, the Town Board of Fleming approves Local Law No. 1 of 2017 “ Town of Fleming, New York Temporary Moratorium on Commercial Wind and Solar Development”**, 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

Brent also discussed a preliminary meeting with Supervisor Gary Searing, Zoning Don Bowen, Justin Steinbach and himself to have early discussions on Commercial Wind and Solar Development so he may then present this to the board on June 12th.

(h) Motion to approve Ernesto E. Rivera as a ZBA Alternate Member was made by Councilman Oltz, seconded by Councilman Ward. APPROVED AYES 5-0

New Business:

(a) Discussion was made regarding the driveway access at Rte 34 Pump Station. No action was taken.

(b) Motion was made by Councilman Ward to pass a **Resolution whereas, the Town Board of Fleming in regular session duly convened, resolves: To name Tompkins Trust Company an Official Depository for the Town of Fleming and to move all accounts currently with KeyBank to Tompkins Trust Company**, seconded by Councilman Young. This was approved on the following roll call:

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

Building Code/Zoning Enforcement Officer-Don Bowen: Don submitted his monthly activity report. He also attended the ZBA Meeting, Owasco Lake Watershed Council Technical Meeting and the Planning Board Meeting.

Assessor-Jeff Bartholomew: Jeff submitted a two week summary of town assessment functions for the period of 4/14/2017-5/07/2017. Jeff also stated he feels the revaluation process will not start until 2018 and will be implemented in 2019.

Highway/Recycling-Kerry Smith: Kerry discussed the agenda for our Cleanup Day on the 20th. He mentioned flags will be placed at the cemetery in time for Memorial Day and also said he will be getting quotes on pavement for the cemetery driveway which is in desperate need of repair. Councilman Oltz mentioned he would like to see a sign at the brush station due to people dumping more than brush. Kerry is also starting to work on his Agreement to Spend and should be completed by June.

Utilities-John Carter: Motion to approve a proposal from Aqua Logistics Systems, Inc. for Route 34 Booster Pump Station Program Modifications at an approximate cost of \$3,300.00 was made by Councilman Young, seconded by Councilman Dudek. APPROVED AYES 5-0

Requests & Comments of the Board: Councilman Young wanted to remind the board of the next meeting with Barton & Loguidice on May 23rd.

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 made by Councilman Young, seconded by Councilman Dudek. APPROVED AYES 5-0

Supervisors Report: Motion to approve made by Councilman Dudek, seconded by Councilman Ward. APPROVED AYES 5-0

Approval of Bills for Payment:

General Fund	\$15,243.81	Motion to approve made by Councilman Oltz, 2 nd by Councilman Ward. APPROVED AYES 5-0
Highway Fund	\$77,521.90	Motion to approve made by Councilman Young, 2 nd by Councilman Oltz. APPROVED AYES 5-0
Water District #1	\$33,733.72	Motion to approve made by Councilman Young, 2 nd by Councilman Dudek. APPROVED AYES 5-0
Sewer Fund	\$11,045.44	Motion to approve made by Councilman Ward, 2 nd by Councilman Oltz. APPROVED AYES 5-0
Refuse Fund	\$97.03	Motion to approve made by Councilman Young, 2 nd by Councilman Oltz. APPROVED AYES 5-0
Special Lighting District	\$165.43	Motion to approve made by Councilman Young, 2 nd by Councilman Dudek. APPROVED AYES 5-0
Water District Capital Project	\$7,957.34	Motion to approve made by Councilman Young, 2 nd by Councilman Ward. APPROVED AYES 5-0

Executive Session: Motion to move into Executive Session was made by Councilman Young, seconded by Councilman Dudek. APPROVED AYES 5-0 No action was taken. Motion to move back into open meeting made by Councilman Young, seconded by Councilman Dudek. APPROVED AYES 5-0

Adjournment: Motion to adjourn made by Councilman Dudek, seconded by Councilman Ward. The time was 8:35 p.m. APPROVED AYES 5-0

Respectfully Submitted,

Fleming Town Clerk