

FLEMING TOWN BOARD MEETING

NOVEMBER 13, 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.
Attorney Andrew Leja
Constable Alan Parsons

Motion was made by Councilman Oltz to approve Clerk's minutes from 10/11/2017 as presented by Town Clerk Jo Anne Cox and minutes from 10/16/2017 as presented by Deputy Town Clerk Cindy Schiminske, seconded by Councilman Ward. APPROVED AYES 5-0

Public Hearings: Local Law #2-2017 & Local Law #3-2017

According to Attorney Mike Quill, the county meeting last month was delayed by two days due to the October holiday and we missed the 239 County Hearing to approve or comment on Local Laws. Therefore we will need a resolution to extend the Moratorium for Local Law #2-2017 until the December 11, 2017 board meeting. Motion was made by Councilman Young, seconded by Councilman Dudek. This was approved on the following roll call:

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

Attorney Andy Leja spoke next regarding Local Law #3-2017 stating we would have to precede the same as Local Law #2-2017 due to missing the county deadline. He also commented he would like to add a couple more amendments one of which would be a limit of a three foot fence along the lakeshore. Further discussion was made regarding this.

Motion was made to close both Public Hearings on Local Law #2-2017 and Local Law #3-2017 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

Motion was made by Councilman Young to reschedule the vote on the two Public Hearings for the 11th of December 2017 Board Meeting, seconded by Councilman Dudek. APPROVED AYES 5-0

Public to Be Heard:

David Yantch of 5147 West Lake Road began with congratulations to all who won in the current election and commended everyone for running a clean campaign. David then proceeded to inform the board his concern over the eighty loads of fill from the construction site at the Express Mart that was dumped in the back of his property with permission from his brother Chris Yantch. This is within one hundred yards of two tributaries that go directly into the lake. David had concerns so he contacted the Owasco Watershed. They in turn called the D.E.C. His concerns were over contamination from the fill because of the watershed as well as the residential wells. The D.E.C. along with the Owasco Watershed did testing and the soil appears to have no contamination and the soil is clean. Dave felt the town should be aware of all of these details.

Old Business:

(a) Motion was made by Councilman Oltz to pass a **Resolution for authorization of a sewer rate increase to the Fleming sewer customers from \$5.65 per thousand gallons to \$6.00 per thousand gallons effective immediately and to be reflected beginning with the January 1, 2018 billing**, 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) Motion to accept a check from GEICO for cemetery damages which reflects a 10% depreciation 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 YES
Councilman Oltz YES
Supervisor Searing YES

Building Code/Zoning Enforcement Officer-Don Bowen: Don submitted his monthly report giving more detail on his meeting with DuMond Farms regarding the proposed Soybean Processing Facility.

Assessor-Jeff Bartholomew: Jeff reported to the Board he has verified data on 1068 properties with 311 left. He then addressed the residents explaining the differences in exemptions such as Basic, Senior and Enhanced Star.

Utilities Department-John Carter: John reported he is waiting on a letter from the Health Department regarding Glanville Road. A Preventative Maintenance Service Report will be done on our generators next week. Councilman Young requested a copy of the Mill St. report.

Highway/Recycling-Kerry Smith: Kerry is asking Council Members to assist him in reaching out to our County Legislator in regards to trying to get a guardrail placed on Sand Beach Road in front of Lakeview Cemetery. He also noted the cost of a brush grinder and fuel amounts to \$3700.00 to grind the mulch pile. He would like feedback on possibly closing off dumping brush to certain times and days of the week. Discussion was made regarding a fork lift for Christmas decorations at the traffic circle. Councilman Young also requested at the next meeting Kerry provide his Agreement to Spend.

Requests and Comments of the Board: Councilman Oltz informed the board he is looking into getting ID Badges for the town employees that need to visit residential properties in the town.

Budget Transfers/Amendments: Motion to approve made by Councilman Young, seconded by Councilman Ward. 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

Abstracts:

General Fund	\$16,199.99	Motion to approve made by Councilman Young, 2 nd by Councilman Ward. APPROVED AYES 5-0
Highway Fund	\$16,382.24	Motion to approve made by Councilman Oltz, 2 nd by Councilman Young. APPROVED AYES 5-0
Water District #1	\$29,874.85	Motion to approve made by Councilman Dudek, 2 nd by Councilman Oltz. APPROVED AYES 5-0
Sewer Fund	\$22,834.06	Motion to approve made by Councilman Ward, 2 nd by Councilman Dudek. APPROVED AYES 5-0
Refuse Fund	\$ 1,512.95	Motion to approve made by Councilman Young, 2 nd by Councilman Dudek. APPROVED AYES 5-0
Water District Capital Project	\$22,077.03	Motion to approve made by Councilman Oltz, 2 nd by Councilman Ward. APPROVED AYES 4-0 Councilman Young abstained from vote.
Special Lighting District	\$ 165.43	Motion to approve made by Councilman Young, 2 nd by Councilman Oltz. APPROVED AYES 5-0

Adjournment: Motion to adjourn made by Councilman Dudek, seconded by Councilman Young. The time was 7:20 p.m. APPROVED AYES 5-0

Respectfully Submitted,

Jo Anne Cox, Fleming Town Clerk