

FLEMING TOWN BOARD MEETING
SEPTEMBER 14, 2015

Call to Order by Supervisor Gary B. Searing at 6:00 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 Gerald Dudek
Councilman Fritz Allen
Councilwoman Ellen DelloStritto
Councilman Don Oltz
also present: Attorney Dale Yates
Constable Al Parsons

Approval of Minutes: Motion was made by Councilwoman DelloStritto to approve minutes from 8/10/2015 and 8/31/2015 as presented by Town Clerk Jo Anne Cox, seconded by Councilman Oltz.
APPROVED AYES 5-0

Public Hearing: A brief presentation was made by Robert Faynor of 98 Still Meadow Lane, Auburn, NY for approval of a Special Use Permit to open a Private Investigative Company at his home. He explained the neighborhood would in no way be affected since they are surrounded by vacant land. The traffic in and out of a home office would be minimal. Motion to approve his request was made by Councilman Oltz, seconded by Councilwoman DelloStritto. At this time the Public Hearing is now closed. This motion was approved on the following roll call:

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|---------------------------|-----|
| Councilman Dudek | YES |
| Councilman Allen | YES |
| Councilwoman DelloStritto | YES |
| Councilman Oltz | YES |
| Supervisor Searing | YES |

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

Old Business:

- (a) Brent Rosiek of Clark Patterson Lee spoke on behalf of Thomas Carpenter in regards to their recommendation of accepting a Base Bid in the amount of \$993,184.25 from D. E. Tarolli, Inc. for the 2014 Water Improvements. Motion to pass a Resolution was made by Councilman Oltz, seconded by Councilwoman DelloStritto. This was approved on the following roll call:

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| Councilman Dudek | YES |
| Councilman Allen | YES |
| Councilwoman DelloStritto | YES |
| Councilman Oltz | YES |

Supervisor Searing

YES

- (b) Brent Rhodes residing at 5696 Silver Street Road, Auburn, NY presented a signed Easement and a set of plans as requested by the Town Board to enable him to hook up to an existing sanitary sewer line on the property owned by Brian Gambrell residing at 2642 Quicksilver Drive, Auburn, NY. This was also approved by John Carter, Public Works and Thomas Carpenter of Clark Patterson Lee, the Town Engineer pending the Easement. Motion to approve was made by Supervisor Searing, seconded by Councilman Allen. This was approved on the following roll call:

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|---------------------------|-----|
| Councilman Dudek | YES |
| Councilman Allen | YES |
| Councilwoman DelloStritto | YES |
| Councilman Oltz | YES |
| Supervisor Searing | YES |

- (c) Councilman Oltz and Councilman Dudek after meeting with Fred Farrell and Steve Tardibone reported back to the Town Board on their recommendations of the Surplus Land. They felt the presentation was excellent but it would be better suited at a different venue. Attorney Dennis Sedor representing Sean Lattimore spoke on his behalf reiterating what Sean's long term plan is. Motion was made by Councilman Oltz on the **Resolution To award the Town of Fleming Excess Real Property bid of Parcel 123.18-1-81proximately .94 acres, perimeter 825 feet and Parcel 123.18-1-82 approximately .06 acres, perimeter 290 feet to: Sean P. Lattimore at a cost of \$18,000.00. With all conditions met, Town Supervisor Gary B. Searing may enter into agreement with said bidder**, seconded by Councilwoman DelloStritto. This Resolution is subject to a 30 day Referendum. This was approved on the following roll call:

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| Councilman Dudek | YES |
| Councilman Allen | YES |
| Councilwoman DelloStritto | YES |
| Councilman Oltz | YES |
| Supervisor Searing | YES |

New Business:

- (a) Motion was made by Councilman Dudek to reschedule October monthly meeting to Wednesday, October 14th at 6:00 pm due to Columbus Day holiday, seconded by Councilman Oltz. APPROVED AYES 5-0
- (b) Motion was made to schedule a Public Hearing for **Local Law No. 4 of 2015 A Local Law to override the tax levy limit established in N.Y. General Municipal Law 3-c** by Councilwoman DelloStritto, seconded by Councilman Oltz. APPROVED AYES 5-0
- (c) Motion was made by Councilman Oltz to approve water and sewer unit's additions and subtractions for the year 2016, seconded by Councilwoman DelloStritto. APPROVED AYES 5-0
- (d) Motion to approve a 2 year Penn Power Generator Contract was made by Councilman Allen, seconded by Councilman Oltz. APPROVED AYES 5-0

(e) Motion to approve purchase of a generator in 2015 from E & V Energy at a cost of \$13,773.00 was made by Councilwoman DelloStritto, seconded by Councilman Allen. This was approved on the following roll call:

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|---------------------------|-----|
| Councilman Dudek | YES |
| Councilman Allen | YES |
| Councilwoman DelloStritto | YES |
| Councilman Oltz | YES |
| Supervisor Searing | YES |

(f) Paul Skufca of Milton Cat made a presentation to the board on behalf of Highway Kerry Smith regarding the benefits of a purchase/leasing option on a 2015 Caterpillar 930M. The NYS bidding contract period expires October 31, 2015. If the contract were signed before October 31, 2015 we would then trade the Komatsu Loader in 2016 and payment would not be due until January of 2017. Therefore this would need to be budgeted for 2017.

Building Code/Zoning Enforcement Officer-Don Bowen: Don submitted his monthly report. He also spoke regarding election signage reminding everyone of the Town of Fleming 45 day rule.

Highway/Recycling-Kerry Smith: Kerry reported they are wrapping up the summer seasonal work. Also mentioned the new hire Dillon Smith is working out well. Kerry is getting bids for building and ground work that needs to be done such as a cement work and a Handicap Accessible door into the clerk's office. Also, the possibility of a cleanup day for the town and informed there was a voltage surge at Pump Station 7.

Requests and Comments of the Board: None

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

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

Supervisor's Report: Motion to approve was made by Councilwoman DelloStritto, seconded by Councilman Oltz. APPROVED AYES 5-0

Approval of Bills for Payment:

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|-------------------|-------------|---|
| General Fund | \$15,890.25 | Motion to approve was made by Councilwoman DelloStritto, 2 nd by Councilman Allen. APPROVED AYES 5-0 |
| Highway Fund | \$39,643.74 | Motion to approve was made by Councilman Dudek, 2 nd by Councilman Oltz. APPROVED AYES 5-0 |
| Water District #1 | \$42,024.01 | Motion to approve was made by Councilman Allen, 2 nd by Councilwoman DelloStritto. APPROVED AYES 5-0 |

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|-----------------------------------|-------------|--|
| Sewer Fund | \$20,294.81 | Motion to approve was made by Councilman Oltz, 2 nd by Councilman Allen. APPROVED AYES 5-0 |
| Refuse Fund | \$752.84 | Motion to approve was made by Councilwoman DelloStritto, 2 nd by Councilman Dudek. APPROVED AYES 5-0 |
| Special Lighting District | \$172.19 | Motion to approve was made by Councilwoman DelloStritto, 2 nd by Councilman Allen. APPROVED AYES 5-0 |
| Water District Capital Project | \$5,619.65 | Motion to approve made by Councilman Dudek, 2 nd by Councilman Allen. APPROVED AYES 5-0 |

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

Respectfully Submitted,

Fleming Town Clerk