

## FLEMING TOWN BOARD MEETING

JANUARY 14, 2019

Call to Order by Supervisor Don Oltz 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 Don Oltz  
Councilwoman Karen VanLiew  
Councilman Russ Bell  
Councilman Jim Young  
Councilman David Ward            Absent  
also present: Town Attorney Michael D. Quill, Jr.  
Attorney Mathew T. Kerwin, Barclay Damon, LLP  
Timothy C. Buhl, P.E.

Motion was made by Councilman Young to approve minutes as presented by Town Clerk Jo Anne Cox for 12/10/2018, 12/27/2018 and 1/3/2019, seconded by Councilwoman VanLiew. Ayes 4-0

Public Hearing: **DuMond Special Use Permit**

Tim Buhl spoke regarding a letter received from Clarke Patterson Lee dated January 11, 2019 pertaining to the DuMond Grain, LLC Expansion Site Plan Review. Tim went over each question presented by Clark Patterson Lee and addressed with a response now satisfying the Town Board members.

Motion was made by Councilman Bell to open the Public Hearing, seconded by Councilman Young. Ayes 4-0

Doug Young of Spruce Haven Farms and Maureen Riester resident of Fleming both commented they fully support the project.

Motion to close the Public Hearing was made by Councilman Young, seconded by Councilwoman VanLiew. Ayes 4-0

Mathew T. Kerwin, attorney for Barclay Damon, LLP proceeded to walk the board thru all the parts of the SEQRA Review. Given the answers from the board, Matt recommends to issue a Negative Declaration. Motion was made by Councilman Young to Declare a Negative Declaration Unlisted Action, seconded by Councilman Bell. Ayes 4-0

Motion was made by Councilman Bell to approve a **“Resolution of the Town Board determining that a Special Use Permit be issued to DuMond Grain, LLC to construct and operate a Soybean Processing Plant”**, seconded by Councilwoman VanLiew. Ayes 4-0

Public to Be Heard: Webb Dimon of 5040 State Route 34 asked a question regarding the progress on the Phase IIA Water Project. Supervisor Oltz replied Randsco Pipeline, Inc. will be starting next week.

New Business:

- (a) Motion to appoint Bill Gabak as Zoning Officer was made by Councilman Young, seconded by Councilwoman VanLiew. Ayes 4-0
- (b) Motion to accept a letter of resignation from Tom Giltner as Chairman of the B.A.R. and to appoint Lorie Colbert as Chairwoman to fill out his unexpired term; also appoint Jeff Schiminske to the B.A.R. to fill her unexpired term was made by Councilwoman VanLiew, seconded by Councilman Bell. Ayes 4-0
- (c) Motion was made by Councilman Bell to appoint Kathy Taylor as Chairwoman of ZBA to fill out Bill Gabak's unexpired term and appoint Jason Schenck to fill out Kathy's unexpired term as a full member; also to appoint Maureen Riester as a ZBA Alternate. This was seconded by Councilman Young. Ayes 4-0
- (d) Motion was made by Councilman Young for Bookkeeper Lisa Schiminske to now pay our monthly Excellus bill online, seconded by Councilwoman VanLiew. Ayes 4-0
- (e) Motion to approve a truck purchase from Tracey Road Equipment at a cost of \$222,685.82 for the Highway Department as presented by Kerry Smith Highway Superintendent was made by Councilman Young, seconded by Councilman Bell. Ayes 4-0

Building Codes Officer-Harold Gilfus: Don Bowen gave his final report for the month of December 2018 and entertained any questions the board had. Don then introduced Harold Gilfus as the new Code Enforcement Officer. Harold addressed the board regarding his hours and his previous experience as a Code Enforcement Officer.

Zoning Officer-Don Bowen: Don addressed the board with any questions pertaining to Zoning.

Assessor-Jeff Bartholomew: Jeff spoke on the upcoming informative Assessment Meetings to be held on February 26<sup>th</sup> & 27<sup>th</sup>. He also noted a postcard reminder will be mailed to each resident. A letter will follow on March 1<sup>st</sup> showing your new assessment at 100%, as well as the procedure to speak with the assessor if you disagree. Formal grievance day will be Tuesday, May 28, 2019.

Utilities Department-John Carter: John stated Water & Sewer has been fairly quiet. Sewer tech checks are now complete at all pump stations.

Highway/Recycling-Kerry Smith: Kerry discussed the preliminary date for the Clean-up Day as Saturday, June 1<sup>st</sup> this year. We will discuss the brush pile grinding at the next meeting.

Town Clerk's Report: Motion to approve made by Councilman Young, seconded by Councilwoman VanLiew. Ayes 4-0

Supervisor's Report: Motion to approve made by Councilwoman VanLiew, seconded by Councilman Bell. Ayes 4-0

Approval of Bills for Payment:

General Fund	\$35,020.01	Motion to approve made by Councilman Bell, 2 <sup>nd</sup> by Councilman Young. Ayes 4-0
Highway Fund	\$15,525.54	Motion to approve made by Councilwoman VanLiew, 2 <sup>nd</sup> by Councilman Young. Ayes 4-0

Water District #1	\$16,213.95	Motion to approve made by Councilman Young, 2 <sup>nd</sup> by Councilwoman VanLiew. Ayes 4-0
Sewer Fund	\$28,729.49	Motion to approve made by Councilman Young, 2 <sup>nd</sup> by Councilman Bell. Ayes 4-0
Special Lighting	\$175.43	Motion to approve made by Councilman Bell, 2 <sup>nd</sup> by Councilman Young. Ayes 4-0

Motion was made by Councilman Young for Supervisor Oltz to be the Voting Delegate and Councilman Ward to be the Alternate when they attend the Annual Business Session of the Association of Towns of the State of New York to be held February 20, 2019, seconded by Councilman Bell. Ayes 4-0

Executive Session: Motion to move into Executive Session for personnel reasons made by Councilman Bell, seconded by Councilman Young. Ayes 4-0 Motion to move back into open session made by Councilman Bell, seconded by Councilman Young. Ayes 4-0 Approval was made to pay Don Bowen by stipend for his additional services at a rate of \$30.00 per hour for his consultation.

Motion to adjourn at 7:44 p.m. was made by Councilwoman VanLiew, seconded by Councilman Bell. Ayes 4-0

Respectfully Submitted,

Town Clerk