

**FLEMING TOWN BOARD MEETING**

**AUGUST 10, 2020**

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  
Councilman Jim Young  
Councilman Russ Bell  
Councilman David MacDonald  
Councilwoman Karen VanLiew

also present: Town Attorney Michael D. Quill Jr.

Motion to approve minutes from 7/13/2020 as presented by Town Clerk Jo Anne Cox was made by Councilwoman VanLiew, 2<sup>nd</sup> by Councilman Bell. Ayes 5-0.

Old Business:

- (a) Motion to reopen the Public Hearing for the DuMond Special Use Permit was made by Councilman Young, 2<sup>nd</sup> by Councilwoman VanLiew. Ayes 5-0. Todd DuMond addressed the board on the modifications for the SUP that needed clarification from last month's meeting. The guidelines to approve the SUP are as follows:
1. Decline request letter for open or closed door operation.
  2. Decline request to continue truck washing until further investigation. DuMond needs to supply a letter from DEC stating they do not need a speedies permit.
  3. Comply with decibel readings as stated in Town of Fleming Zoning Law.
  4. Comply with all OSHA standards that apply.
  5. Towns right to revisit noise levels.

Motion to approve the DuMond Amended SUP was made by Councilman Young, 2<sup>nd</sup> by Councilman Bell. This was approved on the following roll call:

Councilwoman VanLiew	Yes
Councilman Bell	Yes
Councilman MacDonald	Yes
Councilman Young	Yes
Supervisor Oltz	Yes

Motion to close the Public Hearing was made by Councilman Young, 2<sup>nd</sup> by Councilwoman VanLiew. Ayes 5-0.

- (b) Jeff Davis, Attorney for Barclay Damon, addressed the board in regards to the APC Towers LLC and Verizon Wireless request to construct a Telecommunication Tower at Ridge Road, Town of Fleming. Councilman Young made a motion to Declare Intent to be Lead Agency, 2<sup>nd</sup> by Councilwoman VanLiew. Ayes 5-0. Mr. Davis then went over a series of questions for the Type 1 SEQR Determination. Motion to Declare a Negative Declaration was made by Councilman Young,

2<sup>nd</sup> by Councilman Bell. This was approved on the following roll call:

Councilman Bell	Yes
Councilwoman VanLiew	Yes
Councilman Young	Yes
Councilman MacDonald	Yes
Supervisor Oltz	Yes

- (c) Motion to set a Public Hearing for a SUP for APC Towers and Verizon Wireless for September 14, 2020 was made by Councilwoman VanLiew, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.
- (d) Motion to set a Public Hearing for proposed Local Law for Rental Registry was set for September 14, 2020 by Councilman Bell, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.
- (e) Motion to set a Public Hearing for a SUP for Spruce Haven Farms for September 14, 2020 was made by Councilwoman VanLiew, 2<sup>nd</sup> by Councilman Bell. Ayes 5-0.

New Business:

- (a) September 17, 2020 at 9:00 a.m. was the date set for our 1<sup>st</sup> 2021 Budget Workshop.
- (b) A motion was made by Councilman Young, 2<sup>nd</sup> by Councilwoman VanLiew to have a letter drafted to Mr. Saville, the owner of the Cemetery bench that was damaged, instructing him to turn it over to his home owners insurance. The Town is not responsible for the cost of repairs. Ayes 5-0.
- (c) A motion was made by Councilman Young, 2<sup>nd</sup> by Councilman MacDonald to approve a decision by the board not to give relief on the Ashby water bill. We will see what future reads will be and make a better determination at that point. Ayes 5-0.

Building Codes Officer-Harold Gilfus: Harold reviewed his monthly report with the board.

Zoning Officer-Bill Gabak: Absent but submitted his monthly report.

Assessor-Jeff Bartholomew: Absent

Utilities Department-John Carter: Absent

Highway/Recycling-Kerry Smith: Absent

Requests & Comments of the Board: Councilman Young was inquiring on yearly training town employees are expected to participate in. Supervisor Oltz informed him we now have a monitor in the board room and will all be able to take classes via zoom.

Motion to approve Budget Transfers as presented by Bookkeeper Lisa Schiminske was made by Councilman Young, 2<sup>nd</sup> by Councilman Bell. Ayes 5-0.

Motion to approve Town Clerk's Report as presented by Town Clerk Jo Anne Cox was made by Councilman Young, 2<sup>nd</sup> by Councilwoman VanLiew. Ayes 5-0.

Motion to approve Supervisor's report as submitted by Town Supervisor Don Oltz was made by Councilman Bell, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.

Approval of Bills for Payment:

General Fund	\$4,037.91	Motion to approve was made by Councilman Young, 2 <sup>nd</sup> by Councilman Bell. Ayes 5-0.
Water District #1	\$103,402.40	Motion to approve made by Councilman Young, 2 <sup>nd</sup> by Councilman Bell. Ayes 5-0.
Sewer Fund	\$13,820.23	Motion to approve made by Councilwoman VanLiew, 2 <sup>nd</sup> by Councilman Young. Ayes 5-0.
Highway Fund	\$6,190.26	Motion to approve made by Councilman MacDonald, 2 <sup>nd</sup> by Councilman Bell. Ayes 5-0.
Refuse Fund	\$1,710.35	Motion to approve made by Councilman Young, 2 <sup>nd</sup> by Councilman Bell. Ayes 5-0.

Motion to adjourn was made by Councilman Bell at 7:35 p.m., 2<sup>nd</sup> by Councilwoman VanLiew. Ayes 5-0.

Respectfully Submitted,  
Fleming Town Clerk