

**FLEMING TOWN BOARD MEETING
OCTOBER 14, 2020**

Call to Order by Town Supervisor Town 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
Councilwoman Karen VanLiew
Councilman Russ Bell
Councilman David MacDonald

also present: Town Attorney Michael D. Quill Jr.
Attorney Andrew Leja
Bob Foxen-Global Common Energy, LLC

Motion was made by Councilman Young to approve minutes from 9/14/2020 and 9/17/2020 as presented by Town Clerk Jo Anne Cox, 2nd by Councilwoman VanLiew. Ayes 5-0.

PUBLIC HEARINGS:

Spruce Have Farm

Motion was made by Councilman Young to open the Public Hearing for the continuation of the Spruce Haven Farm's Special Use Permit Amendment, 2nd by Councilwoman VanLiew. Ayes 5-0. A presentation was given by Bob Foxen an engineer for Global Common Energy, LLC. He addressed questions from the board. Motion to close the Public Hearing was made by Councilman Young, 2nd by Councilwoman VanLiew. Ayes 5-0. Motion was made by Councilwoman VanLiew to adopt a **"RESOLUTION OF THE TOWN BOARD AMENDING SPRUCE HAVEN FARM'S SPECIAL USE PERMIT TO ALLOW GLOBAL COMMON ENERGY, LLC TO INSTALL AND OPERATE A BIOGAS UPGRADING SYSTEM THAT WILL CONVERT BIOGAS TO RENEW ABLE NATURAL GAS THAT WILL BE INJECTED INTO AN ADJACENT PIPELINE MAINTAINED BY NEW YORK STATE ELECTRIC & GAS CORPORATION"**, 2ND by Councilman Young. This was approved on the following roll call:

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

Rental Registry

Motion was made by Councilman Young to continue the Public Hearing for discussion on the proposed Zoning for Rental Registry and Open Burning, 2nd by Councilwoman VanLiew. Ayes 5-0. No comments from the public either written or verbal. Motion to close the Public Hearing was made by Councilman Young, 2nd by Councilwoman VanLiew. Ayes 5-0. Attorney Andy Leja proceeded with the Rental Registry SEQRA process. He explained the Town Board needed to go thru a series of questions, which resulted in declaring and identifying the action as an Unlisted Action and declaring a Negative Declaration under

SEQRA. Motion to accept **“A Local Law Establishing a Property Rental Registry in the Town of Fleming”** was made by Councilman Young, 2nd by Councilman Bell. This was approved on the following roll call:

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

Open Burning

Attorney Andrew Leja continued with the SEQRA process for the Open Burning. He again went thru a series of questions, which resulted in declaring and identifying the action as an Unlisted Action and declaring a Negative Declaration under SEQRA. Motion to accept **“A Local Law Amending the Town of Fleming Zoning Law to Regulate Open Burning”** was made by Councilman Young, 2nd by Councilman MacDonald. This was approved on the following roll call:

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

Stephanie Short Daycare

Motion was made by Councilwoman VanLiew to open the Public Hearing for the proposed Special Use permit for Stephanie Short to run a daycare facility located at 12 Rosewood Drive, 2nd by Councilman Young. Ayes 5-0. Stephanie via zoom addressed any concerns the board had. Motion to close the Public Hearing was made by Councilman Young, 2nd by Councilman MacDonald. Ayes 5-0. Motion to approve the Special Use Permit for a Daycare Facility with provisions was made by Councilwoman VanLiew, 2nd by Councilman MacDonald. This was approved on the following roll call:

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

NEW BUSINESS:

- (a) Motion was made by Councilman Young to approve Water/Sewer Unit Changes as presented by Water Billing Clerk Cindy Schiminske, 2nd by Councilman MacDonald. Ayes 5-0.
- (b) Discussion was made regarding a request from Rick Nelson for \$7500.00 for PER (Public Engineer Review) funding for an extension of our water line out West Lake Road. The board feels Rick should pursue OWLA & OLWMC for the donation first. Supervisor Oltz will also consult with our Town Attorney and let Mr. Nelson know the outcome.

(c) Discussion was made regarding a water usage issue for resident Thomas Quinn located at 2602 Glanville Road. His quarterly bill was \$4308.45. The board decided they are willing to forgo a re-levy and let him make installments. A letter will be drafted to him.

Building Codes Officer Harold Gilfus-Harold presented a monthly written report addressing a couple of questions from the board members.

Zoning Officer Bill Gabak-Bill commented how things have slowed down. He stated he has sent a letter to the county regarding an abandoned property at 5805 West Lake Road asking for some lawn maintenance to be done.

Assessor Jeff Bartholomew-Jeff also stated things are quite slow and that he is simply working on exemptions.

Utilities John Carter-John noted nothing to report in water. Pump Stations have been painted and cleaned up, three homes on Dunning Ave now have meter's hooked up. He also mentioned two new homes will be tapping into the water on Mobbs Road and Stone School Road.

Highway / Recycling Kerry Smith-Kerry stated they are getting all vehicles ready for winter plowing. He also said he would be getting a contract from Verizon soon for the installation of cameras in the town trucks.

Motion to approve Budget Transfers was made by Councilman Young, 2nd by Councilwoman VanLiew. Ayes 5-0.

Motion to approve a corrected August 2020 Town Clerk's report and a September 2020 Town Clerk's report was made by Councilman Young, 2nd by Councilwoman VanLiew. Ayes 5-0.

Motion to approve the Town Supervisor's report was made by Councilwoman VanLiew, 2nd by Councilman MacDonald. Ayes 5-0.

APPROVAL OF BILLS FOR PAYMENT:

General Fund	\$12,691.61	Motion to accept made by Councilman Young, 2 nd by Councilman Bell. Ayes 5-0.
Highway Fund	\$9,827.33	Motion to accept made by Councilwoman VanLiew, 2 nd by Councilman MacDonald. Ayes 5-0.
Water District #1	\$2,155.27	Motion to accept made by Councilman Bell, 2 nd by Councilman Young. Ayes 5-0.
Sewer Fund	\$41,806.45	Motion to accept made by Councilman Young, 2 nd by Councilwoman VanLiew. Ayes 5-0.
Refuse Fund	\$344.28	Motion to accept made by Councilwoman VanLiew, 2 nd by Councilman MacDonald. Ayes 5-0.
Lake Ave	\$167.43	Motion to accept made by Councilman Young,

Lighting District

2nd by Councilman Bell. Ayes 5-0.

Motion was made by Councilman Young to move into Executive Session pertaining to an individual, 2nd by Councilwoman VanLiew. Ayes 5-0. No Action taken. Motion to move back into Open Session was made by Councilwoman VanLiew, 2nd by Councilman Young. Ayes 5-0.

Motion to adjourn was made by Councilman Young, 2nd by Councilwoman VanLiew. Ayes 5-0. The time was 8:10 P.M.

Respectfully Submitted,
Fleming Town Clerk