

**FLEMING TOWN BOARD MEETING  
AUGUST 9, 2021**

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 Maureen Riester  
Councilman Russ Bell  
Councilman David MacDonald  
Councilwoman Karen VanLiew  
also present: Town Attorney Michael D. Quill, Jr.  
Duane Shoen, CPA for Insero & Co.

PUBLIC HEARINGS/PRESENTATIONS:

- (a) Motion to open the Public Hearing for the David Wilczek Special Use Permit was made by Councilman Bell, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0. The Special Use Permit would be to install a Greenhouse located at 4881 State Rte 34, Auburn, NY to raise produce to sell at Farmers Markets. Supervisor Oltz stated this has been before the Zoning Board of Appeals and they had no objections. Motion to close the Public Hearing was made by Councilwoman VanLiew, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.

Motion was made by Councilman Bell to approve the Short Environmental Assessment Form-Part 1-Project Information, 2<sup>nd</sup> by Councilwoman VanLiew. This was approved on the following roll call:

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

Motion to approve the Short Environmental Assessment Form Part 2-Impact Assessment was made by Councilwoman VanLiew, 2<sup>nd</sup> by Councilman MacDonald. This was approved on the following roll call:

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

Motion to approve the Short Environmental Assessment Form Part 3-Determination of Significance was made by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman VanLiew. This was approved on the following roll call:

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

Motion to Declare a Negative Declaration was made by Councilman Bell, 2<sup>nd</sup> by Councilman MacDonald. This was approved on the following roll call:

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

Motion to approve the Wilczek Special Use Permit was made by Councilman Bell, 2<sup>nd</sup> by Councilman MacDonald. With the following 2 conditions:

1. Any amendments to the project shall be reviewed by the Town Board to whether the SUP requires modification.
2. In the event the applicant fails to comply with the terms set forth this SUP shall be revoked upon resolution of the Town Board.

With that said, it was approved on the following roll call:

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

- (b) A 2020 Audit Presentation was made by Duane Shoen, CPA for Insero & Co. The Board had no comments or questions therefore Councilman Bell made a motion to **Accept the Audited Financial Reports and the Justice Court Audit**, 2<sup>nd</sup> by Councilwoman VanLiew. This was approved on the following roll call:

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

NEW BUSINESS:

- (a) Motion was made by Councilman MacDonald to appoint Dwight Wilde full-time MEO, retroactive to 7/6/2021, 2<sup>nd</sup> by Councilwoman Riester. Ayes 5-0.
- (b) Motion was made by Councilman Bell to appoint Alvin Howell part-time Water & Sewer Maintenance Mechanic, retroactive to 7/26/2021, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.
- (c) Motion to approve a 2 year PENN Power Systems contract at a cost of \$5,592.00 was made by Councilwoman VanLiew, 2<sup>nd</sup> by Councilman Bell. Ayes 5-0.

- (d) The date was set for our 1<sup>st</sup> Budget Workshop in September to be held Tuesday, September 14<sup>th</sup> at 9:00 a.m. Worksheets due back to Bookkeeper by August 31<sup>st</sup>.
- (e) Motion was made by Councilwoman Riester to approve a TiSales quote of \$7,591.30 for mobile data collector for meter readings, 2<sup>nd</sup> by Councilman Bell. Ayes 5-0.
- (f) Motion was made by Councilwoman VanLiew to set a Public hearing for September 13<sup>th</sup> regarding the **Local Law Opting out of Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites in the Town of Fleming**, 2<sup>nd</sup> by Councilman Bell. Ayes 5-0.

Motion was made by Councilman MacDonald for Supervisor Oltz after reading aloud, to send the Cayuga County GML 239 I, m&n Review Referral Form to the County Planning Board, 2<sup>nd</sup> by Councilman Bell. Ayes 5-0.

Motion was made by Councilwoman VanLiew to accept the Short Environmental Assessment Form Part-1 Project Information, 2<sup>nd</sup> by Councilman MacDonald. This was approved on the following roll call:

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

Building Codes Officer-Harold Gilfus: Harold submitted his monthly report and addressed questions.

Zoning Officer-Bill Gabak: Bill reported he has been very busy addressing property calls. There will be six different cases going to ZBA on the 19<sup>th</sup>. Also, another Special Use Permit will be in the works for Mr. Lepak on West Lake Rd. for a Marina.

Assessor-Jeff Bartholomew: Jeff was absent but submitted his monthly report. Supervisor Oltz also announced Jeff turned in a resignation letter on July 12<sup>th</sup>. He will stay at the latest December 31, 2021.

Utilities Department-John Carter: Absent. Supervisor Oltz relayed they worked on two water leaks this week. They were on Dublin Road and Route 34B. John also told Don our new hire Alvin Howell is working out well.

Highway/Recycling-Kerry Smith: Absent. Supervisor Oltz passed along Kerry's information stating they are paving the west end of Riester Rd, Lake Ave and Almond Drive. The CHIPS money is now depleted. The overhead door in recycling is now being repaired.

Motion to approve Budget Transfers was made by Councilman Bell, 2<sup>nd</sup> by Councilwoman Riester. Ayes 5-0.

Motion to approve Town Clerk's Report was made by Councilwoman Riester, 2<sup>nd</sup> by Councilman Bell. Ayes 5-0.

Motion to approve Supervisor's Report was made by Councilwoman VanLiew, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.

Approval of Bills for Payment:

General Fund	\$5,763.42	Motion to approve made by Councilwoman VanLiew, 2 <sup>nd</sup> by Councilman MacDonald. Ayes 5-0.
Highway Fund	\$32,306.98	Motion to approve made by Councilman MacDonald, 2 <sup>nd</sup> by Councilman Bell. Ayes 5-0.
Water District #1	\$77,846.49	Motion to approve made by Councilman Bell, 2 <sup>nd</sup> by Councilwoman VanLiew. Ayes 5-0
Sewer Fund	\$15,344.42	Motion to approve made by Councilwoman Riester, 2 <sup>nd</sup> by Councilman MacDonald. Ayes 5-0.
Refuse Fund	\$1,526.15	Motion to approve made by Councilman Bell, 2 <sup>nd</sup> by Councilwoman Riester. Ayes 5-0.

Motion to move into Executive Session was made by Councilwoman Riester, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.

Motion to move back into Open Session was made by Councilwoman Riester, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.

Motion to adjourn at 7:43 p.m. was made by Councilwoman Riester, 2<sup>nd</sup> by Councilman Bell. Ayes 5-0.

Respectfully Submitted,  
Fleming Town Clerk