

FLEMING TOWN BOARD MEETING

February 13, 2023

Call to Order by Supervisor Don Oltz at 6:30 pm followed by the Pledge of Allegiance.

Roll Call by Town Clerk, Anita Casper, found the following Board Members present:

Supervisor Don Oltz
Councilwoman Karen VanLiew
Councilwoman Donna Gilfus
Councilman David MacDonald
Councilwoman Maureen Riester

Also present: Town Attorney, Michael D. Quill, Jr.

Motion to approve minutes as presented by Town Clerk, Anita Casper, with correction of changing CETA to CEDA in the text of "Requests and Comments of the Board", for 1/09/2023 was made by Councilman MacDonald, 2nd by Councilwoman VanLiew. Ayes 5-0.

New Business

- (a) Appoint Suzanne LeFever as" Bookkeeper PT"at \$21/hr. retroactive to 1/16/2023 – a motion to approve was made by Councilwoman Riester, 2nd by Councilwoman Gilfus. Ayes 5-0.

Approval of Bills for Payment:

General Fund	\$392,413.58	Motion to approve by Councilman MacDonald, 2 nd by Councilwoman VanLiew. Ayes 5-0.
Highway Fund	\$12,534.74	Motion to approve by Councilwoman VanLiew, 2 nd by Councilwoman Gilfus. Ayes 5-0.
Water District #1	\$56,880.87	Motion to approve by Councilman MacDonald, 2 nd by Councilwoman Riester. Ayes 5-0.
Sewer Fund	\$33,938.53	Motion to approve by Councilwoman VanLiew, 2 nd by Councilman MacDonald. Ayes 5-0.
Refuse Fund	\$1,820.59	Motion to approve by Councilwoman Riester, 2 nd by Councilman MacDonald. Ayes 5-0.

Public to Be Heard: Supervisor Oltz opened the floor for anyone in attendance that would like to speak. Mr. Don MacDavitt approached the podium and stated that he was told that there would be two fire commissioners which is a change in the corporation. Don assured him that the corporation will remain the same and that was false information. Don also told Mr. MacDavitt and members of fire

department's #1 and #2 in attendance that Brad Pinsky, Esq. would be addressing any and all questions of both departments at their meeting to be held March 7, 2023 regarding the dissolution and formation of the new Fleming Fire District.

New Business Continued:

- (b) Declare 8 new Badger Water Meters surplus – The town has 8 new Badger water meters and we no longer use that model. Therefore, they will be declared as surplus and put online for auction. A motion to approve this was made by Councilwoman VanLiew, 2nd by Councilman MacDonald. Ayes 5-0.
- (c) Renew Corpro contract for cathodic protection at tanks – a motion was made to renew this contract by Councilwoman Riester, 2nd by Councilman MacDonald. Ayes 5-0.

At this time, several fire department members arrived at the meeting; Supervisor Oltz state he would re-open the “Public to be Heard” as a courtesy to those who arrived late. Rick Saxton, Chief of Fleming Fire Department #2 spoke stating that they did not vote in favor of the dissolution of the current fire departments and forming a new fire district. Peter Pinckney spoke and stated he does not agree with changing into a new fire district. Don stated, again, that there is a lot of misinformation among the 2 departments and they should attend the meeting on March 7, 2023 and listen to Brad Pinsky, Esq. explain how the process will work and will answer any and all questions. Mike Bower, 2nd Assistant Fire Chief, department #2, asked for clarification regarding the tax residents will pay with the new fire district.

New Business Continued:

- (d) Fire District Resolutions – Councilwoman Riester read the first, “Resolution on Dissolution of Fleming Fire Protection District” which states a public hearing shall be held on March 20, 2023 at 6:30 pm at the Fleming Town Hall. Motion to pass the resolution was made by Councilman MacDonald, 2nd by Councilwoman VanLiew. Ayes 5-0. Supervisor Oltz asked for a roll call vote:

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

Councilwoman Riester read the second, “Resolution of the Town of Fleming Town Board Pursuant to Town Law § 170 to Form a Fire District” which also states a public hearing will be held on March 20, 2023 at 6:30 pm at the Fleming Town Hall. Motion to pass the resolution was made by Councilwoman Riester, 2nd by Councilman MacDonald. Ayes 5-0. Supervisor Oltz asked for a roll call vote:

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

BUILDING CODES OFFICER – HAROLD GILFUS: Harold submitted his monthly report.

ZONING OFFICER – BILL GABAK: Bill has 2 Special Use Permits he's working on as well as 3 Variance Applications.

UTILITIES DEPT – KARL RINDFLEISCH: Karl was absent. Supervisor Oltz stated that the batteries have been replaced at the pump stations.

HIGHWAY/RECYCLING – KERRY SMITH: Kerry stated that his department is ready for winter weather; they have plenty of salt. South Street Road has been cleaned up following the water main break in the end of December 2022. If the weather remains unseasonably warm he may open the brush pile in March. "Clean Up" Day this year will be held on June 10th. Kerry is still researching the purchase of a new back hoe.

REQUESTS AND COMMENTS OF THE BOARD – Councilwoman Riester stated that she would like to make sure that each person at the public hearing to be held on March 20th is allowed an uninterrupted 3 minutes to speak.

BUDGET TRANSFERS/AMENDMENTS - None

Clerk's Report – Motion made to approve by Councilman MacDonald, 2nd by Councilwoman VanLiew. Ayes 5-0.

Supervisor's Report – Motion made to approve by Councilwoman VanLiew, 2nd by Councilman MacDonald. Ayes 5-0.

Councilwoman Riester made a motion to adjourn at 7:12 p.m. 2nd by Councilwoman Gilfus. Ayes 5-0.

Respectfully Submitted by,

Anita Casper
Fleming Town Clerk