

FLEMING TOWN BOARD MEETING

June 13, 2022

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 Maureen Riester
Councilwoman Donna Gilfus
Councilwoman Karen VanLiew
Councilman David MacDonald was absent

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

Motion to approve minutes as presented by Town Clerk, Anita Casper, for 5/9/2022 was made by Councilwoman VanLiew, 2nd by Councilwoman Riester. Ayes 4-0.

Public Hearings/Specific Presentations:

- (a) Briggs Special Use Permit – a motion was made by Councilwoman Riester to open a public hearing, 2nd by Councilwoman Gilfus. There were no questions or comments regarding the SUP for Mr. Briggs greenhouse construction. Motion to close public hearing was made by Councilwoman VanLiew, 2nd by Councilwoman Gilfus. Ayes 4-0. Supervisor Oltz stated he completed an Environmental Assessment short form for Mr. Briggs project and found that there are no negative impacts in any area. Motion to approve a negative declaration was made by Councilwoman Riester, 2nd by Councilwoman VanLiew, Ayes 4-0. Supervisor Oltz told Mr. Briggs that the SUP is granted with the stipulation that the greenhouse, etc. is specifically for personal/family use. If he intends to grow anything for selling purposes, he would need another permit. Mr. Briggs asked if he could set up a “farm stand” to sell tomatoes without a permit to sell and was told by Supervisor Oltz that he cannot sell to the public under the current SUP. Mr. Briggs questioned if private farm stands in the Town of Fleming have permits for selling small amounts of produce. Councilwoman VanLiew stated that it is legal to do so without a permit if you reside in an agricultural zoned district. Mr. Briggs does not reside in an agricultural zoned district. Motion to approve Mr. Briggs Special Use Permit was made by Councilwoman VanLiew, 2nd by Councilwoman Riester. Ayes 4-0.

New Business

- (a) Set Lepak SUP Public Hearing for July 11, 2022 – Motion to accept by Councilwoman Gilfus, 2nd by Councilwoman Riester. Ayes 4-0.

(b) Resolution to amend Employee Handbook – WHEREAS, discussion with the Highway Superintendent regarding the hiring process has determined that the current rate step procedure for new employees’ salaries has hindered the town in finding and retaining qualified individuals and, WHEREAS, the town needs to be able to attract such qualified individuals, THEREFORE, in a regular session duly convened, the Town Board of Fleming resolves to; ADOPT Amendment #2 to the Town of Fleming Employee Handbook which will eliminate the rate step procedure listed under Salaries and Wages. Resolved by the Town Board of Fleming on June 13, 2022. Motion to approve Amendment #2 by Councilwoman Riester, 2nd by Councilwoman Gilfus. Ayes 4-0. This was passed on the following roll call vote:

Councilwoman Riester	Yes
Councilwoman Van Liew	Yes
Councilwoman Gilfus	Yes
Supervisor Oltz	Yes

(c) Appoint Alvin Howell as Superintendent of Public Works at a salary of \$22,000/year– Motion to approve made by Councilwoman VanLiew, 2nd by Councilwoman Gilfus. Ayes 4-0.

(d) Appoint Adam Bergerstock to MEO position effective June 27, 2022 – Motion to approve by Councilwoman Riester, 2nd by Councilwoman VanLiew. Ayes 4-0.

(e) Resolution Adopting Amendment to Sewer Agreement: WHEREAS, the Town Board of the Town of Fleming, at its monthly Town Board Meeting held on June 13, 2022 hereby resolves to: Authorize the addition of the Cayuga County Water and Sewer Authority (CCWSA) to the Wholesale Sewer Agreement between the City of Auburn and the Towns of Fleming, Owasco, Sennett and Aurelius. Resolved by the Town Board of Fleming on June 13, 2022. Motion to approve the resolution made by Councilwoman VanLiew, 2nd by Councilwoman Riester. Ayes 4-0. This was passed on the following roll call vote:

Councilwoman VanLiew	Yes
Councilwoman Riester	Yes
Councilwoman Gilfus	Yes
Supervisor Oltz	Yes

(f) Approve contract with Cayuga Drug & Alcohol Testing – the current drug testing company the town uses, Evolution Consulting, is very limited in their availability, therefore, the town will contract with Cayuga Drug & Alcohol Testing at comparable pricing. Motion to approve was made by Councilwoman Riester, 2nd by Councilwoman Gilfus. Ayes 4-0.

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

ZONING OFFICER – BILL GABAK: Bill reported that there will be one zoning board meeting on June 16, 2022 regarding the placement of an above ground pool and July’s meeting, on 7/21/22, there may be a proposal for a minor subdivision on Mobbs Road.

ASSESSOR – TAMMY SCHRAMM: Tammy submitted her monthly report.

UTILITIES DEPT – Supervisor Oltz reported as John Carter has retired. Don stated there have been several sewer clogs due to residents flushing baby wipes down the toilet. A notice will go up on the website discouraging this practice and postcards will be mailed out advising residents of this problem. Issues with pump station #7 are ongoing.

HIGHWAY/RECYCLING – KERRY SMITH: Kerry would prefer to opt out of the contract with Cayuga County to plow and salt the section of Bluefield Road between Route #34B and Skillet Road this year. It's only about 600 ft. of road space and the cost of salt, manpower etc., is not feasible. Hunt Engineering group is advising Kerry regarding bridge work on Dietrich and Dougal roads. Project for next week is repairing road on Lake Avenue Extension. Motion to approve opting out of plowing/salting contract with Cayuga County for a section of Bluefield Road was made by Councilwoman VanLiew, 2nd by Councilwoman Gilfus. Ayes 4-0.

REQUESTS & COMMENTS OF THE BOARD:

Councilwoman Riester requested that the town's website be better utilized with regard to calendars, upcoming town events, etc. Supervisor Oltz thanked all those who volunteered for the "Clean up" day on Saturday, June 11, 2022. Don also stated that he, Kerry Smith, Lisa Schiminske and Alvin Howell will be meeting with a representative from the NYS Department of Labor to discuss "Prevailing Wage" this Wednesday, June 15, 2022. Thursday, June 16, 2022 gentleman coming in to demonstrate how to use a water/sewer locator to detect blockages and/or leaks with GPS in the system. Alvin Howell made an agreement to let the Town of Fleming borrow this device for a week to learn how to use it.

Clerk's Report – Motion made to approve by Councilwoman Riester, 2nd by Councilwoman VanLiew. Ayes 4-0.

Supervisor's Report – Motion made to approve by Councilwoman VanLiew, 2nd by Councilwoman Gilfus. Ayes 4-0.

Approval of Bills for Payment:

General Fund	\$17,249.45	Motion to approve by Councilwoman Riester, 2 nd Councilwoman Gilfus. Ayes 4-0
Highway Fund	\$4,780.10	Motion to approve by Councilwoman VanLiew, 2 nd Councilwoman Riester. Ayes 4-0
Water District #1	\$74,405.13	Motion to approve by Councilwoman Riester, 2 nd Councilwoman Gilfus. Ayes 4-0
Sewer Fund	\$46,167.42	Motion to approve by Councilwoman Riester, 2 nd Councilwoman VanLiew. Ayes 4-0
Refuse Fund	\$1,857.50	Motion to approve by Councilwoman VanLiew, 2 nd

Councilwoman Gilfus. Ayes 4-0

Lighting Districts (2) \$202.70

Motion to approve by Councilwoman Riester, 2nd
Councilwoman Gilfus. Ayes 4-0.

Motion to adjourn at 7:10 p.m. made by Councilwoman Riester, 2nd by Councilwoman Gilfus. Ayes 4-0

Respectfully Submitted,
Fleming Town Clerk