

FLEMING TOWN BOARD MEETING

May 8, 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.

A motion to approve the minutes as presented by Town Clerk, Anita Casper, for March 20, 2023(amended minutes) was made by Councilwoman Riester, 2nd by Councilwoman Gilfus. Ayes 5-0. A motion to approve the minutes for April 10, 2023 was made by Councilman MacDonald, 2nd by Councilwoman VanLiew. Ayes 5-0.

NEW BUSINESS:

- (a) Mike Brown water meter issue – Mr. Brown took the podium and stated there is a discrepancy in his quarterly water bill after the installation of a new water meter in May 2022. He claimed that his water usage increased approximately 10,000 gallons between the meter reading in May and the reading in August and then decreased by the same amount between the reading in November and February. Mr. Brown feels that the new meter installed in May of 2022 and then taken out and replaced in February 2023 with another new meter was malfunctioning and caused the increase in water usage which resulted in an increase in his water/sewer bills. Supervisor Oltz stated that the town employees that installed the meters said they heard water running as if there was a leak somewhere. Mr. Brown stated he had not done any work to his plumbing in years and the water that was heard running was from flushing a toilet. Supervisor Oltz asked Kerry Smith to address the problem. Kerry stated that the meter in question was installed in another home and was working accurately and he also checked with the company that makes the meters and found that the meters are not capable of malfunctioning the way Mr. Brown is suggesting. Kerry stated that with the information retrieved from the meters and with speaking with the company representative that a leak must have been present and the meter did not malfunction. Mr. Brown did not agree with these findings and left the meeting. A motion to not provide relief for Mr. Brown's water bill was made by Councilman MacDonald, 2nd by Councilwoman Gilfus. Ayes 5-0.

HIGHWAY/RECYCLING – KERRY SMITH: Introduced the new part time recycling attendant, Melissa Deyo. Kerry then went over the Agreement for the Expenditure of Highway Moneys explaining how the total of

\$160,000.00 will be used for primary work, general repairs and improvements on specific roads within the town of Fleming for this year. Councilman MacDonald stated he will look into municipal interest rates for loans to purchase new equipment for the highway department. All prices/quotes stated in the Agreement to Spend are subject to change and Kerry will notify Supervisor Oltz when and if there are changes.

(b) Resolution to adopt workday for David Wawrzaszek for NYS Retirement – Due to the fact that the town of Fleming reduced the number of Town Justices from 2 to 1, David is working more hours and will affect his retirement benefits. A motion to adopt this resolution was made by Councilwoman Riester, 2nd by Councilman MacDonald. Ayes 5-0. The resolution was adopted on the following roll call vote:

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

(c) Approve quote from Modern Masonry for \$8,147.00 for masonry work – for new sidewalks around the town building. A motion to approve this quote was made by Councilman MacDonald, 2nd by Councilwoman Gilfus. Ayes 5-0.

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

ZONING OFFICER – BILL GABAK: Bill was absent. Supervisor Oltz stated that Chantel Marie has been having events that are continuing past the time agreed to in their Special Use Permit. Bill went there on Saturday evening, May 6, 2023 to check on the current event and they were shutting it down at 9:00 p.m. as per the agreement. A resident of the village is operating a home business without a Special Use Permit. Therefore, Bill has spoken with the resident regarding this matter and he has refused to comply. Because the resident is renting the property he’s using for the business, the property owner has been contacted and per Bill’s conversation with Zoning Attorney, Mr. Germain, the owner must submit to the town a notarized letter giving the renter permission to apply for the Special Use Permit and the renter must comply with the request or cease operating the business.

ASSESSOR – TAMMY SCHRAMM: Tammy was absent but submitted her monthly report.

UTILITIES DEPT – KARL RINDFLEISCH: Karl was absent. Supervisor Oltz stated that things are running smoothly. Waiting on 3 manholes to be rehabbed.

REQUESTS AND COMMENTS OF THE BOARD – Councilwoman Riester stated that she and Councilwoman VanLiew have met with town historian, Sheila Tucker, regarding the 200 year celebration for the town of Fleming. They have secured the Masonic Lodge to host the event as well as Dugan’s Food Truck and Poppy’s ice cream truck for a date to be determined in August 2023. Councilwoman Riester suggested we find an application which would enable the town to gather all the residents email addresses to be used for notification of special events and emergency notifications. Supervisor Oltz asked what the cost would be and what would it be used for. He also stated that if the town does get possession of the

resident's emails, the information can only be used for town related business. Don stated that the board will discuss and vote on the possibility of utilizing emails at a later date. Councilwoman VanLiew stated that Sheila Tucker is going to need some help organizing and setting up all of the historical items she has collected over the last 50 years. Mrs. Tucker will be retiring at the end of this year as well as our Dog Control Officer, Carl Collier, so the town will have to find replacements for those 2 positions.

BUDGET TRANSFERS/AMENDMENTS - A motion to approve was made by Councilwoman Riester, 2nd by Councilwoman Gilfus. Ayes 5-0.

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

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

Approval of Bills for Payment:

General Fund	\$10,058.80	Motion to approve by Councilman MacDonald, 2 nd by Councilwoman VanLiew. Ayes 5-0.
Highway Fund	\$5,401.92	Motion to approve by Councilwoman Gilfus, 2 nd by Councilman MacDonald. Ayes 5-0.
Water District #1	\$42,681.56	Motion to approve by Councilwoman Riester, 2 nd by Councilwoman VanLiew. Ayes 5-0.
Sewer Fund	\$4,821.52	Motion to approve by Councilman MacDonald, 2 nd by Councilwoman Gilfus. Ayes 5-0.
Refuse Fund	\$1,509.17	Motion to approve by Councilman MacDonald 2 nd by Councilwoman Riester. Ayes 5-0.
Lighting Districts	\$176.70	Motion to approve by Councilwoman VanLiew, 2 nd by Councilman MacDonald. Ayes 5-0.

Supervisor Oltz stated that he put a copy of a letter from the NYS Comptroller's Office in all board members mailboxes which explains that the tax cap for the town of Fleming will go down for the 2024 budget. This is due to the fact that the Fleming Fire District is no longer a part of the town budget which is saving \$240,000.00 annually.

A motion to move in to executive session was made by Councilwoman Riester, 2nd by Councilman MacDonald. Ayes 5-0.

A motion to move back into regular session was made by Councilwoman VanLiew, 2nd by Councilman MacDonald. Ayes 5-0.

No action was taken in executive session. A motion to adjourn at 7:45 p.m. was made by Councilwoman Riester, 2nd by Councilwoman Gilfus. Ayes 5-0.

Respectfully Submitted by,

Anita Casper
Fleming Town Clerk