

FLEMING TOWN BOARD MEETING

September 12, 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
Councilman David MacDonald
Councilwoman Karen VanLiew - absent

Also present: Town Attorney Michael D. Quill, Jr.
Steve Yongsma
Dorothy Yongsma

Motion to approve minutes as presented by Town Clerk, Anita Casper, for 8/8/2022 was made by Councilman MacDonald, 2nd by Councilwoman Gilfus. Ayes 4-0.

Public to be Heard: Dorothy Youngsma, owner operator of Excel Auto & Marine located at 5664 South Street Road, took the podium and stated that John Farina operates a boat storage and repair shop next door to her and the property is a mess with several unregistered boats, broken boats, trash and other debris littering the property. She questioned the board as to how many unregistered boats are allowed to be kept on the property. She also stated that the trash etc. on the property is attracting wild animals. Supervisor Oltz deferred her zoning and code questions to Bill Gabak, Zoning Officer and Harold Gilfus, Code Enforcement Officer for the Town of Fleming as they were also present at the meeting. Bill stated that he has spoken to Mr. Farina previously about cleaning up the property, disposing of broken boat debris, removing a dumpster and concrete blocks and making sure all boats being stored are on trailers. Bill feels Mr. Farina has made an attempt to address these issues and is continuing to work on same. Steve Yongsma interjected and said that Mr. Farina is not working to clean up and he also has several unregistered cars on the property. Dorothy Youngsma stated she has several pictures of the property which show the debris, cars, boats, etc. Councilwoman Riester asked Bill how long has Mr. Farina been working to clean up the property and he stated it's been approximately 2 months. Councilwoman Riester asked if there is a deadline in which Mr. Farina must have everything completed. Bill said Mr. Farina will continue work on it as funds become available for him to do so and he also intends to put up a fence on the property. Supervisor Oltz stated that a deadline must be given to Mr. Farina to finish the job. Bill Gabak said he will talk to Mr. Farina regarding a deadline and the status of his funds. Michael Quill, Town Attorney, stated that Mr. Farina's finances are not the town's concern and if there is a violation it needs to be remedied. Councilwoman Riester stated there may be some grant availability from the American Rescue Plan in the next few months for small businesses that generate less than \$1,000,000.00 in revenue. Perhaps this could be of some help to Mr. Farina. Supervisor Oltz suggested

the town give him 1 month to finish cleaning up the property. Harold Gilfus stated he would issue Mr. Farina a violation and if he cannot get it taken care of by the one month deadline, he will have to appear in town court.

New Business

- (a) Reschedule October meeting due to Columbus Day Holiday – meeting moved to Wednesday, October 12, 2022 at 6:30 pm. A motion to approve date change was made by Councilwoman Riester, 2nd by Councilman MacDonald. Ayes 4-0.
- (b) Review request for sewer bill reduction for account #L3920 – 5221 West Lake Road had a water line break. The property owner paid the bill for the water charge of \$1,190.82 but would like a reduction on the sewer charge of \$2,205.00 as the water did not go into the sewer. As the town has done in the past in similar situations, the property owner will pay an \$80.00 sewer charge. A motion to approve the reduced sewer charge was made by Councilwoman Riester, 2nd by Councilwoman Gilfus. Ayes 4-0.
- (c) Review ongoing issues with front door (Clerk's) – The door has been malfunctioning on a regular basis; Anita Casper, Town Clerk, has been keeping a record of the issues. Don Oltz stated that the door hasn't functioned properly since it was installed. A representative of the company that initially installed the door (BR Johnson, LLC) came to look at it and found no problems. The town received a bill on August 30, 2022 for a field service call in the amount of \$330.00. Don stated that the bill will not be paid until BR Johnson fixes or replaces the door. A motion was made to draft a letter to BR Johnson stating that the bill will not be paid until the issues with the door are resolved by Councilman MacDonald, 2nd by Councilwoman Gilfus. Ayes 4-0.

BUILDING CODES OFFICER – HAROLD GILFUS: Harold was in attendance and submitted his monthly report. Don Oltz asked about a building permit issued to Springside Inn to install a shed structure to be used as outdoor bathrooms. Harold stated that the structure will be used seasonally for mens and ladies bathrooms during outdoor events.

ZONING OFFICER – BILL GABAK: Bill stated he has been working on the zoning code with Councilwoman Riester. Don Oltz referred to a letter he received from the Owasco Lake Management Council which put forth zoning regulations they want the town of Fleming to incorporate into the town zoning code. Don and Bill both agreed that the current town zoning code already includes these regulations. Councilwoman Riester suggested that Bob Germain, zoning attorney, look over any amendments/changes to the zoning code to make sure the town is in line with other lakefront municipalities and covers all necessary regulations.

ASSESSOR – TAMMY SCHRAMM: Tammy was absent but submitted her report prior to the meeting.

UTILITIES DEPT – The town of Fleming has contracted with Cayuga County Water Authority and Karl Rindfleisch will be handling the Utilities Department. He will be handling the water sampling, quarterly reports, etc. Don Oltz and Kerry Smith have been working on sewer problems; ordered a new controller for pump station #7. New system going into the pump station on Route 34.

HIGHWAY/RECYCLING – KERRY SMITH: Kerry stated he has a meeting with FEMA on September 13, 2022. The weight rating on bridges on Dougal Road and Deitrich Road will have to be re-evaluated after they are reinforced. New stop signs are now up on Sevier and Dougal Roads.

REQUESTS AND COMMENTS OF THE BOARD – Don Oltz announced that the new lighting has been installed in the town.

BUDGET TRANSFERS/AMENDMENTS - A motion to approve was made by Councilwoman Gilfus, 2nd by Councilman MacDonald. Ayes 4-0.

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

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

Approval of Bills for Payment:

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| General Fund | \$23,076.71 | Motion to approve by Councilwoman Riester, 2 nd Councilman MacDonald. Ayes 4-0 |
| Highway Fund | \$39,432.89 | Motion to approve by Councilman MacDonald, 2 nd Councilwoman Riester. Ayes 4-0 |
| Water District #1 | \$15,985.21 | Motion to approve by Councilman MacDonald, 2 nd Councilwoman Riester. Ayes 4-0 |
| Sewer Fund | \$23,392.47 | Motion to approve by Councilwoman Gilfus , 2 nd Councilman MacDonald. Ayes 4-0 |
| Refuse Fund | \$2,246.22 | Motion to approve by Councilwoman Riester, 2 nd Councilwoman Gilfus. Ayes 4-0 |
| Lighting Districts (2) | \$405.40 | Motion to approve by Councilwoman Riester, 2 nd Councilman MacDonald. Ayes 4-0 |

A motion to adjourn at 7:12 p.m. was made by Councilwoman Riester, 2nd by Councilwoman Gilfus. Ayes 4-0.

Respectfully Submitted,
Fleming Town Clerk