

FLEMING TOWN BOARD MEETING

January 8, 2024

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

Councilman David MacDonald

Councilwoman Melissa Deyo

Also present: Town Attorney, Michael Quill, Jr.

Councilwoman Karen Vanliew and Councilman Joseph Vasile were absent.

A motion to approve the minutes as presented by Town Clerk, Anita Casper, for December 11, 2023 and December 27, 2023 (as presented by Deputy Town Clerk, Cindy Schiminske) was made by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman Deyo. Ayes 3-0.

**PUBLIC HEARINGS/ SPECIFIC PRESENTATIONS:** Bryant-Havener SUP for construction on garage being remodeled into a hair salon. ZBA approved. A motion to open a public hearing regarding the creation of the new business was made by Councilwoman Deyo, 2<sup>nd</sup> by Councilman MacDonald. Ayes 3-0. Supervisor Oltz asked if anyone had questions or comments. Mr. Alan Edmunds stated he was in opposition of the new business. He continued to tell the board that he felt the Bryant-Havener property was not always mowed and had some over-growth. Supervisor Oltz stated he was familiar with the property and the yard is always well kept. Conversation ensued between Ms. Bryant-Havener and Mr. Edmunds regarding property lines etc. Supervisor Oltz asked that they end the conversation as it had nothing to do with the SUP and asked if anyone had any questions or concerns regarding the SUP. A motion to close the public hearing was made by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman Deyo. Ayes 3-0. A motion to approve the Special Use Permit for Ms. Bryant-Havener was made by Councilwoman Deyo, 2<sup>nd</sup> by Councilman MacDonald. Ayes 3-0.

**NEW BUSINESS:**

- (a) Contracts & Appointments – Supervisor Oltz went over the contract renewals listed in the attached addendum. A motion to approve was made by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman Deyo. Ayes 3-0. The motion was passed on the following roll call vote:

Councilman MacDonald	Yes
Councilwoman Deyo	Yes
Supervisor Oltz	Yes

- (b) Resolution to Revise Construction Fee Schedule – Supervisor Oltz read the resolution regarding changes to the fees charged for building permits. A motion to approve the new fee schedule was made by Councilwoman Deyo, 2<sup>nd</sup> by Councilman MacDonald. Ayes 3-0. The motion was passed on the following roll call vote:

Councilman MacDonald	Yes
Councilwoman Deyo	Yes
Supervisor Oltz	Yes

(c) Resolution to abolish Deputy Town Highway Superintendent Position – A motion to approve the resolution was made by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman Deyo. Ayes 3-0. The motion was passed on the following roll call vote:

Councilman MacDonald	Yes
Councilwoman Deyo	Yes
Supervisor Oltz	Yes

(d) Resolution to assess a Non-compliance Fee for failure to get new water meter installed – the town will initiate a quarterly non-compliance fee of \$50.00 for each residence that does not comply with getting the new meter installed. The fee will take effect with the April 1, 2024 billing. A motion to approve the resolution was made by Councilwoman Deyo, 2<sup>nd</sup> by Councilman MacDonald. Ayes 3-0. The motion was passed on the following roll call vote:

Councilman MacDonald	Yes
Councilwoman Deyo	Yes
Supervisor Oltz	Yes

(e) Gary Willis water/sewer bill memo – Mr. Willis spoke with Cindy Schiminske, water clerk, regarding the amount of his most recent bill as it was significantly higher than normal. He also stated that during the time period in question, he was in the hospital and his wife is in the nursing home. Cindy sent him a letter together with a 90 day data report on his water usage which showed water running continuously from December 1<sup>st</sup> thru December 5<sup>th</sup>. However, the board decided that the town will not provide an adjustment on the water bill. A motion to approve that decision was made by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman Deyo. Ayes 3-0.

**BUILDING CODES OFFICER** – HAROLD GILFUS: Harold was present and submitted his monthly report. A motion to approve Harold’s report was made by Councilwoman Deyo, 2<sup>nd</sup> by Councilman MacDonald. Ayes 3-0.

**ZONING OFFICER** – BILL GABAK: Bill stated he has a ZBA meeting on January 18, 2024. He was working on the Bryant-Havener SUP, and is continuing work on Peter Briggs subdivision and Dave Heffernan’s property subdivision and subsequent sale of 7 acres to Bill Morgan.

**ASSESSOR** – TAMMY SCHRAMM: Tammy submitted her monthly report. She stated she is working on the re-assessment for 2024 and has a steady stream of Enhanced Star applications. She has also set up a Google calendar with the town clerk to more efficiently handle appoints with the public.

Supervisor Oltz apologized for disrupting the order of the meeting but he omitted the approval for miscellaneous item and town appointments for 2024. He proceeded to read over the miscellaneous items and appointments in the attached Addendum to the Agenda. A motion to approve was made by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman Deyo. Ayes 3-0.

**UTILITIES DEPT** – KARL RINDFLEISCH: Karl was absent. Supervisor Oltz stated that work is still being done on pump station #7. Kerry is working with a company to totally refurbish and repair the pump station and bring it up to proper working order. Currently it’s only pumping out approx. 380 gallons and would like to bring that number up to approx. 600 gallons. Don stated that there was a fire over the weekend on Route #34 and the firefighters were unable to open the hydrant. The hydrant is now covered and will be fixed.

**HIGHWAY DEPT** – Kerry stated he is searching out some turnkey quotes.

**REQUESTS AND COMMENTS OF THE BOARD** – Supervisor Oltz stated that there was a coding error on the tax bills for Fleming residents which shows a “town tax” that is incorrect. Fleming does not have a town tax so there has to be a correction made. Currently the problem is being discussed by Real Property Services of Cayuga County and we are awaiting a solution.

**BUDGET TRANSFERS/AMENDMENTS** – Motion to approve by Councilwoman Deyo, 2<sup>nd</sup> by Councilman MacDonald. Ayes 3-0.

**Clerk’s Report** – Motion made to approve by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman Deyo. Ayes 3-0.

**Supervisor’s Report** – None – Supervisor Oltz stated the new bookkeeper has just finished reconciling accounts from 2022 and 2023 and will have a report for the meeting in February 2024.

**Approval of Bills for Payment:**

General Fund	\$6,770.83	Motion to approve by Councilman MacDonald, 2 <sup>nd</sup> by Councilwoman Deyo. Ayes 3-0.
Water District #1	\$3,170.93	Motion to approve by Councilman MacDonald, 2 <sup>nd</sup> by Councilwoman Deyo. Ayes 3-0.
Sewer Fund	\$12,376.20	Motion to approve by Councilwoman Deyo, 2 <sup>nd</sup> by Councilman MacDonald. Ayes 3-0.

A motion to adjourn at 7:03 p.m. was made by Councilwoman Deyo, 2<sup>nd</sup> by Councilman MacDonald. Ayes 3-0.

Respectfully Submitted by,  
Anita Casper, Fleming Town Clerk