

FLEMING TOWN BOARD MEETING

July 10, 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

Councilman David MacDonald

Councilwoman Maureen Riester

Councilwoman Donna Gilfus - absent

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

A motion to approve the minutes as presented by Town Clerk, Anita Casper, for June 12, 2023 was made by Councilman MacDonald, 2nd by Councilwoman Riester. Ayes 4-0.

PUBLIC HEARINGS/SPECIFIC PRESENTATIONS:

- (a) Duane Shoen – Insero & Co. CPA – 2022 audit report – Mr. Shoen took the podium and highlighted some points from the Executive Summary stating that the town had an increase in assets last year, interest rates brought an increase in investments as well. When reviewing the Financial Statements, Mr. Shoen stated that the net value of capital assets went down and the current debt is \$2.4 million. The audit process went smoothly and he feels the Town of Fleming is in good standing.
- (b) Carnicelli SUP (Reike) – A motion to open a Public Hearing was made by Councilwoman Riester, 2nd by Councilwoman VanLiew. Ayes 4-0. Ms. Carnicelli took the podium and passed out pamphlets outlining the services she will provide and stated that she is a full time teacher and the Reike business would be evenings and weekends only. All services she provides are by appointment only and will have a maximum of 3 to 4 clients per day. Supervisor Oltz stated he received a letter from two (2) of Ms. Carnicelli’s neighbors stating they have concerns as to the logistics of client parking, especially in the winter months. Ms. Carnicelli stated she has ample room for client parking in her own driveway thereby eliminating the need for clients to park on the street. Supervisor Oltz told Ms. Carnicelli that the planning board has looked at her application and feels there is not a problem with her operating the Reike business out of her home and the board agreed as well. A motion to close the Public Hearing was made by Councilman MacDonald, 2nd by Councilwoman Riester. Ayes 4-0. A motion to approve Ms. Carnicelli’s Special Use Permit was made by Councilwoman Riester, 2nd by Councilwoman VanLiew. This was approved on the following roll call vote:

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

Ayes 4-0.

PUBLIC TO BE HEARD – Mr. James Moore introduced himself and stated he is sitting in on several town meetings as he will be running for the local legislature in this district.

OLD BUSINESS:

- (a) Voter Identification Resolution – **RESOLUTION URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR KATHY HOCHUL TO DRAFT AND ENACT LEGISLATION REGARDING A VOTER’S IDENTIFICATION PROCESS** was brought before the board after being previously discussed at the June 12, 2023 Town Board Meeting. This resolution was moved by Councilman MacDonald, 2nd by Councilwoman Karen VanLiew for its adoption at a Regular Meeting of the Fleming Town Board which was held at the Municipal Building in Fleming NY on July 10, 2023 at 6:30 p.m. The question of the adoption of the foregoing resolution was duly put to a roll call vote with the following results:
- | | |
|------------------------------|--------|
| Supervisor Donald Oltz | Yes |
| Councilwoman Donna Gilfus | Absent |
| Councilwoman Maureen Riester | Yes |
| Councilman David MacDonald | Yes |
| Councilwoman Karen VanLiew | Yes |

The resolution was thereupon declared duly adopted.

NEW BUSINESS:

- (a) Set a Public Hearing for Spruce Haven Farm SUP for August 14, 2023 – A motion to approve the date for the Public Hearing was made by Councilwoman Riester, 2nd by Councilman MacDonald. Ayes 4-0.
- (b) Russ Bell sewer bill – Mr. Bell experienced a leak from a broken pipe which flooded a home office area. Since the water did not go through the sewer system, he is asking for a reduction in the sewer charge for that amount of water. Councilwoman VanLiew made a motion to approve a reduction in Mr. Bell’s sewer charge, 2nd by Councilman MacDonald. Ayes 4-0.

BUILDING CODES OFFICER – HAROLD GILFUS: Harold was present and submitted his monthly report. Harold was asked if he was aware of the depth and size of the manure pond at Lincoln Dairy and whether or not fencing is required for liability purposes. He will check in to this. Supervisor Oltz said that the Cayuga Lake Water Council has been made aware of the situation. Tammy Schramm said she would contact the local snowmobilers association regarding signage that will warn snowmobilers of the potential danger.

ZONING OFFICER – BILL GABAK: Bill was absent. Supervisor Oltz stated that Bill is still working on a Special Use Permit for Sidney Gilmore’s tenant Josh Anderson; the application has not been completed.

ASSESSOR – TAMMY SCHRAMM: Tammy was present and submitted her monthly report. School tax bills will be sent out on September 1, 2023.

UTILITIES DEPT – KARL RINDFLEISCH: Karl was absent. Supervisor Oltz stated that the chlorine residual was low on Stone School Road. Kerry Smith stated there are still valve problems at pump stations #’s 5 and 7.

HIGHWAY/RECYCLING – KERRY SMITH: Kerry stated that the town will be receiving money for bridge repair and reconstruction will begin in the spring of 2025. Also, trees were knocked down on Delaney Road during a storm and there is not much we can do about streets flooding when we get a storm that drops 3 inches of rain in one hour.

REQUESTS AND COMMENTS OF THE BOARD – Councilwoman VanLiew asked that the information about the Town of Fleming Bicentennial Celebration be put on the website with a “save the date.” Councilwoman Riester asked Kerry Smith who is responsible for Fleming/Scipio Townline Road regarding plowing, culvert and road maintenance. Kerry stated that all cost should be split 50/50 and each town is responsible for the portion of the road that is in their town. Mike Quill, town attorney, would like to speak with the town attorney that represents the town of Scipio so they can draft a fair agreement.

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

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

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

Approval of Bills for Payment:

General Fund	\$12,932.15	Motion to approve by Councilwoman VanLiew, 2 nd by Councilwoman Riester. Ayes 4-0.
Highway Fund	\$16,459.21	Motion to approve by Councilman MacDonald, 2 nd by Councilwoman Riester. Ayes 4-0.
Water District #1	\$14,643.63	Motion to approve by Councilwoman Riester, 2 nd by Councilwoman VanLiew. Ayes 4-0.
Sewer Fund	\$24,936.28	Motion to approve by Councilwoman VanLiew, 2 nd by Councilwoman Riester. Ayes 4-0.
Refuse Fund	\$1,655.58	Motion to approve by Councilman MacDonald, 2 nd by Councilwoman Riester. Ayes 4-0.

A motion to adjourn at 7:24 p.m. was made by Councilwoman Riester, 2nd by Councilman MacDonald. Ayes 4-0.

Respectfully Submitted by,
Anita Casper
Fleming Town Clerk