

FLEMING TOWN BOARD MEETING

June 12, 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 May 8, 2023 was made by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman VanLiew. Ayes 5-0.

**NEW BUSINESS:**

- (a) Approve renewal of drug/alcohol contract with Cayuga Drug & Alcohol Testing – Supervisor Oltz asked Kerry Smith to comment and he stated he has been very pleased with their services. A motion to renew the contract was made by Councilwoman Riester, 2<sup>nd</sup> by Councilwoman Gilfus. Ayes 5-0.
- (b) Set Public Hearing for Carnicelli Special Use Permit for July 10<sup>th</sup> – A motion to approve the date for the Public Hearing was made by Councilwoman Riester, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.
- (c) Review request of Jim Bona for property restoration compensation – The highway department finished fixing the road (Lake Ave., ext.) in October 2022. Due to weather and being short staffed they were unable to complete the property restoration. Mr. Bona took it upon himself to restore his property damaged by the road work and has asked that the town reimburse him. Kerry Smith and Supervisor Oltz agreed that Mr. Bona's request was fair and that there should be better communication between the town and its residents. Councilman MacDonald made a motion to approve reimbursing Mr. Bona, 2<sup>nd</sup> by Councilwoman Riester. Ayes 5-0.
- (d) Appoint James Corl as a Fire Commissioner to replace Kaitlyn Anderson – Jim Corl submitted his resume to the board to establish his qualifications to replace the out-going Kaitlyn Anderson as Fire Commissioner. The board commented that Mr. Corl's resume was very impressive, therefore, a motion to approve the appointment was made by Councilwoman VanLiew, 2<sup>nd</sup> by Councilwoman Gilfus. Ayes 5-0.
- (e) Approval to create a Deputy Town Highway Superintendent Position – Through Civil Service, the town has created this position to be used as needed in cases where Kerry is not available to take charge of a situation or job site. This is not a compensated position and Kerry will appoint someone when necessary so there will be no confusion as to who will take charge in his

absence. A motion to approve was made by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman VanLiew. Ayes 5-0.

- (f) Open Bids for trash/recycling contract – The town received one (1) bid from Casella Waste Management for a three (3) year contract beginning July 1, 2023 with a minimal increase. A motion to accept was made by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman Riester. Ayes 5-0. This was approved on the following roll call vote:

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

- (g) Review proposal for Caterpillar Backhoe Loader; resolution re: financing - The original interest rate quote for the loan to purchase equipment was 6.03% from Sun Finance, however, Supervisor Oltz contacted Tompkins Bank and obtained a municipal interest rate of 6%. There was discussion regarding using a down payment to save on interest payments which was agreed upon. Supervisor Oltz read the following resolution: The undersigned clerk of Town of Fleming does hereby certify that at a meeting of the Town Board of Fleming on 6/12/2023 at which a quorum was present and acting throughout, the following resolution was approved by a majority vote of the entire board: RESOLVED that the Town of Fleming obtain a term loan with Tompkins Community Bank in an aggregate amount not to exceed \$141,520.00, and it is further RESOLVED that Donald Oltz is hereby authorized to execute any agreements, notes or other financing documents and to obtain credit advances; and it is further RESOVLED that all prior actions by the Town of Fleming or Town Board pursuant to any of the Town of Fleming’s lines of credit, obligations or credit agreements with Tompkins Community Bank are hereby ratified and affirmed. A motion to approve the resolution was made by Councilwoman Riester, 2<sup>nd</sup> by Councilwoman Gilfus. The resolution was approved by the following roll call vote:

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

- (h) Discuss Voter Identification Resolution – A resolution from the town board of Huntington New York was sent to Fleming asking if our board would also pass a resolution to petition the state of New York to enact Voter Identification. The board agreed that it will follow Huntington’s lead to resolve to petition New York State. The formal resolution will be brought up for approval at the July Town Board Meeting.

**BUILDING CODES OFFICER** – HAROLD GILFUS: Harold was present and submitted his monthly report.

**ZONING OFFICER** – BILL GABAK: Bill stated he spoke with Mr. Morgan of Morgan Farms and he is interested in purchasing 7 acres from David Heffernan for farming. He brought in the paperwork but was lacking Mr. Heffernan’s signature due to the fact that Mr. Heffernan is incarcerated in the Cayuga County jail. Mr. Morgan will have to secure Mr. Heffernan’s signature in order to proceed. Also, Todd Post on Buck Point has still not gotten back to Bill regarding his private right-of-way. However, a resident of Buck Point did contact the Office of General Services at Bill’s suggestion and all the boats are in place and all residents have access to the lake on Buck Point.

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

**UTILITIES DEPT** – KARL RINDFLEISCH: Karl was absent. Kerry Smith stated that the sewer line on Southgate Drive had to be cleared out because of back up and suggested that routine maintenance be performed on all lines and should be checked annually.

**HIGHWAY/RECYCLING** – KERRY SMITH: Kerry stated that the highway department was a little behind but if the weather stays nice, they should be able to get caught up quickly.

**REQUESTS AND COMMENTS OF THE BOARD** – Supervisor Oltz thanked everyone that helped out at Clean-up Day on June 10<sup>th</sup>. DuMond Farms sent over a group of workers to help out as well and Don suggested the town send a letter thanking them. Don also showed pictures he had taken of Veness Brook which runs through his back yard. He stated that in 2019 an erosion control was performed and it has been a muddy ditch ever since. He has brought this problem to several authorities but there has been no action taken. He will not involve the town board in pursuing this, but he will as a resident of Fleming. Councilman MacDonald stated that many of the residents that took advantage of the Clean-up Day expressed their gratitude to the town for providing this service. The day was a great success.

**BUDGET TRANSFERS/AMENDMENTS** - A motion to approve was made by Councilwoman VanLiew, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.

**Clerk’s Report** – Motion made to approve by Councilman MacDonald, 2<sup>nd</sup> by Councilwoman Gilfus. Ayes 5-0.

**Supervisor’s Report** – Motion made to approve by Councilwoman VanLiew, 2<sup>nd</sup> by Councilwoman Riester. Ayes 5-0.

**Approval of Bills for Payment:**

General Fund	\$26,206.78	Motion to approve by Councilman MacDonald, 2 <sup>nd</sup> by Councilwoman Riester. Ayes 5-0.
Highway Fund	\$4,704.94	Motion to approve by Councilwoman Riester, 2 <sup>nd</sup> by Councilman MacDonald. Ayes 5-0.

Water District #1	\$74,676.02	Motion to approve by Councilwoman VanLiew, 2 <sup>nd</sup> by Councilwoman Gilfus. Ayes 5-0.
Sewer Fund	\$23,766.90	Motion to approve by Councilwoman Gilfus, 2 <sup>nd</sup> by Councilwoman Riester. Ayes 5-0.
Refuse Fund	\$2,118.31	Motion to approve by Councilman MacDonald, 2 <sup>nd</sup> by Councilwoman Riester. Ayes 5-0.
Lighting Districts	\$176.70	Motion to approve by Councilman MacDonald, 2 <sup>nd</sup> by Councilwoman Riester. Ayes 5-0.

A motion to adjourn at 7:07 p.m. was made by Councilwoman Riester, 2<sup>nd</sup> by Councilman MacDonald. Ayes 5-0.

Respectfully Submitted by,

Anita Casper  
Fleming Town Clerk