

FLEMING TOWN BOARD MEETING
MONDAY AUGUST 10, 2009
7:00 P.M.

Call to Order by Supervisor Gary B. Searing with the Pledge of Allegiance at 7:00 p.m.

Roll Call by Town Clerk Charleen Dygert found the following board members present:

Supervisor Gary B. Searing
Councilman Arthur Fritz
Councilwoman Ellen DelloStritto
Councilman Ronald LaVarnway
Councilman Gerald Dudek

Also present: Attorney Dale Yates
Superintendent Paul Chipman

Approval of Minutes: Councilman LaVarnway made a motion to approve the minutes of July 13th as presented by Deputy Clerk Theresa Losani and the minutes of July 24th as presented by Town Clerk Charleen Dygert, seconded by Councilwoman DelloStritto.
APPROVED AYES 5 NAYS 0

Presentations: Supervisor Searing introduced Kathryn Hankins who did a presentation on the advantages of having a Conservation Advisory Committee in the Town of Fleming.

Kathryn said that the Conservation Advisory Committee would assist the Town Council in the implementation of Fleming's comprehensive plan goals as they relate to environmental protection and management, preservation of open space, natural resources, and farms.

The Conservation Advisory Committee does not have legal authority and would be made up of respected volunteers who could offer their expertise to the Town Council and Planning Board.

She said the committee would also support the goals and objectives of the Owasco Lake Watershed Inspector, New York State Department of Environmental Conservation, the Owasco Watershed Lake Association, the Friends of Fleming Foundation, the Town Planning Board, and be directly accountable to the Town Council.

Supervisor Searing asked how would she recruit people to serve on the committee. She said she would start with the town's newsletter, ask for interested residents that have lived here a long time and there are people in OWL that are interested.

Councilman Dudek asked how many members would be on this committee and how often would they meet. She answered 5 or 6 members would be good and they would meet when there is a project on the table.

Councilman Fritz asked who would have the final authority on who would be on the committee. She said that members would volunteer to be on the committee but they would have to have a commitment.

Supervisor Searing said he would like to get more feedback from other people involved in our town government and the public. He asked her to bring other people who would be interested in serving on the committee.

1st Public Be Heard: Town Clerk Charleen Dygert read the Public To Be Heard forum. Sarah King of 5213 West Lake Road asked what became of the Library Petition. Supervisor Searing said that it was sent to Albany and it died in committee.

Old Business: Councilman LaVarnway made a motion to accept a bid of \$90.00 received from Brian Ducan for the 30 surplus chairs, seconded by Councilman Fritz. APPROVED AYES 5 NAYS 0

Councilwoman DelloStritto made a motion to accept a bid of \$300.00 received from Jamie Moore for a surplus laptop, seconded by Councilman Dudek. APPROVED AYES 5 NAYS 0

Building Inspector/Zoning Code Enforcement Officer – Fred Delaney gave his report of building permits for the month of July.

Assessors: The assessors were not present and there was no report.

Planning Board – Jamie Moore was not present and there was no report.

Highway/Utilities/Recycling – Paul Chipman stated in his report that he was supposed to start the roads today but couldn't because of rain. Roadwork will start tomorrow if it doesn't rain.

- Councilman LaVarnway made a motion to renew the uniform contract with Unifirst, seconded by Councilman Fritz. APPROVED AYES 5 NAYS 0
- Councilwoman DelloStritto made a motion to accept the low bid (\$2,499.50) for the purchase of a gate Valve Exerciser, seconded by Councilman Fritz. APPROVED AYES 5 NAYS 0
- The board discussed paving at sewer pump station #1 to make it easier to maintain.

Councilman LaVarnway made a motion to approve the bid of \$1350.00 from Orchard Earth & Pipe to do the paving, pending that the work will stay within the easements, seconded by Councilman Fritz. This was approved 5-0 on the

following roll call vote:

Supervisor Searing	Aye
Councilman Fritz	Aye
Councilwoman DelloStritto	Aye
Councilman LaVarnway	Aye
Councilman Dudek	Aye

New Business:

- The board discussed a complaint on a water bill and agreed that the meter should be checked a few more times to confirm that it is running right.
- The board reviewed changes in water/sewer units. Councilwoman DelloStritto made a motion to propose the changes to the Wawrzasek property and Minturn property and revisit the Masonic Lodge when the commercial properties are adjusted, seconded by Councilman Fritz. APPROVED AYES 5 NAYS 0

2nd Public to be Heard: John Sheftic of 4969 State Rt. 34, President of #1 Fire Department asked for an increase in the fire budget. The board asked him to do a spreadsheet showing the budget figures. He said he would get it to them before next meeting.

Dave Ross of West Lake Road, a member of the Board of Assessment Review (BAR). He stated that he and the board have an issue with previous member of the (BAR) writing letters to the Citizen, which have become slanderous by mentioning names and some are wrong. He suggested that the board write a letter to the Citizen.

Requests and Comments of the Board: Supervisor Searing explained to the board that the roof is in need of repair. He gave cost estimates to the board to review. Councilman LaVarnway made a motion to set aside \$4000.00 for fixing the roof, seconded by Councilman Fritz. APPROVED AYES 5 NAYS 0

Councilwoman DelloStritto informed the board that she attended the meeting on July 29th on Economic Development in Cayuga County. She said that the meeting was optimistic, truthful and open.

Budget Transfers/ Amendments: Councilman LaVarnway made a motion to approve the Budget Transfers, seconded by Councilman Dudek. APPROVED AYES 5 NAYS 0

Town Clerk's Report: Councilwoman DelloStritto made a motion to approve the Town Clerk's report as presented by Town Clerk Charleen Dygert, seconded by Councilman Fritz. APPROVED AYES 5 NAYS 0

Supervisor's Report: Councilman Fritz made a motion to approve the Supervisor's Report as presented by Supervisor Gary B. Searing, seconded by Councilman LaVarnway. APPROVED AYES 5 NAYS 0

Approval of Bills for Payment #440 – 490 were approved for payment on the following motions and seconds:

<u>FUND</u>	<u>AMOUNT</u>	<u>MOTION BY COUNCILOR:</u>	<u>SECONDED BY COUNCILOR:</u>
General	\$ 8,818.68	LaVarnway	DelloStritto
Highway	11,981.50	LaVarnway	DelloStritto
Water	19,671.77	Fritz	Dudek

<u>FUND</u>	<u>AMOUNT</u>	<u>MOTION BY COUNCILOR:</u>	<u>SECONDED BY COUNCILOR:</u>
Sewer	1,682.62	DelloStritto	Fritz
Refuse	1,744.96	LaVarnway	DelloStritto
Lighting	181.00	LaVarnway	DelloStritto

Executive Session: Councilman LaVarnway made a motion to go into Executive Session to discuss litigation, seconded by Councilwoman DelloStritto. APPROVED AYES 5 NAYS 0

Action taken in executive session that town attorney representing town board will draft a letter.

Councilman Dudek made a motion to return to open meeting, seconded by Councilman Fritz. APPROVED AYES 5 NAYS 0

Councilman LaVarnway made a motion to adjourn, seconded by Councilwoman DelloStritto. APPROVED AYES 5 NAYS 0 The time was 8:45 p.m.

Respectfully submitted,

Charleen V. Dygert
Town Clerk