

FLEMING TOWN BOARD MEETING
MONDAY DECEMBER 14, 2009
7:00 P.M.

Call to Order by Supervisor Gary B. Searing with the Pledge of Allegiance at 7:00 p.m. Councilman Fritz led a short prayer for the holiday season.

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

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

Approval of Minutes: Councilman LaVarnway made a motion to approve the minutes of November 9th as presented by Town Clerk Charleen Dygert, seconded by Councilman Fritz. APPROVED AYES 5 NAYS 0

Public Hearings: Supervisor Searing opened the meeting to the scheduled Public Hearings to hear 2 requests for Special Use permits. Dale and Francis Cunningham have requested a Special Use permit to use the existing administration building at the old BOCES campus on South Street Road for office use. Deborah Collier has requested a Special Use Permit to open a massage Therapy Business at 5003 State Route 34. She will also be living in the same building.

Supervisor Searing asked for comments from the public. He left it open while he asked for comments from the board. Councilwoman DelloStritto asked if it had to be approved by the Planning Board first. Jamie Moore Chairman of the Planning Board said that they had very little information to review and that neither applicant came to the Planning Board. He said that the concerns of the Planning Board were how many people were employed, parking, hours of operation, scope of what the business would entail, and signage.

Francis Cunningham said there would be 3-4 employees and the hours would be 8-5. There would not be any heavy equipment on the premises. Most of the business is conducted on the Internet.

Supervisor Searing referred to a letter of intent that Deborah Collier wrote to the Town Board. Deborah said that she allows a half hour between appointments.

Jamie Moore said that the letter of intent is very adequate because this is what the Planning Board looks for when they do their review. Depending on the area, a sketch map of the office and adequate parking.

Sarah King asked the Cunninghams about the up keep and made a comment on the Grant Ave. building. Mr. Cunningham said that the place on Grant Ave. is heavy duty construction which is commercial, light industrial and they are allowed to have that. The place at the old BOCES site will strictly be office.

Councilman DelloStritto made a motion to close the Public Hearing, seconded by Councilman Dudek. APPROVED AYES 5 NAYS 0

Councilman LaVarnway made a motion to issue a Special Use Permit for Francis & Dale Cunningham, seconded by Councilman Fritz. This was approved on the following roll call vote:

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

Councilman LaVarnway made a motion to issue a Special Use Permit for Deborah Collier, seconded by Councilman Dudek. This was approved on the following roll call vote:

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

1st Public to be Heard: The Town Clerk read the 1st Public to be Heard forum. There were no comments.

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

Assessors: Fred Farrell reported that he has mailed all the exemption renewals. Mike Byrnes will be coming in and help assess the cell towers.

Planning Board: Jamie Moore, Chairman asked the board if they received a copy of the November & December minutes. He also suggested that the board read the zoning law Article 8-1 and not hold a public hearing until there is something in writing from the Planning Board.

He also said that Rose Kehoskie has put in a request for a sub-division.

Highway/Utilities & Recycling Paul Chipman gave his report. He informed the board that the recycling building needs a new overhead door. There was more discussion.

New Business:

Councilman Fritz made a motion to schedule the year-end meeting for December 28th at 6:00 p.m., seconded by Councilman Dudek. APPROVED AYES 5 NAYS 0

Councilman LaVarnway made a motion to hire a cleaning person for 2010, seconded by Councilwoman DelloStritto. APPROVED AYES 5 NAYS 0

Councilman LaVarnway made a motion to approve the final adjustments to the O&M units, seconded by Councilwoman DelloStritto. APPROVED AYES 5 NAYS 0

Councilman DelloStritto made a motion to approve the water units for 2010: Bond 961.50 units, O&M 949.50 units, Water District #6 56.40 units, seconded by Councilman Fritz. APPROVED AYES 5 NAYS 0

Councilman Fritz made a motion to approve the Sewer Units for 2010: Bond 644.5 units, O&M 669.50 units, seconded by Councilwoman DelloStritto.

2nd Public to be Heard: There were no requests or Comments.

Requests and Comments of the Board: The board discussed interviewing applicants. They agreed to go through the applications on 12/21/09 at 6:00 p.m. They discussed rental renewal and the recycling center.

Budget Transfers and Amendments:

Councilman LaVarnway made a motion to approve the Budget Transfer and Amendments, seconded by Councilman Fritz. APPROVED AYES 5 NAY 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 LaVarnway. APPROVED AYES 5 NAYS 0

Supervisor's Report:

Councilman LaVarnway made a motion to approve the Supervisor's report, seconded by Councilman Dudek. APPROVED AYES 5 NAYS 0

Approval of Bills for Payment #339 – 743 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	\$24,627.31	DelloStritto	LaVarnway
Highway	70,705.97	DelloStritto	Fritz
Water	45,281.90	LaVarnway	DelloStritto
Sewer	1,881.27	Fritz	DelloStritto
Refuse	1,991.09	LaVarnway	DelloStritto
Lighting	181.00	DelloStritto	Fritz

Adjournment

Councilman LaVarnway made a motion to adjourn, seconded by Councilwoman DelloStritto. The time was 7:55 p.m.

Respectfully submitted,

Charleen V. Dygert
Town Clerk