

**TOWN BOARD MEEITNG  
MONDAY OCTOBER 11, 2010  
7:00 P.M.**

Call to Order by Supervisor 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 Searing  
Councilman Arthur Fritz Absent  
Councilwoman DelloStritto  
Councilman Ronald LaVarnway  
Councilman Gerald Dudek

Also present Attorney Dale Yates

Approval of Minutes: Councilman DelloStritto made a motion to approve the minutes of 9/13/10 & 9/15/10, seconded by Councilman Gerald Dudek. APPROVED AYES 4  
NAYS 0

Public Be Heard: There were no requests or comments.

Old Business: Supervisor Searing informed the public that October 12<sup>th</sup> the people in the Auburn School District in Fleming can pick up petitions at the library if they chose to run for trustee. November 10<sup>th</sup> the Library will have a Public Hearing for the election at the library and December 1<sup>st</sup> there will be an election for the one trustee spot. The voting is held at the library.

The Library will celebrate the expansion to the library district with a welcome to Fleming Open House 5 – 8 on Tuesday.

Building Inspector – Don Bowen gave his report. He attended a 3-day training and met with Fleming Fire Dept. #1. There was a discussion on the rental law & inspection.

Zoning Code Enforcement Officer – Alan Kozlowski gave his report and spoke about doing an update on businesses.

Assessor Fred Farrell was absent. There was no report.

Planning Board Chairman – Jamie Moore gave his report on the Planning Board. He said that they reviewed the letter of intent dated 9/13/2010 regarding The Point at Sand Beach/La Dolce Vita Bakeshop. After their review they recommended that the Town Board approve the amendment to the PDD.

Supervisor Searing made a motion to accept the recommendations and approve the amendment to the PDD for The Point at Sand Beach to include the lease agreement with the La Dolce Vita Bakeshop, seconded by Councilman Dudek. This was approved on the following roll call vote:

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

Supervisor Searing said that he would follow up and make sure sewer and grease pans are adequate.

Highway/Utilities/Recycling – Paul Chipman was absent.

New Business:

- (a) Councilman LaVarnway made a motion to accept Theresa Losani’s retirement effective 12/31/10, seconded by Councilwoman DelloStritto. APPROVED AYES 4 NAYS 0 Supervisor Searing commented that Terri has been a dedicated employee. She was Bookkeeper, Budget Officer, Court Clerk and Planning Board secretary for a while. She will be missed.
- (b) Councilman LaVarnway made a motion to approve the change of fees on the Water Application, seconded by Councilwoman DelloStritto. This was approved on the following roll call vote:
 

Supervisor Searing	Yes
Councilwoman DelloStritto	Yes
Councilman LaVarnway	Yes
Councilman Dudek	Yes
- (c) Councilman Dudek made a motion to accept the Justice Court grant application to be submitted, seconded by Councilman LaVarnway. This was approved on the following roll call vote:
 

Supervisor Searing	Yes
Councilwoman DelloStritto	Yes
Councilman LaVarnway	Yes
Councilman Dudek	Yes
- (d) Councilman LaVarnway made a motion to declare 2 computers surplus and give one to the Fleming #1 Fire Department, seconded by Councilwoman DelloStritto. This was approved on the following roll call vote:
 

Supervisor Searing	Yes
Councilwoman DelloStritto	Yes
Councilman LaVarnway	Yes
Councilman Dudek	Yes
- (e) Councilman LaVarnway made a motion to approve computer protection policy & single authorization for First Niagara Bank, seconded by Councilwoman DelloStritto. This was approved on the following roll call vote:
 

Supervisor Searing	Yes
Councilman DelloStritto	Yes
Councilman LaVarnway	Yes
Councilman Dudek	Yes
- (f) Councilman LaVarnway made a motion to schedule a Public Hearing for November 8<sup>th</sup> at 7:00 regarding the adoption of a Local law of the Town of Fleming for the year 2011, which would establish a Dog Control policy, seconded by Councilman Dudek. APPROVED AYES 4 NAYS 0

Second Public be Heard: Sara King asked if the board has done anything on a moratorium on fracking. Supervisor Searing said since the State Senate has done a moratorium the board has not worried about it. There was more discussion.

Requests and Comments of the Board: Supervisor Searing said the garage addition goes out to bid on 10/14/10 and run until 10/21/10 and there will be a special meeting on the 25<sup>th</sup> or 26<sup>th</sup>.

He said that he received a letter from the Town of Owasco that they are raising our water first of the year by \$.02.

Budget Transfers/Amendments:

Councilwoman DelloStritto made a motion to approve the Budget Transfers, seconded by Councilman Dudek. APPROVED AYES 4 NAYS 0

Town Clerk's Report:

Councilman LaVarnway made a motion to approve the Town Clerk's Report as presented by Town Clerk Charleen Dygert, seconded by Councilwoman DelloStritto. APPROVED AYES 4 NAYS 0

Supervisor's Report:

Councilman LaVarnway made a motion to approve the Supervisor's report as presented by Supervisor Searing, seconded by Councilwoman DelloStritto. APPROVED AYES 4 NAYS 0

Approval of Bills For Payment #554 – 611 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	\$11,732.54	DelloStritto	LaVarnway
Highway	86,551.64	LaVarnway	DelloStritto
Water	19,465.14	Dudek	DelloStritto
Sewer	4,517.68	LaVarnway	DelloStritto
Refuse	1,328.42	LaVarnway	Dudek
Lighting	180.36	DelloStritto	LaVarnway

Adjournment:

Councilman LaVarnway made a motion to adjourn, seconded by Councilman Dudek. The time was 7:56 p.m.

Respectfully submitted,

Charleen V. Dygert  
Town Clerk

