

The Fremont Town Board held their Regular Town Board Meeting on May 8, 2018 7:00 PM.

Supervisor Emily Murray called the Meeting to order at 7 PM, led the Pledge to the Flag and Michael Whiteman gave the Invocation.

Present: Town Board: Supervisor Emily Murray, Councilman Cynthia Smith, Councilman Bud Phelps, Councilman Dean Kiefer and Councilman Michael Whiteman.

Other Public Officials Present: Betsey Farley, Town Justice and Ron Faulkner and Paul Mitchell, Zoning Board of Appeals, Lee Pyer, and Highway Superintendent.

Resolution #69 Approve the Minutes from the April 10, 2018 Meeting

Motion by Councilman Whiteman seconded by Councilman Kiefer Resolution #69 was adopted: Resolved to approve the Minutes from the Meeting held on April 10, 2018. Roll Call of Votes: Whiteman aye, Phelps aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Reports of Public Officials submitted and on file: Highway Superintendent Lee Pyer, Justice Betsey Farley, Assessor Holley Smalt, John Leonard, Jr, Code Enforcement Officer, Debra Matthews, Dog Control Officer.

Two letters of Conflict of Interest were read by Supervisor Murray from Councilman Bud Phelps and Councilman Michael Whiteman.

The following Resolutions were made regarding the Amendment to Local Law #1 of the year 2008. The approval of the Law will be done at the June 12, 2018 Town Board Meeting.

Resolution #70 Setbacks for Wind Energy Noise Level and Low Frequency Noise 8.13 (A)

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #70 was adopted: Resolved to approve Section 8.13 Setback for Wind Energy Conversion Systems. Roll Call of Votes: Murray aye, Smith aye, Phelps nay, Kiefer aye, Whiteman aye. 4 Aye 1 Nay 0 Abstain.

Resolution #71 Amendment from Property Lines, Public Roads and Residences to Windmills 8.13 (E)

Motion by Councilman Whiteman seconded by Councilman Kiefer Resolution #71 was adopted: Resolved the Amendment from Property Lines, Public Roads and Residences. Roll Call of Votes: Kiefer aye, Whiteman aye, Phelps aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #72 Add 1.1 Times the Height of the Wind Turbine to Wing Tip from Communication Towers 8.13 (E) 5

Motion by Councilman Whiteman seconded by Councilman Smith Resolution #72 was adopted: Resolved to add a distance of 1.1 times the height of the wind turbine to wind tip from Communication Towers. Roll Call of Votes: Whiteman aye, Phelps aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #73 Add Complaint Resolution 8.18 D

Motion by Councilman Phelps seconded by Councilman Kiefer Resolution #73 was adopted: Resolved to add the Complaint Resolution. Roll Call of Votes: Murray aye, Smith aye, Phelps aye, Kiefer aye, Whiteman aye. 5 Aye 0 Nay 0 Abstain.

Resolution #74 Add Shadow Flicker and Ice Throw 8.10 (A) 18

Motion by Councilman Whiteman seconded by Councilman Kiefer Resolution #74 was adopted: Resolved to add Shadow Flicker and Ice Throw. Roll Call of Votes: Kiefer aye, Whiteman aye, Phelps aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #75 Amend Abatement Decommissioning 8.16 (C)

Motion by Councilman Smith seconded by Supervisor Murray Resolution #75 was adopted: Resolved to amend the Decommissioning. Roll Call of Votes: Whiteman aye, Phelps aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #76 Add Review Process for Town Board 8.17 (C)

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #76 was adopted: Resolved to add a Review Process for the Town Board to meet with the applicant to review each WECS site. Roll Call of Votes: Murray aye, Smith aye, Phelps aye, Kiefer aye, Whiteman aye. 5 Aye 0 Nay 0 Abstain.

Resolution #77 Amend Standards for WECS 8.10 (A) 10

Motion by Councilman Kiefer seconded by Councilman Phelps Resolution #77 was adopted: Resolved to amend that the WECS be sited in a manner that minimized impacts on animal species. Roll Call of Votes: Kiefer aye, Whiteman aye, Phelps aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #78 Amend Hours of Construction 8.10 (A) 14

Motion by Councilman Whiteman seconded by Councilman Smith Resolution #78 was adopted: Resolved to change the hours of Construction. Roll Call of Votes: Whiteman aye, Phelps aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #79 Add Noise and Setback Easements; Variances 8.14 (A) 4

Motion by Councilman Smith seconded by Supervisor Murray Resolution #79 was adopted: Resolved to add Noise and Setback Easements; Variances. Roll Call of Votes: Murray aye, Smith aye, Phelps aye, Kiefer aye, Whiteman aye. 5 Aye 0 Nay 0 Abstain.

Resolution #80 Amend the Maximum Total Height to 500 feet 8.10 (A) 13

Motion by Councilman Kiefer seconded by Supervisor Murray Resolution #80 was adopted: Resolved to amend the Maximum Height to 500 feet. Roll Call of Votes: Kiefer aye, Whiteman aye, Phelps aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #81 Complete SEQR Review

Motion by Councilman Whiteman seconded by Councilman Kiefer Resolution #81 was adopted: Resolved to Complete the SEQR (State Environmental Quality Review) Review and send to Steuben County with the 239 form. Roll Call of Votes: Whiteman aye, Phelps aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #82 Declare Town as Lead Agency

Motion by Councilman Smith seconded by Supervisor Murray Resolution #82 was adopted: Resolved to Declare the Town as lead agency. Roll Call of Votes: Murray aye, Smith aye, Phelps aye, Kiefer aye, Whiteman aye. 5 Aye 0 Nay 0 Abstain.

Resolution #83 Intervener Fund Request for Additional Legal Counsel and Well Water Testing

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #83 was adopted: Resolved to Request Intervener Funds for Additional Legal Counsel and Well Water Testing. Roll Call of Votes: Kiefer aye, Whiteman aye, Phelps aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #84 Accept Resignation of Robert Szymanski from the Planning Board

Motion by Councilman Kiefer seconded by Supervisor Murray Resolution #84 was adopted: Resolved to Accept the Resignation of Robert Szymanski from the Planning Board. Roll Call of Votes: Whiteman aye, Phelps aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #85 Committee to Search for New Planning Board Member

Motion by Councilman Whiteman seconded by Supervisor Murray Resolution #85 was adopted: Resolved to have the Committee Search for a Replacement for the Planning Board. Roll Call of Votes: Murray aye, Smith aye, Phelps aye, Kiefer aye, Whiteman aye. 5 Aye 0 Nay 0 Abstain.

Resolution #86 Request to place an Advertisement in the Local Paper(s) for Renewal of Town Liability and Property Insurance

Motion by Councilman Kiefer seconded by Councilman Whiteman Resolution #86 was adopted: Resolved to place an advertisement in local paper(s) for Renewal of Town Liability and Property Insurance. Roll Call of Votes: Kiefer aye, Whiteman aye, Phelps aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #87 Payment of Bills on Abstract #5

Motion by Councilman Smith seconded by Councilman Kiefer Resolution #87 was adopted: Resolved to pay the invoices on Abstract #5, Highway \$10,059.47 and General \$10,327.53. Total \$20,387.00. Roll Call of Votes: Whiteman aye, Phelps aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #88 Rescind Resolution #62 (284 Agreement) from April 10, 2018 Board Meeting

Motion by Councilman Kiefer seconded by Supervisor Murray Resolution #88 was adopted: Resolved to Rescind Resolution #62 (284 Agreement) from April 10, 2018 Board Meeting. Roll Call of Votes: Murray aye, Smith aye, Phelps aye, Kiefer aye, Whiteman aye. 5 Aye 0 Nay 0 Abstain.

Resolution #89 Accept the New 284 Agreement

Motion by Councilman Whiteman seconded by Councilman Kiefer Resolution #89 was adopted: Resolved to Accept the updated agreement listing actual roads, amounts and distances planned for the summer of 2018 and Correct General Repairs to reflect the budget for 2018 in the amount of \$70,000. Roll Call of Votes: Kiefer aye, Whiteman aye, Phelps aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #90 Allow the Highway Superintendent to Auction the 1988 Water Truck

Motion by Councilman Kiefer seconded by Councilman Whiteman Resolution #90 was adopted: Resolved to Allow the Highway Superintendent to Auction the 1988 Water Truck. Roll Call of Votes: Whiteman aye, Phelps aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #91 Request Weekly Schedule from Highway Superintendent to Town Supervisor Each Week by 9:00 a.m.

Motion by Councilman Smith seconded by Supervisor Murray Resolution was not adopted: Roll Call of Votes: Murray aye, Smith aye, Phelps nay, Kiefer abstain, Whiteman nay. 2 Aye 2 Nay 1 Abstain.

Resolution #92 Town Workers to Attend Training in Hammondsport on June 13, 2018

Motion by Councilman Smith seconded by Councilman Whiteman Resolution was adopted: Resolved to have the Town Workers attend training for Safe Work Practices, Workplace Violence, Sexual Harassment, Right to Know, Blood Borne Pathogens, HAZWOPER. Roll Call of Votes: Kiefer aye, Whiteman aye, Phelps aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #93 Replace a Part for the Roller and possibly purchase a new pump if needed

Motion by Councilman Kiefer seconded by Councilman Whiteman Resolution #93 was adopted: Resolved to replace a part on the Roller. If the part does not work then purchase a new pump for the Roller. Roll Call of Votes: Whiteman aye, Phelps aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Updates:

The Grange is still working on paperwork with NYS

Electric Issue is pending waiting for Quotes from Chapman Electric and Snyder Electric

Public Comments

Motion by Supervisor Murray seconded by Councilman Smith to adjourn the meeting. Roll Call of Votes: Murray aye, Smith aye, Phelps aye, Kiefer aye, Whiteman aye. 5 Aye 0 Nay 0 Abstain.

The Meeting adjourned at 8:40 PM

Susan M. Peck Town Clerk