

March 8, 2021

Regular Town Board Meeting

7:00 PM

The Fremont Town Board held their Regular Town Board Meeting on March 8, 2022 at 7:00 PM.

Supervisor Emily Murray called the Meeting to order at 7 PM; led the Pledge of Allegiance and Dean Kiefer gave the Invocation.

Present: Town Board: Supervisor Emily Murray, Councilman Cynthia Smith, Councilman Dean Kiefer and Councilman Bert Candee.

Absent: Councilman Carol Burns

Other Public Officials Present: Domenica Burns, ZBA

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

Resolution #32 Approve placement of ad in Indeed and Department of Labor for MEO Position

Motion by Supervisor Murray seconded by Councilman Smith Resolution #32 was adopted. It was resolved to approve the placement of ads in Indeed and Department of Labor for MEO position. Roll Call of Votes: Kiefer aye, Candee aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Old Business:

Resolution #33 Approve the Correction on Abstract #2

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #33 was adopted. It was resolved to approve the correction on abstract #2 from \$178,700.24 to \$192,261.56. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Resolution #34 Approve the Minutes from the February 8, 2022 Town Board Meeting

Motion by Councilman Smith seconded by Councilman Kiefer Resolution #34 was adopted. It was resolved to approve the Minutes from the February 8, 2022 Town Board Meeting. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Tabled Items:

Land Use Regulation, Planning Board/ZBA, Unsafe Structure Law. It was decided to call a mandatory meeting with the Planning Board and the ZBA to discuss their continuance. This meeting will be April 5, 2022 at 6:00PM in the Town Hall.

New Business:

Resolution #35 Appoint Shawn Smith as Deputy Highway Superintendent @ \$500 per year

Motion by Councilman Candee seconded by Councilman Smith Resolution #35 was adopted. It was resolved to appoint Shawn Smith as Deputy Highway Superintendent @ \$500 per year. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Candee aye. 4 Aye 0 Nay 0 Abstain.

Resolution #36 Accept the Justice Audit of 2021 by Baldwin Accounting

Motion by Councilman Smith seconded by Councilman Candee Resolution #36 was adopted. It was resolved to accept the Justice Audit of 2021 by Baldwin Accounting. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Candee aye. 4 Aye 0 Nay 0 Abstain

Town Clerk Audit was tabled until April.

Resolution #37 Approve the AUD

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #37 was adopted. It was resolved to approve the AUD. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Resolution #38 Appoint Holley Smalts as the Deputy Registrar Term of January 1, 2022-December 31, 2023

Motion by Councilman Smith seconded by Councilman Kiefer Resolution #38 was adopted. It was resolved to appoint Holley Smalts as Deputy Registrar with a term of January 1, 2022-December 31, 2023. Roll Call of Votes: Kiefer aye, Candee, aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Supervisor Murray read a letter from Concerned Tax Paying Towns People regarding Mr. Candee and the conflict of interest he might have, hearing options on the new wind changes, being informed of upcoming meetings agendas. These issues will be addressed at the next town board meeting in April.

Tom Flansburg responded that he had issues about Bud Phelps having a conflict of interest but nothing was done about it. This complaint should be sent to the Board of Ethics for determination. An official complaint in writing needs to be sent to the Town Clerk.

Supervisor Murray read a letter from the Town Attorney regarding conflicts of interest. The attorney recommended that Mr. Candee recuse himself due to conflict of interest. Mr. Candee will rebuke these allegations at the next town board meeting.

Supervisor read an email from Stephanie Ottey, regarding the onsite monitor for phase 1. The wind company has agreed to pay \$10,000 to cover costs of the Onsite Monitor.

The Board reviewed the request from Baron Winds to add Holmes Road and Babcock Road to the RUA.

Tom Flansburg was asked what he thought and he stated that the Board needed to do a new RUA on these two roads. He also said he would shut them down.

Supervisor Murray informed Superintendent Flansburg that there was going to be a preconstruction meeting to kick off the electrical collection/substation/time phases of the Baron Wind Project on March 16, 2022 at 10:00am at 7 Seneca Street in Hornell. Two people can attend, it was suggested that Councilman Smith attend as well as Mr. Flansburg.

Resolution #39 Approve Labella's Onsite Monitor Contract

Motion by Supervisor Murray seconded by Councilman Kiefer Resolution #39 was adopted. It was resolved to approve Labella's Onsite Monitor Contract. Roll Call of Votes: Kiefer aye, Candee, aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Resolution #40 Approve setup of an Escrow Account at Community Bank for Onsite Monitor

Motion by Councilman Kiefer seconded by Councilman Candee Resolution #40 was adopted. It was resolved to approve setting up an escrow account at Community Bank for Onsite Monitor. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Resolution #41 Approve Policies for 2022

Motion by Councilman Candee seconded by Councilman Smith Resolution #41 was adopted. It was resolve to approve the Investment Policy, Sexual Harassment & Discrimination Policy, Workplace Violence Policy, Town Hall Rental Policy, Grievance Policy and Health Emergency Plan. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Candee aye. 4 Aye 0 Nay 0 Abstain.

Supervisor Murray notified the Board that SR 70A Bridge #3333020-crossing Big Creek has been posted with a weight limit of 24 tons.

She also informed everyone that there were free masks and tests available at the Town Clerk's office.

Upcoming Steuben County Rabies Clinics are March 26th in Corning, April 30th in Hornell and October 15th in Bath.

Resolution #42 Approve Payment of the Bills on Abstract #3

Motion by Councilman Smith seconded by Councilman Kiefer Resolution #42 was adopted. It was resolved to approve the payment of the bills on abstract #3 in the amount of \$38,189.61. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Candee aye. 5 Aye 0 Nay 0 Abstain.

Public Comments??

Mary Soukup asked how she could know about the meeting agenda ahead of time. Supervisor Murray told her that the agenda will be posted on the website the weekend prior to the meeting. Mary went on to talk about the wind mills and spoke directly to Jonathan Burns about the damage they can cause.

Mike Smith questioned the ability of the highway crew's training on the grader. He felt they were in need of training before damaging the equipment. He suggested that the Town Board members drive the roads to see how bad shape they are in. He did not like it that capital project money will be used to purchase a new Mack truck. He stated that there was no snow fence put up in the town anywhere.

Ryan Batte asked what the status was on the property maintenance law. Supervisor Murray told him that they are working on it.

Supervisor Murray motioned to adjourn the meeting – all were in favor. Meeting adjourned at 8:00PM

*Susan M. Peck
Fremont Town Clerk*