

The Fremont Town Board held their Regular Town Board Meeting on June 14, 2022 at 7:00 PM.

Supervisor Murray called the Meeting to order at 7 PM; led the Pledge of Allegiance and Carol Burns gave the Invocation.

**Present: Town Board:** Supervisor Murray, Councilman Dean Kiefer and Councilman Bert Candee, Councilman Carol Burns and Councilman Smith

There were 13 people that attended the meeting.

**Other Public Officials Present:** Domenica Burns and Mary Soukup, ZBA and Greg Sikosek, Planning Board

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.

**Old Business:**

**Resolution #57 Approve the Correction to April 12, 2022 Minutes**

Motion by Councilman Burns seconded by Councilman Kiefer Resolution #57 was adopted. It was resolved to approve the correction to the April 12, 2022 minutes where Resolution #42 should be Resolution #53. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Burns aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

**Resolution #58 Approve the May 10, 2022 Town Board Meeting Minutes**

Motion by Councilman Burns seconded by Councilman Kiefer Resolution #58 was adopted. It was resolved to approve the minutes from the May 10, 2022 Town Board Meeting. Roll Call of Votes: Murray abstain, Smith aye, Burns aye, Kiefer aye, Candee aye. 4 Aye 0 Nay 1 Abstain.

Councilman Kiefer updated the Board that he has contacted the person regarding the doors and he was going to come on Monday but he called and told him he has Covid. He will get in touch as soon as he can.

Supervisor Murray told Councilman Candee, Dan Hammond and Mike Smith that they needed to apologize to the Board and the residents for their actions during the May Town Board Meeting at the Comment Section of the meeting. Councilman Candee wanted to respond then but Supervisor Murray told him to hold his comments until the comment section of the meeting.

**New Business:**

Representatives from two Insurance firms were here to do presentations for the Town’s Liability and Property Insurance. The current policy with NYMIR expires on July 15, 2022.

Supervisor Murray introduced Niki Cervoni, NYMIR (Sprague) Insurance representative to the group to give her presentation regarding the coverage for the Town’s Liability and Property Insurance that she has compiled. Councilman Kiefer asked if pictures were taken of the inventory inside the building by the Insurance Company. She suggested that an inventory be taken by the Town with replacement costs at the time. (This would be updated annually.) Councilman Candee after looking at the policy stated that the Salt Brine Storage was torn down. This was in the insurance policy for \$30,000 in coverage. Supervisor Murray asked Niki for this to be removed and asked Shawn Smith why the Board was not notified about this. He said that they had just tore it down about a month ago.

Supervisor Murray introduced Steve Peck, Ryan Insurance Agency representative to the group to give his presentation regarding the coverage for the Town’s Liability and Property Insurance that he has compiled.

**Resolution #59 Approve the line Transfers to balance the Budget**

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #59 was adopted. It was resolved to approve the line transfer to balance the budget.

Transfer from:

|          |                  |             |
|----------|------------------|-------------|
| DA5112.2 | CHIPS            | \$81,133.00 |
| DA9010.8 | State Retirement | \$ 879.00   |

Transfer to:

|          |                        |             |
|----------|------------------------|-------------|
| DA5130.2 | Machinery (2023 Truck) | \$81,133.00 |
| DA9040.8 | Workers Compensation   | \$ 879.00   |

Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Burns aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Supervisor Murray stated that the Board has not received the 284 Agreement from the Highway Department and since Tom is not here at the meeting Shawn informed the Board that it is not done because they are waiting for call backs with the costs of each project. Mike Smith stated that this is not an agreement in stone it can be edited for changes. Supervisor Murray asked Councilman Candee if he could help Tom with the computer part of the process. He stated that he did not know how to help him with it and Councilman Kiefer stated it was the Highway Superintendents job to do this agreement. Mike Smith offered to contact Tom to help him with the 284 Agreement. Supervisor Murray thanked him for volunteering to help. Since there is no 284 Agreement in place the Board will have to do a resolution to make payments for any invoices related to CHIPS.

**Resolution #60 Approve to Pay Chips Bills from New Enterprise Stone & Lime**

Motion by Councilman Burns seconded by Councilman Smith Resolution #60 was adopted. It was resolved to approve the payment of Chips bills from New Enterprise Stone & Lime \$3242.40. Roll Call of Votes: Candee aye, Burns aye, Smith aye, Kiefer aye, Murray Nay. 4 Aye 1 Nay 0 Abstain.

Supervisor Murray told the Board that there was a new timesheet for the highway crew. There were copies in their packets. Shawn Smith questioned why they had new timesheets and Supervisor Murray stated that the Town Attorney was reviewing our timesheets along with other towns and noticed there was no certification on it which is required. Shawn told the Board that Tom will not sign it and he would not go back two weeks and redo his timesheet. He said he was not going to sign anything else from the last two weeks. He told the Supervisor that if he did not get his paycheck on time she would be hearing from his attorney. Supervisor Murray had the paychecks with her. Shawn questioned why he had a check when he had direct deposit. She told him since she did not receive any timesheets, she did not get the paychecks until this afternoon. Shawn claimed since the timesheets were sent to Baldwins she had them. Supervisor Murray told him that she does not receive copies of the timesheets with the payroll and Tom did not bring any timesheets to the town clerk.

**Resolution #61 Approve to Pay Highway Crew w/o Certified Time Sheets for 5/30-6/10, 2022**

Motion by Supervisor Murray seconded by Councilman Kiefer Resolution #61 was adopted. It was resolved to approve to pay the highway crew w/o certified time sheets for 5/30-6/10, 2022. Roll Call of Votes: Smith aye, Kiefer aye, Candee aye, Burns aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Supervisor Murray stated that the attorney suggested the town look into a Bio Metric Time Clock.

**Resolution #62 Approve to look into a Bio Metric Time Clock**

Motion by Supervisor Murray seconded by Councilman Kiefer Resolution #62 was adopted. It was resolved to look into purchasing a bio metric time clock. Roll Call of Votes: Smith aye, Kiefer aye, Candee aye, Burns aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

A discussion began regarding a letter to Eric A. Rose, Commissioner of Steuben County Public Works asking for a flashing caution light or a blind intersection ahead sign. Jonathan Burns suggested that the County widen the shoulder so that the vehicles turning right can stay off of the road until it is safe to move to the left. He knows that is a county issue not a town.

**Resolution #63 Approve the Letter to Eric A. Rose, Commissioner of Public Works at Steuben County**

Motion by Supervisor Murray seconded by Councilman Smith Resolution #63 was adopted. It was resolved to send another letter to the Steuben County Commissioner of Public Works at Steuben County. Roll Call of Votes: Candee aye, Burns aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

A discussion began regarding the memorial plaque for individuals that donated their time and effort to the Town of Fremont. It was decided the top of the plaque state 'In recognition of individuals who donated their time and effort on behalf of the Town of Fremont. Their contributions to the Town will not be forgotten'. The name plates will have the person's name.

It was decided to wait another year before destroying town records.

Councilman Candee and Councilman Burns were asked how the Town Clerk/Tax Collector audit went. They said it went well and the records were in good order.

**Resolution #64 Approve the Town Clerk/Tax Collector Audit for 2021**

Motion by Councilman Candee seconded by Councilman Kiefer Resolution #64 was adopted. It was resolved to approve the audit done by Councilman Candee and Councilman Burns. Roll Call of Votes: Murray aye, Smith aye, Burns abstain, Kiefer aye, Candee abstain. 3 Aye 0 Nay 2 Abstain.

Dan Hammond read the letter from the Ethics Board to the Town Board regarding the letter sent by Mike Smith stating that Councilman Candee's behavior at the May Town Board Meeting. It was resolved that this type of behavior should not be tolerated in the future.

Mike Smith apologized to the Town Board, Councilman Candee and Dan Hammond for his actions at the last Board meeting. He also thanked Domenica Burns for standing up and stopping the situation. Councilman Candee apologized to Mike Smith for his actions as well.

A thank you to Councilman Kiefer for replacing the toilets in the Town Hall.

The Mailing List Signup is on the website – please sign up so we can test it.

The Facebook page is almost complete.

Chapman Electric sent the estimate for the lighting outside of the Town Hall. Councilman Kiefer suggested to talk with the Code Enforcement Officer before anything is done on whether the town can eliminate some of the lights.

A letter was received from Baron Winds attorneys Young/Sommer LLC regarding the use of Babcock and Holmes Roads. They stated that in the Road Use Agreement the Wind Company can use those roads. Jason Dagger, RWE, spoke with Jeff Castle from Labella because he could not reach the highway superintendent to discuss the roads. After some discussion, Shawn Smith stated that the wind company could use them as long as they were under the 8-ton limit. The Wind Company representative, Jason Dagger, requested something in writing stating that they were all in agreement. Supervisor Murray stated that RWE would have to wait for anything in writing until she had spoken to the highway superintendent about it.

Jason was asked what type of trucks would be on them and he stated 2 axle light duty trucks and equipment. Shawn Smith stated that Davis Road was in really bad shape and the wind company should have fixed it not the town. The highway superintendent has called the site supervisor many times.

A discussion began regarding Safe Driver Solutions. It was decided to have Tom Flansburg call them to do the drug test for the part time person. Supervisor Murray will call the County to see if there are any issues changing the drug test agency and does it affect the workers compensation. The Town Clerk also needs the part-time person's drivers license to run through the LENS program before hiring. This was tabled until next month once the County has been contacted.

A discussion began regarding which insurance company the Town should subscribe to. It was decided to stay with NYMIR.

**Resolution #65 Approve the Acceptance of NYMIR for the Town's Liability and Property Insurance**

Motion by Councilman Burns seconded by Councilman Kiefer Resolution #65 was adopted. It was decided to accept the bid from NYMIR for the Town's Liability and Property Insurance. Roll Call of Votes: Kiefer aye, Candee aye, Burns aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

**Resolution #66 Approval to Pay the Bills**

Motion by Councilman Smith seconded by Councilman Candee Resolution #66 was adopted. It was resolved to approve to pay the bills \$43,925.33. Roll Call of Votes: Candee aye, Burns aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

**Public Comments??**

Seth Hilton reminded everyone to get out and vote on June 28<sup>th</sup>.

Jason Dagger, RWE, invited the Town Board and the Fremont residents to attend an open house regarding Fremont Phase 2 at the Arkport School in the small gym on June 23<sup>rd</sup> from 6-8pm.

Supervisor Murray asked Jason Dagger, RWE, if he had spoken with the Sherman's and he said no but he will get in touch with them. She told him that they were very upset and he needed to speak with them.

Supervisor Murray motioned to adjourn the meeting. All were in favor.

Meeting adjourned at 8:45PM

*Susan M. Peck*  
*Fremont Town Clerk*