

The Fremont Town Board held their Regular Town Board Meeting on September 13, 2022 at 7:00 PM.

Supervisor Emily Murray called the Meeting to order at 7 PM and led the Pledge of Allegiance and Councilman 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: Greg Sikosek, Planning Board, Mary Soukup and Domenica Burns, ZBA

There were 11 people that attended the meeting

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

Highway Superintendent Flansburg was asked to read his report and he said everybody has received his daily log and he needs to have an ad placed for his vacant MEO position due to Dan Rice quitting. He also asked whether the town has an escrow account for the seasonal roads for the damage done to them by the wind mill company and also how is the town going to get paid for these damages. Highway Superintendent Flansburg stated that he was not going to plow, ditch or repair the seasonal roads at all. He also stated who was going to pay for repairs to these roads after the wind company is done? Shawn Smith stated that why should the tax payers pay for the seasonal roads. Supervisor Murray stated that she does not have the road use agreement in front of her and she will look at it at a later time.

Supervisor Murray stated to Superintendent Flansburg that the emails were incorrect on the email that was sent regarding the excavator. Carol Burns and Bert Candee were not listed on the recipient list and Supervisor Murray's was incorrect. Shawn Smith stated that he was going by what was on the computer. Supervisor Murray suggested to him that he check the website for the correct email addresses.

Old Business:

Resolution #82 Approve the Minutes from August 9, 2022 Meeting

Motion by Councilman Candee seconded by Councilman Smith Resolution #82 was adopted. Resolved to approve the minutes from the August 9, 2022 meeting. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Candee aye. 4 Aye 0 Nay 0 Abstain.

Supervisor Murray asked Councilman Kiefer for an update regarding the 2 doors at the Town Barn and the 1 front door at the town hall. He said the company would be down on September 22nd around 1:00-1:30 pm to install all the doors. They will also bring with them a detailed breakdown of the estimate and the Insurance paperwork.

New Business:

Resolution #83 Approve the Contract for 2023 with Baldwins Services at \$10,200.00

Motion by Councilman Kiefer seconded by Councilman Candee Resolution #83 was adopted. Resolved to approve the contract for 2023 with Baldwins Services at \$10,200.00. Roll Call of Votes: Kiefer aye, Candee aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Supervisor Murray told the Board to review the tentative budget and the Budget Workshop will be held on Tuesday, September 20, 2022 at 6pm. The town clerk noted that DA9040.8, Workers Compensation, needs to be increased from \$11,050.00 to \$11,600.00.

Resolution #84 Approve to Place an Ad to Hold a Budget Workshop on September 20th at 6pm

Motion by Councilman Candee seconded by Councilman Smith Resolution #84 was adopted. Resolved to approve to place an ad to hold a budget workshop on September 20th at 6pm. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Resolution #85 Approve to hold a Public Hearing on October 11, 2022 at 6pm for the 2023 Budget

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #85 was adopted. Resolved to approve to hold a public hearing on October 11, 2022 at 6pm for the 2023 Budget. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Reviewed Hornell Elks Lodge #364- Request for monetary donation for the annual Community Baby Shower. The Board decided to place the notice on the bulletin board.

Review Environmental Emergency Services Request for \$500.00 for 2023 budget. The Board decided against donating to this service.

Supervisor Murray asked the Board to review the Town of Fremont and Highway Employment Agreement which will be due by December 13, 2022.

Supervisor Murray informed the Board that due to the company that ran the road runner email service going out of business the town will need to acquire new email addresses. The town clerk is looking into acquiring .gov addresses at no cost to the town.

A discussion began regarding the use of the ARPA (American Rescue Plan Act) funds in the amount of \$98,000.00. Some of the items that were talked about were Heat/Cool Town Hall, a Heat Pump System; Insulate the Basement to reduce utility bills; a billboard sign outside the building; downstairs doors. Quotes will be needed and then a public hearing will take place to include the residents. Allocation deadline is December 21, 2024.

Supervisor Murray read the notice to be put on the Town Website regarding the Memorial Plaque.

Supervisor Murray also stated that the pressure pump kicks on and off a lot down in the basement. It was okayed for the town clerk to call a plumber.

Highway Superintendent Flansburg submitted a quote for a new Hyundai Excavator with a cost of \$274,377.00. He stated that the current excavator leaks all the time. Supervisor Murray asked if the current excavator could be fixed and Shawn Smith stated that they were having a hard time finding parts for it. Councilman Kiefer asked what kind of excavator was it and Shawn Smith stated Volvo. Superintendent Flansburg stated it has been getting fixed for years. Questions were asked regarding the quote asking for explanations. Councilman Kiefer asked if there were any used ones on the market and Flansburg stated that you cannot use chips money on used equipment. Supervisor Murray asked Superintendent Flansburg to get something in writing stating that the new truck would not be ready until 2024. Supervisor Murray asked Superintendent Flansburg if he had a list of the roads, he needed to do next year as well as the cost. He said no. Supervisor Murray asked Superintendent Flansburg if he considered a new tractor and he said it would not do the job like the excavator would. Shawn Smith stated that the roads are so overgrown that they needed the excavator with the mower. Supervisor Murray asked him to supply them with a two-year road plan and what the costs will be approximately. Councilman Kiefer stated that we should hold until we receive concrete answers. Supervisor Murray asked if Superintendent Flansburg looked at any other models and Superintendent Flansburg said no. The Board tabled this request until they receive the information that was requested.

Supervisor Murray asked Superintendent Flansburg about an ad to be placed in the Shopper for a MEO position. She asked if he told the Board about Dan Rice quitting and he said no.

Resolution #86 Approve to Place an Ad in Shopper for MEO Position

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #86 was adopted. Resolved to approve to place an ad in the Shopper for a MEO position. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Candee aye. 4 Aye 0 Nay 0 Abstain.

Supervisor Murray informed the Board of ServU FCU Shred Day, Saturday, October 1, 2022 in Hornell from 9-noon.

Supervisor Murray gave a short update on the Baron Winds amendment filed for Phase II. Which entails increasing the height of the towers to 650', Some questions were asked of Jason Dagger, RWE representative. Supervisor Murray opened up the meeting for public comments regarding this. Superintendent Flansburg stated that the Board needs to do something as far as he can tell the Board has never challenged the wells and he gave the Board information and he is sick of this company. He named a bunch of violations that he thinks the wind company has done. He said all he has left to do is call 911. Supervisor Murray asked about the pipe not being replaced on Babcock Road. Jason Dagger stated that they could not do it because it was not under their permits to do. Supervisor Murray stated that it was a big waste of time when we all met previously regarding these issues. Jason Dagger stated to let him know if there are damages and he would look into them. Councilman Smith asked Jason Dagger if a no construction traffic use sign could be put at the bottom of Babcock Road on the north end? He will look into it. Dan Hammond stated that when Howard wind mills were being put up the wind company was doing construction on roads all through that process. Supervisor Murray asked Jason Dagger if Davis Road could be fixed before winter. Flansburg stated it would not make any difference due to the traffic. Dan Hammond stated he couldn't wait for all the traffic on his road to start. He wants to get out of his contract. Supervisor Murray asked Jason to speak with Dan Hammond about this later. Superintendent Flansburg asked if the Board was going to do anything about the well testing and he stated that the wind company was only going to do 2 wells. Jason Dagger stated he thought it was around 50 wells to be tested. A letter will go out in the near future. Supervisor Murray stated that the wind company would have to follow the law. Dan Hammond brought up about the

logging and that the planning board denied it and Flansburg stated that the loggers did a lot of damage to Huginor Road. Tom read a document to the Board about wind issues.

Resolution #87 Move to Executive Session with Town Clerk to take minutes

Motion by Supervisor Murray seconded by Councilman Kiefer Resolution #87 was adopted: Resolved to move to executive session with town clerk to take minutes. Roll Call of Votes: Kiefer aye, Candee aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Resolution #88 Resume Regular Meeting

Motion by Supervisor Murray seconded by Councilman Kiefer Resolution #88 was adopted. Resolved to resume regular meeting. Roll Call of Votes: Kiefer aye, Candee aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Resolution #89 Approve to Pay the Bills

motion by Councilman Smith seconded by Councilman Candee Resolution #89 was adopted. Resolved to approve to pay the bills in the amount of \$20,134.41. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Candee aye. 4 Aye 0 Nay 0 Abstain.

Public Comments?

Mary Soukup asked Jason Dagger if she made a comment would it be on both sites, the DMM and Baron Winds? Jason Dagger responded that she should use the dmm site first. He is not really sure.

Dan Hammond asked the Board to send a letter to the Broadband Office to include Fremont in the plan. Supervisor Murray said she would send a letter to the Broadband office.

Resolution #90 Approve to Send a Letter to NYS Broadband Office

Motion by Supervisor Murray seconded by Councilman Smith Resolution #90 was adopted. Resolved to approve to send a letter to the NYS Broadband office to include Fremont in the plan. Roll Call of Votes: Kiefer aye, Candee aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Superintendent Flansburg stated that Labella has not been contacted by the wind company when they are doing construction on the roads. Jason Dagger stated that Labella is contacted daily by email and he can add Superintendent Flansburg to the daily list of contacts.

Greg Sikosek asked why not use the ARPA funds for broadband and Supervisor Murray stated it would not go very far.

A motion by Supervisor Murray to adjourn the meeting. All in were in Favor.

Meeting was adjourned at 8:32PM

Susan M. Peck

Fremont Town Clerk