

October 11, 2022

Public Hearing

6:30PM

The Fremont Town Board held a Public Hearing regarding the 2023 Town Budget on October 11, 2022 at 6:30 PM
Supervisor Murray asked the only attendee present if he had anything to say about the Budget and he replied no.
Supervisor Murray ended the meeting at 6:34PM.

October 11, 2022

Town Board Meeting

7:00PM

The Fremont Town Board held their Regular Town Board Meeting on October 11, 2022 at 7:00 PM.
Supervisor Murray called the Meeting to order at 7:00pm; led the Pledge of Allegiance, Councilman Kiefer gave the invocation. Supervisor Murray asked for a moment of silence for William “Bud” Phelps.
Present Town Board: Supervisor Emily Murray, Councilman Cynthia Smith, Councilman Dean Kiefer, and Councilman Bert Candee.

Absent Town Board: Councilman Carol Burns

RWE Representatives: Randy Buntjer and Stephanie Ottey

Fourteen residents 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.

Old Business:

Resolution #91 Approve the Minutes from September 13, 2022

Motion by Councilman Candee seconded by Councilman Kiefer Resolution #91 was adopted: Resolved to approve the Minutes for September 13, 2022 Town Board Meeting. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Resolution #92 Approve the Minutes from the Budget Workshop on October 4, 2022

Motion by Councilman Candee seconded by Councilman Smith Resolution #92 was adopted: Resolved to approve the Minutes from the October 4, 2022 Budget Workshop. 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 on the doors from Flower City in Rochester. He informed the board the doors were ordered and they will be done when they get them.

New Business:

The Board was asked by Supervisor Murray if they wanted to send flowers to Carol Burns and they all were in favor.

Supervisor Murray informed the Board of a letter she received from the Mayor of Hornell, John Buckley, regarding an ambulance contract request. She said that the mayor would be at the November 8, 2022 meeting along with Barry Dye to give a presentation on the subject.

Supervisor Murray asked the Board for a determination of the 7748 Old Big Creek property. A discussion began and it was decided to have a deadline of November 8, 2022 for clean up and if not fines of \$250.00 daily until it is cleaned up.

Resolution #93 Approve the Determination of the 7748 Old Big Creek Property

Motion by Supervisor Murray seconded by Councilman Kiefer Resolution #93 was adopted: Resolved to approve the determination of the 7748 Old Big Creek Property. Roll Call of Votes: Kiefer aye, Candee aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

A discussion began regarding the 2023 Fire Department Budget. Supervisor Murray asked if any of the Board members had any questions and no one had any.

Resolution #94 Approve the 2023 Town of Fremont Budget

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #94 was adopted: Resolved to approve the 2023 Town of Fremont Budget. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

The Ethics Board reviewed an anonymous complaint against Town Clerk Susan Peck and Town Supervisor Emily Murray regarding an interaction between the two. The complaint is as follows: “At the September 13, 2022 Town Board Meeting, on the fourth chip around 7:35 pm, when Tom Flansburg was speaking, the Town Clerk said under her breath, “Asshole”, and the Town Supervisor laughed”. The Board of Ethics hopes that every town official will conduct himself or herself in a professional manner.

Supervisor Murray gave a brief review of the letter from Aaron Mullen, our Steuben County Legislator, regarding the new comprehensive planning committee for Steuben County. She will stay on top of this fiber optic issue with Aaron Mullen.

Highway Superintendent Flansburg gave a listing of the seasonal roads to Councilman Kiefer. There was no discussion.

Resolution #95 Approve the Seasonal Road Listing from the Highway Superintendent

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #95 was adopted: Resolved to approve the seasonal roads for the Town of Fremont by Highway Superintendent. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Candee aye. 4 Aye 0 Nay 0 Abstain.

Resolution #96 Approve to Pay the Bills

Motion by Councilman Candee seconded by Councilman Kiefer Resolution #96 was adopted: Resolved to approve to pay the bills in the amount of \$42,802.82. Roll Call of Votes: Kiefer aye, Candee aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Public Comments:

Ryan Batte asked why others were not getting fined with junk cars. Councilman Kiefer stated that the Code Enforcement Officer should be traveling Fremont to find these cars.

Candy Clarke asked if the Board could stop having people go on and on about the wind. Maybe have a time limit for speaking. She is tired of the negativity about the windmills. We all need to listen to each other whether we agree or not and move forward. Some people put fear in others with negative thoughts about the windmills. She wants to buy some tickets from the fire department for the raffle. Nancy Hadsell's name was given to her.

Randy Buntjer, RWE, told the people that they have both sizes of the turbines in Cohocton or Wayland and asked people in the galley to take a look at the wind turbines in Cohocton. You really cannot tell what size they are.

Candy Clark said that she did not care if they stayed the same size of 500'. But it is not up to her.

Mike Smith asked the Board if they have seen the old turbines at T&R. These windmill parts are going into the landfill. He is suggesting that the Board approve the 650' turbines so we do not have to scrap the 500' turbines later and add more to the landfill in the future. Let just be done with it.

Stephanie Ottey, RWE, clarified that the materials are being recycled and some is going back into the ground but she really could not comment on it due to lack of information.

Shawn Smith said the fiberglass is going back into the ground. What is that going to do with our wells. Stephanie Ottey responded that if a well gets contaminated then the company would fix it. Supervisor Murray asked when they were going to start testing the wells? Stephanie stated that well survey letters will be going out in November to the affected Fremont residents.

Tom Flansburg asked Stephanie if Fremont was the only town getting their wells tested and she replied yes. The other towns are not. RWE did do testing in Chautauqua County. You can also google Baron Winds DMM and it will show you a lot of public information.

Mary Soukup said that the height of the windmills has been taken out of the hands of the town board and is now with New York State siting commission and the wind company is happy about that. She stated that Randy said back in February that "650' end of story". Mary stated that this is all just noise and chatter and there is no sense in bickering about it anymore.

Tom Flansburg asked Candy Clarke if she had a good neighbor agreement with the Wind Company and she said what does that matter and he said that she was getting paid by the Wind Company. She spoke up and said that money has no influence over her opinions. She cannot be bought. Tom Flansburg then said why don't you give the money back then. She responded why should she because she believes in it.

Stephanie Ottey responded to Mary Soukup's statement about it being in the New York State hands. It is true that they have petitioned the state to waive the certificate governing document of what we are allowed to do. We have done that although yes, the town has a town law. We have a responsibility to reduce our impact by asking the State to waive the town law. With this we would be able to eliminate eight turbines from our footprint. When you go from 34 to 26 turbines that's 25% of the project. We have a responsibility to be as respectful of the resources here as we can and that's why we asked for the waiver. The State does value the Town's input in this waiver. We would like the town to support the 650' turbines. Your voices are still really valuable in this process.

Tom Flansburg stated that what Stephanie just said was all nonsense. Not only do you not want to follow our laws which you people have come here for years and promised this and that and turn around and go to the State for the 650' turbines. Not only that you wanted to get out of the well testing. You wanted to change the designated haul routes and move turbines around and wanted to do what benefited you guys and could care less about what's going to benefit the people of the town and we have gone through this for years. So, you go to the State because that is what the wind people do because they got all the right people in the right places. You could care less about our laws.

Randy Buntjer highly recommend that you reach out to the other highway superintendents and get their input Ray Thielges from the Town of Wayland, Rich Schumacher from Cohocton and Toby Jamison from Town of South Dansville. These people are not getting any money but see the value of the support the money from our company gives the community. Listen to their complaints about the wind company. I think it would be a good idea for you to do this. I hear one negative voice here that seems to push the issue. Reach out and get their input.

Tom Flansburg, I respectively disagree South Dansville is only getting three turbines, Wayland only eight and we have all heard about liens being put on peoples' properties over in Cohocton. There is a second lien going on and the latest is the bases of the 650' turbines are cracking. I met with a homeowner located at the Corner of Mack School Road and Wagner Road, they were very upset with the wind company. I am not the only negative voice if you had been coming in previous years this place was packed with standing room only with people objecting to the turbines. So, it is not only me. I am about health and safety, that's what is has been for me.

Randy Buntjer stated that he hears him and respected his opinion but as I mentioned reach out to other highway superintendents. Also, so everybody knows the townships hired third party monitors to monitor the foundations being poured in that whole process. So, feel free to reach out to them its public knowledge. This is the first I have heard about the foundations. Supervisor Murray stated that the foundation issue was over in Greenwood six of them. Randy stated that's a different company and they did not oversee properly. RWE has excellent quality control.

Tom Flansburg stated that he emailed Andrew Fecco, DPS, requesting 3-4 inches of gravel on Holmes Road and rolling it. Randy Buntjer stated that Andrew shared the emailed and stated you are welcome to send emails to the State but it's a simple phone call to me if you have an issue with the road. We are gong to take care of it. Tom asked to be notified ahead of time so he can notify the monitor

Councilman Candee motioned to end the meeting all were in favor.

Meeting adjourned at 7:45PM

Susan M. Peck
Fremont Town Clerk