

The Fremont Town Board held their Regular Town Board Meeting on February 14, 2023 at 7:00 PM.

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

Present: Town Board: Supervisor Emily Murray, Council Member Cynthia Smith, Council Member Dean Kiefer, Council Member Seth Hilton and Council Member Carol Burns

Other Public Officials: Domenica Burns, Zoning Board of Appeals, Tom Flansburg, Highway Superintendent, and Holley Smalt, Assessor

**Old Business:**

**Resolution #15 Approve Correction to the January 10, 2023 Minutes Regarding Supervisor Murray's Votes**

Motion by Council Member Kiefer seconded by Council Member Burns Resolution #15 was adopted. It was resolved to change resolutions 2, 3 and 4 from aye votes to abstain votes for Supervisor Murray. Roll Call of Votes: Hilton aye, Burns aye, Smith abstain, Kiefer aye, Murray aye. 4 Aye 0 Nay 1 Abstain.

**Resolution #16 Approve Correction to Abstract #1 from January 10, 2023**

Motion by Council Member Burns seconded by Council Member Kiefer Resolution #16 was adopted. It was resolved to change the total dollar amount from \$33,458.52 to \$34,162.18 due to receiving the National Fuel Gas Invoice. Roll Call of Votes: Hilton aye, Burns aye, Smith abstain, Kiefer aye, Murray aye. 4 Aye 0 Nay 1 Abstain.

**Resolution #17 Approve the Minutes from January 10, 2023 with Corrections**

Motion by Council Member Kiefer seconded by Council Member Burns Resolution #17 was adopted. It was resolved to approve the minutes from January 10, 2023 with corrections. Roll Call of Votes: Murray aye, Burns aye, Kiefer aye, Hilton aye, Smith abstain. 4 Aye 0 Nay 1 Abstain.

Supervisor Murray asked Council Member Kiefer for an update on the doors and he responded that he has had no response from Flower City Glass.

**Reports:**

Holley Smalts, Assessor attended the Board Meeting to discuss the 2023 Project that she is doing. We are on the last stage right now. The impact disclosure notices were printed yesterday and they will be going out March 1<sup>st</sup>. There will be a cover letter that will state the times that people can call to discuss their assessments. There is a dedicated phone line for people to call her. There is a one-week time frame from 9-4 where you can call to schedule an informal hearing. These hearings will be held during the second week in March through the middle of April. Times will be flexible to accommodate people that are working, etc. The purpose of an evaluation is not for taxing purposes. It is to make the tax roll equitable. She went on to explain the evaluation process.

Supervisor asked if there were any questions and no one had any so she thanked Holley for coming and informing the 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.

Superintendent Flansburg stated that the new Mack truck will be leaving the factory on February 16 and the box will be delivered to Wilbri sometime in May. The supply chain is making part supplies difficult. He received a complaint from a resident on Mack School Road regarding the turbines on Holmes Road. He also wants to pay on the new truck the \$135,000 from CHIPS. Supervisor Murray asked him to request a bill from Mack to attach to the voucher.

**Resolution #18 Approve Sand and Mixture Policy**

Motion by Supervisor Murray seconded by Council Member Smith Resolution #18 was adopted. It was resolved to approve the Sand and Mixture Policy. Roll Call of Votes: Kiefer aye, Hilton aye, Smith aye, Murray aye, Burns aye. 5 Aye 0 Nay 0 Abstain.

Supervisor Murray asked Superintendent Flansburg if he had any problems with the Sand Policy. He said you really cannot monitor it. He also said that apparently, somebody has been down there with a red pickup with a sander. Supervisor Murray stated that the cameras could be checked down at the Town Barn. He said you would have to get the security people to come down and look at it. Council Member Smith said she could look at the camera footage and asked the Town Clerk if she had a key. The Town Clerk stated that since Superintendent Flansburg changed the locks he never gave me a new set. Council Member Smith asked Superintendent Flansburg to get the Town Clerk a set of the keys for the Town Barn.

**Resolution #19 Approve the Housekeeping Rules**

Motion by Council Member Smith seconded by Supervisor Murray Resolution #19 was adopted. It was resolved to approve the Housekeeping Rules. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Burns aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

The Computer Cyber Training needs to be taken by anyone using the computers.

**Resolution #20 Approve the Computer Use Policy**

Motion by Supervisor Murray seconded by Council Member Smith Resolution #20 was adopted. It was resolved to approve the Computer Use Policy. Roll Call of Votes: Kiefer aye, Hilton aye, Smith aye, Murray aye, Burns aye. 5 Aye 0 Nay 0 Abstain.

**Resolution #21 Approve the No Smoking Policy**

Motion by Council Member Kiefer seconded by Council Member Burns Resolution #21 was adopted. It was resolved to approve the No Smoking Policy. Roll Call of Votes: Smith aye, Burns aye, Kiefer aye, Hilton aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

**Resolution #22 Approve the Cell Phone Policy**

Motion by Council Member Burns seconded by Council Member Smith Resolution #22 was adopted. It was resolved to approve the Cell Phone Policy. Roll Call of Votes: Murray aye, Smith aye, Burns aye, Kiefer aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

Council Member Smith asked the Supervisor if she purchased a new cell phone for the Highway Superintendent and she responded that it is a government account and it is difficult to work with but she will keep trying.

**Resolution #23 Approve the Historical Records Policy**

Motion by Council Member Burns seconded by Council Member Hilton Resolution #23 was adopted. It was resolved to approve the Historical Records Policy. Roll Call of Votes: Kiefer aye, Hilton, Smith abstain, Murray aye. 4 Aye, 0 Nay 1 Abstain.

**Resolution #24 Approve the Procurement Policy**

Motion by Supervisor Murray seconded by Council Member Kiefer Resolution #24 was adopted. It was resolved to approve the Procurement Policy. Roll Call of Votes: Kiefer aye, Hilton aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

**Resolution #25 Approve Drug Policy**

Motion by Council Member Kiefer seconded by Supervisor Murray Resolution #25 was adopted. It was resolved to approve the Drug Policy. Roll Call of Votes: Hilton aye, Smith aye, Kiefer aye, Burns aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

The Standard Work Day for Elected and Appointed Officials was tabled until next month.

Supervisor Murray asked for 2 Council Members to volunteer to do the audit for the town clerk by March 1st. Council Members Burns and Hilton volunteered. A date will be forthcoming.

Fiber Update from Aaron Mullen stating that Steuben County is considering using some of their ARPA funding to “fill” in underserved areas with Fiber. They are working with Empire Access on the details and may have a map to share in the future.

**Baron Winds:**

The Town received a payment of \$10,747.14 for services rendered by the Highway Department on Davis Road.

Also received additional letter of credit for Holmes Road. It went from \$430,650 to \$694,830. This is for Phase I.

**Resolution #26 Approve the Dog Control Officer to Attend Animal Control Certification**

Motion by Council Member Burns seconded by Council Member Smith Resolution #26 was adopted. It was resolved to approve the Dog Control Officer to attend animal control certification. Roll Call of Votes: Hilton aye, Smith aye, Kiefer aye, Murray aye, Burns aye. 5 Aye 0 Nay 0 Abstain.

Supervisor Murray stated that there was some training available in April if any of the various board members wanted to attend (\$75.00).

The Governor of New York State enacted a new Law on August 17, 2022 changing the wording of councilman to Council Member.

Steuben County sent a letter stating that it is time to plan for rabies clinics.

Association of Towns will be holding their annual meeting in NYC at the Marriott February 19-22, 2023 for Town Officials.

**Resolution #27 Approval to Pay the Bills on Abstract #2**

Motion by Council Member Kiefer seconded by Councilman Smith Resolution #27 was adopted. It was resolved to approve the payment of the Bills on Abstract #2 in the amount of \$104,375.88. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Burns aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

**Public Comments??**

Ron Smith stated that the Highway is putting way too much sand on the road. It becomes very muddy. I feel like I live on a dirt road. Supervisor Murray asked the Highway Superintendent if he wanted to make note of it and he stated that you cannot make everybody happy. You put too much on people complain or not enough they complain. I will try to limit the amount by Mr. Smith's house in the future. Mr. Smith thanked him.

Mrs. Pfaff stated that Bills Road was not taken care of this year at all. It was the worst ever. Supervisor asked Mrs. Pfaff if she had been the one to call her regarding the highway department using the sweeper on her road and she replied yes. Supervisor Murray asked highway superintendent if he wanted to explain why and he stated that they have been taking care of her road and it is fine. The 1-ton truck was broken down and it was a light dusting so he used the sweeper. Going forward he stated that he will be doing Bills Road at the end instead of first for a couple of reasons. It is one of the better roads in town. She stated that there is a bus on this road and it has been a mess. Superintendent Flansburg stated he has not received any complaints from the bus company and it is not the only road in town with buses.

Council Member Burns stated that she has received a few complaints about the roads and she stated that this winter has been an odd winter and very difficult to take care of the roads. She stated that the town needs a five-year plan on the roads.

Council Member Kiefer asked the highway superintendent if his equipment was in working condition. He replied that the 2020 Mack is waiting for a new axle and the excavator parts are delayed...supply chain issues. He stated that the roads are down to cobblestone. They have not had any material on them in many years. He plans on rolling over the CHIPS money for a new excavator.

Ron Smith asked Superintendent Flansburg how he can push the trees over onto private land with his ditching. It looks like crap. Flansburg stated that he did not create any of these problems with the trees. The trees are 20' tall. Smith said cut them down with a chainsaw and remove them. Flansburg stated he does not have the manpower to do it. Smith stated that when he was Highway Superintendent you thought I had the manpower to do everything. Flansburg said he did not and he cannot get people with CDLs. Smith stated that a chainsaw does not need a CDL. The town looks terrible. Flansburg stated maybe if the trees were trimmed when you (Smith) were in there we would not have these problems now. Ron Smith responded that maybe you are right Tom.

**Resolution #28 Move to Executive Session with Town Clerk**

Motion by Supervisor Murray seconded by Council Member Smith Resolution #28 was adopted. It was resolved to move into Executive Session with Town Clerk. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Burns aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

Within the Executive Session Council Member Burns was asked to leave due to the subject was Baron Winds.

**Resolution #29 Approval to End Executive Session and Resume Regular Meeting**

Motion by Council Member Smith seconded by Council Person Hilton Resolution #29 was adopted. It was resolved to end the Executive Meeting and Resume Regular Meeting. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Hilton aye. 4 Aye 0 Nay 0 Abstain.

**Resolution #30 Approve the B&L Proposal and have Pullen take the lead**

Motion by Council Member Smith seconded by Council Member Kiefer Resolution #30 was adopted. It was resolved to approve the B&L proposal and have Pullen take the lead. Roll Call of Votes: Hilton aye, Smith aye, Kiefer aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Supervisor Murray motioned to adjourn the meeting – all were in favor.

Meeting Adjourned at 9:05 PM

*Susan M. Peck*  
*Fremont Town Clerk*