

The Fremont Town Board held their Regular Town Board Meeting on March 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 Seth Hilton and Council Member Carol Burns

Absent: Town Board: Council Member Dean Kiefer

Other Officials: Greg Sikosek, Planning Board, Tom Flansburg, Highway Superintendent

Guests: Jason Dagger, RWE

There were 15 people attending the board meeting

Supervisor Murray told the attendees that there is a sign in sheet going around for the comment section regarding the reevaluation if they wanted to speak.

Reports:

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

Highway Superintendent Flansburg did not hand in a report for the month. He stated that the Town needs a logging law. A logging company has made a mess of Pinchen Road. We need to know when and who is here doing the logging. He also wanted to know what the status was on the letter of credit regarding Babcock Road and Holmes Road. Supervisor Murray stated that we did receive money but we need to sit down and finalize it. Jason Dagger responded that it was raised another \$400,000 approximately. Tom Flansburg asked if the Town Board needs to vote on that? Jason Dagger responded no and then Tom Flansburg said he has a problem with that because in Jason's email his understanding was that the amount was for all roads in Fremont. Supervisor Murray asked Jason Dagger if Phase I was done and he said no. So, the letter of credit is for only Phase I. Once Phase I is done the Board will sit down with the Wind Company and discuss Phase II. Tom Flansburg stated he has contacted LaBella and they have a road guy that will evaluate all the damage the wind company had done to the roads. Jason Dagger asked Tom Flansburg if he had a time frame as to when LaBella was going to get back to him on it. He said will contact him tomorrow and see when they are coming to evaluate the roads. Tom Flansburg had one more thing and asked if the reason they took down the Met Tower on Rose Road was because of a woodchuck burrowing under the base and Jason Dagger responded yes. Tom Flansburg had one more thing some of his mail has been thrown out and opened and he did not know who was doing it. The Town Clerk stated that she opens his mail but if he wants it unopened, she will send it to him. Supervisor Murray stated that if the mail comes here to the town hall, she can open it and he stated that he already checked with the Association of Towns that there has to be a policy in place for her to do it. Supervisor Murray stated that the Town Clerk was helping him with the vouchers and he stated that you were the ones that took it away from Lee Pyer. That has nothing to do with me. He asked about the Planning Board conflict of interest and Supervisor Murray stated that they will talk about this later he was only asked for his report which he did not submit.

Supervisor Murray asked Superintendent Flansburg about the two trucks getting stuck and needed to be towed out. He stated that the snow made the road soft and wet that made them slide into the ditch.

Planning Board has no activity. He did state that he needed to talk with the Dog Control Officer about the beagle that is running at large on Jones Road. Supervisor Murray asked if he contacted her and he said not yet.

Old Business:

Resolution #31 Approve the Minutes from February 14, 2023

Motion by Council Member Smith seconded by Supervisor Murray Resolution #31 was adopted. It was resolved to approve the Minutes from February 14, 2023. Roll Call of Votes: Hilton aye, Smith aye, Murray aye, Burns aye. 4 Aye 0 Nay 0 Abstain.

New Business:

Resolution #32 Approve the 2023 Fire and Ambulance Contracts

Motion by Council Member Burns seconded by Supervisor Murray Resolution #32 was adopted. It was resolved to approve the 2023 Fire and Ambulance Contracts. Roll Call of Votes: Hilton, Smith aye, Murray aye, Burns aye. 4 Aye, 0 Nay 0 Abstain.

Supervisor Murray read the cover letter from Baldwin's regarding the Justice Audit.

Resolution #33 Accept the Finding of the 2022 Justice Audit by Baldwins

Motion by Council Member Burns seconded by Council Member Smith Resolution #33 was adopted. It was resolved to accept the findings of the 2022 Justice Audit by Baldwins. Roll Call of Votes: Murray aye, Smith aye, Burns aye, Hilton aye.4 Aye 0 Nay 0 Abstain.

Council Member Burns read a statement verifying the Town Clerk/Tax Collector Audit is in good standing.

Resolution #34 Accept the Town Clerk/Tax Collector Audits by Council Members Hilton and Burns

Motion by Council Member Smith seconded by Supervisor Murray Resolution #34 was adopted. It was resolved to accept the Town Clerk/Tax Collector Audits for 2022. Roll Call of Votes: Hilton abstain, Smith aye, Murray aye, Burns aye. 3 Aye 0 Nay 1 Abstain.

Resolution #35 Approve the Investment Policy

Motion by Supervisor Murray seconded by Council Member Hilton Resolution #35 was adopted. It was resolved to approve the Investment Policy. Roll Call of Votes: Murray aye, Smith aye, Burns aye, Hilton aye. 4 Aye 0 Nay 0 Abstain.

Resolution #36 Review and Accept Sexual Harassment & Discrimination Policy

Motion by Council Member Burns seconded by Council Member Smith Resolution #36 was adopted. It was resolved to review and accept the Sexual Harassment & Discrimination Policy. Roll Call of Votes: Murray aye, Smith aye, Burns aye, Hilton aye. 4 Aye 0 Nay 0 Abstain.

Resolution #37 Approve the Workplace Violence Policy

Motion by Supervisor Murray seconded by Council Member Smith Resolution #37 was adopted. It was resolved to approve the Workplace Violence Policy. Roll Call of Votes: Hilton aye, Burns aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Resolution #38 Approve the Town Hall Rental Policy from June through October

Motion by Council Member Burns seconded by Supervisor Murray Resolution #38 was adopted. It was resolved to approve the Town Hall Rental Policy. Roll Call of Votes: Hilton aye, Burns aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Resolution #39 Approve the Grievance Policy

Motion by Council Member Burns seconded by Council Member Hilton Resolution #39 was adopted. It was resolved to approve the Grievance Policy. Roll Call of Votes: Hilton aye, Burns aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

A resolution for approving the Health Emergency Plan was tabled until next month so that the Town Clerk can send a copy to the Board for review.

The Standard Work Day for Elected and Appointed Officials form was passed around the Board for review.

Resolution #40 Approve the Standard Work Day for Elected and Appointed Officials

Motion by Supervisor Murray seconded by Council Member Smith Resolution #40 was adopted. It was resolved to approve the Standard Work Day for Elected and Appointed Officials. Roll Call of Votes: Hilton aye, Burns aye, Smith aye, Murray aye. 4 Aye 0 Nay 0 Abstain.

Supervisor Murray asked if any of the other Board members were going to attend the conference in April and if so, they would need to send in their personal check and paperwork directly and they would be reimbursed after the meeting.

Supervisor Murray asked the Town Clerk to explain about the check scanner from Five Star Bank. She explained that this scanner would be used only during tax season. The cost would be \$25.00 per month. The deposit of checks would be put through the scanner and it would go directly to the bank. Checks would be held for a period of time and an actual drive to the bank would only be for cash deposits. She told the Board to think about it and she would get names of other towns that are currently using the scanner and report back to the Board.

Baron Winds:

Supervisor Murray stated that there is going to be a couple of Baron Wind information sessions and Public Statement Hearings here at the Town Hall on April 12, 2023 at 1 p.m. Information Session and 2:00 p.m. Public Statement Hearing. Also at 6:00 p.m. Information Session and 7:00 p.m. is the Public Statement Hearing. It is on the website as well. She encouraged everyone to attend and make a statement.

Supervisor Murray asked Jason Dagger, Project Manager from RWE, if he wanted to speak to the crowd and he said yes. I wanted to give you a quick update. There will be notices sent out regarding the informational meeting soon. He stated that Phase I is fully operational but there was still some remediations yet to be done and the fine tuning of the current turbines.

Phase II is 26 machines in the Town of Fremont. We are going through the amendment process with the State right now. After the April Hearing there will be an evidentiary hearing on May 15th and expect a decision late June or July to be handed down. We hope to start next fall/winter tree clearing. The well test letters are delayed until closer to construction. I wanted to say that Jane Towner is a big loss to us. She did so much for us. She will be missed. Adam Landis, a Site Manager, is helping to do what Jane used to do and is a local and will be helping out in this capacity. He said that he himself will be here for a couple of months. He also stated that Stephanie Ottey will be leaving the company and going to a competitor.

Tom Flansburg asked what the wind company was doing about the previous noise complaints. Jason Dagger stated that the complaints need to go through the process by either telephone or email. In the meantime, Flansburg asked if you slow the turbines down or what do you do? It is challenging to explain it. Flansburg asked if Cohocton has serrated blades as well and Jason said yes. When did you become operational, he said February 7th. Tom Flansburg questioned the bonding on Babcock and Holmes Roads where these roads were for Phase II not Phase I. Jason Dagger stated that they did not use those roads but Supervisor Murray stated that you were going to fix them and then you did not and used them anyways. Supervisor Murray stated that the individual that complained a couple of months ago has a lot of data collected/recorded. Jason Dagger responded that RWE has to follow the protocol approved by the DPS – it is not as simple as you may think. Supervisor Murray stated that they were recorded at 53 Decibels and Jason Dagger stated they are aware of that.

Dan Hammond asked about the amendment and he was told by Jason Dagger that it was to change from 500' to 650' turbines, elimination of machines. Dan Hammond stated that he could hear the difference between the two. I can hear the 650" but not the 500". Jason Dagger told him to call the complaint number. Supervisor Murray stated that the judge highlighted increases in the project.

Tom Flansburg said no disrespect but we have had different people come here from the wind company and tell us to just trust them. Jason Dagger responded that they are trying to have the best technology in place.

Council Member Smith asked Jason Dagger about the ADLS – Phase I will have this. They are waiting to hear from the FCC. Phase II will all have ADLS. Supervisor Murray stated that ADLS is aviation monitoring so the lights that will not be blinking all the time only when a plane comes near. This will be less of an annoyance.

Greg Sikosek, Planning Board member asked when are the Temporary Towers (3) going up on Neu Road. Jason Dagger responded sometime around June and July of this year and the paperwork that was submitted by Stephanie Ottey is still valid. Supervisor Murray asked Greg if he had minutes from this meeting and he said yes. Tom Flansburg read the minutes and said that there are two people with a conflict of interest. The Town Clerk stated that she sent the Planning Board an email asking them to stop the process until further notice.

Bruce Smith asked why the Fire Department was not included in the talks with the wind company in the beginning and Jason Dagger stated that they had consulted with all of the providers and construction staff in the other projects but did not know why they were not included. Tom Flansburg stated that he thought that at one of those meetings the wind company was going to help those guys out with training and financial benefits too. Ryan Andrus jokingly asked Jason Dagger if there was anything he could do about the wind company planes making all that noise over his house. Tom Flansburg asked Supervisor Murray if she was referring to the amendment changes effecting 28 creeks and 8 or 9 of them being restricted. She replied yes and he was also concerned about that himself.

Resolution #41 Approval to Pay the Bills on Abstract #3

Motion by Council Member Smith seconded by Supervisor Murray Resolution #41 was adopted. It was resolved to approve the payment of the Bills on Abstract #3 in the amount of \$148,501.30. Roll Call of Votes: Murray aye, Smith aye, Burns aye, Hilton aye. 4 Aye 0 Nay 0 Abstain.

Public Comments??

Janet Olin spoke about the assessment project. She asked the names of the BAR members. The Town Clerk said Michele Chamberlin and Tom Flansburg stated Larry Ebert and Don Thompson. I assume they live in the Town of Fremont. What prompted the reevaluation? Supervisor Murray tried to explain. She asked questions and made statements regarding the process. Ryan Andrus stated that your assessment is based on sales. So, it is based on other assessment comparable. Supervisor Murray told her she really needs to speak with the Assessor and asked her if she made an appointment and she replied yes, she has scheduled an appointment. Tom Flansburg said you can go to her and ask her what your comparables were. Janet stated that her mother's property had two trees cut down and her assessment went up. How can that be. Did the Town Board all approve the reevaluation? Supervisor Murray said no she did not approve of it. Supervisor Murray stated that she thought it should have waited for a couple of years.

Bruce Smith wanted to know who assessed his home. How do they know what I have. He stated that the assessor has his home down as a ranch style but it is not a ranch. She can't say it is. Nobody came to my house. Supervisor Murray asked him if he set up an appointment with the assessor and he said yes. He is upset with the town board for doing this assessment.

Dan Hammond stated that his assessment went up a lot. He said there was one assessment he knew that went up 124%. He also stated that the Code Enforcement Officer should be going after these bad properties that are a mess. He also stated that the Board has the power to not accept the revaluation and they should reject it completely. He talked with a lot of people that are unhappy. He stated he and one other were targeted because they do not always agree with everything that happens up there in the front of the room.

Ryan Andrus wanted to know if everyone in the town was being reevaluated. Supervisor Murray replied yes, the whole town. What is the Board's plan for the tax levy next year are you going to stay with the tax cap? Supervisor Murray said that we try to keep it at the tax cap and do not foresee the need to increase it. He wanted to know if the Tentative Tax Roll will stay the same and she did not know. He stated that the Assessor needs to be held accountable she is not God and that the re-evaluation should not have been done at this time. The reevaluation being done at this time is dishonest. He also stated that the Board of Assessment Review needs to be fair and they need to have the fortitude to tell the assessor she is wrong. I get zero services from this municipality. Please look out for us.

Tom Flansburg stated that he has never agreed with these revals. She should not be comparing to towns outside of Fremont. He was looking into 2013 real property under Donna Hatch and she would give pep talks to her minions and he thinks no one is going to get anywhere. You need to get a form for the BAR then an arbitrator. I agree with everyone here and it is just not fair at all.

Dan Guthrie stated that he was not happy with his assessment either. He has a trailer with additions but his assessment increased. What about the school taxes. He said that 16% across the board would be fair. He cannot afford any more tax increases.

Ryan Andrus stated the wind mills are here and we need the money from them. I will not gain anything from the windmills. It makes no sense to keep them out.

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

Meeting Adjourned at 8:30 PM

*Susan M. Peck
Fremont Town Clerk*