

The Fremont Town Board held their Regular Town Board Meeting on May 9, 2023 at 7:00 PM.

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

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

There were 16 people that attended the meeting.

Other Public Officials Present: Domenica Burns and Mary Soukup, ZBA; Greg Sikosek, Planning Board, Highway Superintendent Tom Flansburg

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 told the Board he has repeatedly emailed Jeff Castle from LaBella and called him last week about getting a road monitor out here but still has not heard anything. Seth Pullen had approached him at the public hearing and said he would help but still have not heard anything at all. The tractor the flail mower the big roller on the back is shot the bearings are \$2400 to fix it or around \$10,500 to \$11,0000 to get a new one. Whatever you guys want to do with it. The parts are 8 weeks out at least.

Old Business:

Resolution #50 Approve the Minutes from April 11, 2023 Meeting

Motion by Council Member Smith seconded by Council Member Kiefer Resolution #50 was adopted. It was resolved to approve the minutes from the April 11, 2023 meeting. Roll Call of Votes: Murray aye, Hilton aye, Smith aye, Kiefer aye, Burns aye. 5 Aye 0 Nay 0 Abstain.

Resolution #51 Approve the Minutes from the April 27, 2023 Special Meeting

Motion by Council Member Burns seconded by Supervisor Murray Resolution #51 was adopted. It was resolved to approve the minute from the April 27, 2023 Special Meeting. Roll Call of Votes: Murray aye, Smith aye, Burns aye, Kiefer abstain, Hilton abstain. 3 Aye 0 Nay 2 Abstain.

New Business:

Supervisor Murray asked Superintendent Flansburg if he brought a five-year plan and *he said no not really. He went on to state that he needs the excavator and a new 550 truck. We will continue to ditch roads. She asked do you want to write up a plan with what roads you are going to do and he responded it is basically what I just said. It is a crap shoot with some roads need materials and some don't. It depends on the weather. If it rains, we cannot do roads because they just turn to mud. We are just doing what we can with what we got. We have a big pile of gravel with soil and it is no good. It is worth about \$10,000. He talked with Steve Hess who does the crushing he said he could mix it in with normal stone to about 12K-13K ton but if we do 20K ton (mixing in the bad gravel) we would get a break. Council Member Kiefer asked if there was top soil in it. He responded that this is the stuff they used on Canfield Road a few years ago. I don't want to mix it in because it is so bad. Supervisor Murray asked how did the top soil get in it and Superintendent Flansburg responded years ago they were using reclaimed materials. Kiefer stated there is no sense in mixing it in making it worse. Superintendent Flansburg replied we have pure stone down there and we can take it and mix with the gravel/soil and use that. Supervisor Murray asked Superintendent Flansburg what he thought we should do with the gravel/soil mixture and he stated mix it with the stone as what Steve Hess said.*

Supervisor Murray asked if he would work on the 5-year plan and *he said sure. Superintendent Flansburg asked if there was a sample he could go by and Murray told him that Lee Pyer had one. It is pretty basic. Murray asked if he was going to cap some of the oil and stone roads and he stated he is not a fan of the oil and stone. He spoke with Tina Clark from Blades and she told him that more and more towns are going with the black top. Supervisor Murray stated maybe he could do a plan for black top roads.*

Supervisor Murray asked if he updated the 284 Agreement. *He stated that it sounds like we are not going to come to an agreement on it so the only thing left is do you want us to stop working or continue to do ditching.*

Supervisor Murray asked Superintendent Flansburg if he signed the guys up for Highway School and *he responded that they did not have time for that. We are too busy. She asked if he did not think it would be beneficial for them and he said yes but last month you said that people were complaining about the roads. So, we should not take two days off to take classes. We already took two classes. Council Member Smith asked if he could just send one of the crew and have them update the crew when they get back. He said he would ask them.*

Supervisor Murray asked Superintendent Flansburg why the cameras have been moved down at the town barn. *He stated he adjusted it so he could see the road better.*

Murray stated that they were in place to cover the doors for security purposes and you moved two of them. *He stated he only moved one and she said no two were moved. He stated whatever, let me tell you something this is why I am the 4th highway superintendent since you and Sue Peck have been elected. You are spending tax payer money to talk to the attorney about adjusting the cameras.*

Why don't you tell the taxpayers in the room how you spent \$20,000 on a highway roof that leaked like a sieve and now you are going to spend another \$25 to \$60 thousand to tear it off and do it again. I think it is about time I start putting some ads in the paper because this is getting ridiculous wasting taxpayers' money on an attorney regarding cameras, really. Supervisor Murray stated that she can bring the video in here and it clearly shows you adjusted the cameras away from the doors. Why would you do that. Superintendent Flansburg started becoming defensive. He stated it was getting old down here and that he spoke with Lee Pyer a year ago when Sue Peck was in your office trashing me and you did not know I was out in the hallway. I was telling Lee about it and told him that the Supervisor never answers emails or returns calls. Lee said that they did the same thing to him. He also stated that Jeff Moore wanted to keep working here but he was sick of what was going on down at the town hall.

Supervisor Murray said she will read the letter so you understand and *he replied that she did not have to read it he understands. She stated that Eastern would be called to check out the cameras and he said whatever I won't touch your precious cameras.*

Council Member Burns stated that he was the one that wanted them. *He replied don't make it sound like I was the only one. Supervisor Murray stated that you are throwing up red flags when you move them. He said he just wanted a better view of the road. She asked why do you need to see the road you want to protect the building. He stated he was not going to sit here and argue with you. I am telling you it is the worst it's ever been down here between the highway and the town board because of you and Sue Peck. Supervisor Murray stated it is because of you. Superintendent Flansburg brought up that at an earlier meeting Sue Peck said asshole under her breath and not one of you people said anything about it. Supervisor Murray asked Superintendent Flansburg to work with us and he stated that Lee Pyer left because of you guys. Supervisor Murray stated no he did not he went for the higher pay. Supervisor Murray stated that you harassed him at every town board meeting until he left. Superintendent Flansburg said he did not but other Board members stated he did. Supervisor Murray read the letter from the town attorney.*

Supervisor Murray brought up that Superintendent Flansburg called Seth Pullen regarding having your own mailing address. She stated that that was alright but it has caused problems with a lot of the town hall mail being forwarded to the highway department. *He stated that is not his fault it is the post office. Superintendent Flansburg asked how much did this cost the tax payers and she responded probably as much as it did when you called them about the mail. He stated he would not have to do the mail change if Sue Peck wasn't opening his mail. The town clerk stated that she told him at the last meeting she would hold all his mail in a pile for him to pick up. He stated she opens Emily's mail as well and if you cannot open your own mail then you should not be Supervisor.*

Council Member Kiefer stated that this is ridiculous. *Supervisor Murray agreed and stated that she cannot even talk with him on the phone or email. Superintendent Flansburg asked Council Member Smith how many times has he called you and you told me to call Emily. You did not participate with Lee Pyer either. Council Member Kiefer stated that that is ancient history. Everybody is sick of hearing about it. You don't want to work with the town board or the wind company. All you say is they are cheating and lying over and over again. Superintendent Flansburg stated that he never said they were cheating.*

Supervisor Murray moved on with a training announcement from Steuben County Office of Emergency Services-tier 3 training on May 15th 1-4pm at the Civil Defense Fire Training Center.

Supervisor Murray asked Superintendent Flansburg is he was going to do anything with the roadside cleanup week and he responded no. She stated that the County will take 20 tons of garbage and 10 tons of tires and *Superintendent Flansburg responded again the roads are in terrible shape and you want up to pick garbage up. He asked if Jeff did it and she said no so he said he was not going to do it either.*

Supervisor Murray asked if the highway department was going to do the mowing at the cemeteries and *he responded no. Are you going to get the county workers to do it and he said it is not his problem. You guys don't like how I run the highway then you do it.*

Supervisor Murray asked Jason Dagger from Baron Winds if he had anything to say. He has a couple of things. The evidentiary hearing may be moved here at the Town Hall.

Tom sent him an email and asked when the wind company will be out on the roads. They will keep you apprised. Fisher will be out there tomorrow and Thursday. Superintendent Flansburg stated that before any grading can be done, we need to have the road monitor here maybe the Town Board can have the attorney contact Jeff Castle and push him along.

Resolution #52 Approve Payment of the Bills on Abstract #5

Motion by Councilman Burns seconded by Councilman Smith Resolution #52 was adopted. It was resolved to approve the payment of the bills on abstract #5 in the amount of \$36,603.39. Roll Call of Votes: Smith aye, Kiefer aye, Hilton aye, Murray aye, Burns aye. 5 Aye 0 Nay 0 Abstain.

Public Comments??

Council Member Kiefer asked why we should continue to pay for the game cameras on the roads. *Superintendent Flansburg stated that it is in his budget to decide. You asked us for approval and you just stated that the wind was not a problem so why do you need it. They went back and forth for a few minutes and Superintendent Flansburg asked Kiefer if he could guarantee that the wind company will not use Babcock and Holmes and Kiefer stated no but he hoped they did.*

Then Superintendent Flansburg stated that that is why you got as many votes as Bert did because you said you were not for the wind company. I have witnesses that will come and testify to that. *Kiefer responded bring it on. Superintendent Flansburg stated I will have the Shermans send a letter as well as Giny Fullam.*

Jason Dagger asked Supervisor Murray if she received their letter of credit. Yes, we did. Superintendent Flansburg asked if the town accepted it and she said it was never added to the road use because the issues were not fixed, the pipes. Superintendent Flansburg wanted gravel and you met with Randy and came up with a plan and it was never accomplished. The letter of credit was to take care of fixing it. That's why Jeff Castle needs to come.

Superintendent Flansburg stated that Davis Hill was a disaster and he contacted Randy many times. Finally, when Mr. Stauffer told Superintendent Flansburg that he was going to have open heart surgery and may need to have ambulance come up there. The ambulance would not have been able to get up there at that time. That's when the wind company finally took action and they brought up 15 loads and plowed all the slop to the edge of the road and now it is in the ditch. That whole road needs to be ditched and that is why we need the monitor down here to write the report.

Supervisor Murray asked what Council Member Kiefer wanted to do about the cameras and he stated if he wants to spend taxpayer dollars then that is up to him.

Dan Hammond stated why can't we be more proactive instead of reactive and some of the board members laughed. Hammond then stated that it was not a joke he is being serious and Supervisor Murray and Council Member Kiefer replied that so are they. *Hammond stated that there is other equipment that is going to crap the bed and you table it. What are you waiting for it to die before you do anything. The wind mill company is going on roads they are not supposed to be on and Tom is only trying to be proactive and monitoring it and you are making a big joke about it.* Supervisor Murray stated that we have asked for a 5-year plan the past three meetings. *Hammond has never heard of any 5-year plans from any of our Highway Superintendents and I have been to a lot of these meetings.* Supervisor Murray stated that Lee Pyer talked a lot about a 5-year plan. *Superintendent Flansburg asked and how many years ago was that.* Supervisor Murray and Council Member Kiefer stated that it doesn't matter. Supervisor Murray stated that we are done arguing. Hammond stated that you do not like Tom and you are game playing. *Supervisor Murray stated that we are not playing a game we are just asking for a plan so we have a better understanding of how this is going to be paid for. Superintendent Flansburg stated that he wanted to use the CHIPS money to pay for the excavator so it does not affect the taxpayer's money.* Supervisor Murray asked what was he going to do with the roads and he stated what he is doing right now, grading, ditching, cutting brush and putting material down. *We paved 4-5 roads last year.*

Domenica Burns asked about the roadside cleanup and the cemetery cleanup. Supervisor Murray explained what they were about. She asked how many cemeteries were there. Some spoke up to volunteer to mow some of them.

Supervisor Murray asked Superintendent Flansburg if he planned on getting in touch with the County and he said no.

Bruce Smith asked is the County still had weekenders and she said yes that Tom would need to set it up.

Superintendent Flansburg stated we have not had a full-time guy and that saved the town \$75,000. When you talk about money think about that too.

Superintendent Flansburg also asked Jason Dagger about the gravel on Mack School Road and *Dagger responded, the local contractor hired a local to pick up timber and scrap wood. In return they were given some of the gravel.* Superintendent Flansburg was concerned about all the damage being done on Tuttle Road with them going back and forth every day. *Jason responded that this has to do with Wesson Company and it was their gravel.*

Hammond asked Jason Dagger who drilled on Canfield and Jason stated Fisher & Associates did it.

Council Member Kiefer stated that Tom asked earlier in the meeting about the Flail Mower roller fix or replacement and he needs to know. Kiefer asked how much was a new one \$10,000-\$11,000 or parts would be \$2,500 and they would be 8 weeks out. Smith asked if they had one available and he said it was on order.

Resolution #53 Approve the Purchase of a Flail Mower Roller

Motion by Council Member Kiefer seconded by Council Member Burns resolution #53 was adopted. It was resolved to approve a purchase of a new flail mower roller at a cost of between \$10,000-\$11,000. Roll Call of Votes: Hilton aye, Burns aye, Smith aye, Kiefer aye, Murray abstain. 4 Aye 0 Nay 1 Abstain.

Supervisor asked back to the cameras do we want Eastern to come out and reset them. *Superintendent Flansburg said he would adjust them back to the way they were.* Supervisor Murray stated she did not want to argue any more about this. *He said he was not going to argue. He stated Sue could come over go in and look at the monitor.* The Town Clerk stated she would not go over there for reason. Supervisor Murray stated we just want the doors covered.

Janet Olin asked whether the square footage matters regarding the assessment. Supervisor Murray stated that she thought so. She encouraged Janet to talk with the assessor.

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

Meeting adjourned at 8:00PM

*Susan M. Peck
Fremont Town Clerk*