

The Fremont Town Board held their Regular Town Board Meeting on June 20, 2023 at 7:00 PM.

Supervisor 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 Dean Kiefer and Council Member Seth Hilton, Council Member Carol Burns and Council Member Cindy Smith

There were 17 people that attended the meeting.

Other Public Officials Present: Domenica Burns and Mary Soukup, ZBA, Holley Smalt, Assessor, Betsey Farley, Town Justice

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.

Highway Superintendent Flansburg submitted a quote from Dolomite for the asphalt paving of the following roads: Canfield, Jobs Corners and Lonsberry at a cost of \$88,695.00.

Old Business:

Resolution #54 Approve the Correction to Abstract #5 from \$36,603.39 to \$36,820.40

Motion by Council Member Burns seconded by Council Member Kiefer Resolution #54 was adopted. It was resolved to approve the correction to Abstract #5 from \$36,603.39 to \$36,820.40 due to National Fuel Gas bill for \$217.01. Roll Call of Votes: Hilton aye, Smith aye, Kiefer aye, Burns aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #55 Approve the May 9, 2023 Town Board Meeting Minutes

Motion by Council Member Kiefer seconded by Council Member Hilton Resolution #55 was adopted. It was resolved to approve the minutes from the May 9, 2023 Town Board Meeting. Roll Call of Votes: Murray aye, Smith aye, Burns aye, Kiefer aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

New Business:

Representative Kayla Wagner from NYMIR (Sprague Insurance Agency) attended to explain the insurance policy for the Town and answer any questions. A final decision will be made at the next board meeting in July.

Ryan Batte asked if the insurance costs increased due to the highway accidents. It did increase about six hundred dollars, NYMIR looks at your claims for the last five years.

Resolution #56 Approve the Code of Ethics

Motion by Council Member Burns seconded by Council Member Smith Resolution #56 was adopted. It was resolved to approve the Code of Ethics. Roll Call of Votes: Hilton aye, Burns aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Resolution #57 Approve the Internet and Acceptable Use Policy

Motion by Council Member Smith seconded by Council Member Hilton Resolution #57 was adopted. It was resolved to approve the Internet and Acceptable Use Policy. Roll Call of Votes: Hilton aye, Burns aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Supervisor Murray stated that Highway Superintendent Flansburg brought the CHIPS paperwork and asked if he brought the Blades quote. *He responded that he gave the Board the Blades (Dolomite quote) but not the CHIPS disbursement letter.* Supervisor Murray stated she would go and make copies of the CHIPS paperwork for the Board. Highway Superintendent Flansburg asked if Supervisor Murray received the CHIPS money yet. *She replied no not yet.*

Supervisor Murray gave Highway Superintendent Flansburg the floor. *He began with he took the one-ton truck over to Wilbri's because there was a problem with the safety switch and it was out of their expertise. I believe it is quite an ordeal to fix.*

Highway Superintendent Flansburg explained what roads he would be paving this year using Dolomite. Canfield, Jobs Corners and Lonsberry are the roads. Lonsberry was supposed to be oil and stoned a few years ago – we will be putting 4” of black top due to a lot of traffic from Hendees hauling of manure up there. Jobs Corners doesn't get a lot of traffic and should last the ten years easily. Canfield, I just wanted to pick up where I left off last year and that will finalize Canfield Road. *Council Member Hilton asked about finalizing Canfield Road? Superintendent Flansburg responded that we won't be doing any more on Canfield Road. He also stated that the quicker you get your request into Blades (Dolomite) the cheaper it will be. If you wait too long the price of oil may go up which will increase the cost. Dolomite quoted the \$88,695.00 and the funds to be used are PAVE NY, EWR and POP totaling \$90,890.77.*

Council Member Hilton asked Superintendent Flansburg if he was putting on a top coat on the roads and *Highway Superintendent Flansburg responded no just the binder.* Supervisor Murray asked if he was going to put on a top coat and *he responded no because you cannot use it on it for ten years. The quicker you give Blades the okay the sooner we will get on the schedule.* Council Member Smith asked Superintendent Flansburg if this locks in the price and *he said no. The price changes because the price of oil is constantly going up.*

Supervisor Murray asked Highway Superintendent Flansburg about the 284 Agreement and *he stated that he was not sure what she wanted and that we are just about out of gravel until August. He also stated that the highway crew has been working on fixing the roads as they go.*

Supervisor Murray asked if he could get the 284 Agreement written up for the July meeting and he *asked what he was supposed to write up specifically the roads? Once the gravel is used up, he will not have any more until August. That is assuming he comes in August to crush it.* Supervisor Murray told him to write down the information from the Blades quote.

Supervisor Murray said that there is a little more money due on the new Mack truck. *Highway Superintendent Flansburg stated that if they auction one of the trucks, he hopes to get about \$20,000 for it to help cover the final cost of the new truck.*

Supervisor Murray stated that Superintendent Flansburg will have to figure out what he wants to do with the CHIPS amount of \$154,000 this year. *He stated that the new truck has been delayed again due to supply chain problems. It is over to Wilbri's right now and they will have it done by the Fall. He also stated that the money could go as a down payment on a new excavator. The supply chain has been terrible.*

Supervisor asked if the excavator is the next piece of equipment that is needed for the highway and *he stated yes.* Supervisor Murray asked how much they were and *he stated that he gave her the price last year and it was about \$270,000.* Supervisor Murray asked if it had the boom mower on it as well? *Highway Superintendent Flansburg replied yes.* Supervisor Murray said she personally thinks he should get the mower.

Supervisor Murray asked Highway Superintendent Flansburg if the current excavator was working and *Highway Superintendent Flansburg stated yes and that the Town has gotten their money out of it.* Council Member Kiefer asked if you could sell it for parts and *Highway Superintendent Flansburg stated that we could probably get \$10,000 to 12,000 for it.* Council Member Kiefer stated he needs to get a couple of quotes for a new one.

Shawn Smith stated that we should get a plow for the 2500 in case of big truck breakdowns. *Supervisor Murray said that they could get a sander for the back of it as well.* Shawn Smith stated that there are some roads that you cannot use the big trucks on because it is hard to turn around. *Superintendent Flansburg stated that there is no where to turn around on Bills Road with a large truck.*

Council Member Smith stated that maybe they should have two smaller trucks to plow with so you do not need to have a CDL license to drive it. A discussion began regarding the smaller trucks and lasted about five minutes.

Supervisor Murray stated that the Board needed to approve the Dolomite quote so Superintendent Flansburg can get the roads scheduled.

Resolution #58 Approve Dolomite 2023 Street Paving Quote of \$88,695.00 to Pave 3 Roads

Motion by Council Member Hilton seconded by Council Member Smith Resolution #58 was adopted. It was resolved to approve Dolomite 2023 street paving quote of \$88,695.00 to pave 3 roads. Roll Call of Votes: Smith aye, Kiefer aye, Hilton aye, Burns aye, Murray abstain. 4 Aye 0 Nay 1 Abstain.

A discussion began regarding the Town Justice. The current Justice, Betsey Farley, is not running again for the position. So, the Town needs to decide what they need to do. Supervisor Murray stated we could find someone to run for the position or we can combine with another town like Hornellsville. *Justice Farley asked if Supervisor Murray read the email from Shannon Pero from the 7th Judicial District.* Supervisor Murray responded yes and ss. Pero attached the packet that was handed out to the Board. It kind of walks you through it. We will still receive fines for dog control and anything regarding local laws. Council Member Smith asked if Fremont still needed to have a justice. *Justice Farley had read the packet and said she did not see where the Town can eliminate a justice from Fremont. It sounds like to still have to have a justice for Fremont.*

Justice Farley stated that the revenue for the Town has decreased immensely. Justice Farley stated that last year 25 Troopers stationed in Wayland and today there are only 8 for all of Eastern Steuben County, actually 2 are on fire arms duty so only 6 on duty.

Highway Superintendent Flansburg stated that the Town should do something for Justice Farley. She came into a mess when she first came into the position. She cleaned up the office years ago. She put in thousands and thousands of hours without any compensation. *Justice Farley stated that she compiled a spreadsheet of the revenue over the last few years and it has gone down a lot.*

Supervisor Murray asked Judge Farley what other options the Town has. *She stated that the 7th Judicial District will appoint a judge from close proximity until the town board decides what they are going to do. Unless someone decides to run for it.*

Supervisor Murray stated that there is a lot to do for combining. She will contact Shannon Pero, Court Attorney Referee, 7th Judicial District about the combining of the justices. She asked the Board if they want her to reach out to Hornellsville about combining. We would have to do a joint study. *Judge Farley stated that both areas will need to keep records separate for each town.* A short discussion began on the matter.

Council Member Smith suggested that we wait and see if anyone wants to run as a write-in.

Janet Olin asked if there were any additional training for the position. *Justice Farley stated that you are required to take 12 credit hours every year, attend the monthly magistrate meetings and do a lot of computer work.*

Resolution #59 Approval to Pay the Bills for Abstract #6

Motion by Council Member Burns seconded by Council Member Kiefer Resolution #59 was adopted. It was resolved to approve to pay the bills \$48,202.62. Roll Call of Votes: Hilton aye, Burns aye, Smith aye, Kiefer aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

Public Comments??

Mr. Hurley asked about the two houses on main street if the town can do anything about it. *Supervisor Murray asked if anyone has called the Code Enforcement Officer.* Mr. Hurley responded no. Highway Superintendent Flansburg stated that there is a fine line and they have more organizations supporting them and are ready to sue. It is almost impossible to get someone out of their own house. *Mr. Hurley stated that everybody else keeps their property nice.* Supervisor Murray told them to call the code enforcement officer.

Highway Superintendent Flansburg asked if there wasn't something on the books years back that if the town mows their lawn, you can put it on their taxes. *Justice Farley stated that if they are on social security, SSI or any kind of assistance you cannot do that.* A discussion continued on this subject for a short period of time.

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

Meeting adjourned at 8:10PM

*Susan M. Peck
Fremont Town Clerk*