

**December 12, 2023**

**Regular Town Board Meeting**

**7:00 PM**

The Fremont Town Board held their Regular Town Board Meeting on December 12, 2023 at 7:00 PM

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

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

**Others Present:** Domenica Burns, Mary Soukup ZBA.

There were 15 people attending

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 and Tom Flansburg, Highway Superintendent.

Highway Superintendent Flansburg stated the highway department has been cutting brush on Cream Hill and misc. stuff at the shop. Looks like the weather is going to be good so they will be grading a few of the roads.

Nothing to report from the Planning Board and the ZBA

**Old Business:**

**Resolution #98 Approve the Minutes from the November 14, 2023 Regular Town Board Meeting**

Motion by Council Member Burns seconded by Council Member Kiefer Resolution #98 was adopted. It was resolved to approve the Minutes from the November 14, 2023 Regular Town Board Meeting. Roll Call of Votes: Smith aye, Kiefer aye, Burns aye, Murray aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

**New Business:**

A discussion began regarding the date of the end of year meeting in December. It was decided it would be Tuesday, December 26, 2023 at 6:00pm at the Town Hall.

**Resolution #99 Approval to Place an Ad in the Shopper Regarding the Year End Meeting on December 26, 2023**

Motion by Supervisor Murray seconded by Council Member Hilton Resolution #99 was adopted. It was resolved to approve the placement of an ad in the Shopper for EOY Meeting. Roll Call of Votes: Murray aye, Smith aye, Burns aye, Kiefer aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

Discussion began regarding the dinner for Council Member Burns and Justice Betsey Farley at Marino's on December 27<sup>th</sup> at 6PM. Notice of attendance should be given to Council Member Smith by the 22<sup>nd</sup> of December. The Town will pay for the retirees' dinners but the rest of the attendees are responsible for their own dinners.

**Resolution #100 Approve the Contract with Richardson, Pullen and Buck as Town Attorney for 2024**

Motion by Council Member Smith seconded by Council Member Hilton Resolution #100 was adopted. It was resolved to approve the Contract with Richardson, Pullen and Buck as Town Attorney for 2024. Roll Call of Votes: Murray aye, Smith aye, Burns abstain, Kiefer aye, Hilton aye. 4 Aye 0 Nay 1 Abstain.

A discussion began regarding a residence in the Town of Fremont. A letter from Attorney Pullen was shared. Supervisor Murray will be looking into the possibility of adding another code enforcement officer. Ryan Batte stated that the City of Hornell follows the state code why can't Fremont. He also suggested that more Code Enforcement Officers are not going to solve the problem that they have been issuing tickets. He also went on to say that Hornell adds costs to the resident's taxes. Supervisor Murray will check into the process of adding payments to taxes. Supervisor Murray spoke with John Leonard about having another code enforcement officer as well as him for the town. Supervisor Murray stated that the Town would be getting a new Judge in January with new eyes.

Supervisor Murray informed the Board that Madeleine Seaman has been assigned as the Town of Fremont Judge for 2024. Court will be held on the second Tuesday of the month at 10:30 am. Due to the volume of cases, not more than once a month is warranted. She is currently the Canisteo Judge and filling in at Greenwood and is a clerk in the town of Hornellsville.

**Resolution #101 Approval for Judge Seaman to Open Two Bank Accounts at Community Bank**

Motion by Council Member Burns seconded by Council Member Smith Resolution #101 was adopted. It was resolved to approve Justice Seaman to open two bank accounts at Community Bank. Roll Call of Votes: Murray aye, Smith aye, Burns aye, Kiefer aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

Supervisor Murray stated that the Highway Budget for 2023 was at this date over by \$23,000.00 with the \$110,000.00 Daggett Sand & Gravel invoice. She suggested to move half of it to the 2024 Budget. *Shawn Smith stated that it was cheaper to do the 20,000 tons.*

**Resolution #102 Approve Daggett Sand & Gravel invoice for \$110,000.00 Half This Year & Half Next Year**

Motion by Council Member Hilton seconded by Council Member Kiefer Resolution #102 was adopted. It was resolved to approve Daggett Sand & Gravel invoice for \$102,000.00 half this year and half next year. Roll Call of Votes: Burns aye, Smith aye, Kiefer aye, Murray aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

**Resolution #103 Approve Invoice for Sam Hendee for 738 Loads at \$25/load of Sand and Gravel for \$18,500.00**

Motion by Council Member Smith seconded by Council Member Kiefer Resolution #103 was adopted. It was resolved to approve Invoice for Sam Hendee for 738 loads of sand and gravel for \$18,500.00. Roll Call of Votes: Burns aye, Smith aye, Kiefer aye, Murray aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

Supervisor Murray asked if the highway department has completed the PESH Training at Steuben County in December? *Shawn Smith responded that what they have taken on the NYMIR website is compatible to the PESH training.*

**Resolution #104 Appoint Susan M Peck, Registrar and Holley Smalt, Deputy Registrar 2-year term beginning Jan. 1<sup>st</sup> 2024**

Motion by Council Member Burns seconded by Council Member Kiefer Resolution #104 was adopted. It was resolved to appoint Susan Peck and Holley Smalt as Registrar and Deputy Registrar 2-year term January 1, 2024-December 31, 2025. Roll Call of Votes: Burns aye, Smith aye, Kiefer aye, Murray aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

Supervisor Murray stated that the NYMIR required courses need to be completed by the end of December 2023. Council Member Hilton asked to be sent a list of the required courses and Council Member Kiefer asked to be included. *The Town Clerk said she would email them to them.*

The Discrimination and Harassment policy receipt form needs to be completed and signed then returned to the Town Clerk.

**Resolution #105 Approve the Payment of Bills**

Motion by Council Member Smith seconded by Council Member Hilton Resolution #105 was adopted. It was resolved to pay the bills, General Fund \$16,566.57 and the Highway Fund \$82,119.09. Roll Call of Votes: Murray aye, Smith aye, Burns abstain, Kiefer aye, Hilton aye. 4 Aye 0 Nay 1 Abstain.

**Public Comments:**

Highway Superintendent Flansburg asked if the deputy registrar gets paid for the position? *Town Clerk responded no.*

Everett Davison from WLEA radio station introduced himself and asked if there was anything that was said at the meeting that should not be made public that he had in his notes. Supervisor Murray stated that any locations should be exempted. This information from the meeting will be on the WLEA website at WLEA.net. He will be attending every month. He does Hornell, Arkport and Fremont.

Nick Shirley asked the Highway Superintendent if he was going to sell the old excavator? *His response was yes along with some other equipment just waiting for the new truck to be ready. The new truck coming maybe around Christmas.*

Council Member Smith asked the Highway Superintendent when the new Mack truck would be here? *Shawn Smith replied that maybe around Christmas.*

Richard Stewart asked about the stabbing in Howard, he thought the radio made a mistake and it should have been Fremont? *Supervisor Murray stated that it was in Howard and that it is an on-going investigation and cannot talk about it.*

**Resolution #106 Move to Executive Session with the Town Clerk to take Minutes**

Motion by Supervisor Murray seconded by Council Member Smith Resolution #106 was adopted. It was resolved to move into executive session with the town clerk. Roll Call of Votes: Kiefer aye, Hilton aye, Burns aye, Smith aye, Murray aye. 5 aye 0 Nay 0 Abstain.

In Executive Session raises were discussed for Shawn Smith and John Robords. It was decided to give both raises to the hourly rate of \$23.50 effective January 1, 2024. Roll Call of Votes: Murray aye, Burns aye, Smith aye, Kiefer aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

The annual salary for the new incoming Justice, Madeleine Seaman, was increased from \$8500.00 to \$10,000.00 effective January 1, 2024. Roll Call of Votes: Murray aye, Burns aye, Smith aye, Kiefer aye, Hilton aye. 5 Aye 0 Nay 0 Abstain.

**Resolution #107 End Executive Session and Return to Regular Meeting.**

Motion by Council Member Burns seconded by Supervisor Murray Resolution #107 was adopted. It was resolved to end the executive session and return to regular meeting. Roll Call of Votes: Kiefer aye, Hilton aye, Burns aye, Smith aye, Murray aye. 5 aye 0 Nay 0 Abstain.

Supervisor Murray stated that in executive session that the board discussed personnel and pay. Mr. Stewart asked Supervisor Murray if a decision was made in the executive session and went on to instruct the Board that minutes need to be done.

Janet Olin asked the Town Clerk what the duties were of the Registrar. *The Town Clerk answered her question.*

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

Meeting Adjourned at 8:25PM

*Susan M. Peck  
Fremont Town Clerk*