

The Town of Fenton Town Board held its regular Work Session on Wednesday, April 26<sup>th</sup>, 2017, at 6:00 PM, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

**PRESENT:**

Town Board Members	David Hamlin, Supervisor Gary Holcomb, Deputy Supervisor Michael Husar, Councilman Thomas Moss, Councilman Richard Pray, Councilman
Highway Superintendent	Randy Ritter
Town Attorney	Albert Millus, Jr.
Deputy Town Clerk	Sheryl Fay
Administrative Asst./Bookkeeper	Susan Crosier

**ABSENT:** Town Clerk Melodie Bowersox

**OTHER PRESENT:** Building Inspector Matt Banks

**Review Abstract #4, 2017**

- General Fund: Southern Tier East Regional - \$1,000.00 - Voucher #178 – Bookkeeper Sue Crosier said this is the third year this has been paid. Sue checked with Assistant Town Engineer Rick Armstrong before paying since retired Town Engineer Dick Bassler was the strong advocate for this and Rick felt we should continue. Sue also noted it was budgeted for.
- General Fund: Griffiths Engineering, LLC - \$1,250.00 - Voucher #206 – Mr. Hamlin said he is working toward receiving a detailed breakdown of covered services.
- General Fund: The House of Trophies - \$89.00 - Voucher #208 – Mr. Husar said House of Trophies was in need of the Town's Tax Exempt Form. Sue said she would enclose it with the payment.
- Hillcrest Sewer District: Griffiths Engineering, LLC - \$125.00 - Voucher #9 – Mr. Husar asked what this payment was for. Sue and Mr. Pray said it is the monthly proportionment.
- Hillcrest Water District: Answer USA - \$49.40 - Voucher #63 – Mr. Husar asked whether the answering service was still needed since we have cell phones. The response was that the answering service was still being used since we do not give out personal cell phone numbers.
- Hillcrest Water District: NYSEG - \$147.43 - Voucher #70 – Mr. Holcomb asked whether this was for pumps. This was going to be clarified as it may be labeled incorrectly.
- After a review of the Abstract, **Mr. Pray moved to approve payment of the bills for Abstract #4, 2017**, seconded by Mr. Husar. **Motion carried.**

**VOTE:** Ayes 5 Hamlin, Holcomb, Husar, Moss, Pray  
Nays 0

**Trash @ Town Hall** – Mr. Moss said there was a recommendation made to put a dumpster behind the building instead of keeping trash from the function rentals on the weekends in the building and then moved out to the shed until the weekly trash pick-up day. Sue further explained there is one 95 gallon garbage can in the kitchen where trash is stored and a second one is needed to store the weekend trash to eliminate garbage from being left piled up on the kitchen floor. Mr. Moss said the cost for a dumpster would be \$636 yearly. After Board discussion, it was decided to contact D. Jenks and Son Refuse Services and order the dumpster. The dumpster would be located on the concrete pad outside the kitchen door and would be padlocked, with a key available for people renting the kitchen/gymnasium to dispose of their own trash after their event.

**Highway – Randy – Paving Etc.** – Highway Superintendent Randy Ritter received quotes from Broome Bituminous Products to pave Ritchie Road, Hartley Road, Old Chenango Street, Cornish Avenue, Chase Avenue and Chase Court. The timeframe for completion is by the end of May, depending upon when Broome Bituminous Products receives the confirmation. The project is over budget by approximately \$25,000 of what was quoted last year, but the project is more involved and more pavement is being put down to give a better end result that will last longer. Mr. Holcomb also said the Town of Fenton has an EWR balance of \$20,800. Mr. Holcomb added that this is an additional amount of CHIPS money over what was anticipated due to the road conditions caused by the bad weather and these additional funds will cover the additional cost beyond the budget for the bigger project.

**Discussion on DLA Rezoning** – Atty. Millus said the area can be rezoned Limited Industrial, but the problem is the business does not fit well into any category of Limited Industrial. General Commercial includes equipment sales, but we would not want to open ourselves up to other types of General Commercial equipment sales. Another possibility would be to create a new District that is tailored to this type of use, which would take a little more time but would be a better way to control what comes into the area. Or the Town could move forward and zone it Limited Industrial with the understanding it will be changed in the near future to a new zoning classification that would protect the Town and fine tune it to fit this use and similar uses. Mr. Husar said he feels the Board should decide on the solution and work toward that solution rather than change the zoning and then have to change it again. Mr. Hamlin said his concern is that creating a new zoning classification would hold up Lee Hartman's operation. Atty. Millus said that if a new zoning classification was created in a week or so, everything would be ready for the June meeting and would be subject to a 239 Review. If it is rezoned now to Limited Industrial it would not require a 239 Review. Atty. Millus said a Public Hearing could be held next week if the Board wanted to rezone it to Limited Industrial. After further discussion, the Board decided to move forward with a Public Hearing next week to rezone the area Limited Industrial, with immediate plans to create a new zoning classification. Mr. Hamlin asked Atty. Millus whether Lee could start moving equipment in next week after the Public Hearing and vote. Atty. Millus said the site plan would need to be approved, which is currently with the County. Mr. Hamlin asked whether there needed to be a Public Hearing regarding the eight ton

weight limit, to which Atty. Millis said no. Weight limits can be put on roads but cannot be enforced for pick-up and delivery. The Board discussed leaving the weight limit as is for now, with the understanding that frequency and time of day restrictions may need to be addressed at a later date.

**CDBG Progress** – Mr. Hamlin said he has had one inquiry from a Contractor and another from a Resident. Sue said THOMA has had a lot of calls since the Newsletter was delivered. Mr. Holcomb asked whether we have discussed with THOMA how they follow up on requests from Contractors. Mr. Hamlin said the Contractor contacts THOMA, who sends out a mailing to the Contractor outlining the requirements. Three work references and three credit references are required and final Contractor approval comes from the Board. Mr. Holcomb asked how Contractors are aware of the opportunity. Mr. Husar said there was going to be an ad in the newspaper. The consensus of the Board was that they need to be proactive in obtaining names of local Contractors interested in working for the project. Mr. Hamlin will touch base with THOMA to discuss.

**Court Clerk – Mike** – This will be discussed in Executive Session.

**Water Department – Rick** – With Hillcrest Water and Sewer Operator Dave Grunder's retirement, there is an opening in the Water Department. Mr. Pray would like to hold off on a replacement until research is done as to whether there are any shared services to consider with Port Dickinson. Mr. Moss asked whether the open position is full time or part time. Mr. Hamlin said that it is currently full time. Mr. Husar said that although Assistant Hillcrest Water and Sewer Operator Greg Starley deserves to be moved into Dave's position, he is surprised that it is a foregone conclusion that Greg gets the job. Mr. Husar feels the job should be posted because that is the proper way to do it, as well as for the sake of propriety. After Board discussion, **Mr. Pray made a motion to appoint Greg Starley as Hillcrest Water and Sewer Operator upon Dave Grunder's retirement effective May 1<sup>st</sup>**, seconded by Mr. Moss. **Motion carried.**

**ROLL CALL VOTE:**

Councilman Mr. Holcomb aye  
Councilman Mr. Husar abstain  
Councilman Mr. Moss aye  
Councilman Mr. Pray aye  
Supervisor Mr. Hamlin abstain

Prior to the vote, Mr. Pray said Greg has done all the things and more than what was asked of him to do in order to become qualified for the position. He was not even asked to go out and get the qualifications required to do the sewer, the distribution and all the other pieces, but he went out and got them anyway. He has also gone out and modernized a lot of things. Mr. Holcomb said he really believes the intent of the Board at the time that Greg was hired was that they were looking ahead to the time Dave retired and were doing some succession planning.

Mr. Husar recollected that Greg was hired because the State had an issue with the Town not having an Assistant Hillcrest Water and Sewer Operator and licensed backup. Mr. Moss asked whether the new role for Greg would affect his role as the Dog Control Officer. Mr. Holcomb said it is possible there could be a conflict, but if it gets to that point it would need to be discussed and a decision be made. Mr. Husar asked what was being done about salary. This will be discussed in Executive Session.

**Senator Akshar – Saturday 4/22/17** – Mr. Hamlin said there was a huge turnout for Senator Akshar’s visit to the Town Hall last Saturday with standing room only. He did a great job with the presentation and answering a lot of questions. Mr. Pray said he did a great job handling a lot of things that were thrown at him.

**Resolution #2017-10 – Resolution for No Parking Signs on Dumas Hill Road – Mr. Husar made a motion to approve Resolution #2017-10 as follows:**

**WHEREAS**, the Town Board wishes to maintain proper access to the properties of local Residents on Dumas Hill Road, and

**WHEREAS**, there have been times when local Residents have been unable to access their property due to parking in certain areas of the Town Right of Way,

**THEREFORE BE IT RESOLVED**, that the last 150 feet of Dumas Hill be designated as NO PARKING on both sides of the road, including the dead end area at the end of the road, and

**BE IT FURTHER RESOLVED**, that the Highway Superintendent is directed to post NO PARKING signs as appropriate to adequately indicate this.

Seconded by Mr. Moss. **Motion Carried.**

**ROLL CALL VOTE:**

Councilman Mr. Holcomb aye  
Councilman Mr. Husar aye  
Councilman Mr. Moss aye  
Councilman Mr. Pray aye  
Supervisor Mr. Hamlin aye

**Storage Shed** – Randy asked about the possibility of replacing the existing shed behind Town Hall with a larger shed to store their tractor and equipment instead of using the storage shed at the Cemetery entrance. Mr. Hamlin asked Randy to obtain some pricing and get back to the Board.

**Wood Burners** – The Board received the information from Atty. Millus on the wood burners, which was a proposal adjusting with the changes of State and Federal laws. Mr. Holcomb said there are a couple of people that have been inquiring about it every two to three weeks. If the Town could have it ready by the Summer then the Residents can be ready by the Fall.

**Animal Shelter Contract** – Atty. Millus sent some revised language back to the County and he is waiting to hear back.

**28 Pine Street** – Mr. Husar said David Baker's barn at 28 Pine Street is collapsing and something needs to be done about it.

**5992 NYS Route 79** – Mr. Husar asked how the clean-up of Ryan Findore's barn was progressing. Building Inspector Matt Banks said there has not been much progress. Atty. Millus said there is a pre-trial conference scheduled for June 1<sup>st</sup>. Matt will contact Ryan.

**Signs** – Matt said signs for firewood, etc., are going to begin popping up again and asked the Board what they wanted done about them. Atty. Millus said the Town does not regulate it. Mr. Hamlin said that if it is not on their property then it should not be there. Mr. Holcomb recollected that at one time the Board talked about having yard sale signs, etc. up for one week and asked whether they ever followed through on it. Atty. Millus said it would be difficult to enforce.

**Ag Structures** – Matt said he was speaking with Mr. Holcomb regarding Ag structures and according to our code, these do not need a permit. Atty. Millus confirmed that Section 67-4 states Ag structures used for agricultural purposes are not required to apply for a Building Permit.

**Tents** – Matt asked whether the canvas tents that people purchase and erect in their driveways to store their car, boat, etc. are allowed and if so whether a Building Permit is required. Mr. Holcomb said he is pretty certain they are prohibited per our Town Code, but he would research it.

**Storage Containers/Pods** – Matt asked whether storage containers/pods were allowed by Residents in their yard for the purpose of storing belongings while their homes are being renovated. Matt said he is getting frequent inquiries. A variance is required in the Town of Chenango. Mr. Husar said at one point he did research on the subject through the Association of Towns. There are some programs that charge an annual fee per container in an effort to maintain control over the use of such storage containers. Mr. Holcomb told Matt that if he feels a Resident will complete their project in three to four months and remove the storage containers that it should not be a problem. Mr. Pray asked whether something needed to be added to Town Code so Matt would be able to monitor. Truck bodies are already prohibited per Town Code. The Board feels a Building Permit is required and there should be a time frame, which they are willing to leave up to Matt's discretion.

**At 7:19 PM, Mr. Hamlin made a motion to adjourn into Executive Session to discuss a personnel issue,** seconded by Mr. Husar. **Motion Carried.**

Sheryl L. Fay, Deputy Town Clerk