

The Town of Fenton Town Board held its regular meeting on Wednesday, September 7, 2016, at 7:00 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
Richard Pray, Councilman
Thomas Moss, Councilman
Deputy Highway Superintendent Randy Ritter
Town Attorney Albert Millus, Jr. (arrived at 7:12 pm)
Town Clerk Melodie Bowersox

ABSENT: Highway Superintendent Frank Root, Jr.

OTHERS PRESENT: Building Inspector Matt Banks, Planning Board Chair John Eldred, Assistant Town Engineer Richard Armstrong and six Residents. Also present were Dan Griffiths representing Griffiths Engineering and Broome County Legislator Cindy O'Brien.

Dan Thomas led in the Pledge of Allegiance.

AMERICORPS VISTA PRESENTATION

Emily Hotchkiss and Caroline Russo from Rural Health Network SCNY were present at this evening's meeting. Emily gave a Housing Supplement presentation titled "Rural Broome Counts."

RESIDENTS' TIME (7:20 pm)

Fran Martin – Fran Martin asked about the status of clean-up efforts at 39 Canal Street. Atty. Millus said the Resident came in for his arraignment and he pled not guilty. It is now scheduled for trial.

Fran Martin – Fran Martin asked about the status of 28 Pine Street. The barn roof caved in several months ago. Action on this property is still pending.

Residents' Time closed at 7:29 pm

TOTAL BILLS – ABSTRACT 8, 2016 approved during the August 24th, 2016 meeting:

FUND	VOUCHER #s	AMOUNT
General	397 – 440	\$23,076.81
Highway	274 – 309	\$154,257.83
Hillcrest Water	129 – 156	\$40,746.76
Hillcrest Sewer	31 – 34	\$1,469.29

Porter Hollow Sewer	0	\$0.00
Port Crane Light District	13 – 14	\$991.93
Hillcrest Light District	13 – 14	\$2,197.91
Capital Projects	5 – 7	\$15,955.16
Trust & Agency	10	\$4,026.82

SUPERVISOR'S REPORT

- A kick-off meeting took place with Griffiths Engineering, the new Engineering firm, a couple of weeks ago to ensure a smooth transition.
- A meeting was held to discuss a possible microbrewery in Fenton. This will be discussed in greater detail under New Business.
- Work on next year's Budget is underway. The next meeting is scheduled for next week.

TOWN ATTORNEY'S REPORT

- Report was read by Atty. Millus.

TOWN CLERK'S REPORT

- Monthly Report was read by Melodie Bowersox.
- Total Local Shares for August 2016 were \$2,952.50

TOWN ENGINEER'S REPORT

- **Canal Street Drainage** – There will be a meeting with Deputy Highway Superintendent Randy Ritter tomorrow at 2 pm. Discussions have taken place regarding the surveying services needed.
- **Well #3** – They are dealing with Jeff Purdue at Moody. The data on hand does not seem to be consistent with the Health Department, so that will be worked on tomorrow. It also needs to be verified that when it is raised up as the specs are written that the slab will be able to handle it.
- **Meter Pit** – It is currently showing at 13' feet long, but it can be made smaller with the bypass loop outside the vault. There has been talk about making the valves more accessible.

COMMITTEE REPORTS

Building and Grounds – Mr. Moss reported the Town Hall roof is the main project in process. All the tear-off and the majority of the work on top have been completed. Assistant Town Engineer Rick Armstrong has found some bubbling on some of the surfaces and is dealing with the contractor on this. Rick had a walk-through with a manufacturer representative and the Project Manager to discuss some of the issues. None of the issues appear to be major. Some

of the electrical conduit and wiring for some of the ventilation fans was damaged during tear off. There are some interior ceiling tiles that need to be replaced due to some leaking. The Town will be doing some of the repairs and submitting paperwork for reimbursement from Tower Roofing. Work was paused for a period of time while end capping was on order. Fuel bids were submitted and opened. All companies awarded the contracts were notified of the September 1st start date. Liquid Propane went to Blue Ox, Diesel went to Mirabito and Unleaded Gas went to Economy Heating.

Water and Sewer – Report was read by Mr. Pray.

Highway and Solid Waste – Mr. Holcomb reported grater patching on the country roads has been completed. Some repairs are scheduled for Hillcrest in the next couple of weeks. The used Loader has been received from Port Dickinson and there are four pieces of equipment ready for auction at the end of the month.

Community/Public Safety – Reports from the Dog Control Officer, Building Inspector, Justice Office and Zoning Enforcement Officer were forwarded to the Board prior to tonight's meeting and read by Mr. Husar.

Conservation Advisory Committee – Mr. Hamlin asked Melodie Bowersox if there was any update on the CAC. Melodie said no one that is currently on the Committee is interested in being the Chair.

Historical Advisory Committee – Report was read by Mr. Holcomb.

Mr. Husar made a motion to approve all committee reports as submitted, seconded by Mr. Holcomb. **Motion carried.**

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

MINUTES

Mr. Holcomb made a motion to approve the minutes from the July 27th, 2016 Work Session and the August 3rd, 2016 Town Board Meeting, seconded by Mr. Moss. **Motion carried.**

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

OLD BUSINESS

- **310 Ballyhack Road** – Mr. Hamlin asked whether there was any progress on 310 Ballyhack Road. Building Inspector Matt Banks said there has been no response. Atty. Millus said the Board gave the owner 60 days to demolish it or the Town would demolish it and add it to the taxes. Next steps need to be determined. After extensive discussion amongst the Board Members and Atty. Millus, this remains pending.
- **1001 Chenango Street** – Mr. Hamlin said he reached out to a contact at the Corporate Office for the property, expressing the Town's interest in having the building demolished. This is still pending.

- **Griffiths Engineering Meeting** – The Town’s meeting with Griffiths Engineering went very well. Mr. Hamlin said the Town appreciates the firm’s efforts in moving forward with projects in the Town’s interest.
- **County Assistance with Demolition** – Mr. Holcomb asked whether, in an effort to share in whatever profit might come from properties going to auction, the County could pass legislation to assist towns with demolition issues such as the few our Town has pending. Mr. Hamlin said current laws are a part of New York State Real Property Tax Law but options can be discussed with the County Attorney. Grants are also something to explore.

NEW BUSINESS

- **Port Crane Micro Brewery (197 NYS Route 369)** – Brendan Harder requested the Town update their Comprehensive Plan to include the changes New York State Agriculture and Markets Law (AML) made last summer to include the brewing of beer under farm operations. Brendan explained to the Board that he would like to put in 10 acres of hops or grain, depending upon when they close on the property and are in receipt of soil samples. He currently has a 350 acre farm in Willett, New York with 17 acres of hops and 150 acres of grains. Being a farm brewery it falls under Agricultural and it is required a certain percentage of their own ingredients and New York State ingredients are used. Brendan said he is aware of the site having flood plain issues and that he would need to elevate the building by 10 feet. Dan Griffiths recommended Brendan incorporate the newest DFIRM Map that has not yet been approved into his Site Plan. Mr. Husar asked whether a Public Hearing would need to take place since the change is part of the Town Comprehensive Plan. Atty. Millus said it would most likely require a Public Hearing but he needs to review all submitted documentation.
- **Budget Meeting 9/14/16 @ 5 pm** – The next Budget Meeting is scheduled for next Wednesday at 5 pm. Rick Pray will not be able to attend.
- **Children’s Home** – Mr. Hamlin spoke with Dan Thomas to see whether the Children’s Home could come and give a quick overview of what’s going on now and what is happening in the near future in an effort to keep the Town informed and for both parties to discuss any issues. Mr. Hamlin said the presentation will be Wednesday, October 5th at 7 pm. Mr. Husar will be out of town for this meeting, but will contact George Dermody, current President and CEO, directly.
- **Resolution #2016-17 Resolution Authorizing Temporary Advance of Monies to Highway Fund from General Fund – Mr. Holcomb made a motion to adopt the following Resolution:**

WHEREAS, the Highway Fund will not have adequate monies to cover the cost of its operations in September through Mid October 2016, and will need to temporarily borrow monies under another Town fund to meet the Highway Fund’s cash needs,

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorized the temporary advance (interfund loan) of up to \$135,000 to the Highway Fund from the Town’s General Fund, and

BE IT FURTHER RESOLVED, such temporary advance shall be repaid as soon as practicable after receipt of 3rd Quarter Sales Tax and CHIPS State Aid, and this Resolution shall take effect immediately, seconded by Mr. Councilman Pray.

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

- **JCAP Grant Application Request** – The Board received an e-mail from Judge Madden regarding the JCAP Grant and a request to apply for funds for a lectern for the Courtroom (\$1030), a four drawer lateral file cabinet (\$855) and a three drawer lateral file cabinet (\$689) for a total of \$2574. After discussion amongst the Board Members, Mr. Husar said he would let Judge Madden know the Board is not in favor of applying for the JCAP Grant.
- **Resolution #2016-18 Authorizing Maureen Roberts to attend the Court Clerk's Conference – Mr. Husar made a motion to authorize Maureen Roberts to attend the Court Clerk's Conference**, seconded by Councilman Mr. Pray. **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

At 8:31 pm, **Mr. Pray made a motion to adjourn into Executive Session to discuss a legal issue**, seconded by Mr. Holcomb. **Motion carried.**

Melodie A. Bowersox, Town Clerk/sf