

The Town of Fenton Town Board held its regular Work Session on Wednesday, February 24<sup>th</sup>, 2016, at 6:00 PM at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

<b>PRESENT:</b>	Town Board Members	David Hamlin, Supervisor Gary Holcomb, Deputy Supervisor Michael Husar, Councilman Richard Pray, Councilman
	Town Attorney	Albert Millus, Jr.
	Highway Superintendent	Frank Root, Jr.
	Town Clerk	Melodie Bowersox
	Administrative Asst./Bookkeeper	Susan Crosier
<b>ABSENT:</b>	Town Board Member	Jeff Kraham, Councilman
	Town Engineer	Richard Bassler, P.E.

There were two Residents present at this evening's meeting, Building Inspector Matt Banks and Conservation Advisory Committee Chair André LaClair.

### Review Abstract #2, 2016

- Mr. Holcomb asked if Voucher #89 United Plumbing & Heating, Inc. under General Fund for 'New Heat Pump for Main Bldg.', had already been paid with last month's Abstract (amount of \$1,851.18). Bookkeeper Sue Crosier said that it had not been paid yet, only repairs for the old heat pump had been paid in a past Abstract.
- Mr. Holcomb inquired about Voucher #108 Staples Credit Plan under General Fund for 'Court-2 Graphic Cards' for \$97.38. He asked Sue if she knew what the Graphic Cards were for and she did not, as Judge Ambrose Madden contacted Bob Bartilotti, our IT Technician, on his own.
- After a review of the Abstract, **Mr. Pray moved to approve payment of the bills for Abstract #2, 2016**, seconded by Mr. Holcomb. **Motion carried.**

**VOTE:** Ayes 4 Hamlin, Holcomb, Husar, Pray  
Nays 0  
Absent 1 Kraham

**Heater in Kitchen** – The heater in the Kitchen is very old, extremely loud when it runs, and is not running efficiently. Gerry Sabato of Bryant Heating and Cooling Systems took a look at the heater and said that rubber washers needed to be replaced. Mr. Hamlin asked Bookkeeper Sue Crosier to ask Gerry for a quote to replace the heater.

**André LaClair – Climate Smart Communities** – CAC Chairman André LaClair distributed various documents to the Town Board regarding the Climate Smart Communities (CSC) Program. André discussed one of the documents which was a spreadsheet he compiled that included activities, tasks, task leader, and supporting team members for the Program. One of the first tasks that would need to be completed once the Pledge is taken is an Inventory of

Energy Use (GHG Inventory) which would be led by the CAC Members. Information would be collected from the Highway Department, Water Department, and Town Hall. Also, André would like to mail out a questionnaire to the community, similar to the one that was sent out for the development of the Town's Comprehensive Plan, to assist with the Inventory. On the second page of the spreadsheet, André listed the six steps to be completed under the CSC Program. He noted that in order to be eligible for further funding under the Cleaner, Greener Communities Program (CGC), four out of the six listed items must be completed; steps two and three have already been completed. The Town Board discussed the Program with André and asked him:

- What is the advantage of the Town participating in this Program? André replied that the Town would have a better understanding of their consumption and ways to reduce costs.
- Can the Town perform these tasks without taking the Pledge? (There was concern about putting buildings on the historic registry and having to follow certain rules.) André replied that by being registered, there would be individuals who could assist the Town with the Program. Certainly the tasks could be performed without taking the Pledge.

The Town Board also reviewed the CSC Pledge which André included in the documents distributed. The Town Board is not interested in signing the Pledge as it is currently written. Some Board Members felt the wording was of a political nature. André said that the Pledge can be re-written as long as the ten bullets listed at the end of the Pledge are included. He asked the Town Board to review the Pledge further, make any changes to it, and get back to him with the changes.

**Resolution #2016-08 Add Funds to Hillcrest Sewer Repair Reserve Fund – Mr. Holcomb made a motion to adopt the following Resolution:**

**WHEREAS**, the Hillcrest Sewer District wishes to continue to increase its repair reserves, and;

**WHEREAS**, the Hillcrest Sewer District has accumulated unrestricted funds exceeding one year's operating budget,

**THEREFORE, BE IT RESOLVED**, that \$50,000 be transferred from the Hillcrest Sewer Savings Account to the Special Reserve Fund-Repairs, seconded by Mr. Pray. **Motion carried.**

**ROLL CALL VOTE:**

Councilman Mr. Holcomb aye  
Councilman Mr. Husar aye  
Councilman Mr. Kraham absent  
Councilman Mr. Pray aye  
Supervisor Mr. Hamlin aye

**Tower – Hawkins Hill Road** – The Town received information regarding the upgrading of towers throughout Broome County for the 911 communication system. The upgrading is possible through a grant the County received. One of the towers is located in the Town of Fenton on Hawkins Hill Road. The tower is located on County owned land and no permit is required.

**Hillcrest Civic Association Grant** – Mr. Hamlin received a phone call from John Broughton who is a member of the Hillcrest Civic Association. He is working with Senator Fred Akshar who has access to a grant for communities. The Civic would like to replace several things at the Hillcrest Park and plan to apply for this grant in the amount of \$50,000 to assist with the replacements. The grant is a 70/30 split, with the Town contributing 30 to it. The grant would most likely go through the Town then to the Civic. The Senator wanted the Town to be aware of the grant and wanted to know if we have any projects that would constitute a \$50,000 grant that could be added on with the Civic's request. Several projects were listed, including new bleachers for the sports' fields, a Seniors Pavilion, update to the tennis courts, and Town Hall parking lot repairs.

**Kark Campground Discussion** – At the Planning Board Meeting on Tuesday, February 23<sup>rd</sup>, 2016, Ted Lauve of Lauve Engineering, PLLC, gave an outline of Jonathan Kark's Feasibility Study for a Recreational Vehicle Park. It was Ted and Jonathan's assumption that the project would be an allowable 'Outdoor Recreational Use' in the Town being a campground, not a permanent mobile home park. The Planning Board discussed the matter and there were certain members who felt that the proposed project fell under the definition of 'Tourist Camp' which is not an allowed use in Agricultural Residential Districts A and B. The question was raised whether a 'Tourist Camp' is a 'Commercial Outdoor Recreational Use' and the Town Code does not seem to define this. Because the Planning Board Members did not come to an agreement on the matter, Atty. Fernandez agreed to discuss it further with Atty. Millus who could present the matter to the Town Board before Jonathan would be able to proceed with the project. The Town Board also discussed the matter and came to the consensus that because there is a question as to whether the project is an 'Outdoor Recreational Use', the appropriate procedure would be for Building Inspector Matt Banks to deny Jonathan's application for the project and appeal to the Zoning Board of Appeals.

**Roof Bids?** – With Spring approaching, it is time to look at the Roof Bids again. Atty. Millus circulated an email to the Town Board Members today with his comments regarding the Roof Bids for the Town Hall Roof that were put together by Assistant Engineer Rick Armstrong last year. Mr. Pray commented that the specs are based on a model that was used by BCC when they put out roof bids and are basically written for one type of roof system. This requires that one manufacturers system and product be used for the entire layout and new roof. Atty. Millus said that would be risky and that specs cannot be written to allow only one bidder. After the discussion, it was decided that there needs to be a further discussion with Rick and Town Engineer Dick Bassler before the roof specs can go to bid.

**Town Engineer** – Dick Bassler, Town Engineer, is planning to retire soon. The Town needs to begin looking for his replacement. Ted Lauve of Lauve Engineering, PLLC, was suggested as a possible replacement by Dick. Assistant Town Engineer Rick Armstrong is not interested in the position. The job description needs to be put together and then the position can be advertised.

**Highway Truck – Mr. Holcomb made a motion to approve the purchase of a 2016 Dodge Ram 3500 4x4 Pickup Truck with a plow system for the Highway Department**, seconded by Mr. Pray. **Motion carried.** Highway Superintendent Frank Root will check to see if the warranty is for three or five years on the truck. Mr. Hamlin would like Frank to look into purchasing special seat covers to protect the seats. The Water Department purchased these for the new Water Truck and they cost \$360.

**Water Truck – Mr. Pray made a motion to approve the purchase of a Chevrolet Silverado 2500 Pickup Truck for the Water Department**, seconded by Mr. Holcomb. **Motion carried.**

**Town Clerk Conference Attendance Approval** – The annual Town Clerks Conference will be held in Saratoga Springs, NY in April. **Mr. Holcomb made a motion for the approval of Town Clerk Melodie Bowersox to attend this conference**, seconded by Mr. Pray. **Motion carried.**

**Fees Amount and Junkyards Reviewed** – Atty. Millus emailed Town Board Members a draft of the Local Law reflecting changes to the fees that were discussed at a previous Town meeting and a draft of the Local Law regarding the elimination of Junkyards. There was a brief discussion regarding both. Atty. Millus asked that the Town Board review them further and let him know of any changes/additions to be made.

**Resolution #2016-09 Clean-Up Days – Mr. Holcomb made a motion to adopt the following Resolution:**

**WHEREAS**, the Town of Fenton will hold a 'Collection of Wood' Day on Saturday, April 30<sup>th</sup>, 2016, from 8:00 AM to 2:00 PM, and Clean-Up Days on Friday, May 6<sup>th</sup>, 2016, from 11:00 AM to 7:00 PM, and Saturday, May 7<sup>th</sup>, 2016, from 8:00 AM to 2:00 PM,

**BE IT RESOLVED**, that these days are designated for the collection of general garbage and electronics; tires will be charged by the ton. General solid wastes, yard waste, and construction and demolition debris will not be accepted.

**BE IT FURTHER RESOLVED**, that Monday, May 9<sup>th</sup>, 2016, will be designated as the Town of Fenton's day for tipping fee waiver at the Broome County Landfill for the disposal of items collected during the special clean-up days, seconded by Mr. Pray. **Motion carried.**

**ROLL CALL VOTE:**

Councilman Mr. Holcomb aye  
Councilman Mr. Husar aye  
Councilman Mr. Kraham absent  
Councilman Mr. Pray aye  
Supervisor Mr. Hamlin aye

Frank will be contacting Elliott Manufacturing to see if the Town will be able to use their parking lot again. Mr. Husar asked if the Depot was a possibility as well; Frank said he would have to look into this option, as it was not available two years ago when the Town had Clean-Up Days. Mr. Holcomb would like Frank to check into the tire situation and what the cost would be to offer this service to the residents. Security should also be looked into as in the past.

**Depot in Hillcrest** – Atty. Millus had communications with an attorney representative for the Chenango Valley School District and it was indicated to him that GSA (General Services Administration) is marketing the Depot as Industrial Use; however, the Town rezoned it as Residential B. Also, a weight limit was put on Hoyt Avenue to prevent it from becoming a warehouse distribution center. GSA is taking the position that they have an easement over the school district driveway so the representative for the school district is in a dispute with them over this matter. Mr. Hamlin noted that he had a call from an individual interested in the property but because of the two factors above, the individual would not be able to use the property for the purpose he had in mind.

**Wilfred Quinones** – Building Inspector Matt Banks met with Wilfred Quinones regarding his situation at his residence on 262 Vincent Hill Road. Matt said that Wilfred would like to convert half of the burned out house into a barn. Wilfred's property is a mess. He told Matt that he does not have any money right now and that he is also having health issues. His new house is not done yet and he wants to refinance it but he cannot do that until Matt issues him a CO. A Public Hearing has already been held for the 'Unsafe Structure' at this location. The Town Board made a decision that Wilfred needs to be notified that a resolution is forthcoming that will state that the structure located on the property needs to be demolished within sixty days; if the structure is not, then the Town will have the structure demolished and the cost of the demolition will be added as a charge to Wilfred's taxes. Matt will contact Wilfred. This will be addressed again at the Town Board Meeting next week on Wednesday, March 2<sup>nd</sup>, 2016.

**1001 Chenango Street** – Atty. Millus received a call from another individual that works for a property management company for Wells Fargo. She said that they are getting quotes to demolish and/or rehabilitate the building at 1001 Chenango Street. Atty. Millus explained that the Town wants the building demolished and adopted a resolution to that affect. He also told her that the Building Inspector does not feel it would be economic to rehabilitate the building and that there is no off-street parking there. The individual did not seem to understand the Town's reasoning on the matter and said that she is waiting for two more estimates to

determine whether they are going to demolish or rehabilitate the building. Atty. Millus also received a call from another attorney from a foreclosure firm. He explained the situation to this attorney as well and will be sending documents to the attorney.

### **Deputy Harding**

- Mr. Husar contacted Deputy Harding and asked him to keep an eye on 1001 Chenango Street and to patrol Monkey Run Road. He said he was willing to do this. Highway Superintendent Frank Root explained the route that the feed trucks are taking when accessing Monkey Run Road so that Mr. Husar can relay that information to Deputy Harding.
- An individual that lives on Monkey Run Road contacted Deputy Harding regarding the Neighborhood Watch Program. He plans to call the individual back and set up a meeting with some of the residents that live on Monkey Run Road.
- Deputy Harding hopes to attend the Town's next meeting.

**Dairy Bar on Service Road** – A State Trooper reported to a local business owner that a motorcycle gang is looking into moving into the old Dairy Bar on the Service Road to make it their club house. Because the building has been vacant for more than a year, any use will need to be approved by the Town.

**Burn Barrels** – As a "FYI", Mr. Pray noted that one of his employees is the Fire Chief at West Corners and when a complaint is made about a burn barrel, the fire company is sent out to put the fire out in the burn barrel. They also take a Sherriff's Deputy with them.

**New Mobile Home Zoning** – A woman called Building Inspector Matt Banks regarding the property at 62 Palmer Hill Road, where there was a house fire. The Town held a Public Hearing for the house as an 'Unsafe Structure.' She asked if she could replace the mobile home with a mobile home if she were to purchase the property. There is no clear wording in the new mobile home zoning code that states whether a new owner can replace the mobile home or whether it has to be the previous owner that has to replace the mobile home – only that from the time the mobile home is removed, it must be replaced within one year.

**5992 NYS Rte. 79** – Ryan Findore appeared in Court and has until July 1<sup>st</sup>, 2016 to make substantial progress on his dilapidated barn at 5992 NYS Rte. 79. His new Court date is scheduled for July 28<sup>th</sup>, 2016.

**At 7:52 PM, Mr. Husar adjourned the meeting.**

Melodie A. Bowersox, Town Clerk