

The Town of Fenton Town Board held its regular meeting on Wednesday, January 4, 2017, 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
Highway Superintendent
Randy Ritter
Town Attorney
Albert Millus, Jr.
Town Clerk
Melodie Bowersox

OTHERS PRESENT: Bookkeeper/Administrative Assistant Susan Crosier, Deputy Highway Superintendent Mike Marris, Planning Board Chair John Eldred, Chenango Valley Central School District Superintendent David Gill, Jeffrey Jacobs, Esq. and 9 Residents

David Gill led in the Pledge of Allegiance.

RESIDENTS' TIME

Al Seymour – Al Seymour said he would like to donate the bales of hay to be used behind the metal benches in the park where sleigh riding typically takes place.

Dave Gunster – Dave Gunster asked whether the owner of 39 Canal Street appeared in court. Mr. Husar said he did appear and pled not guilty. The Judge did not impose a disposition or fine. The Resident was told to stay out of trouble.

Darrel Whitman – Darrel Whitman asked whether it was ever determined if the owner of 39 Canal Street also owned the cars on the Snow property on NYS Route 7B. There are currently three cars on the property. Mr. Husar said Zoning Enforcement Officer John Broughton is collecting evidence.

Darrel Whitman – Darrel Whitman said it was discussed a year ago that the old Pierce barn, located at the top of Depot Hill Road and Nowlan Road, was going to be torn down for barn wood. Darrel reported the entire roof has recently caved in. Various Board Members stated the property is now owned by the Begeals.

Residents' Time closed at 7:07 pm

VARIOUS BOARD APPOINTMENTS

Mr. Hamlin stated there are six appointments that have expired: Richard Armstrong (Planning Board), Mikel Lidell (ZBA), Karen Goodman (CAC), Michael Grasso (CAC), Patricia Podrazil (CAC) and David Sterling (CAC). Mr. Holcomb clarified the CAC terms are now set up with alternating two year terms. The Planning Board and the ZBA are now set up so that one member expires at the end of every year. **Mr. Pray made a motion to reappoint the six individuals,** seconded by Mr. Holcomb. **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

TOTAL BILLS – ABSTRACT 12, 2016 approved during the December 21st, 2016 meeting:

FUND	VOUCHER #s	AMOUNT
General	595 – 683	\$83,412.30
Highway	408 – 450	\$105,040.09
Hillcrest Water	215 – 239	\$26,754.99
Hillcrest Sewer	40 – 44	\$21,709.88
Porter Hollow Sewer	16 – 17	\$300.00
Port Crane Light District	21 – 22	\$1,069.33
Hillcrest Light District	21 – 22	\$2,399.82
Capital Projects	0	\$0.00
Trust & Agency	14 – 15	\$4,521.48

SUPERVISOR’S REPORT

ANNUAL ORGANIZATIONAL AGENDA – 2017

WHEREAS the Town Board of the Town of Fenton at its regular meeting on January 4, 2017 is meeting for the purpose of organization for the year 2017, and

WHEREAS with due deliberation and consideration, the Town Board wishes to organize for the year 2017 as follows:

MEETING SCHEDULES

The regular meeting of the Town of Fenton Board will be held on the first Wednesday of each month beginning at 7:00 P.M. in the Town Hall, 44 Park Street, Port Crane, New York. If this date falls on a legal holiday, the meeting will be held on the following Wednesday. Work Session Meetings will be held at 6:00 P.M. on the Wednesday before the last Thursday of each month at the Town Hall for the purpose of planning and discussion.

The Town of Fenton Planning Board will schedule a monthly meeting to be held on the last Tuesday of each month. This meeting shall be held in the Town Hall and begin at 7:00 P.M. Additional meetings shall be scheduled when appropriate.

The Town of Fenton Zoning Board of Appeals shall schedule meetings as called by the Chairman in the Town Hall.

The Town of Fenton Conservation Advisory Committee shall schedule meetings on the first Tuesday of each month at 6:00 P.M. Additional meetings may be called if necessary.

The Town of Fenton Board of Assessment Review shall schedule an annual review meeting on the last Thursday in May.

APPOINTMENTS FOR 2017

The Town Board designates Albert J. Millus, Jr. as Town Attorney.

The Town Board designates Tina Fernandez as Deputy Town Attorney. Deputy Fernandez shall also serve as legal counsel to the Planning Board and Z.B.A.

The Town Board designates Richard Armstrong as Assistant Town Engineer.

The Town Board designates Susan Crosier as Bookkeeper/Administrative Assistant.

The Town Board designates Mike Giovinazzo as Assistant Bookkeeper and Internal Auditor.

The Town Board appoints Melodie Bowersox as the Registrar of Vital Statistics and the Registrar may appoint a deputy.

Sheryl Fay shall serve as the Deputy Town Clerk.

By Town Law, the Town Clerk may appoint up to three deputies with such duties approved by the Town Board. Additional clerks may be appointed by the Town Clerk at a later date.

By Town Law, the Highway Superintendent may appoint a deputy. For the year 2017, Michael Marris shall be appointed as Deputy Highway Superintendent.

The Town Board appoints the following officers for a one year term:

Constable.....John Broughton
Zoning Enforcement Officer.....John Broughton
Hillcrest Water & Sewer Operator...David Grunder
Dog Control Officer.....Greg Starley
Historian.....Barbara Guernsey
Building Inspector.....Matthew Banks

The Supervisor appoints Gary Holcomb as Deputy Supervisor for the year 2017.

The following Town of Fenton Administrative Committees shall be established and the Supervisor appoints the following Chairpersons:

Buildings & Grounds and Zoning.....Tom Moss
Water & Sewer and Dog Control Officer.....Rick Pray

Highway and Building Inspector.....Gary Holcomb
Justice Court and Assessor.....Mike Husar

These appointments for the year shall be so moved by Mr. Holcomb with a second to the motion by Mr. Moss that the above appointments be adopted with a roll call vote.

ROLL CALL VOTE:

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

During the Roll Call Vote, Mr. Husar stated: "Let me just say this about that. We did not get a chance to discuss it as we do with most motions so I will just state my reasons ahead of time. This arrived at 1:00 today and I really had not had a chance to look at it. It's later than usual and I would have preferred to have a chance to discuss it. So instead I'll say nay."

REMUNERATION SCHEDULE

Town employees using their personal vehicle for Town business shall be reimbursed the maximum allowed by the IRS.

The Town Constable shall be paid \$13.18 per hour for court time and \$1,318.00 per year patrolling for parking violations.

The Town Justice Clerk shall be paid up to the maximum of \$15.15 per hour. The Deputy Town Clerk shall be paid up to a maximum of \$13.44 per hour. The Assessor's Clerk shall be paid a maximum of \$13.44 per hour. The Highway Department Clerk/Bldg. Inspector Clerk shall be paid a maximum of \$13.92 per hour. Any additional clerk appointments by the Town Clerk shall be paid a maximum of \$12.00 per hour.

The Assistant Bookkeeper shall be paid up to a maximum of \$16.15 per hour.

Town Hall Custodian shall be paid up to the maximum of \$11.90 per hour.

Planning Board Members shall be paid \$25.00 per meeting attended plus \$100.00 annual member fee. Chairman shall be paid \$50.00 per meeting plus \$300.00 Chairman fee. The Planning Board can appoint a recording secretary who shall be paid \$25.00 per meeting attended. For the year 2017 the Town Board appoints Melodie Bowersox as Recording Secretary.

Zoning Board of Appeals Members shall be paid \$25.00 per meeting attended plus \$100.00 annual member fee. Chairman shall be paid \$50.00 per meeting plus \$100.00 chairman fee. The Town Board may appoint a recording secretary to be paid \$25.00 per meeting attended. For the year 2017, the Town Board appoints Melodie Bowersox as Recording Secretary.

Conservation Advisory Committee Members be paid \$25.00 per meeting attended plus \$100.00 member fee. Chairman shall be paid \$50.00 per meeting plus \$100.00 chairman fee. The

Town Board may appoint a recording secretary to be paid \$25.00 per meeting attended. For the year 2017, the Town Board appoints Melodie Bowersox as Recording Secretary.

Members of the Board of Assessment Review shall be paid an annual sum of \$100.00.

Training classes will be paid at regular meeting rates.

Compensation for the Town of Fenton Highway Department employees shall be established as follows:

- Employee base pay.....\$19.69 per hour.
- Deputy Highway Superintendent.....\$ 1.75 per hour plus base.
(Longevity pay for each continuous year of service as deputy shall be an additional \$0.10 per hour.)
- Mechanical service pay.....\$ 2.25 per hour plus base.
- Highway Mechanic Full Time.....\$ 1.25 per hour plus base.
(Longevity pay for each year of service after 5 years.....\$0.03 per hour plus base.)

Annual compensation for Town of Fenton Elected and Appointed Officials shall be as follows:

OFFICIAL	POSITION	SALARY
David Hamlin	Supervisor	20,000
Gary Holcomb	Councilman/Deputy Supv	10,000
Mike Husar	Councilman	8,000
Rick Pray	Councilman	8,000
Thomas Moss	Councilman	8,000
Melodie Bowersox	Town Clerk	34,722
Randy Ritter	Highway Superintendent	59,194
David Grunder	Water/Sewer Operator	56,785
Greg Starley	Asst. Water/Sewer Operator	43,918
Susan Crosier	Admin/Finance	39,631
Mike Giovinazzo	Internal Auditor	4,142
Albert Millus	Town Attorney	37,469
(Fee includes ZBA & Planning Board)		
Ambrose Madden	Town Justice	16,240
Richard Armstrong	Asst. Town Engineer	12,631
Cindy Mills	Assessor	19,671
Greg Starley	Dog Control Officer	10,022
John Broughton	Zoning Officer	11,241
John Broughton	Constable	1,318
Matthew Banks	Building Inspector	20,834

The above remuneration schedule shall be moved with a motion by Mr. Pray with a second to the motion by Mr. Holcomb that the above schedule be adopted with a roll call vote.

ROLL CALL VOTE:

- Councilman Mr. Holcomb aye
- Councilman Mr. Husar nay
- Councilman Mr. Moss aye

Councilman Mr. Pray aye
Supervisor Mr. Hamlin aye

During the Roll Call Vote, Mr. Husar stated: "Same reason, nay."

TOWN INVESTMENT POLICY

The Town of Fenton Supervisor is authorized to deposit and invest moneys that are not required for immediate expenditure, in accordance with General Municipal Law Section 11 and the Town of Fenton Investment Policy.

The Town of Fenton Board designates The Manufacturers and Traders Trust Company, Key Bank, Chemung Canal Trust, and Tioga Bank as the official Town depositories.

HIGHWAY DEPARTMENT PURCHASE POLICY

The Town of Fenton Highway Superintendent shall not spend more than \$10,000.00 in the aggregate for purchases of equipment and tools without prior permission from the Town Board. The Superintendent shall review, audit, and sign each purchase voucher which shall be submitted to the Town Board each month for review and audit.

OFFICIAL TOWN BOARD MEETINGS

Each regular Town of Fenton Board Meeting shall begin with the Pledge of Allegiance followed by Residents' Time. At this time, any Town resident may bring their business or ask questions of the Town officials. Following Residents' Time, the regular business portion of the meeting shall begin and audience participation will be restricted to solicited comments as requested by a member of the Town Board.

Any proposed legislation, motion, or resolution introduced may be held to the next regular Town Board meeting at the request of a Town Board member.

OFFICIAL TOWN NEWSPAPER

The Press and Sun Bulletin shall be designated as the official newspaper in which all official and legal notices shall be published unless otherwise changed by resolution of the Town Board.

Prior to the Roll Call Vote, Mr. Husar said, "Just a point of order. For the last several years, probably at least five, probably more, this included the official language of the Town of Fenton being English." Mr. Hamlin stated that he took that portion out. Mr. Husar asked that it be discussed. Mr. Hamlin further stated that he removed it because he thought it just was not necessary. Mr. Husar said he did not see why we should change it. Mr. Moss asked if Mr. Husar could state what he was saying, as he did not understand what he was saying. Mr. Husar said, "We, for the last several years, made the statement in the Organizational Agenda, that we note English as the formal language, the official language, of the Town of Fenton. It's been in there all along and suddenly it's gone so that raises concern to me. I don't know if it does to anybody else." Mr. Holcomb and Mr. Pray did not have any concerns over the issue

with Mr. Holcomb stating that he thought it was just making a statement about something that did not need to be made.

The above policies shall be moved with a motion by Mr. Moss with a second to the motion by Mr. Pray that the above policies be adopted with a roll call vote.

ROLL CALL VOTE:

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

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 December 2016 were \$1,906.73
- The Town Clerk's Annual Report for 2016 was submitted to the Town Board. The Total Local Shares for 2016 were \$26,644.87.

TOWN ENGINEER'S REPORT

- There was no Town Engineer's Report.

COMMITTEE REPORTS

Building and Grounds – Mr. Moss reported a noisy heater was replaced in the Town Hall kitchen last week. The structural problem in the basement of the Fenton Free Library has been the main focus. The Town Engineer has assured the Board there is no load being placed on the area of floor in question, but the Library has been reopened with limited access to some portions of the older part of the building. The source of the problem has been determined to be a result of a past beetle issue which deteriorated the wood, but R & J Exterminating has told us that infestation is no longer active. Reconstruction bids are ready to go out. The hope is to have the issue resolved by the end of February. The Library is functioning on a normal basis, even with limitations on the one side of the building.

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

Highway and Solid Waste – Highway Superintendent Randy Ritter reported the Highway Department has been busy with the recent snowstorms and cleaning out the garages. Christmas tree pick up began this week and is done once a week rather than daily. Everything is going well with the equipment.

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

Historical Advisory Committee – There was no Historical Advisory Committee Report.

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

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

MINUTES

Mr. Holcomb made a motion to approve the minutes from the November 22nd, 2016 Work Session, the November 29th, 2016 Special Meeting and the December 7th, 2016 Town Board Meeting, seconded by Mr. Pray. **Motion carried.**

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

OLD BUSINESS

- **Roof Punch List** – Mr. Moss said he spoke with Assistant Town Engineer Rick Armstrong last week, who told him he was buttoning things up with the contractor. Everything is close to being done.
- **Weathermaster Roofing Estimate for Repairs to Accounting, Etc.** – Mr. Moss spoke with Rick Armstrong, who told him any repairs would need to wait until Spring.
- **Highway Garage** – Mr. Hamlin asked Randy Ritter whether there had been any progress regarding the overhead door situation. Randy said there has not been any to date.

NEW BUSINESS

- **THOMA/CDBG** – Mr. Hamlin announced the Town has been awarded a \$500,000 Community Development Block Grant (CDBG) as a result of the grant writing assistance from THOMA. This will assist Residents in repairing their homes for up to \$25,000 per home. Administration fees for the grant are estimated between \$85,000 and \$90,000. It is a single purpose grant, for which the Town chose remodeling that includes windows, painting, siding, furnaces, roofs and interior renovation. Mr. Hamlin is planning a press release for some time next month, with additional promotion of the available grant on the Town of Fenton website and in the annual Newsletter. Cortland contractors will not be used due to surrounding Towns having some issues with contractors from that area in the past. The intention is to furnish a list of approved local contractors which will provide personal and professional references for Town approval.
- **SAM Grant/Library & Well Refurb** – Mr. Hamlin said Senator Akshar contacted him and said he would like to help with the structural issues recently discovered at Fenton Free Library. An estimate was requested as soon as possible, which was \$15,000. Because the grants are awarded in \$50,000 increments, Senator Akshar asked for an estimate on another Town project. The well head refurbishment project is estimated at \$85,000, which means the Town will be receiving \$100,000. The SAM Grant is a

reimbursable grant, which means the Town spends the money and the State reimburses the Town once proof is submitted that the work has been done and paid for. Senator Akshar will be taking care of his own press release in the near future.

- **Hillcrest Fire Company** – Several Active members of the Hillcrest Fire Company, in various stages of membership and Officer positions, were moved to Associate status. The Town has received two resignation letters to date. Mr. Hamlin contacted the Hillcrest Fire Chief, who said everything is fine. The Board is very concerned about the situation and will be bringing the Chief in for a meeting.
- **DLA/Lee Hartman** – Mr. Hamlin said DLA purchaser Lee Hartman met with Chenango Valley School District Superintendent David Gill. Atty. Ken Kamlet, representing Lee Hartman, was made aware that the school was not receptive to opening up the gate on school grounds for truck access. The Board was told the property would be used to house recycled cellular phone systems. Parts are catalogued and stored and parts are shipped out via Federal Express. There will be 10 to 15 employees at this location with a larger operation in Ohio. The property years ago was zoned Residential B. A Public Hearing will be held to discuss changing the zoning to Commercial. The weight limit will also need to be raised on Hoyt Avenue to accommodate the traffic. If all is favorable with the Board, there will be a meeting with Kevin McLaughlin, Executive Director of the IDA (Agency), to work with Lee Hartman on funding. At this point it sounds like a quiet and clean operation, which would be the only thing acceptable to the Board. Mr. Holcomb asked David Gill whether the gate could be used for employees with controlled access. The answer was “no” from a safety standpoint due to that being an activity area where the students cross. David Gill further explained there is an easement the attorneys are working on that never should have been given. Atty. Millus said some analysis needs to be done before holding the Public Hearing.
- **Leaf Sucker** – Randy Ritter said he has been researching a leaf sucker for purchase.
- **CSEA** – Mr. Husar stated the Board needs to be brought up to date on the CSEA status. Mr. Hamlin said it will go before of a Board of Directors at this point and then we will know where we are going with it.

At 8:07 pm, **Mr. Hamlin adjourned the meeting.**

Melodie A. Bowersox, Town Clerk/sf