

The Town of Fenton Town Board held its regular Work Session on Wednesday, August 30th, 2017, at 6:00 PM, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

PRESENT:	Town Board Members	David Hamlin, Supervisor Michael Husar, Councilman Thomas Moss, Councilman Richard Pray, Councilman
	Highway Superintendent	Randy Ritter
	Town Clerk	Melodie Bowersox
	Administrative Asst./Bookkeeper	Susan Crosier

ABSENT:	Town Board Member	Gary Holcomb, Deputy Supervisor
	Town Attorney	Albert Millus, Jr.

OTHERS PRESENT: Zoning Board of Appeals (ZBA) Members Tim Brown and Cindy Cook, 23 members of the General Public

Review Abstract #8, 2017

- General Fund: Griffiths Engineering, LLC - Voucher #372 - 13987/Engineering Services - July - \$2,500.00 – Mr. Husar asked if the Town finally had a contract with Griffiths that details the extra work being done. Mr. Hamlin replied that the Town does not and is using the standard contract.
- CDBG (Community Development Block Grant) – Mr. Pray asked if the vouchers for the CDBG were work that had already been done and invoiced. Bookkeeper Sue Crosier said yes and that they can only be billed after the work has been completed.
- HC Water Upgrades 2016 - TI Sales - INV0081301/Meters (60) & Coders (6) - \$12,141.60 – Mr. Husar asked if the water upgrades have been completed. Sue responded that this voucher was for new meters for Hillcrest. Mr. Pray said that no payments have been made on the vault or the well upgrade yet.
- Mr. Pray asked if Port Dickinson was behind on their sewer billing. Sue replied that their Bookkeeper is part-time and it is not uncommon for her to bill late; she bills when she has the opportunity.
- After a review of the Abstract, **Mr. Pray moved to approve payment of the bills for Abstract #8, 2017**, seconded by Mr. Moss. **Motion carried.**

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

CDBG Project Approval – Mr. Hamlin read the following Resolution: **Resolution #2017-18: CDBG Project Approval** –

WHEREAS, the Town of Fenton has received a Federal Community Development Block Grant for home renovation, and

WHEREAS, several applications have been received and reviewed to insure the proper qualifications have been met, and

WHEREAS, each project has been defined and cost quotes have been received, and

WHEREAS, the Town Board of the Town of Fenton must approve each project, and

WHEREAS, emergency projects were approved by email and the Board wishes to confirm these approvals,

THEREFORE, BE IT RESOLVED, that the following projects be approved to move forward:

9 Hastings Street (Hanekamp) (prior email approvals received)

Binghamton

Work includes: roof, plumbing, exterior carpentry

Contractors: JKS Construction, Fancher Plumbing and Blanding Electric

197 Depot Hill Road (Mayes) (partial project emergency work)

Port Crane

Work includes: septic, water pump and tank, associated digging, and cleanup

Contractors: Beagells

7 Canal Street (Berton)

Port Crane

Work includes: roofing, plumbing, electric, painting, flooring, windows/doors and septic

Contractors: Burns Construction, Blanding Electric, Cooks Septic

40 Ritchie Road (Banner)

Binghamton

Work Includes: roofing, electric, plumbing, windows/doors and exterior carpentry

Contractors: LW Contracting, Mikes Electric

13 Pleasant Valley Road (Sweetay)

Port Crane

Work includes: roofing, windows/doors, interior & exterior carpentry, electric and plumbing

Contractor: Dundon Construction

10 Canal Street (Robinson)

Port Crane

Work includes: tree work, roofing, interior/exterior carpentry, masonry, painting and septic

Contractors: Aerial Tree Service, Les Miller, Cooks Septic

Mr. Husar made a motion to accept Resolution #2017-18, seconded by Mr. Pray.

Motion carried.

ROLL CALL VOTE:

Councilman Mr. Holcomb absent

Councilman Mr. Husar aye

Councilman Mr. Moss aye

Councilman Mr. Pray aye

Supervisor Mr. Hamlin aye

Mr. Husar suggested that the Town check with THOMA on what should and should not be shared in terms of names and addresses. Mr. Hamlin stated that this will be a public record.

- Thomas Cook asked if this was a full list of the CDBG projects to be completed. Mr. Hamlin replied that it is a partial list.
- Joel Luchun asked if there are any requirements or restrictions upon receiving the grants. Mr. Pray said that you have to live in the house for five years and if you were to sell the house, you would have to pay back the grant.

Next week there will be a Public Hearing at the Town Board Meeting for the next round of the CDBG because there was a total of 39 qualified applicants. The Town applied for the CDBG two years in a row to receive the current grant and is hoping to receive another grant. The Town should know by late December.

Planning Board Meeting – Mr. Hamlin distributed a document of a draft Resolution to the Town Board entitled “Town of Fenton Public Meeting Rules of Conduct and Decorum” to review. Mr. Hamlin said that he appreciates the Public’s comments but they need to be respectful with no yelling and chanting. This is inclusive of the Boards, Residents, and individuals from neighboring Towns. A member of the Zoning Board of Appeals (ZBA) researched other Towns who have adopted similar Rules of Conduct and Decorum.

The Town Board did not formally open the floor to the Public for discussion at this time; however, those in attendance began commenting and asking questions of the Town Board. The following portion of the minutes reflects some of the comments and questions that were brought up.

- One individual agreed with Mr. Hamlin that people should be respectful and that there should be a sense of decorum; however, she felt that it was a two way street. The Board replied that Mr. Hamlin did say that this was inclusive of the Boards and Public.
- There was a suggestion that the Planning Board Meetings should start with the Pledge of Allegiance to the Flag and that there should be a microphone used at the meetings. Individuals could form a line behind the microphone if they wished to speak. Also, this individual suggested that someone else should run the Planning Board Meetings who knows the Open Meeting Laws.
- Residents expressed their concerns over comments they said they heard made by Planning Board Chairman John Eldred after the Planning Board Meeting. Mr. Moss would like the individual who heard these comments made to step forward so the matter may be addressed by the Town Board.
- At the Planning Board Meeting, questions were raised about the 239 Review timeframes. One of the 239 Reviews was distributed to the Planning Board Members by Assistant Town Engineer Rick Armstrong at the meeting and there was concern that this did not give the Planning Board Members enough time to review the document.
- Cindy Cook of the ZBA asked Rick Armstrong at the Planning Board Meeting if he was aware of the variance that was granted to the previous owner of property located at 16 Canal Street. He answered he was. Cindy is concerned that the variance was not followed in the past and she would like it to be with the new owner.
- A microphone may help with the audibility of the recordings of the minutes in the gymnasium.
- A suggestion was made that a Town Board Member be assigned to attend Planning Board Meetings for observation of what is taking place.

- Questions were asked of Mr. Husar earlier today as to why the Public Hearing of the Planning Board had been cancelled. Mr. Husar said there was no reason for a Public Hearing because the Judge had ruled that NG Advantage had to start the project all over again. Also, legal counsel on behalf of Chenango Valley School District had requested that the matter be postponed until the Judge made his decision. NG Advantage also requested that the Public Hearing be cancelled. It was not cancelled by the Town.
- The Public Hearing cancellation was posted on the Town of Fenton website.
- Will the project be a true start over? Mr. Hamlin answered yes, they have to start over. Mr. Husar said that some of the same documents may be submitted but additional reviews may have to be done.
- How will we know when NG has publicly announced that they are going to pursue this? Mr. Hamlin said they are probably working on it right now. Who will tell us what the rules are? Mr. Hamlin said that when they will be attending a Planning Board Meeting, it will be on the Town of Fenton website. A suggestion was made to use the Town sign in Port Crane and Mr. Hamlin replied that the sign belongs to the Port Crane Civic, not the Town.
- An individual who was asked to sit down at the Planning Board Meeting explained her situation to the Town Board Members and her desire to ask a question of Atty. Fernandez. She was not given the opportunity to ask, "Is there a regulation as to how long the Planning Board Members have to have in their possession to read and digest the 239 Review?" and shortly after she sat down, the meeting was adjourned.
- Why would NG come to a meeting when you are still in litigation? Mr. Pray answered that the discussion was to be unrelated to the lawsuit. They wanted to address that they are in Zone II of the Hillcrest Water Aquifer Protection Zone which included a plan that had not previously been submitted.
- Is there a cost for the 239 Review? No. Mr. Pray explained that the Town sends out the project description and requests a 239 Review of the County and various agencies who then respond with comments and concerns they have relating to the project. There may be money involved in the type of permit that is applied for by the Applicant, but Mr. Husar was not sure that NG Advantage would have to pay for the permit fees again.

Zoning Revised for DLA Project – Atty. Millus has been on vacation for the past two weeks and once he returns the Town will need to move forward with the Zoning Revisions for the DLA Project. A Resident asked if Atty. Millus would be the Town Attorney Representative for the DLA Project; Mr. Hamlin answered yes. Several Municipal Attorneys in the area were approached and no one was interested. Atty. Nick Cortese is representing Carrier Services Group (CSG).

Budget Meeting – The first Budget Meeting will be held on Thursday, September 7th, 2017, at Noon, at the Town Hall.

Interviews – One round of interviews for the Court Clerk Position has been completed and another round of interviews will be done when Mr. Holcomb returns from vacation. The Town Board Members will be discussing the Assistant Water and Sewer Maintainer Position also when Mr. Holcomb returns from vacation.

New Water Meter Vault – Mr. Pray said that there has been digging taking place on Chenango Street for the new water meter vault for Port Dickinson. A pressure reducer valve is being installed at the same time as the vault (due to a broken one they currently have). The original vault was rejected by the Town Engineer because there was a crack in it that Binghamton Precast was trying to seal. A new vault is being made and should be ready Friday; it will be installed next week. A Resident asked what time construction can begin in Hillcrest. Mr. Hamlin replied 7 AM.

St. Francis School – Mr. Husar asked what the status was on the St. Francis School Project. Mr. Hamlin said he has not heard anything about it. A Resident asked what involvement the Town Board would have with St. Francis School. Mr. Hamlin said there was a question as to whether or not the School would have to apply for a Use Permit because the School has been dormant for a couple of years.

Nelson Ellis/Storage Facility – Mr. Husar also asked what the status was on the storage facility that was going to move into Nelson Ellis. Mr. Hamlin heard that Terry Deamer backed out of the project and that the Testanis are “considering it”.

Status of the Union – The Town has a meeting with John Fish next week and the following week with the Union. Mr. Hamlin said there currently is a Union in place.

Email List for Residents – Mr. Husar suggested that the Town develop an email list for Residents. This may require assistance from the Town’s IT Technician. A Resident asked, “Shouldn’t all Town Officials have a Town email?” The Board responded that they do. The Resident said that it is not listed on the website and that some had personal emails; some do not have an email (Mr. Hamlin said that is because some do not have a computer). Mr. Husar is having problems with his email and wants to discuss this matter with Mr. Holcomb.

Children’s Home of Wyoming Conference – President/CEO George Dermody will be attending the Town Board Meeting next week. Residents and Town Board Members shared that they have witnessed kids from the Children’s Home off the premises and are concerned about how the kids are screened prior to entering the Children’s Home.

Fuel Bids – The Fuel Bids will be opened at 11 AM tomorrow at the Town Hall.

Generator Pad – Highway Superintendent Randy Ritter gave Mr. Moss an estimate for the new generator pad for the generator that the Town will be receiving from the State.

Water Billing Collection/M&T Bank - Mr. Moss and Assistant Bookkeeper Mike Giovinazzo met with representatives of M&T Bank. With the current regulations of the banks, they may not be able to continue to collect cash payments for the Town water bills at the bank. The payments of water bills, if being paid by cash, may now have to be paid at the Town Hall. M&T Bank cannot accept cash unless the customer is a member of the Bank because of money laundering laws; however, the Bank is still interested in working with the Town.

Vacancy on the Planning Board – A Resident asked if there was a vacancy on the Planning Board. Mr. Hamlin replied that he has not received notification in writing.

Abbey Service Corporation – A question was asked as to whether or not there is a restriction on how high the containers can be stacked at Abbey Service Corporation on West Service Road. This can be looked into as well as other issues that Mr. Pray said need to be addressed.

Google Town of Fenton – If you Google the Town of Fenton, the picture that is shown is the inside of the Fireside Inn.

Binghamton Precast – A Resident asked if anything was going to be done in front of Binghamton Precast in terms of shrubbery. Mr. Husar said that he has tried in the past to send letters to businesses on the Service Roads, asking for them to clean up their properties, to no avail.

Prior to the meeting being adjourned, Resident Joyce Gioia complimented the Town Board and said it was a pleasure to be able to talk to them rationally.

At 7:17 PM, Mr. Pray adjourned the meeting.

Melodie A. Bowersox, Town Clerk