

The Town of Fenton Town Board held its regular Work Session on Wednesday, June 28th, 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 (arrived at 6:05 PM) Thomas Moss, Councilman (arrived at 6:21 PM) Richard Pray, Councilman Albert Millus, Jr. Randy Ritter Melodie Bowersox Susan Crosier
	Town Attorney Highway Superintendent Town Clerk Administrative Asst./Bookkeeper	

OTHERS PRESENT: Building Inspector Matt Banks, 17 members of the General Public

Introduction – Mr. Hamlin explained that the Work Session is a meeting that is held at the end of each month primarily to review the Abstract for the payment of bills that are due. He listed the items that are on the agenda and said there will be no discussion regarding NG Advantage due to pending litigation. There was a closed court hearing on Tuesday and there is another court hearing on July 18th, 2017 that both sides are preparing documents for.

Review Abstract #6, 2017

- CDBG (Community Development Block Grant) – Mr. Hamlin asked Bookkeeper Sue Crosier if THOMA had send the applicants list for the Town Board to review; she said that it was sent and was in a blue folder under Mr. Hamlin’s agenda. Mr. Hamlin said that after applying for the grant for two years, the Town was finally awarded the CDBG. The grant is for \$400,000.00 and 39 residents have applied for the grant, \$25,000.00 per home. Only 16 homes will be able to be repaired with this grant.
- After a review of the Abstract, **Mr. Pray moved to approve payment of the bills for Abstract #6, 2017**, seconded by Mr. Holcomb. **Motion carried.**

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

John Kopalek – John Kopalek was not at the meeting but he is concerned about some drainage issues on his property. Highway Superintendent Randy Ritter will take a look at the situation.

Fastrac Drainage – Building Inspector Matt Banks issued a permit to Fastrac. John Mastronardi of Griffiths Engineering, who has been working with Fastrac on the drainage issue, sent Atty. Millus a draft letter to go along with the permit that would address Fastrac’s

responsibility for any issues that may occur from the installation of the new pipes. Atty. Millus is waiting for a call back from John about the draft letter.

Binghamton Precast – There was an issue with Binghamton Precast on exceeding their fill permit. Matt has discussed this with Jay Abbey and he is going to take care of the situation. Jay will need to prepare a new site plan, SPDES (State Pollutant Discharge Elimination System) Permit, NOI (Notice of Intent), and a full SWPPP (Stormwater Pollution Prevention Plan).

Hillcrest Booster Days – Mr. Hamlin commented that he was appreciative of Randy having a Town truck in the Hillcrest Booster Days parade. It was a nice parade that the Residents seemed to enjoy. He also complimented the Hillcrest Civic Association on organizing the event. Resident Tom Tiffany said that he appreciates what the Town does for the Fenton Free Library. There was also a 5K Race that morning and that came off real well. Once the race was over, the parade started. The crowd along Chenango Street was cheering and it was a great time that everyone who attended had. (And he finished the race!) Tom is a volunteer at the Library and also serves on the Library Board. Today was the Summer Reading Program kickoff and there were well over 200 children in attendance. This includes Town of Fenton, Port Dickinson, and Chenango Bridge children.

Water Department – Mr. Pray worked on the Water Well Refurbishment Contract this past week. Atty. Millus has the paperwork from John and Mr. Pray to edit. Atty. Millus also has the contract paperwork for the Vault Meter and the winner of the bid was notified. Mr. Pray still has to write up the ad for the Assistant Water/Sewer Operator position. Mr. Husar said the format he used for the Court Clerk position is the format preferred by the employment office for posting.

Court Clerk – The Town is moving ahead to hire a new Court Clerk. The position will start off as a part-time position and possibly lead to full-time. The job description has been sent out and Mr. Husar is waiting to hear back from Judge Madden for his approval on it.

Buildings and Grounds

- **LED Lighting** – Mr. Moss had a meeting with Tom Standard and Assistant Town Engineer Rick Armstrong on the LED lighting switch out at the Town Hall. In the next couple of months they are looking to replace bulbs with existing ballasts rather than the entire fixtures so it will be more cost effective. Tom is looking into getting some samples for the hallway. One concern is that some of the fixtures may be too old to handle the lights.
- **Light Pole Replacement** – Panko Electric plans to work on replacing the light pole on Nowlan Road on July 5th, weather pending.

Resolution #2017-15: Standard Work Day and Reporting Resolution – Assistant Bookkeeper Mike Giovinazzo prepared the Standard Work Day and Reporting Resolution for Elected and Appointed Officials (RS2417-A) as it pertains to the following Town Officials:

- Elected Officials:
 - Town Supervisor, David Hamlin
 - Town Clerk, Melodie Bowersox
 - Town Councilman, Gary Holcomb
 - Town Councilman, Thomas Moss
 - Town Councilman, Richard Pray
 - Highway Superintendent, Randy Ritter
- Appointed Officials:
 - Building Inspector, Matthew Banks
 - Code Enforcement Officer, John Broughton
 - Dog Control Officer, Greg Starley
 - Town Attorney, Albert Millus, Jr.

After being reviewed by each of the Town Board Members, **Mr. Holcomb made a motion to approve the Standard Work Day and Reporting Resolution**, seconded by Mr. Husar. **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

The Resolution will be posted on the Town Clerk's bulletin board and website (Melodie will scan it to Mr. Holcomb for the website) for 30 days then Mike Giovinazzo will send it in to the NYS Comptroller's Office.

Shed Replacement – Randy had discussed the matter of replacing the shed in back of the Town Hall. One idea he had was an Abbey container which may be more durable, secure, sturdy, and less expensive than an Amish woodshed. It is something that can be considered by the Town Board.

Generator Status – Mr. Husar asked what the status was of the generator. Mr. Pray said that he heard it would be late summer before they had access to it.

At 6:32 pm, Mr. Holcomb made a motion to adjourn into Executive Session to discuss legal issues, seconded by Mr. Pray. **Motion carried.**

After the meeting was adjourned, Residents asked questions about the Carrier Services Group (CSG) project. There were concerns raised about the rezoning of the property, the attorney conflict, and traffic. Also, a Resident expressed concern about a local business on the Service

Road that is having to send trucks a different route due to the recent weight limit that was placed on the route previously used.

Atty. Millus explained that the Town Board presently has a motion on the table to rezone the property to Limited Industrial. They needed a recommendation from the Planning Board, according to the Town Code, which they had anticipated from the Planning Board's Meeting last night. The Zoning Board of Appeals (ZBA) has to grant a variance because of the parking requirements but they decided not to consider the variance until the Town Board rezones the property.

Up until recently, there was no objection to HH&K representing both the Town and CSG. Atty. Millus obtained an informal opinion from the NYS Bar Association Committee on Professional Ethics that it was acceptable for both of them to represent both parties as long as the parties consented; however, he said that if anyone were to object, they should reconsider the position. Atty. Millus has had little to do with CSG other than drafting the Local Law to rezone the property. Apparently the Planning Board had a problem with the attorney representation so it is clear at least one of the Attorneys will have to back out of representing the clients which is what will be discussed in Executive Session tonight then at next week's Town Board Meeting. Atty. Millus said he has not met the CSG Representative and his loyalty is with the Town, as he has represented the Town for 33 years. He does understand the public's perception and is very sensitive to that. The Town Board adopted a Resolution on the matter and included a statement that the Planning Board could make their own decision which they apparently did.

Also, Atty. Millus said that an option for the rezoning is to create a new Limited Industrial Zone with restrictions. Such restrictions would prevent manufacturing businesses from being allowed in that area. The property cannot be used for Residential purposes but there are industrial buildings there that should be used for some purpose. Mr. Pray described CSG as a warehouse group that takes in cell tower equipment and packages it up for resale to other carriers. There is no repairing, soldering, chemical processing, cleaning, or reclamation of circuit boards. Mr. Moss explained that as far as truck traffic, there will be initial trucks feeding the warehouse but after that there will be FedEx and UPS deliveries that typically travel through the area daily now.

Atty. Millus also commented on the Natural Gas Compressor Station. The Town Board literally had nothing to do with the decision; it was the ZBA and Planning Board's decision. The Town Board could not overturn their decision.

Melodie A. Bowersox, Town Clerk