The Town of Fenton Town Board held its regular meeting (via Zoom) on Wednesday, October 7, 2020, at 7:00 PM, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

PRESENT:	Town Board Members	Gary Holcomb, Supervisor (present)
		David Gunster, Councilman (present)
		Michael Husar, Councilman (present)
		Thomas Moss, Deputy Supervisor (present)
		Richard Pray, Councilman (video conference)
	Town Attorney	Albert Millus, Jr. (video conference)
	Deputy Town Clerk	Sheryl Seymour (video conference)
ABSENT:	Highway Superintendent	Randy Ritter
	Town Clerk	Melodie Bowersox

OTHERS PRESENT: Code Enforcement Officer John Broughton, Republican Candidate for the 122nd District of the New York State Assembly Joe Angelino, newly appointed Fenton Town Justice James Dadamio, three Members of the General Public (present) and one Member of the General Public (Zoom)

PLEDGE OF ALLEGIANCE

Mr. Holcomb led in the Pledge of Allegiance.

INTRODUCTIONS

Joe Angelino – Mr. Holcomb introduced Joe Angelino, who is running for New York State Assembly.

James Dadamio – Mr. Husar introduced Jim Dadamio, who has been selected to fill the remainder of the term for former Town Justice Ambrose Madden. Jim said he is excited for the opportunity and appreciates the confidence from the Town Board.

RESIDENTS' TIME (7:06 PM)

Noise Level on Elwell Avenue – Resident Bill Aswad said there is a home eight doors down from him that has a motorcycle with an unacceptable noise level every time he fires it up. Code Enforcement Officer John Broughton said the Broome County Sheriff's Department and the New York State Police are at the home on a regular basis and are aware it is an ongoing issue with the motorcycles. Additionally, Bill inquired as to whether there was still an Ordinance for parking on the street and leaving it all Summer long without moving it. John Broughton said there is a 48-hour maximum timeframe for parking on the street and a parking ticket can be written. A Violation Notice went in today's mail for an issue that occurred at the Residence yesterday.

Two Residents' Times – As a follow-up to her suggestion during Residents' Time at the September Town Board Meeting, Resident Esther Aswad asked whether a Residents' Time both at the beginning and end of each meeting could be kept in mind.

St. Francis School – Resident William Aswad asked why there was still a school sign on Chenango Street near the old St. Francis School when it is not a school anymore. Mr. Gunster said the Board was not aware that Chenango Valley School District had moved out; however, they have been informed another group with children is due to lease the location.

A & E Auto – Resident Mike Farrell questioned how a Certificate of Occupancy could be given to A & E Auto on the Service Road when there is a canvas over the whole roof. Mr. Gunster said the Town is aware of it and the building Owner has been informed the roof situation needs to be addressed. A & E leases the location.

Residents' Time closed at 7:26 PM

TOTAL BILLS – ABSTRACT 9, 2020 approved during the September 23rd, 2020 meeting:

FUND	VOUCHER #s	AMOUNT
General	450 – 504	$27,448.90
Highway	247 – 285	$102,163.17
Hillcrest Water	179 – 202	$13,227.95
Hillcrest Sewer	30 – 32	$276.28
Porter Hollow Sewer	0	$0.00
Port Crane Light District	17 – 18	$748.57
Hillcrest Light District	17 – 18	$1,239.02
Trust & Agency	9 – 10	$4,250.56
Capital Projects	41 – 46	$37,687.18
CDBG	33 – 34	$16,185.16

SUPERVISOR'S REPORT

- There were two conference calls today. One was regarding a mandatory emergency plan required by all Public Employers to be in place by April 1st, 2021, which outlines Essential Workers. The second was an overview of the yellow/orange/red zone mapping recently implemented by New York State. New regulations are based on what color zone you are in, and the County is still determining all the particulars. Binghamton, Johnson City and Endicott are currently in the Yellow Zone. Fenton is not in any of these color categories.
- Broome County Executive Jason Garner announced September Sales Tax figures were only down 7% from September 2019. August 2020 figures were down 19.8% from

August 2019, which indicates the County is currently rebounding. Year to date numbers should be out sometime next week.

- A Notice has been put on the Town Website informing Residents there is a Utility Moratorium which restricts Municipalities from turning off utilities for non-payment due to COVID hardships. This will allow Residents to find an alternate way to pay their water bill in the future.
- A Manufactured Housing Ordinance is being discussed. The Town Board is in the process of gaining a better understanding of Manufactured Housing specifications.

TOWN ATTORNEY'S REPORT

- Attorney Millus said he has had two to three hours of Town business daily.
- Atty. Tina Fernandez has resigned from Hinman, Howard and Kattell, which has left Atty. Millus without a Deputy Town Attorney. He will be covering the Planning Board and Zoning Board of Appeals (ZBA) until a new Deputy is appointed.

TOWN CLERK'S REPORT

- Monthly Report was read by Sheryl Seymour.
- Total Local Shares for September 2020 were $1,908.64.

COMMITTEE REPORTS

Building and Grounds – The Crime Lab painting is pending. Mr. Moss noted that by mid-November he would like to have the Highway Department schedule the painting of the new door by the Bookkeeper's Office.

Zoning Enforcement – Report was read by Mr. Moss.

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

Dog Control – Report was read by Mr. Pray.

Highway and Solid Waste – Mr. Gunster reported September activity included paving Hotchkiss Avenue and Prentice Boulevard; topsoil and seeding around the driveways on Hotchkiss Avenue and Prentice Boulevard; the purchase of a new equipment trailer; grater shimming on Pigeon Hill, Monkey Run, Fenner Hill and Hunt Hill Roads; removal of trees on two rights-of-way (Pleasant Valley and Steed Roads); installation of concrete barriers at the end of Utica Avenue (purchased by Elliott Manufacturing due to people cutting through the Elliott Manufacturing parking lot); assistance with barricades for a Wedding on Franklin Avenue; assistance with traffic control during a Ceremony at the Legion, and tree trimming on Rogers and Richards Roads.

Building Inspector – Report was read by Mr. Gunster.

Assessor – Mr. Husar said there was nothing new to report.

Town Engineer – Mr. Husar reported John Mastronardi has spoken with Engineer John Hoyt, who is the Engineer he was consulting with on some of the hydrology issues above Phelps Creek. Mr. Husar said the Town has tried every approach and is just about to the point where it will be concluded there is nothing more that they can do to assist with Phelps Creek.

Justice Court – Mr. Husar reported he and Mr. Holcomb will be sitting down with Judge Thomas to discuss an evaluation for Court Clerk Rachael Klug. Judge Dadamio will be coming in periodically to spend some time in the Court with Judge Thomas and Rachael. Upon completion of Judge School, Judge Dadamio will be able to take the Bench.

Conservation Advisory Committee (CAC) – Mr. Gunster reported the CAC canceled their meeting the night before due to concerns over rising COVID cases in the County.

Mr. Husar made a motion to approve all Committee Reports as submitted, seconded by Mr. Gunster. **Motion carried.**
ROLL CALL VOTE:
Councilman Mr. Gunster aye
Councilman Mr. Husar aye
Councilman Mr. Moss aye
Councilman Mr. Pray aye
Supervisor Mr. Holcomb aye

MINUTES

Mr. Moss made a motion to approve the Minutes from the August 26th, 2020 Work Session and the September 2nd, 2020 Town Board Meeting, seconded by Mr. Pray. **Motion carried**.
ROLL CALL VOTE:
Councilman Mr. Gunster aye
Councilman Mr. Husar aye
Councilman Mr. Moss aye
Councilman Mr. Pray aye
Supervisor Mr. Holcomb aye

OLD BUSINESS

- **Confirm Fuel Contracts** – Mr. Holcomb said Fuel Contracts came back about a month ago and the low Bidder was Mirabito. Assistant Bookkeeper Mike Giovinazzo researched the State Contract pricing and determined Mirabito has the State Contract for Diesel and Unleaded Fuel. Mirabito agreed to put the Town on the State Contract price, which turned out to be 8¢-10¢ less per gallon than their bid to the Town. The State Contract for Propane is with Ferrellgas out of Verona, New York, who said they would accept us under the State Contract price. Telemetry units will be installed on our tanks to monitor the levels to determine delivery schedule. There is a possibility we may not have to go through the bid process if being accepted under the State Contract price works out for the Town in the future. **Mr. Moss made a motion to accept the Mirabito's State Contract pricing for Diesel and Unleaded Fuel and Ferrellgas' State Contract pricing for Propane,** seconded by Mr. Husar. **Motion carried.**

ROLL CALL VOTE:
Councilman Mr. Gunster aye
Councilman Mr. Husar aye
Councilman Mr. Moss aye
Councilman Mr. Pray aye
Supervisor Mr. Holcomb aye

- **LED Lighting Update** – Mr. Gunster has been informed by NYSEG that there are approximately 25 lights to finish up. The Contractor ran out of supplies and is currently working in another part of the State. The project is scheduled to be completed by the end of the year. NYSEG night crews have been requested to work on some lights around Town that need to be fixed. Lime Energy is done, except for Panko Electric needing to determine why the lights by the bridge (in front of Chenango Valley High School) are not working. In asking about the Post-Top Program, Mr. Gunster was told new electric rates will go into effect approximately November 1st and the Post-Top Program will be kicked off. He will be working on updating our inventory and getting all the Town owned lights converted over to the new wattages so we will see the decrease in the rates.
- **Dog Control Earnings in Other Towns** – Mr. Husar was asked to research Dog Control earnings in other Towns. The Town of Chenango is a "wash" as the Towns of Chenango and Fenton help each other. For Whitney Point, Dog Control receives $50 during the week every time the dog van is mobilized and $75 on the weekends every time the dog van is mobilized. The Town of Dickinson pays an annual salary of $8,900.

NEW BUSINESS

- **Resident Street Weight Limits** – Mr. Holcomb said there has been discussion amongst Board Members and Atty. Millus, proposing a five-ton weight limit on Residential B roads in Hillcrest and Port Crane. The consensus was to have Atty. Millus draft a Local Law and then schedule a Public Hearing.
- **Chenango Street Sidewalk Project** – Mr. Holcomb said the County will be starting a Sidewalk Project on Chenango Street next year. Robert Condon will begin some field inspection for the Project this Friday.
- **Resolution #2020-21: Tractor Proposal – Highway and Water Department – Mr. Gunster made a motion to adopt Resolution #2020-21:**

  WHEREAS, the Town of Fenton Town Board declares the Water Department's 2001 Kubota B21TLB and the Highway Department's 2013 John Deere X750 as Surplus Equipment, and

  WHEREAS, the Town of Fenton Town Board will use the trade-in from this Equipment to purchase a new Tractor to be shared by the Highway Department and Water Department, and

  WHEREAS, two quotes were received State Contract Suppliers,

  NOW, THEREFORE BE IT RESOLVED, that the identified Surplus Equipment will be used to partially fund the purchase of a shared Tractor, a Kubota LX2610, to be used by

both the Highway Department and the Water Department. The remaining balance will be funded by the Highway Department.
Seconded by Mr. Pray. **Motion carried.**

ROLL CALL VOTE:
Councilman Mr. Gunster aye
Councilman Mr. Husar aye
Councilman Mr. Moss aye
Councilman Mr. Pray aye
Supervisor Mr. Holcomb aye

- **Highway Department Updates** – Mr. Gunster said the week of October 12th is the beginning of a five-day work week of 7:00 AM to 3:30 PM, noting October 12th is a designated holiday. Leaf pickup will begin next week, and Solid Waste will be picked up until the end of October or the beginning of the snow season.
- **Hillcrest Civic Fireworks Display** – The Hillcrest Civic Association has tentatively scheduled a firework display for Friday, October 26th. Mr. Moss said that due to the current COVID situation, the invitation to view from the Park is exclusive to Hillcrest Civic Members. Mr. Moss also noted the fireworks need to be scheduled in 2020 or the Civic will lose their $2,500.
- **Halloween Guidelines/Office Hour Guidelines** – Mr. Holcomb said that due to the current COVID situation, some Towns are discussing topics such as canceling Halloween and the possibility of changing their Town's Office Hours. County guidelines will be forthcoming.

At 8:45 PM, Mr. Holcomb made a motion to adjourn the meeting, seconded by Mr. Pray. **Motion carried.**
VOTE: Ayes 5 Gunster, Holcomb, Husar, Moss, Pray
Nays 0

Sheryl L. Seymour, Deputy Town Clerk