

The Town of Fenton Town Board held its regular Work Session (via Zoom) on April 28<sup>th</sup>, 2021, at 6:00 PM, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

|                 |                         |   |
|-----------------|-------------------------|---|
| <b>PRESENT:</b> | Town Board Members      | Gary Holcomb, Supervisor (present)<br>David Gunster, Councilman (present)<br>Michael Husar, Councilman (video conference – arrived at 6:06 PM)<br>Thomas Moss, Deputy Supervisor (present)<br>Richard Pray, Councilman (video conference) |
|                 | Town Attorney           | Albert Millus, Jr. (video conference)   |
|                 | Deputy Town Clerk       | Sheryl Seymour (present)  |
|                 | Admin. Asst./Bookkeeper | Theresa Staats (present)  |
| <b>ABSENT:</b>  | Highway Superintendent  | Randy Ritter  |
|                 | Town Clerk              | Melodie Bowersox  |

**OTHERS PRESENT:** Building Inspector Matt Banks (present), Building Inspector Clerk Cheryl Mammano (present) and Zoning Board of Appeals (ZBA) Member Cindy Cook (present)

### **Pledge of Allegiance**

**Review Abstract #4, 2021** – The Abstract was emailed to the Town Board Members earlier today for review.

- **After a review of the Abstract, Mr. Moss made a motion to approve Abstract #4, 2021,** 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

**CDBG Update** – Mr. Holcomb said the last approvals for the 2018 CDBG Grant were extended until the end of May. There are currently two open projects with anticipated approval at May's Work Session. An audit will then be scheduled. There are no new Grants moving forward. Guidelines and other options for future Grants, such as demolition and blight, will be discussed at a later date.

**Resolution #2021-09: Resolution for 2021 Kubota Zero Turn Purchase & Declaration of 2007 John Deere Tractor as Surplus – Mr. Gunster made a motion to approve Resolution #2021-09 as follows:**

**WHEREAS**, the Town of Fenton Town Board declares the Highway Department's 2007 John Deere 3120 Tractor surplus equipment and

**WHEREAS**, the Town of Fenton Town Board will use the auction amount from this equipment to partially fund the purchase of a new Kubota Zero Turn to replace the existing mower and

**WHEREAS**, two quotes were received from State Contract Suppliers, with \$14,187 being the low quote

**NOW, THEREFORE BE IT RESOLVED**, that the identified surplus equipment will be used to partially fund the purchase of a new mower, a Kubota Zero Turn. The remaining balance will be funded from the Highway Department.

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

Prior to the vote, Mr. Gunster outlined the Kubota and John Deere quotes and specifications with estimated final costs. The 2007 John Deere would be sent to Auction with an estimated \$5,000 to \$7,000 resale range to be put toward the new Zero Turn. Mr. Gunster will be looking into what the Extended Warranty covers to determine whether it will be worthwhile to purchase. The plan is this new Zero Turn will be used in Port Crane only with the new mower purchased for the Water Department to be used in Hillcrest and on the Service Roads. The storage location is yet to be determined.

**Resolution #2021-08: Medicare Advantage Resolution – Mr. Holcomb moved to take the April 7<sup>th</sup> Resolution #2021-08 from the table, which reads as follows:**

**WHEREAS**, Broome County will be issuing a Request for Proposals seeking a contract for Medicare Advantage and Prescription Drug Benefit Services for its Retirees, and

**WHEREAS**, Broome County has proposed issuing a joint Request for Proposal with other interested Municipalities pursuant to General Municipal Law § 119-0, and

**WHEREAS**, upon selection of the Vendor each participating Municipality will enter into its own Contract with the Vendor, and

**WHEREAS**, the Town of Fenton wishes to participate in this joint Request for Proposals

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Fenton agrees to participate with Broome County and other participating Municipalities in a joint Request for Proposal for Medicare Advantage and Prescription Drug Benefit Services for its eligible Retirees, and

**BE IT FURTHER RESOLVED**, that the Town of Fenton understands that upon selection of a Vendor the Town of Fenton will enter its own Contract with the Vendor, and

**BE IT FURTHER RESOLVED**, that participation in this joint Request for Proposal does not obligate the Town of Fenton to enter a Contract with the selected Vendor, and

**BE IT FURTHER RESOLVED**, the Town of Fenton agrees to provide Broome County any information required to develop the Request for Proposal, including, but not limited to, census information of Medicare Primary Retirees including date of birth, gender and zip code, a copy of the current Summary Plan Description and Benefit Summary along with this Resolution, and

**BE IT FURTHER RESOLVED**, that once the RFP process is complete, the Town of Fenton agrees to provide post PFP Resolution and elect to go in or out of participation in the selected Vendors' MA of MAPD Program, and

**BE IT FURTHER RESOLVED**, that the Supervisor is authorized to execute any Agreements, documents or papers as may be necessary to implement the intent of this Resolution.

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

Prior to the vote, Mr. Holcomb said he and Atty. Millus had further reviewed the information provided by the County since the April 7<sup>th</sup> Town Board Meeting discussion. There will be a County presentation of the Request for Proposal (RFP) at the Association of Town Monthly Meeting tomorrow evening at the Endicott Visitor Center. Mr. Holcomb told the Board to let him know if anyone would like to attend in his place.

**Review of Proposed Recreational Vehicle (RV) Local Law Updates** – The Board and Atty. Millus reviewed the proposed RV Local Law draft in anticipation of scheduling a Public Hearing at next week's Town Board Meeting. There was an extensive conversation regarding the use of generators for power and the decision was made to eliminate the use of generators altogether. Atty. Millus will make the final revisions in the morning and submit the Public Hearing Notice to the Press to be published no later than Sunday.

**Unsafe Structure Status Discussion** – Mr. Gunster and Building Inspector Matt Banks provided a list of Unsafe Structures to the Board for review. Mr. Holcomb said there is

approximately \$15,000 in the Budget for demolition. The Board discussed several different scenarios with the intention of recouping demolition moneys spent from the Budget. Mr. Husar questioned 125 Nowlan Road that is owned by the County, wondering why the County would not be responsible for cleaning it up. Mr. Holcomb asked Atty. Millus whether the Town can declare this an Unsafe Structure and have the County tear it down. Atty. Millus was unsure but said he would follow up with the County Attorney. Mr. Holcomb suggested requesting a quote on demolishing the barn at 91 Ganoungtown Road and the garage at 115 Ganoungtown Road as the properties are next door to each other. Atty. Millus will further review the current Code to determine whether there is an alternative to adding the cost of demolition to the tax bill.

**LED Streetlight Update** – Mr. Gunster reported an Agreement letter was received from NYSEG on updating all our 15 post top lights and one spotlight to LEDs. The Town is responsible for paying \$1,082.17, which is the unexpired life value. Once the letter is signed it will be forwarded to NYSEG so we can get on the list to start updating. Most of the lights are on Port, Towpath and Lock Streets. Mr. Gunster will be requesting a quote for replacement from Panko for the three Town-owned on Fenner Hill Road. There will then be 11 cobra heads remaining that NYSEG will be doing. **Mr. Gunster made a motion for the Supervisor to sign the Agreement letter**, 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

**Driveway Drainage Charges** – Highway Supervisor Randy Ritter has suggested the Town begin to charge more for the installation of new driveway drainage sluices. The Town currently charges for the cost of the pipe only and the Town incurs the cost of the gravel and labor. Randy estimates the gravel costs approximately \$400, and it is a day job for two or three Town Employees. The Board began discussing options that included some shared cost scenarios with the Resident. Mr. Gunster will get additional information on typical costs for further discussion. The Town had around ten requests last year.

**River Road Illegal Dumping – Old Canal** – Mr. Gunster said some Residents pulled 14 or 15 tires out of the old canal near the steel bridge in Chenango Forks. Randy Ritter pulled out an additional 15 to 20 tires. There have been discussions about how to curb the illegal dumping in that area. Suggestions included a gate or installation of trail cams. The trail cams seem to be the better solution. Mr. Husar said the County used to handle illegal dumping and suggested this be discussed with Judge Dadamio. The Town owns the road that is treated as a seasonal road.

**Time Off for Court Clerk** – Mr. Husar said an arrangement has been made with the Court Clerk to advance paid time off due to an upcoming medical procedure. A week has been given

under very specific conditions to pay the time back with future accrued sick time and vacation time.

**Agrestic Meadow Wedding Venue** – Matt Banks forwarded a letter to Atty. Millus for review prior to sending it to the Owner. Next steps are in the process of being determined. Mr. Holcomb will discuss the situation with Planning Board Chair Tim Brown tomorrow.

**Court Backlog** – Atty. Millus said he has spent a lot of time on Justice Court matters with a backlog of parking tickets and unlicensed dogs that needed to be cleaned up. He feels things will be caught up and back to normal very soon.

**Fines** – Code Enforcement Officer John Broughton asked if the Board would review the Property Maintenance Ordinance § 107-10 Penalties for Offenses. The first violation is a fine between \$25 and \$100. John is proposing the Judge be given discretion to charge no fine for the first violation. Mr. Husar said he would check with Judge Dadamio to see if he is able to find the person guilty, fine them \$25 and then suspend the fine.

**Town Involvement in Sponsoring Events** – Mr. Moss asked the Board to think about the possibility of becoming involved in sponsoring a seasonal event (possibly in conjunction with the Civics) in the form of a seasonal festival or cultural event for Residents.

**At 7:36 PM, Mr. Moss made a motion to adjourn into Executive Session to discuss a personnel matter. Motion carried.**

**VOTE:** Ayes 5 Gunster, Holcomb, Husar, Moss, Pray  
Nays 0

Sheryl L. Seymour, Deputy Town Clerk