

The Town of Fenton Town Board held its regular Work Session in person and via Zoom on June 23<sup>rd</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 David Gunster, Councilman Michael Husar, Councilman Thomas Moss, Deputy Supervisor Richard Pray, Councilman (video conference)
	Town Attorney	Albert Millus, Jr. (arrived at 6:28 PM via video conference)
	Town Clerk	Melodie Bowersox
	Highway Superintendent	Randy Ritter (video conference)
	Admin. Asst./Bookkeeper	Theresa Staats

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

### **Pledge of Allegiance**

**Review Abstract #6, 2021** – The Abstract was emailed to the Town Board Members late afternoon today for review.

- Highway Fund: Paul B. Koerts Survey - Path of Life Road Culvert Reconstruction - Voucher #195 - \$1,300.00 – Mr. Holcomb commented that eventually a Capital Project Fund will be opened for the Path of Life Road Culvert repairs and this Voucher will be moved to that Fund. A similar thing will be done with the water tank replacement.
- **After a review of the Abstract, Mr. Moss made a motion to approve Abstract #6, 2021,** 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

**Credit Card Payments – Online Offering for Town Clerk and Water/Sewer** – Mr. Moss would like the Town to offer Residents the option of using their credit cards to pay for Town of Fenton transactions online through the Website by the beginning of 2022. Assistant Bookkeeper Mike Giovinazzo has researched using the current water/sewer software for online credit card payments and once the Town Board gives the go ahead, he can proceed with the setup of it. It may be able to be set up as soon as the October billing. For Town Clerk transactions, the dog licensing and renewals would probably be the only transactions that could be done online. Town Clerk Melodie Bowersox will contact the credit card company that is being used, Forte, to see how this would work. (The challenge would be that if rabies is due at

the time of a dog renewal, the transaction cannot be completed without the rabies certificate.) For the time being, the Town Board is fine with moving ahead with online payments for water/sewer billing.

**NYS Mandated Sexual Harassment Training 2021** – The first webinar for the NYS Mandated Sexual Harassment Training for 2021 has been set up for July 20<sup>th</sup> through NYMIR. It will be here at the Town Hall. Town Employees must complete training by October. If training is completed elsewhere, certificates of completion may be submitted to Bookkeeper Theresa Staats.

**Town Hall Generator** – Standard preventive maintenance is covered on the current Generator Maintenance Agreement; however, when a technician is called to come out and fix what is considered 'consumable' issues with the Generator (that are not covered under the Maintenance Agreement), typically the Crime Lab has been taking the responsibility to take care of these issues when it should really be the responsibility of the Town. Sergeant Kevin Nichols asked that the Town would consider taking over the responsibilities that lay outside of the Maintenance Agreement, as he was involved with calling contractors to come in to fix problems and the State does not want him doing that anymore. All costs would still be split 50/50 between the Town and the Crime Lab.

**Town Hall Upgrades – Discussion and Ideas** – Mr. Moss left a message with Town Engineer John Mastronardi of Griffiths Engineering about discussing Town Hall upgrades to be done by architects, interior designers, etc. over the next couple of years. Meanwhile Mr. Moss received an email from some people at the Town Hall of ideas to be considered. The ideas included some light maintenance items that can be addressed by the Water Department or a Contractor. Others were Capital Projects that may or may not be covered by a future Grant. Mr. Moss noted that the side door near the Bookkeeper's Office was painted by the Water Department today. Mr. Husar checked with the Sixth District Office and the JCAP Program will be announced soon. The rear Justice entrance may be covered in the JCAP Program.

**Fine Schedule Discussion** – Building Inspector Matt Banks, Code Enforcement Officer John Broughton, and Judge Dadamio have been discussing First Offenses and that the Town's Fine Schedule does not give the Judge flexibility with first time offenders. For example, even though the person is guilty, but it is a First Offense, he cannot waive the fee; he has to charge a minimum of \$25. Mr. Husar talked to the Judge about charging the \$25 fine then suspending it.

(Atty. Millus joined the meeting at 6:28 PM.)

Mr. Husar said that he will review the fine schedule again and discuss it with Judge Dadamio prior to the Town Board changing it.

**Blueberry Farm – Bird Cannon Update** – The new Owners of the Miller blueberry farm, the Slabickis, are using the bird cannon very frequently. Mr. Holcomb was there on Monday recording six different versions, and they lasted from 1 minute 43 seconds to four seconds. There are now two cannons being used. The neighbors, Gary and Beverly Lamberton, are very upset about it. They dealt with it for two to three years with the Millers, who finally agreed to use it every three to five minutes. John Broughton spoke with the Slabickis, and they said that if it would work for more than three minutes for them, than they would do that, but if not, then it is what it is. Mr. Holcomb noted that this particular parcel is not in an Ag District, but it is zoned Agricultural Residential. At this point, Atty. Millus has sent the Lambertons another letter that states this situation is not covered in our Town Code. Information from Ag and Markets has been provided to both parties and it seems that the Slabickis are choosing not to follow those guidelines (that included running the cannon every 3 to 10 minutes). Also, Ag and Markets has agreed to do a sound test.

**New Driveway Piping Pricing** – The Town Board discussed sharing costs of driveway piping with Residents. If a Resident calls and wishes to have a driveway pipe installed, Highway Superintendent Randy Ritter charges the Resident \$300 for a 30' long pipe with an 18" diameter. In addition, there are costs for gravel (approximately \$400), labor, and equipment totaling \$2,100. Last year a total of eight were done, costing the Town \$16,000 – \$17,000. It was decided to have Mr. Gunster lay out a pricing schedule of the different sizes of pipes with gravel at the cost of the Resident.

**Approve Service Road Crack Sealing Project** – As mentioned at the last Work Session, the cracks need to be sealed on East Service Road, West Service Road, Nowlan Road Extension, and Chenango Street Extension. This includes from Fenton to the Chenango Street/Port Dickinson line, and Port Dickinson has agreed to cover their share of the Project. After receiving quotes from Vestal Asphalt, Bothar, and Suit-Kote, **Mr. Gunster made a motion to approve Contractor Suit-Kote for the Service Road Crack Sealing Project at a guaranteed quote of \$14,885 which includes all the sealing material, flagging activities, and a complete turnkey with the Town Highway Department providing the sweeping,** seconded by Mr. Moss. **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 mentioned that he and Mr. Holcomb looked at the Road Maintenance Law that was put into place at the time of concerns with fracking. When the Town is at the point of having to repave the Service Roads, then the businesses along those roads will need to assist with the cost. The Law will need to be reviewed further.

**Property Updates** – Matt Banks provided an update on unsafe properties:

- **5987 NYS Route 79** – The property is still a mess. The grass was cut but there is garbage, tires, mattresses, etc. all over the property. At the last Town Board Meeting, the Town Board passed a Resolution authorizing the Town of Fenton Code Enforcement Officers to contract for the cleanup of this property at their discretion without further delays. Matt is going to make a call tomorrow and if it is not cleaned up, then the Town will step in.
- **6400 NYS Route 79** – The roof is caving in on the house at this address and there is an old car on the property. An estimate for demolition was received for \$8,900 if no asbestos is found. This estimate does not include the asbestos survey or the oil tank that is on the premises. Mr. Holcomb suggested that Matt may want to check with LCP Group for an asbestos survey and demolition estimate. Atty. Millus said he can send a notice to the Property Owner who is in a nursing home prior to the demolition. There is about \$14,000 left in the Town Budget for demolitions. Also, NYSEG should be contacted to shut off the service to the house.
- **330 Pigeon Hill Road** – Adult Protective Services came to do an evaluation of the Property Owner at 330 Pigeon Hill Road and determined he is able to take care of himself. The mobile home is unfit for occupancy; he is currently living in a camper on the property. There is a generator running 24/7. Once an Unsafe Structure Proceeding has been done on the mobile home, then a demolition can be done on it. Meanwhile, an estimate for demolition can be obtained.

**Children's Home Update** – Mr. Holcomb and Mr. Moss met with CEO George Dermody and Board Chair Rhonda McConnell today. Modifications are going to be made to the fencing on the property side of Hotchkiss Avenue. Also, the Neighborhood Advisory Committee is going to start up again. Mr. Holcomb said that Residents should not engage with the kids at the Home because it tends to make matters worse. George said it is hard to find Staff and they are constantly in training with them. Mr. Moss mentioned George's frustration due to the complaints of Residents who complain that they want a fence up and others who complain that they do not want a fence up. Mr. Holcomb felt it was a productive meeting but certainly there are difficult issues to be solved.

**Odor on Chenango Street** – Mr. Husar asked if the odor on Chenango Street had been identified. Mr. Moss said that it had not been identified and he has not received any more complaints about it. Mr. Holcomb reached out to the Broome County Health Department to see if there were any complaints or outstanding issues with the Chenango Wastewater Treatment Facility on Front Street (across the river) and they said they had received no complaints and had no issues.

**Small Community Grant** – County Legislator Cindy O'Brien inquired as to whether the Town applied for the Small Community Grant. Mr. Holcomb will check into this.

**Passport Fair** – The News Release just came out from the County for the Passport Fair to be held at the Town Hall on Tuesday, July 13<sup>th</sup>, 2021, from 5 – 7 PM. This will be added to the

Town's Website. Mr. Moss will also add it to the Hillcrest and Port Dickinson Facebook. Town Clerk Melodie Bowersox contacted the Port Crane Civic and they are going to put it on the Civic sign at the end of Park Street as well.

**Recreational Vehicle (RV) Local Law** – As Atty. Millus was reviewing the final revisions the Town Board Members requested of the RV Local Law, he questioned C. 2. E. "No Major Recreational Vehicle can be on a parcel that has a dwelling on it, whether or not the dwelling is habitable" and if that meant no Major RV was going to be allowed on any parcel at all. Atty. Millus will add a sentence to clarify this, and he will circulate the draft again. A Public Hearing will be scheduled for the July Town Board Meeting.

**At 7:41 PM, Mr. Gunster made a motion to adjourn the meeting,** seconded by Mr. Husar. **Motion carried.**

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

Melodie A. Bowersox, Town Clerk