

The Town of Fenton Town Board held its regular Work Session on May 26th, 2021, at 6:00 PM, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

PRESENT: Town Board Members Gary Holcomb, Supervisor
David Gunster, Councilman
Michael Husar, Councilman (arrived at 6:23 PM)
Thomas Moss, Deputy Supervisor
Richard Pray, Councilman (phone conference)
Town Attorney Albert Millus, Jr. (arrived at 6:09 PM)
Town Clerk Melodie Bowersox
Admin. Asst./Bookkeeper Theresa Staats

ABSENT: Highway Superintendent Randy Ritter

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

Pledge of Allegiance

Review Abstract #5, 2021 – The Abstract was emailed to the Town Board Members late afternoon today for review.

- General Fund: Broome County Information Tech - 2021 Newsletter & Contact Cards/Bulk Mailing - Voucher #263 - \$5,785.84/\$1,244.81 – Mr. Moss asked how many pieces this included. Bookkeeper Theresa Staats said there were 2700 newsletters that included bulk mailing and extras for mobile home parks and those who may not have received one via mail. Approximately 2500 were mailed via bulk.
- **After a review of the Abstract, Mr. Gunster made a motion to approve Abstract #5, 2021, seconded by Mr. Moss. Motion carried.**

ROLL CALL VOTE:

Councilman Mr. Gunster aye
Councilman Mr. Husar absent
Councilman Mr. Moss aye
Councilman Mr. Pray aye
Supervisor Mr. Holcomb aye

American Rescue Plan Act (ARPA) Update – Theresa Staats attended several webinars and reported that there will be no cut to AIM or CHIPS funding in the State Budget this year. Due to ARPA, the Town will be receiving 1.3 million, half of which NYS has until early August to distribute. (We could receive it as early as June 9th.) Once the first half is received, the second half will be received no earlier than 12 months from that date. The State can get two 30-day extensions. All funds must be obligated by December 31st, 2024 and spent by December 31st,

2026. If the funds are not used completely, they must be returned. Annual Reports are required every October until 2027. There are very strict rules on what it can be spent on. The primary uses are: COVID Response Prevention (teleconferencing equipment, cleaning products), recovery of lost revenue (does not apply to Town of Fenton), and Water/Sewer Broadband Infrastructure (Town of Fenton water tank). None of the monies may be spent on General or Highway.

(Atty. Millus joined the meeting at 6:09 PM.)

Cannabis Sales Tax Update – Earlier this year the State legalized recreational marijuana. (Theresa noted that there was not a discussion in the webinar about how Towns would handle this with Employees, but Mr. Holcomb commented that the Town’s Employment Policy will need to be reviewed.) By the end of this year, the Town has to decide by holding a Public Hearing and adopting a Local Law whether to opt-out of allowing the adult use of dispensaries in the Town. There is going to be a 4% sales tax on cannabis; 1% will automatically go to Broome County and the other 3% will be distributed based on jurisdiction. For example, if we had a shop in the Town, we would receive Sales Tax revenue from it.

Sentry Alarm – Town Hall – The Town Hall alarm has been frequently going off and Sentry believes it is due to a radio transmitter issue and the poor cell service in the building. We are on a list to have the radio transmitter moved outside of the building to see if this helps with the alarm/trouble signal that is frequently being sent in hopes that the cell service may be stronger than inside.

Town Hall Upgrades – Mr. Moss would like the Town to consider compiling a two or three year comprehensive plan to upgrade the Town Hall.

(Mr. Husar joined the meeting at 6:23 PM.)

Phase One in 2021 would include:

- Main entrance, in compliance with ADA Standards, with automatic doors and addition of key fobs
- Justice entrance door (in the rear of the building) repaired and addition of key fobs
- Crime Lab conversion to LED lighting

Phase Two would include:

- Gym conversion into a multipurpose facility with a wood floor and fresh painting

Mr. Moss would like to meet with John Mastronardi of Griffiths Engineering and discuss having a General Contractor involved in these larger projects. Mr. Holcomb noted that the Justice entrance door also needs to be looked at and Mr. Moss said the one wall in the gym appears to bow outward.

Town Hall – Light Maintenance Assistance Proposal – Mr. Moss sent an email on May 17th regarding what was agreed upon after discussion with Mr. Holcomb and Mr. Pray and then Water Supervisor Greg Starley and Water Operator Devon Ritter. The Light Maintenance Assistance Proposal would include light maintenance duties at the Town Hall and tables/chairs set up for Seniors events that occur during the day. Greg and Devon felt they could work these duties into their schedule as long as they did not take priority over their Water Department duties. Scheduling and payment would be worked out with Theresa Staats beginning the first of June. (She suggested they keep a log of time worked at the Town Hall and then a quarterly voucher would be paid to them from the General Fund.)

NYS Route 79 Clean-up Resolution – The property at 5987 NYS Route 79 has needed cleanup for some time with numerous piles of debris and unregistered vehicles on site. Violations have been issued and Atty. Millus stated that the Owner of the property appeared in Court last month but not last Thursday. There was a discussion about the condition of the property and what should be done to remedy the situation. Atty. Millus said he would call the Property Manager to see if he is still the Property Manager for this parcel; if he is, Atty. Millus will tell him that the Town will clean the property up and charge the cost to the Property Owner.

Hillcrest Neighborhood Concerns – Mr. Moss related two concerns that Residents in Hillcrest have recently had.

- There is a consistent odor up and down Chenango Street. There are various descriptions of the odors that include a rotting animal, compost smell, and industry burning. It seems to be similar to an odor that is pungent in the Spring and Summer months. Mr. Moss and Code Enforcement Officer John Broughton have driven around Hillcrest and the Service Roads, but they have not been able to identify the odor. It was suggested that the Chenango Wastewater Treatment Facility on Front Street (across the river) may be the source. Atty. Millus recommended contacting the NYS Department of Environmental Conservation (DEC) and Broome County Health Department to see if there are any issues with the Facility.
- Mr. Moss has been receiving several complaints from individuals who live near the Children's Home. There is an increase in activity in front of the facility, near the convenience store, and at the Hillcrest Park of kids being chased by Staff. He has a video of a Staff Member of the Children's Home walking across a Resident's property. Although the Town does not have jurisdiction over the Children's Home, Mr. Moss asked if there is something that can be done to help the Residents with this situation that he believes is due to mismanagement. Mr. Holcomb suggested meeting with the Board of Directors of the Children's Home and presenting the video that Mr. Moss has. Planning Board Chairman Tim Brown shared challenges as a Hillcrest Resident that he has encountered over the years with the Children's Home. He said that about seven years ago he and concerned neighbors had a meeting to resolve these challenges. Present at the meeting were two members of the Town Board, the CEO of the Children's Home at

that time, a Broome County Legislator, and a Captain from the Broome County Sheriff's Department. An eight-foot fence was constructed near Dorothy Street shortly after the meeting to help resolve some of the issues.

Path of Life Road Culvert Update – Path of Life Road is closed by Ballyhack Road because the culvert washed out due to a large rainstorm approximately three weeks ago. Presently the culvert is comprised of a 10' pipe, but John Mastronardi is recommending a wider pipe replacement (7' x 14'). He will be starting the drawings and contacting NYS DEC to review the situation.

East/West Service Roads Maintenance – The cracks need to be sealed on East Service Road, West Service Road, Nowlan Road Extension, and Chenango Street Extension. Suite-Kote will do everything but sweep for \$14,000. This includes from Fenton to the Chenango Street Port Dickinson line; \$1,200 will be charged back to Port Dickinson. The current blacktop has been on there for 12 years. Mr. Husar asked if the Town's Road Maintenance Law would cover any of this cost. Mr. Holcomb said this can be looked into.

Fenner Hill Road LED Streetlights – The LED streetlights on Fenner Hill Road will be installed by Panko tomorrow. We are still waiting for NYSEG to replace the streetlights on Towpath, Lock, and Port Streets.

Clean-Up Day Review – The Clean-Up Day went well. There were five roll-offs in Hillcrest and ten roll-offs in Port Crane, compared to six in Hillcrest and sixteen in Port Crane last year. Electronics went great and the skids and boxes were picked up. There were six skids of televisions, six boxes of computers/miscellaneous items, two roll-offs of tires (nine tons), and 22 tons of garbage, which will cost the Town around \$4,000.

Review Input from Recreational Vehicle (RV) Public Hearing – Mr. Holcomb reviewed the letter received from Mr. Backus and the document submitted by Mr. Freije at the Public Hearing that basically expressed opposing views of the proposed RV Local Law. One of Mr. Freije's concerns was the impact the RVs would have on the assessment of neighboring properties, but Assessor Cindy Mills does not believe that this Ordinance would have an effect on the assessment of properties. Mr. Holcomb provided a document to Town Board Members with suggestions of changes to the proposed RV Local Law. These were discussed and Atty. Millus will incorporate them into the Law with a Public Hearing to be scheduled for the Work Session on June 23rd, 2021. The changes included:

- C.2.c. A Major Recreational Vehicle will only be permitted in the Town's Ag-Res-A Zoning District on a parcel with a minimum of 1.5 acres.
- C.2.e. Only one seasonal and one temporary Major Recreational Vehicle is permitted per parcel. No seasonal Major Recreational Vehicle may be on a parcel that has a dwelling, habitable or not, on it.

Assess Renewable Energy Projects – Mr. Holcomb said that the assessment on a property cannot be changed to include the upgrades of renewable energy projects that have been done to the property. He will get more details on this topic.

Paving of Town – Mr. Gunster said paving in the Town will begin with Center Street, Fenton Avenue, and Utica Avenue in Hillcrest and Port Street in Port Crane.

Agrestic Meadow Wedding Venue – Contact was finally made with the Town and the paperwork will be started on. The Town does not know what events the Venue has planned at this point in time.

COVID-19 Protocol – Mr. Husar asked if the Town is now a no masks facility. Mr. Holcomb replied that masks are not required if one has been fully vaccinated except if visiting the Court. This is in compliance with the CDC guidelines. Mr. Holcomb is going to look into the continuance of Zoom for Town meetings.

Passport Fair – The Town will be hosting a Passport Fair on Tuesday, July 13th, 2021, from 5 – 7 PM at the Town Hall. Further details will be forthcoming.

At 7:37 PM, Mr. Pray 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