

The Town of Fenton Town Board held its regular Work Session on Wednesday, September 26th, 2018, at 6:00 PM, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

PRESENT: Town Board Members David Hamlin, Supervisor
Michael Husar, Councilman
Thomas Moss, Councilman
Richard Pray, Councilman
Town Attorney Albert Millus, Jr.
Highway Superintendent Randy Ritter
Town Clerk Melodie Bowersox
Administrative Asst./Bookkeeper Susan Crosier

ABSENT: Town Board Members Gary Holcomb, Deputy Supervisor

OTHERS PRESENT: Zoning Board of Appeals (ZBA) Member Cindy Cook and 6 members of the General Public

Review Abstract #9, 2018 of September, 2018

- After a review of the Abstract, **Mr. Pray moved to approve payment of the bills for Abstract #9, 2018**, seconded by Mr. Husar. **Motion carried.**

VOTE: Ayes 4 Hamlin, Husar, Moss, Pray
Nays 0
Absent 1 Holcomb

Revisions to Commercial Zoning Law – Atty. Millus sent the revisions made to the Commercial Zoning Law to the County to review. He spoke to Lora Zier from the County and she said they will submit any further comments to the Town after reviewing the revisions. All Town Board Members stated they were comfortable with the current revisions made to the Commercial Zoning Law. Atty. Millus suggested running a parallel path and doing the Local Law to rezone the Depot property at the same time as the proposed Local Laws for the creation of the new Commercial District and the new Special Use Permit Procedure. The third Local Law for rezoning of the Depot property would not be voted on until the other two were approved. This Local Law would trigger a higher level of SEQR Review (the other two do not require SEQR Review). The Town Board discussed Atty. Millus’ suggestion and agreed to propose the three Local Laws at the Public Hearing which is scheduled for Wednesday, November 7th, 2018. Atty. Millus will have the draft prepared for the Town Board at next Wednesday’s Town Board Meeting.

Review Outdoor Recreational Zoning – Atty. Millus sent a draft of the proposed Local Law for the Outdoor Recreational Zoning to the Town Board Members last month and Mr. Pray responded that it was not exactly what he had in mind. There was a discussion as to whether the allowed uses should be listed under Outdoor Recreational, subject to Planning Board review, as opposed to the current process of seeking a Use Variance through the ZBA. Another option would be to go through the process of the Special Use Permit, subject to the Town Board

review. The Town of Union has two separate categories (Outdoor Recreation and Entertainment) which Atty. Millus will look into prior to redrafting the Local Law.

Engineering Contract – Mr. Husar would like to move ahead with the Engineering Contract with Griffiths Engineering. He asked if the Town Board was in agreement to change the building permits to require that the Developer pay the Engineering costs if they go beyond \$5,000. Atty. Millus said that he would have to look at the verbiage for this. He will also have to look at the contract because Griffiths Engineering may not want to contract directly with the Developer.

MOU (Memorandum of Understanding) for Assistant Water Operator Position – Mr. Pray said the County is requesting an MOU from the Town Board relative to the Assistant Water Operator position as to why the Town adjusted his pay when he accepted the final job based on having a Water Operator's License. Mr. Husar said this was provided to the County in the past and that he believes he has it in his files. Mr. Hamlin had a discussion with the County and currently the position's title is considered 'Laborer' by the County's definition; after a year of experience, he will be categorized with a non-competitive title and will not have to take a Civil Service test.

Light Pole Fixed – The light pole at the corner of Lock and Towpath Streets is being fixed by NYSEG.

1001 Chenango Street – Atty. Millus received an email from the Property Manager of 1001 Chenango Street stating that the water and sewer is scheduled to be disconnected next Tuesday. The Property Manager is going to provide an estimated time for the demolition of the property.

1142 Chenango Street – This property was sold at auction. There were no bidders so the bank bought it. Zoning Enforcement Officer John Broughton contacted the prior Property Manager and told him what needed to be done on the property. This included painting, replacement of windows, repair of the foundation of the garage, etc. However, this Property Manager said he is no longer involved with the property. Today a Realtor contacted Atty. Millus and he shared the information on what needs to be done to the property before it can be put on the market.

198 Fuller Road – John Broughton sited the Owner of this property for Property Maintenance Violations in early 2017. The Owner was in jail. John recently sent an email to the Court asking why the charges were dismissed. Judge Ambrose Madden said it was dismissed because it had been open so long and nothing had been done about it so he decided to remove it from his docket. Meanwhile, John drove to the property and said it has been cleaned up.

Seasonal Trailers – There has been concern about people living in trailers seasonally on properties in the Town of Fenton. Mr. Moss suggested addressing this in the Outdoor

Recreational Zoning, as currently this is not addressed in the Town Code. The Town Board discussed not allowing seasonal trailers in Residential Zoned areas in the Town. It was brought up by a Resident that there is a fifth wheel in the mobile home park on the Service Road near the car wash. Mr. Hamlin said he will check with the mobile home park owner on the status of it.

Change of Use vs. Change of Ownership – Mr. Husar asked for clarification on the procedure for Change of Use vs. Change of Ownership on properties and whether or not the applicant needed Town approval. Atty. Millus said the Town had decided that if there was a Change of Use, the applicant would require Town approval but not if there was a Change of Ownership.

OWBF (Outdoor Woodburning Furnaces) Fines – The fines for violations need to be modified under the OWBF Ordinance. Mr. Husar will review the current fines then consult with Atty. Millus about changes to them.

At 6:55 PM, Mr. Husar adjourned the meeting into Executive Session to discuss Court Clerk Interviews.

Melodie A. Bowersox, Town Clerk