The Town of Fenton Town Board held its regular Work Session in person and via Zoom on Wednesday, September 28th, 2022, 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 6:09 PM)
		Thomas Moss, Deputy Supervisor
		Richard Pray, Councilman (video conference)
	Town Attorney	Albert Millus, Jr. (phone conference)
	Town Clerk	Melodie Bowersox
	Admin. Asst./Bookkeeper	Theresa Staats
ABSENT:	Highway Superintendent	Randy Ritter

OTHERS PRESENT: Building Inspector Matt Banks, Building Inspector Clerk Cheryl Mammano, Planning Board Chairman Tim Brown, three members of the General Public (one via phone conference)

Pledge of Allegiance

Review Abstract #9, 2022 – The Abstract was emailed to the Town Board Members prior to the meeting for review.

- General Fund: Panko Electrical & Maint Inc - 3546/Fenton Free Library - Lighting Improvements - Voucher #466 - $2,741.60 – Mr. Pray asked about this Voucher. Mr. Moss replied that it is for the LED conversion at the Fenton Free Library on the Children's side and Office side. It looks very nice, and the lighting (color) matches with the rest of the building.
- Highway Fund: Suit-Kote Corporation - IN029128/Chip Sealing-Pigeon Hill Rd. - Voucher #23 - $51,709.80 – The other portion of the bill came in for the work done on Pigeon Hill Road. The total cost for the repaving project was $234,039.
- Hillcrest Water Tank Project - Procon Contracting, LLC - Project #2016-127-16/Progress Payment-Nowlan Rd Water Tank - Voucher #12 - $29,925 – Mr. Holcomb noted that the first Progress Payment was made on the Water Tank project. Mr. Pray said that the last time he visited the site of the project, clearing and leveling were taking place.
- **Mr. Gunster made a motion to approve Abstract #9, 2022,** seconded by Mr. Pray. **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

Public Hearing – 1 Mc Mullen Street – Mr. Holcomb read the Public Hearing Notice for 1 Mc Mullen Street:

NOTICE OF PUBLIC HEARING

Please take notice that the Town Board of the Town of Fenton will conduct a public hearing on Wednesday, September 28, 2022, at 6:00 p.m., or as soon thereafter as the matter may be heard, at the Town Hall, 44 Park Street, Port Crane, New York, to consider whether premises located at 1 Mc Mullen Street in the Town of Fenton, are dangerous or unsafe to the public within the meaning of Chapter 71 of the Town Code of the Town of Fenton. The premises are designated as Parcel No. 079.02-1-17 on the Broome County Tax Map. The last known owners of the premises are Dennis Wilson and Robin Wilson, whose last known addresses are P.O. Box 63, Port Crane, New York, 13833. The purpose of the public hearing is to receive public comment and comment from the owners regarding the premises to allow the Town Board to determine whether the premises are dangerous or unsafe to the public and, if so, what the remedy should be. At the public hearing, all interested persons will be heard.

Dated: Port Crane, New York **BY ORDER OF THE TOWN BOARD**
September 2, 2022

Mr. Holcomb opened the Public Hearing at 6:04 PM.

(Mr. Husar arrived in person at 6:09 PM.)

The following person spoke in favor:

- Resident Kevin Hawkins would like to know what is going to happen with the property because he has an interest in it. He owns the property next door and has been trying to acquire this for a while. He would like to tear it down and join the two properties; however, his understanding is that there is an outstanding balance on the mortgage.

The following persons spoke in opposition:

- None.

Question from the Public:

- Resident Meta Parks asked: What does the Town plan to do with this property? Mr. Holcomb said the purpose of this Public Hearing is to determine what to do with the property if it is declared unsafe. Building Inspector Matt Banks said it is unsafe and his recommendation is that the burnt-out buildings should be torn down. Meta then asked how much the demolition would cost the Town and who would pay for it. Mr. Holcomb replied that it would cost several thousands of dollars and the cost would be applied to the Property Owners' tax bill.

(James Wilson, Son of the Owners of the property who are deceased, phone conferenced into the meeting at 6:11 PM.)

Question asked of the Town Board Members:

- Mr. Holcomb asked James Wilson if he is considered the Owner of the property now. James said there is a dispute going on with the family and no one wants to take responsibility. He plans to take responsibility, but he cannot legally lay claim to the Estate at this point in time. There is an open claim with the Insurance Company due to the fire; however, he cannot give the Town a timeframe and does not really know what to do moving forward.

James and Matt will have a phone conversation tomorrow to discuss the situation further.

The Town Board decided to table any action and will reconvene the Public Hearing at the next Work Session that is scheduled for Wednesday, October 26th, 2022. (The Public Hearing will be at 6:30 PM to accommodate James.)

Public Hearing – Dissolution of Lighting Districts – Mr. Holcomb read the Public Hearing Notice for the Dissolution of Lighting Districts:

NOTICE OF PUBLIC HEARING

Please take notice that the Town Board of the Town of Fenton will conduct a public hearing on Wednesday, September 28, 2022, to consider the adoption of a Plan to dissolve the Hillcrest and Port Crane Lighting Districts. The public hearing will be conducted at the Town Hall, 44 Park Street, Port Crane, New York, at 6:00 p.m. The proposed Dissolution Plan, if adopted, would result in the dissolution of each Lighting District, both of which were created in approximately 1927. Since that time, the cost of providing street lighting in the Districts has been borne by the property owners within the Districts. If the Districts are dissolved, the costs will thereafter be borne by the Town at large. The aggregate costs of the districts are approximately $26,000 annually. A copy of the Dissolution Plan may be inspected or obtained from the Town Clerk at the Town Hall. If adopted, the Dissolution Plan will take effect on January 1, 2023.

Dated: Port Crane, New York **BY ORDER OF THE TOWN BOARD**
August 11, 2022

Mr. Holcomb opened the Public Hearing at 6:22 PM.

The following person spoke in favor:

- Resident Meta Parks asked for clarification on who currently pays for the lights. Mr. Holcomb explained that there is a Hillcrest Lighting District, consisting of approximately 800 Residents, and a Port Crane Lighting District, consisting of approximately 300 Residents, who pay for lighting. There is also a Light District that covers the lights that

are not in either of these two Districts which the Town's General Fund pays. The dissolution of the two Districts will leave one District, so there will be one bill that the Town will pay. Residents will no longer have to pay for light bills. Meta was in favor of this.

The following persons spoke in opposition:

- None.

All persons desiring to be heard, having been heard, the Public Hearing was closed at 6:30 PM.

Following the Public Hearing, **Mr. Moss made a motion to approve Resolution #2022-11: Resolution Approving Dissolution of the Hillcrest and Port Crane Lighting Districts in the Town of Fenton:**

WHEREAS, the Town of Fenton Town Board developed a Dissolution Plan for the Hillcrest and Port Crane Street Lighting Districts, and;

WHEREAS, copies of the Dissolution Plan were posted on the Town of Fenton Website and the Town Hall bulletin board, and published on four (4) successive weeks in the Press and Sun-Bulletin Newspaper, and;

WHEREAS, after proper notification, a Public Hearing was held on Wednesday, September 28th, 2022, at 6 PM to consider the adoption of the Dissolution Plan, and;

WHEREAS, there were no negative comments from the Public concerning the Dissolution Plan,

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Fenton adopts the Dissolution Plan, and;

BE IT FURTHER RESOLVED THAT, as per the Dissolution Plan, it will become effective at 12 midnight on December 31st, 2022,
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

Storage Container Law – New Draft – At the Work Session in June, a Public Hearing was held for the Storage Container Law. Several Residents expressed their concerns regarding the new Law and the Town has since revised it based on their concerns. Mr. Gunster distributed

the new draft to the Town Board Members prior to the meeting and highlighted some of the changes that have been made to it. The new Local Law is to regulate Storage Containers in the Residential areas of the Town of Fenton and will require a Building Permit to be issued pursuant to the Town of Fenton Code. Permanent Storage Containers will be allowed in Agricultural-Residential A and B Districts. Temporary Storage Containers will be permitted in all Residential Zoning Districts for a period of three (3) months, with one (1) renewal at the discretion of the Building Inspector. The Town Board discussed:

- 119 A-4. B. 2. "The storage container shall be placed 10' from the principal structure, and shall be painted or treated in a way to compliment the primary structure" – difference of opinion on aesthetics (for example, paint color); it was decided to add the clause "as determined by the Building Inspector" at the end of this line, then the Applicant can appeal to the Zoning Board of Appeals (ZBA) if they disagree with the Building Inspector's decision
- 119 A-6. A. 1. "A fine of $500.00, or imprisonment not exceeding fifteen (15) days, or both such fine and imprisonment" – this will be changed to "a fine of up to $500" to keep consistent with the other Town fines

Mr. Gunster will send the discussed changes to Atty. Millus and then a Public Hearing date will be set up.

Bookkeeper/Administrative Assistant Position Status – The Candidate that was to be interviewed tonight is ill, but the interviewing process continues. Mr. Holcomb has another Candidate he will be setting up an interview with next week. The Town Clerk's Office is taking on some of the responsibilities that the Administrative Assistant was doing so that the new hire will be able to focus primarily on the financial aspect of the position. Mr. Holcomb and Town Clerk Melodie Bowersox have already been working together on the Agendas for the Meetings, identifying any open items that need to be addressed from meeting to meeting.

Court Clerk Appointment – Mr. Husar said that Judge Dadamio has decided on a Court Clerk and would like her to work 37 ½ hours/week (like County Employees do) at $19.73/hour rather than 40 hours/week at $18.50/hour at a salary of approximately $38,400/year. After giving a brief description of Caroline Doherty's qualifications for the position, **Mr. Husar made a motion to appoint her as the Court Clerk with a one (1) year probationary period, an evaluation after three (3) months, and a potential raise at three (3) months and one (1) year,** seconded by Mr. Holcomb. **Motion carried.**

ROLL CALL VOTE:
Councilman Mr. Gunster aye
Councilman Mr. Husar aye
Councilman Mr. Moss aye
Councilman Mr. Pray abstain (not visible via Zoom)
Supervisor Mr. Holcomb aye

Solar Energy Ordinance – In 2019, the Town Board asked the Planning Board to draft a proposed Local Law for Solar Energy Systems. The Town Board received the draft but did not move forward with it. Matt Banks has received a few calls from individuals interested in installing Solar Farms in the Town of Fenton. Mr. Brown has the information and will share it with Assistant Town Engineer Tony Citriniti and John Mastronardi of Griffiths Engineering for review. (Mr. Brown mentioned that there are Vendors who will guide Municipalities with Solar Energy Regulations for a fee, but the Town Board would prefer not to use their services.)

Metered Water and Sewer Revenue Projections for 2022/2023 – Mr. Holcomb provided the Town Board Members with copies of spreadsheets of the Metered Water Revenue Projections for 2022/2023 and Metered Sewer Revenue Projections for 2022/2023, suggesting that the Town may want to change from the three (3) bills/year process to a four (4) bills/year process. He asked the Board to review the spreadsheets for further discussion.

Constellation Contract – In October, the Town's Electric Contract with Constellation expires. The Contracts the Town were offered are:

- 12 months for 7.9 cents
- 24 months for 7.2 cents
- 36 months for 7.0 cents

The Board will vote on this at the Town Board Meeting next week.

At 7:40 PM, Mr. Moss made a motion to adjourn the meeting, seconded by Mr. Husar. **Motion carried.**

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

Melodie A Bowersox, Town Clerk