

The Town of Fenton Town Board held its regular Work Session on Wednesday, April 25th, 2018, at 6:00 PM, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

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

OTHERS PRESENT: Planning Board Chairman John Eldred, Zoning Board Member Cindy Cook, 29 members of the General Public

Review Abstract #4, 2018 of April, 2018

- After a review of the Abstract, **Mr. Husar moved to approve payment of the bills for Abstract #4, 2018**, seconded by Mr. Husar. **Motion carried.**

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

Building and Grounds Projects – Mr. Moss reported on the following:

- Generator – The plumbing and the gas line into the generator is complete and the propane tank has been installed awaiting electrical hookup. The electrical integration by Panko Electric should be completed by Monday. There is a tentative plan to power down the electric at the Town Hall Tuesday morning to take the power from the transfer switch where the main power is to tie it into the generator. Once confirmed, the Public will be notified on the Town Website that the Town Hall will be closed until 1:00 PM. LeChase Construction Services is coordinating a start-up date and training with the generator Vendor, with a target date prior to May 8th. Mr. Moss suggested the Highway Department take on the role of being the point of contact in the event that the generator needs to be started up for any reason. Mr. Holcomb asked if there was going to be a point of contact from the Crime Lab since they are sometimes here when the Town Hall and Highway Department are closed. Mr. Husar commented that originally it had been discussed that the Crime Lab would be the main contact. This will be discussed further.
- Light Pole on NYS Route 369 – The power to a string of lights on NYS Route 369 has been restored which resulted from a pole coming down after recently being hit. Panko Electric is currently looking for a used replacement base and pole rather than purchasing

brand new. The Police Reports have been filed and submitted to the Town's Insurance Company, but Bookkeeper Sue Crosier clarified that the trucking company needs to submit the paperwork to their Insurance Company.

- Court Entrance Steps – The work on the Court entrance steps is scheduled to begin tomorrow. Brett Sherman is the Contractor and materials were purchased from Hobart Stone at a very reasonable rate. It will take a couple of days to complete.
- Library Lighting – There is an issue at the Library with some lighting being out in the large book area. This will be taken care of in advance of the other lighting projects being discussed for the Town. One quote has been received and another quote is pending from M & P Rogers Electric. Mr. Moss has requested the second quote be submitted by Friday or he will be going with the first quote which he felt was very fair.
- Town Hall Water System – A decision needs to be made on how to move forward with the current water system in the Town Hall. A couple of proposals from local companies have been received and the project will move forward with the bid from Eastern Industrial. The retention tanks and the filtering system will be replaced. Once completed, water testing on a periodic basis should be scheduled. Mr. Moss was informed by Sgt. Kevin Nichols from the Crime Lab that the State is mandating water testing from him on a periodic basis.
- Crime Lab Data and Phone Lines – An e-mail was received from Sgt. Nichols regarding some data and phone lines that need to be run into their vault. As part of their Lease Agreement, data and phone lines can be run, but the question is whether they can drill holes. The consensus from the Board was that the holes could be drilled.
- Vault Door Replacement – A request was received from the Crime Lab to replace the vault door. Mr. Moss will be meeting with Sgt. Nichols to discuss.

Residents' Time (6:24 PM)

- There were no comments during Residents' Time.

Residents' Time closed at 6:24 PM

NG Letter/Gary Holcomb – Mr. Holcomb reported the Town received a call from NG Advantage Representative Neal Jordan, who spoke with Building Inspector Matt Banks and requested their \$5000 Permit Fee be refunded. Mr. Holcomb asked Matt to relay to Neal that if NG would submit a letter stating the company is no longer interested in this location and they are withdrawing their application, the Board would consider giving their fee back. Neal's comment to Matt was that "he was not in a position to do that at that time". That was the last communication the Town has had with NG. The Town has not reached out to NG in any way. There was a discussion amongst Board Members and Residents on the pros and cons of proactively contacting NG to determine their intentions, as well as how to address the fee and whether or not to return it. Resident Joel Luchun stated he has suggested to Atty. Millus that the Town be proactive in contacting NG, rejecting their proposal as it no longer conforms to our zoning. Resident Kurt Mohney felt Atty. Millus should be the one to initiate the communication.

There was also a discussion amongst Board Members and Residents regarding the restoration of the property.

DLA Zoning – Mr. Hamlin said there will be a meeting in the near future regarding the Broome County side of the property. Two letters have been written to the General Services Administration (GSA) by the County with no response. The response when Broome County Executive Jason Garner reached out to a GSA source was that to change the use of the property from an Emergency Shelter to another use in preparation for sale will take a “long, long time”. Mr. Hamlin also said Senator Akshar requested a meeting with him, along with Chenango Valley School District Superintendent David Gill and County Representatives, to determine whether anything can be done with those buildings currently in the County’s possession. There are no confirmed dates for the meeting to date. Mr. Hamlin and Mr. Moss have had communication with Lee Hartman regarding the zoning of the DLA property. Lee Hartman claims the Federal Government does not recognize Residential B Zoning for that property and they continue to market it as Industrial. The GSA feels this was grandfathered in as an Industrial Zone. Atty. Millus has determined the Federal Government cannot dictate how the parcel is zoned, whether they own it or not. There were several items discussed regarding the DLA, including:

- a letter sent to the GSA, wanting to rezone the area from Industrial to Residential B. The GSA never signed off on the letter, which was sent while Barbara Fiala was County Executive,
- documentation that because of how the site was forced to be cleaned up it was able to be classified as Residential II, and how the Town Fathers had always wanted it to be Residential II and the GSA was happy with that,
- the deed states the property can be used for a higher level if the deed is amended,
- documentation that the site is clean, but the buildings were never tested for contaminants,
- the consensus from the Residents in the area is that they do not want the zoning to be Commercial or Industrial, including Commercial or Industrial with restrictions,
- Mr. Hartman’s legal representation should have told him the property was zoned Residential B,
- legal attendance/representation,
- the GSA having control over the first right of refusal of a potential buyer, meaning they could take the property back from the County,
- requesting a copy of Lee Hartman’s application for the abatement of the taxes,
- possible action by the Chenango Valley School District to dissolve the Right-of-Way,
- concerns over property values on Hoyt Avenue and the surrounding neighborhoods,
- status of the Limited Industrial draft and the Special Use Permit.

Registered Contractors – Mr. Hamlin said he attended a meeting in March to discuss allowing only Registered Contractors work on your home. The proposal was for a Committee of one Legislator, multiple Contractors and possibly one more Member to work with the County to monitor the system to register all Contractors. Mr. Hamlin said it will not be moving forward.

Speeding on Nowlan Road – Mr. Husar said that a couple of meetings ago there was a complaint regarding the excessive speed on Nowlan Road. The Broome County Sheriff's Office has been ticketing cars and trucks and the traffic has slowed down. They will be continuing to monitor the area.

GPS System – Mr. Husar said the DOT provided a contact to discuss correcting the GPS systems. It is very complicated since there are so many sources. One of the Residents is working on obtaining information from one of the truck drivers using Chenango Street as to what source he is using.

West Service Road Weight Limits – Mr. Husar said a DOT contact stated restricting weight limits is a local issue and can be done, which is contrary to information previously received regarding the prohibiting of restricting weight limits on a service road that leads to an Interstate. There was a discussion amongst Board Members regarding the affect this decision by the Mayor of Port Dickinson is having on local businesses and possible actions moving forward.

Communications – Mr. Husar made some suggestions to the other Board Members on ways to improve communications between the Town Board and various Boards and Committees serving the Town. The Board Members discussed some ideas amongst themselves and will work on a protocol.

Residential Agricultural Zone – Mr. Moss suggested the Board work on defining the term Recreational Use in an effort to help property owners in a Residential Agricultural Zone utilize their land for various activities.

At 6:55 PM, Mr. Holcomb made a motion to adjourn the meeting, seconded by Mr. Moss. **Motion carried.**

Sheryl L. Fay, Deputy Town Clerk