

The Town of Fenton Town Board held its regular Work Session on Wednesday, June 26th, 2019, at 6:00 PM, at the Fenton Town Hall, 44 Park Street, Port Crane, New York.

PRESENT: Town Board Members Gary Holcomb, Supervisor
Thomas Moss, Deputy Supervisor
David Gunster, Councilman
Michael Husar, Councilman (arrived at 6:11 PM)
Richard Pray, Councilman
Town Clerk Melodie Bowersox
Admin. Asst./Bookkeeper Susan Crosier
Admin. Asst./Bookkeeper Theresa Staats

ABSENT: Town Attorney Albert Millus, Jr.
Highway Superintendent Randy Ritter

OTHERS PRESENT: Planning Board Chairman Tim Brown, one member of the General Public

Pledge of Allegiance

Welcome – Mr. Holcomb welcomed Theresa Staats, replacement for Administrative Assistant/Bookkeeper Sue Crosier, to her first meeting!

Review Abstract #6, 2019

- General Fund: Armstrong Telecom - 57823/to fix ext. setup for Water Dept. - Voucher #326 - \$135.00 – Mr. Holcomb asked what Armstrong did for the Water Department. Water Supervisor Greg Starley had extension #188 set up by Armstrong. Mr. Moss asked if this should be under Hillcrest Water District. Bookkeeper Sue Crosier said it could but usually IT or phone issues are categorized under General Fund.
- Highway Fund: Truck #13 – Mr. Moss asked what happened with Truck #13 because it was listed several times on the Abstract. Mr. Gunster said it had to be towed due to various problems.
- Hillcrest Water District: Abbey Service Corp - 62311/crane to lift shaft & pump on Well#1 - Voucher #130 - \$950.00 – Mr. Pray asked if this was the only bill received so far from Abbey; Sue answered yes. He said there will be further bills for the work done on Well#1.
- After a review of the Abstract, **Mr. Pray moved to approve payment of the bills for Abstract #6, 2019**, seconded by Mr. Moss. **Motion carried.**
VOTE: Ayes 5 Gunster, Holcomb, Husar, Moss, Pray
Nays 0

Sidewalks – Fenton Avenue – The Broome County Health Department has \$23,500 grant money of concrete earmarked for the Town of Fenton to do sidewalk repairs. Mr. Holcomb had

some measurements done and the estimated cost for the Town would be \$60,000 for the labor, forming and finishing of the concrete. The Highway Department would dig out the old sidewalk and dispose of it, provide gravel to be used prior to the concrete being poured, and topsoil/seed along the edges after the work has been completed. Within the Town Code, there is a statement: "The Town shall be responsible for 75% of the cost of said construction, replacement, or substantial repair, and the property owner shall be responsible for 25%" done to sidewalks. There are about 45 homes on Fenton Avenue which would average out to a charge of approximately \$340 to each Property Owner. The Town will consider establishing a payment plan for the Property Owners. Also, if the Property Owners do not pay for the repairs, it may be added to their tax bills. Mr. Moss asked if the cost to the Property Owner would be based on linear feet of sidewalk and Mr. Holcomb said this could be looked into. The project must be completed by September 30th, 2019; the County needs to know by the first week of July if the Town would like to accept the grant. The Board decided to proceed with the grant and send a letter to the Property Owners on Fenton Avenue, letting them know an approximate cost they will be responsible for.

Special Use Permit (SUP) – Carrier Services Group (CSG) Review – A draft of the SUP for CSG has been compiled and Mr. Holcomb distributed a copy of it to the Town Board Members. Mr. Holcomb asked if the Town Board Members had any conditions to add to the SUP.

- Mr. Pray noted that one item that is not listed is the ability to revoke the SUP if there is a violation of any of the conditions.
- If there are any violations of the SUP Permit, Mr. Husar suggested siting the Applicant and sending them directly to Court. This led to a discussion about the Town's current Enforcement/Court process and Mr. Husar's concern about the time it takes for violations to go through that process. The fee schedule in the Town Code may need to be updated again.
- Mr. Husar recommended adding 'no truck spotting.' Planning Board Chairman Tim Brown said he can ask CSG if they anticipate this happening on the premise. Mr. Moss suggested the verbiage: 'Delivery trailers shall not be staged or left on the property for more than "x" amount of days.'
- The Town Board discussed adding a clause that the Town has the ability to modify the SUP conditions if issues should arise.

Mr. Holcomb is going to discuss this further with Atty. Millus and the Applicant, Lee Hartman.

LED Street Light Update – Mr. Gunster received quotes for LED Street lighting from Lime Energy, NYSEG, and New York Power Authority (NYPA) with a total cost of each at \$22,454 for Lime Energy, \$13,377.60 for NYSEG, and \$297,566.34 for NYPA. Lime Energy will only do the Town of Fenton lights (44), NYSEG will only do the NYSEG owned lights (317), and NYPA will do all the lights (371). Mr. Gunster distributed a spreadsheet with additional information received from each company. The Town Board spent a considerable amount of time reviewing the quotes and discussing the information Mr. Gunster received from the companies. The decision

was made to proceed with NYSEG and Mr. Holcomb will write a letter, stating the Town would like the street lights converted to LED, for the Town Board to review. Mr. Holcomb and Mr. Gunster will find out more details of the Lime Energy proposal.

Resolution #2019-09 – Bond Resolution for Monkey Run Road Financing – The intent of this Resolution is for the Town to borrow money from itself rather than from a Bank. The money would come out of the General Fund and the Highway Department would pay it back over a 10 year time period. The current status of the project: No physical work has begun at the site, but the culvert is being manufactured. **Mr. Pray made a motion to adopt Resolution #2019-09, A Resolution Authorizing the Issuance and Sale of a Statutory Installment Bond for the Replacement of a Culvert Under Monkey Run Road:**

BE IT RESOLVED by the Town Board of the Town of Fenton, County of Broome, State of New York, as follows:

Section 1. For the object or purpose of replacing a culvert under Monkey Run Road in the Town of Fenton (hereinafter the "project"), and to provide funds to defray the cost thereof, Three hundred thousand and 00/100 dollars (\$300,000.00) of a General Obligation Statutory Installment Bond of the Town of Fenton, New York shall be issued pursuant to the provisions of the Local Finance Law.

Section 2. Three hundred thousand dollars (\$300,000.00) is estimated as the maximum cost of the project.

Section 3. The plan for the financing of the project consists of the issuance of a General Obligation Statutory Installment Bond of the Town of Fenton in the principal sum Three hundred thousand and 00/100 dollars (\$300,000.00), to be issued pursuant to the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is twenty (20) years, pursuant to section 11.00(a)(10) of the Local Finance Law. It is further determined that the maximum maturity of the Statutory Installment Bond herein authorized will not exceed twenty (20) years.

Section 5. The faith and credit of the Town of Fenton, County of Broome, State of New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Subject to the provision of the local Finance Law, the Power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Statutory Installment Bond herein authorized, including renewals of such Bond, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds may be contested only if:

- 1) Such bonds are authorized for an object or purpose for which said Town is not authorized to expend money; or
- 2) The provision of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication; or
- 3) Such bonds are authorized in violation of the provisions of the Constitution.

Section 8: Pursuant to Local Finance Law section 35.00(b)(1), this Resolution is subject to permissive referendum.

Section 9. Pursuant to New York Town Law section 91, this resolution shall take effect thirty days after its adoption, unless a petition as described in said section 91 is filed within said thirty-day period, in which case the resolution shall take effect after approval by the affirmative vote of a majority of the qualified electors voting on the proposition described in said section 91.

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

310 Ballyhack Road Update – Quotes have been received from LCP Group, Inc. for the demolition and SJB Services, Inc. for the asbestos monitoring at 310 Ballyhack Road to be done in August, 2019. **Mr. Husar made a motion to adopt Resolution #2019-10:**

WHEREAS, the Town of Fenton has determined the 310 Ballyhack Road structure to be an Unsafe Structure, and

WHEREAS, the Town has determined the structure should be demolished, and

WHEREAS, the Owner of the property has not responded to communication concerning this, and

WHEREAS, the Town has received estimates and selected the best cost alternative,

NOW, THEREFORE, BE IT RESOLVED, that the Building Inspector is authorized to spend \$11,580 for demolition with LCP Group, Inc. and \$984 with SJB Services, Inc. for asbestos monitoring as outlined in the quotes received.

Seconded by Mr. Gunster. **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

Phelps Creek Update – Mr. Husar and Mr. Holcomb had a meeting with Carl Swartz from US Fish and Wildlife Service yesterday. He also had met with the Committee and is very knowledgeable about streams. Carl believes he has solutions to the Phelps Creek issues that will significantly reduce the problems, particularly near the Madisons and Miselnickys. John Mastronardi of Griffiths Engineering is going to take these solutions and draft a proposal to present to the Madisons and Miselnickys. This would involve creating veins and double veins (using rock instead of concrete) that guide the water into specific areas which will slow the movement of the water down. This would cut down on the erosion of the banks as well. There will be a presentation to the Committee and all parties involved.

CV Crossing Guard – Mr. Holcomb has responded three times to CV and said no to the Town hiring a Crossing Guard. The Town may hire a CV Crossing Guard but is not obligated to nor is the Town in a position to hire and/or train a Crossing Guard. A Crossing Guard cannot be employed by the School District. The Sheriff suggested the School use a Resource Officer. Mr. Holcomb will discuss the possibility of an agreement between the Town and the School with Atty. Millus. (The agreement would include that the School District can hire, train, and pay for equipment associated with the position and the Town would add the Crossing Guard position to the payroll, with the School District to reimburse the Town.)

Children's Home Traffic Pattern – Mr. Husar sent a report out to the Town Board relating to the Children's Home that indicates the proposal to use Dorothy Street for the bus route is not safe. He suggested an alternative of widening the driveway between the Children's Home and the old school and adding a cul-de-sac to have the buses loop around. George Dermody,

President and CEO of the Children's Home, plans to take the report to the Children's Home Board for review.

Pump #3 at the Water Department – Pump #3 was pulled to determine the cause of the wobble and we are still waiting on the company in Cortland to finish their work. One or two of the impellers in the bowl assemblies were out of place. Mr. Pray asked Greg Starley to contact them to find out when we can expect it to be back online and how much the repairs will cost.

Three Year Cycle on Trucks – This Winter the three years will be up on the Water Department's pickup truck. Currently it has some electrical issues. Greg Starley is going to start looking at State pricing for a replacement with an open bed in the back (instead of rebuilding the back of the truck every three years).

Supervisor's Terms – Mr. Moss is researching the steps to take to change the Supervisor's Terms from two years to four years. He also has a call into Atty. Millus for advice on the matter.

Service Road Situation – Mr. Husar made a motion that we advise the Village of Port Dickinson that we are going to raise their water rates significantly higher than where they are now but we might reconsider if they open up the Service Roads unless there are special circumstances. With no second to the motion, Mr. Holcomb said he still has not made contact with Mayor Burke but he is going to attempt to tomorrow.

Flags – The new flags have been put up and look great. Highway Superintendent Randy Ritter is going to buy a light for the flag pole at the gateway in Hillcrest.

Clean Sweep – Clean Sweep will need a rototiller for July 8th, 2019 when they come to work on cleaning the playground area.

Picnic Tables – The picnic tables have been ordered for the Town grounds, but we do not have a delivery date yet. Once they arrive, Mr. Moss will need assistance from the Highway Department in removing the old tables and unloading the new tables.

New Custodian – Dave Truxal, the new Custodian, will begin work at the Town Hall on Monday, July 1st, 2019. He is a retired Custodian from Chenango Valley School District and is a Town of Fenton Resident.

At 8:03 PM, Mr. Moss adjourned the meeting.

Melodie A. Bowersox, Town Clerk