

The Town of Fenton Town Board held its regular Work Session on Wednesday, September 25th, 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 6:07 PM)
Highway Superintendent Randy Ritter
Town Clerk Melodie Bowersox
Admin. Asst./Bookkeeper Theresa Staats

ABSENT: Town Board Member Richard Pray, Councilman
Town Attorney Albert Millus, Jr.

OTHERS PRESENT: Building Inspector Clerk Cheryl Mammano, Children’s Home of Wyoming Conference CEO George Dermody, Zoning Board of Appeals Member (ZBA) Cindy Cook, one member of the General Public

Pledge of Allegiance

Review Abstract #9, 2019

- Highway Fund: Chenango Supply - 19788/Hardware, Pump, Flag, Hose - Voucher #306 - \$442.88 – Highway Superintendent Randy Ritter said this voucher should be under Hillcrest Water District not Highway Fund.
- Mr. Husar said he is still confused about the clothing allowance. Bookkeeper Theresa Staats explained that the Water Department makes a purchase and then the amount is subtracted from the total allowance. The Highway Department is different; they are allowed a stipend and anything over that amount they have to pay for. Currently Mr. Holcomb and Theresa are doing a reconciliation of the Water Department to make sure the total amount is not being exceeded.
- After a review of the Abstract, **Mr. Gunster moved to approve payment of the bills for Abstract #9, 2019 with the correction to Voucher #306**, seconded by Mr. Moss. **Motion carried.**

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

Budget Modifications – A new pick-up truck was purchased for Deputy Highway Superintendent Michael Marris. Money was needed to cover this until the auction of the old truck comes in. Also, the 20 year old mower needed replacing. The balance of the mower will be in the Budget for 2020. A new line is being established entitled ‘Traffic Control – Crossing Guard’. Chenango Valley School will reimburse the Town for the cost of the Crossing Guard.

Mr. Husar asked how old the Deputy Highway Superintendent's pick-up truck was; Mr. Holcomb said it was a 2009 truck. Water Supervisor Greg Starley is looking at it for the Water Department. Mr. Gunster asked if a Crossing Guard has been hired. Mr. Holcomb said yes, Resident Donna Church was hired. With the explanations of the Budget Modifications provided by Mr. Holcomb, **Mr. Husar made a motion to adopt Resolution #2019-14 to approve the following Budget Modifications:**

- **Highway Fund** – to help cover the cost of a Dodge Ram Pick-up Truck: increase the Machinery-Equipment line (DA5130.200) by \$10,000 and decrease the Special Litigation line (DA1420.401) by \$10,000,
- **Highway Fund** – to help cover the cost of a new Mower: increase the Machinery-Equipment line (DA5130.200) by \$10,000 funded by the use surplus highway fund moneys of \$10,000 (DA599 – Appropriated Fund Balance),
- **General Fund** – for 2019 Crossing Guard expenses: establish new appropriation account entitled 'Traffic Control – Crossing Guard' (A3310.100) in the amount of \$725 to be offset by a new revenue account entitled 'Intergovernmental Charges – Reimbursement Crossing Guard Expenses' (A2389CG) in the amount of \$725,

Seconded by Mr. Gunster. **Motion carried.**

ROLL CALL VOTE:

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

Confirm Award of Fuel Bids – Mr. Moss said that Mirabito was the only one to bid this year and last year. Mr. Holcomb said we may want to look at how to proceed with the fuel bidding next year. The decision was made to basically go with the variable rate for diesel fuel, liquid propane, and unleaded gasoline. **Mr. Moss made a motion to approve the fuel bids for 2019 – 2020 to Mirabito with the variable price on diesel fuel, liquid propane, and unleaded gasoline,** seconded by Mr. Gunster. **Motion carried.**

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

Town Clerk Melodie Bowersox will send the award letter to Mirabito.

Approve Community Development Block Grant (CDBG) Recommendations – The Town has received four recommendations for projects under the CDBG. **Mr. Moss made a motion to approve Resolution #2019-15:**

WHEREAS, The Town of Fenton has received a Federal Community Development Block Grant (CDBG) for home renovation, and

WHEREAS, several applications have been received and reviewed to ensure the proper qualifications have been met, and

WHEREAS, each project has been defined and cost quotes have been received, and

WHEREAS, the Town Board of the Town of Fenton must approve each project, and

THEREFORE, BE IT RESOLVED, that the following projects be approved to move forward,

- 1105 Avenue A (Gao) – Binghamton
Work includes: roofing, exterior and interior carpentry, windows and doors
- 700 Ballyhack Road (Gidzinski) – Port Crane
Work includes: heating, plumbing, exterior carpentry, windows and doors, electric and other, drainage work
- 34 Moot Town Road (Woloszyn) – Port Crane
Work includes: roofing, exterior carpentry, interior carpentry and heating
- 15 Pine Street (Bradley) – Port Crane
Work includes: heating, plumbing, roofing, siding, windows and doors, exterior carpentry and other, smoke and CO detectors

Seconded by Mr. Gunster. **Motion carried.**

ROLL CALL VOTE:

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

Mr. Husar asked if there are income guidelines to receive assistance from CDBG. Mr. Holcomb said yes there are. Mr. Husar said that Arthur Bradley received a large amount of money from a Workers Comp Settlement and will find out if that needed to be considered when the grant money was awarded to him for repairs to his home.

310 Ballyhack Road – The demolition took place yesterday at 310 Ballyhack Road.

NYS Route 369 – Conservation Advisory Committee Chairman Mike Grasso continually contacted the State until they decided to post bike signs near Chenango Valley State Park and reduce the speed limit in front of the Beer Tree (from 55 mph to 50 mph) on NYS Route 369. Also, the 40 mph is going to be extended from the I-88 ramp to Ashley Trailers.

Sexual Harassment Training – The first Sexual Harassment Training will be tomorrow at the Town Hall. The second training will be held on October 1st, 2019.

Phelps Creek Meeting – The Phelps Creek Meeting was held and was fairly productive. The Madisons and Miselnickys seem willing to share the cost of the project as long as it is not too costly. There was a lot of discussion as to why the project will be at that point in the creek as opposed to further up the creek. A gentleman from the railroad company attended and said this will be on his radar now. The County Public Works Director said there are two registered dams on Nowlan Road. She has identified an area where they can easily create a retention pond or wetlands to divert water in that direction and to lower the speed of the water pouring down under Angel Falls and beyond that area. Mr. Husar needs to have Assessor Cindy Mills identify the property owners around that vicinity. Randy suggested looking into an alternative access road coming in through Phelps.

Court Clerk – Mr. Husar contacted three temp employment agencies about hiring a part-time Court Clerk. He is waiting to hear back from them for more information.

Playground – Mr. Moss would like to have the mulch done on the playground in the Spring. He asked Mr. Gunster and Randy to speak to Assistant Town Engineer Rick Armstrong about the current condition of the playground.

Tennis Court – Mr. Moss reminded Randy that the clearing of the tennis court is a project for the Winter.

New Doors for Town Hall – The new doors for the Town Hall (access near the Administrative Office) are in but the frame is still being fabricated. Mr. Holcomb mentioned that the Town Hall front doors also need to be addressed, as they are hard to open particularly for the elderly Residents. He suggested that now may be the time to look into a push button/handicapped entry.

Custodian – Mr. Husar asked how Dave Truxall, the Custodian, is doing. He has a doctor's appointment today. Theresa will call him Friday to see how it went. Mr. Moss is meeting with Professional Services of Broome County tomorrow, a professional cleaning company who does commercial work for small office settings. He is looking for a custodial service to take over in

the event that the Town does not have a custodian. If Dave Truxall is able to come back, possibly this service could serve as a backup.

Monkey Run Road – Monkey Run Road is almost done. It was paved today. There is still shoulder work and top soiling to be completed. Monday is the anticipated day for the road to be open.

Fenton Avenue – Mr. Holcomb received a letter from Resident Martha Lyons who is not happy with the sidewalk repairs that were done on Fenton Avenue. Also, Mr. Husar received a phone call from Conor Roberts who would like to do his own apron in concrete; he said he will discuss this with Randy.

Children's Home School Bus Access on Dorothy Street – CEO George Dermody of the Children's Home of Wyoming Conference gave an update on the school bus access on Dorothy Street. Their Legal Counsel explored options and their advice to George was that they see no legal reason why they cannot utilize an already existing driveway onto an already existing road when necessary. They are managing but when Winter comes and snow must be moved around, there will be fewer parking spaces and decreased visibility which makes it more difficult for school buses with the current route. The Board of Directors also said that when necessary they should avail themselves of having school buses come in Chenango Street, go around, and then exit Dorothy Street. Mr. Husar asked George if his suggested alternative was shared with his Board of Directors. George said yes, he has had multiple conversations with the Board of Directors, and they have looked at multiple plans. If the Town believes there is a legal standing, it is the advice of the Children's Home Legal Counsel that this be shared with them. Mr. Holcomb said he will speak to Atty. Millus about their current position and possibly have him contact the Children's Home Legal Counsel. The Town Board Members expressed their concerns with using Dorothy Street; these included it not being a safe way to route the buses and it not being a wide enough street.

177 NYS Route 7B – ZBA Member Cindy Cook showed the Town Board Members pictures of her neighbor's property at 177 NYS Route 7B. There was a fire at the home on August 5th, 2019 and now there is furniture in the yard. This past weekend the owner, Fred Velez, started cutting the walls out so there is an opening to the home, and anything/anyone can get into the home. He has not picked up his demolition permit from the Town. Building Inspector Matt Banks has already started the Unsafe Structure procedure with this property. Mr. Moss will share the pictures with Zoning Enforcement Officer John Broughton.

Executive Session – Mr. Moss looked at a FAQ on the website of the Committee on Open Government. 'Personnel Matter' is not an allowable reason to be used to go into Executive Session. A specific reason must be identified.

West Service Road Weight Restrictions – Mr. Husar made a motion that we advise Port Dickinson that unless they lift the weight limit and allow buses and trucks to use the Service Road, that we will stop all dog catcher activity in Dickinson. With no second to the motion, Mr. Husar withdrew his motion.

At 7:13 PM, **Mr. Husar made a motion to adjourn the meeting and go into Executive Session to discuss the employment situation of one of the Town Officials,** seconded by Mr. Moss. **Motion carried.**

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

Melodie Bowersox, Town Clerk