

FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 12:30 PM  
April 08, 2009

PRESENT: SUPERVISOR CARY  
COUNCILPERSON STRACK  
COUNCILPERSON STOKER  
COUNCILPERSON WESTER  
TOWN CLERK BUYEA  
HGWY SUPT HYATT

The regular meeting of the Fenner Town Board was called to order at 12:30 p.m. by Supervisor Cary with the pledge to the flag.

Councilperson Strack moved to accept the previous month's minutes as written. Seconded by Councilperson Stoker. Approved by the Board.

OLD BUSINESS:

After brief discussion on Nuisance Regulation, draft guidelines were distributed and copy given to Town Attorney. Committee will present edited version to Board at next meeting so it can be finalized and presented to Board of Elections to be on ballot for next election.

After brief discussion, Councilperson Wester moved to adopt Resolution #7, a resolution appointing Marriage Office for the Town of Fenner. Seconded by Councilperson Stoker. Approved by the Board

**Resolution #7  
Of the Town Board  
Of the Town of Fenner**

WHEREAS. The Town of Fenner has deemed it appropriate to appoint a Marriage Officer, and

WHEREAS, Edward Link has expressed an interest in being appointed a Marriage Office for the Town of Fenner,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Fenner has appointed Edward Link as Marriage Officer for the Town of Fenner on an annual basis without compensation, health or pension benefits. Current term to end 12/31/2009.

Dated: April 8, 2009

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Strack	-	Aye
Councilperson Wester	-	Aye

NEW BUSINESS:

Ralph Momford of the Cazenovia Area Senior Association (CASA) approached the Board and asked the Town to send a letter of support for a grant they are applying for from the New York State Office of Aging (NYSOFA) for an Aging in Place Program.

After brief discussion, Councilperson Strack moved to send letter of support. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary - Aye  
Councilperson Stoker - Aye  
Councilperson Strack - Aye  
Councilperson Wester- Aye

The Public Hearing was opened at 12:53 p.m. Attorney Stokes explained Resolution #6. Public Hearing was closed at 1:01 pm.

After short discussion, Councilperson Wester moved to adopt Resolution #6, A Resolution making a determination of environmental Non-significance and approving an amendment of the Town of Fenner Land Use Regulations. Seconded by Councilperson Strack. Approved by the Board.

**RESOLUTION NO. 6  
OF THE TOWN BOARD  
OF THE TOWN OF FENNER**

**A RESOLUTION MAKING A DETERMINATION OF ENVIRONMENTAL  
NON-SIGNIFICANCE AND APPROVING AN AMENDMENT  
OF THE TOWN OF FENNER LAND USE REGULATIONS**

WHEREAS, the Town Board of the Town of Fenner, acting on its own initiative, has proposed a local law to effect an amendment of the Land Use Regulations of the Town of Fenner, and

WHEREAS, the purpose and effect of the proposed local law is to add retail stores operated by a resident of the premises and selling at least in part, but not necessarily exclusively, products grown, processed and/or manufactured upon the same premises in a building separate from the residence but containing not more than 2,500 square feet of sales floor area accessible to the public, and not more than 5,000 square feet of total floor area, as a permitted use upon the issuance of a special permit in the "A" zoning district in the Town of Fenner, and

WHEREAS, the Planning Board of the Town of Fenner has made a positive recommendation in favor of the adoption of this local law, and

WHEREAS, a long environmental assessment form has been prepared and reviewed, and

WHEREAS, upon notice duly published and posted as required, a public hearing on this proposed local law was held by this Town Board on April 8, 2009, and closed on said date, and

WHEREAS, the purpose of the amendment of the Land Use Regulations is to promote value added enterprises to help preserve family farms and the rural economy of the Town, and

WHEREAS, pursuant to a referral duly made pursuant to the provisions of Section 239-m of the General Municipal Law, the Madison County Planning Agency has reviewed the proposed change of zone, and by its report dated April 6, 2009 made a recommendation to this Board that the application be returned to this Board for local determination, and

WHEREAS, this Board, after due deliberation, finds it in the best interest of the Town of Fenner to adopt this proposed local law, and further finds the same to be in accordance with the comprehensive plan for the Town of Fenner.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the adoption of the proposed local law entitled, "A local law to amend Section 301.3 of the Town of Fenner Land Use Regulations", is a Type 1 action, that the Town of Fenner Town Board is the only involved agency and that the action will not have any significant adverse effects upon the environment. The basis for this determination is that the proposed local law is a legislative act which effects an amendment to the Town of Fenner Land Use Regulations that is consistent with the Town's comprehensive plan, and does not involve any construction or physical impact on the environment, and

IT IS FURTHER HEREBY RESOLVED, that the proposed local law entitled, "A local law to amend Section 301.3 of the Town of Fenner Land Use Regulations", is hereby approved and adopted, and the Town Clerk is hereby directed to attach a copy of said local law to this resolution and to enter said local law in the minutes of this meeting and in the local law book of the Town of Fenner, and to give due notice of the adoption of said local law to the public and to the Secretary of State.

Dated: April 8, 2009

Supervisor Cary	-	Aye
Councilperson Strack	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Councilperson Strack moved to accept the Town Clerk's Report as presented. Seconded by Councilperson Stoker. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Strack	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Councilperson Stoker moved to accept Supervisor's Report as presented. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Strack	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

After brief discussion. Councilperson Strack moved to adopt Resolution #8, a resolution approving Town of Fenner Office Building as polling place for 2009. Seconded by Councilperson Wester. Approved by the board.

**RESOLUTION #8  
OF THE TOWN BOARD  
OF THE TOWN OF FENNER**

**WHEREAS**, the County of Madison has proposed to enter into a lease agreement with the Town of Fenner to use the Town of Fenner office building as a polling place for elections conducted by the County of Madison,

**NOW, THEREFORE BY IT HEREBY RESOLVED**, that the Lease Agreement between the Town of Fenner and the County of Madison in the form attached is hereby approved, and

**IT IS FURTHER HEREBY RESOLVED**, that the Supervisor of the Town of Fenner is hereby authorized to sign the attached Lease Agreement and any other such documents as may be required to carry out the intent and purpose of the Lease Agreement.

Dated: April 8, 2009

Supervisor Cary	-	Aye
Councilperson Strack	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Grievance Day for Town of Fenner has been set for June 3, 2009 between the hours of 4 – 8pm at the Fenner Town Office Building, 3151 East Road. Notice have been filed with the Newspapers, Put on the Town Web Site and posted in the Town Clerk’ Office as required. Copy of Notice on file in Town Clerk’s Office.

Councilperson Stoker moved to approve the payment of the General Fund Claim Nos. 59-77 in the amount of \$5,113.09 as set forth in Abstract #4 and as audited. Seconded by Councilperson Strack. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Strack	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Councilperson Stoker moved to approve the payment of the Highway Fund Claim Nos.33-45 in the amount of \$7,083.43 as set forth in Abstract #4 and as audited. Seconded by Councilperson Strack. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Strack	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Councilperson Wester moved to adjourn meeting. Seconded by Councilperson Strack. Meeting adjourned at 1:15 p.m.

Handouts and Reports: On file in Town Clerk’s Office  
Dog Control Officer’s Report  
Code Enforcement Officer’s Report  
Highway Supt. Report  
Grievance Day Notice – Set for June 3, 2009 – 4-8pm  
McKinney’s Law on Marriage Officer

By Order of the Town Board  
Joanne Buyea, Town Clerk