

FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 12:30PM  
JANUARY 09, 2008

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

The regular meeting of the Fenner Town Board was called to order at 12:35 p.m. by Supervisor Cary with the pledge to the flag.

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

OLD BUSINESS:

Councilperson Stoker moved to adopt Resolution #1, a resolution for annual training of Planning and Zoning Board Officials. Seconded by Councilperson Wester

**Resolution No. 1  
Of The Town Board of the Town of Fenner  
Annual Training for Planning and Zoning Officials**

**WHEREAS**, Chapter 662 of the Laws of 2006 establishes a requirement of four (4) hours of approved training for municipal planning and zoning officials effective January 1, 2007; and

**WHEREAS, said** law authorizes the municipal legislative body to designate training for which credit may be given to satisfy the annual hourly training requirement, and

**WHEREAS**, on November 14, 2007, the Town Attorney did conduct a 2 hr. School for Town Officials,

**NOW THEREFORE BE IT RESOLVED**, that the Town of Fenner Town Board finds that the training conducted on November 14, 2007 shall be credited as two (2) hours of the required four (4) hours of annual training for the year 2007 for those planning and zoning officials that attended. List of attendees for this credited school on file in Town Clerk's Office.

Dated: January 09, 2008

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

NEW BUSINESS:

After brief discussion Councilperson Jones moved to adopt Resolution #2, Organizational Appointments for 2008 (Reappointed David Jones-Deputy Supervisor, Jim Stokes-Town Attorney, Gerald Davies-Town Historian, Roger Cook-Code Enforcement Officer, Maravene Marion-Town Bookkeeper, Gary Gardner-Dog Control Officer, Jeanette Gardner-Deputy Dog Control Officer, Donna Griffin-Chairman Planning Board, Reappointed Russell Stone to Planning Board and Board of Appeals, Jon Livingston to Zoning Board and Peter Snyder to Planning Board, Russell Cary-Budget Officer and the Town Abstract. Also accepted new rate with Jim Stokes as Town Attorney.

After brief discussion it was decided that Town Board Meeting hours would be changed to November, December, January, February, March and April 2<sup>nd</sup> Wednesday of Month at 12:30 p.m. Remainder of months will be held on 2<sup>nd</sup> Wednesday of Month at 8:00 p.m. Seconded by Councilperson Wester. Approved by the Board

Dated: January 09, 2008

Councilperson Jones	-	Aye
Councilperson Wester	-	Aye
Councilperson Stoker	-	Nye
Councilperson Strack	-	Absent
Supervisor Cary	-	Aye

**RESOLUTION #2  
OF THE TOWN BOARD OF THE TOWN OF FENNER  
ORGANIZATIONAL APPOINTMENTS 2008**

Official Newspaper	Oneida Daily Dispatch Cazenovia Republican Madison County
Health Officer	
Zoning Board of Appeals Secretary	\$8.00 per hour
Planning Board Secretary	Judy Carmen \$825.00 per year
Registrar of Vital Statistics	Joanne Buyea \$150.00 per year
Zoning and Codes Officer	Roger Cook
Town Attorney	James Stokes
Youth Recreation Committee Reps	Henry Stoker & Charles Pace
Official Bank	Key Bank
Grievance Board @ \$50.00 per member / per meeting	Donald Shephard, Russell Stone Fred Bosworth, Paul Galgan & Stephen Weisbrod
Town Historian @ \$50.00 per year	Gerald A. Davies
Dog Control Officer @ \$1,056.00 per year	Gary Gardner
Deputy Dog Control Officer	Jeanette Gardner
Secretary to Supervisor & Bookkeeper @ \$9,463/yr.	Maravene Marion
Budget Officer @ \$1,273.00 per year	Russell Cary
Deputy Supervisor	David Jones
Election Board Inspectors	Madison County Handles

Regular Monthly Town Board Meeting	2nd Wed. of month – 8.00 P.M. Nov., Dec., Jan., Feb., Mar. & Apr – 12:30 p.m.
Mileage rate per mile	\$.48.5 (to be pre-approved by Town Bd)
Salaries of Elected Officials per year	Supervisor \$6,493.00 Councilmen 4 @ \$1,567.00 Highway Supt. \$41,607.00 Town Justice \$5,753.00 Town Clerk \$7,350.00 Tax Collector \$1,941.00
Assessor @ \$9,555.00 per year	Rhonda Weigand
Monthly salaries to be paid	Between 25th & end of month
Purchases without Town Board approval	\$2,500.00
Zoning and Planning Clerk @ \$787.00/Year	Joanne Buyea
Deputy Town Clerks @\$8.00 per hour	Melinda Wilkinson
Investment Policy 2008	No change from 2007
Procurement Policy 20078	No change from 2007

**HIGHWAY DEPARTMENT 2008**

The longevity is as follows:

5 years of service - \$400.00 per year  
10 years of service - \$800.00 per year  
15 years of service - \$1,000.00 per year

Holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Election Day, Thanksgiving, Christmas and 4 floating days - a total of 11 days.

Vacation: 2 weeks after 1 year  
3 weeks after 5 years

Sick & Personal days: 5 days per year. Earn five sick days per year. Accumulated at the rate of 1/12 per month up to a maximum of 24 days, which can be carried over year to year to be used for sick time only. Upon termination, employee can not be paid for balance.

Health Insurance: Will be provided for all full time highway employees. All new employees will pay 55% of the Family Coverage. Health Insurance will be provided for the Highway Superintendent.

Dated: January 09, 2008

Supervisor Cary -	Aye
Councilperson Jones -	Aye
Councilperson Stoker -	Aye
Councilperson Wester-	Aye

After brief discussion, Councilperson Stoker moved to adopt Resolution #3, a resolution to approve Lease Agreement with Fenner Renewable Energy Education Center, Inc. Seconded by Councilperson Jones. Approved by the Board.

**RESOLUTION NO. 3  
OF THE TOWN BOARD  
OF THE TOWN OF FENNER**

**A RESOLUTION TO APPROVE A LEASE AGREEMENT WITH  
FENNER RENEWABLE ENERGY EDUCATION CENTER, INC.**

WHEREAS, the Town of Fenner owns a parcel of land consisting of approximately 1.342 acres of land adjoining the wind energy facilities off Bellinger Road (“Premises”), and

WHEREAS, the Premises were acquired by the Town of Fenner in 2005 with the intention that the land be used for an alternative energy visitors center, and

WHEREAS, Fenner Renewable Energy Education Center, Inc. is a not-for-profit corporation organized to educate the public on the benefits of renewable energy and other sustainable practices, and to give tours and inform the public of the same, and

WHEREAS, Fenner Renewable Energy Education Center, Inc. has plans to build an energy efficient building and possibly other structures and to operate an alternative energy education center upon the Premises, and

WHEREAS, the Town of Fenner is willing to enter into a lease agreement to allow Fenner Renewable Energy Education Center, Inc. to construct improvements and operate an alternative energy education center upon the Premises upon the conditions and terms set forth in the lease agreement prepared by counsel for the Town of Fenner.

**NOW, THEREFORE BE IT HEREBY RESOLVED** that this is an unlisted action for purposes of the New York State Environmental Quality Review Act which will not have any significant adverse environmental impacts, and that the Town Board, acting for and on behalf of the Town of Fenner, hereby approves the proposed lease agreement with Fenner Renewable Energy Education Center, Inc., and it is hereby

**FURTHER RESOLVED** that the Supervisor of the Town of Fenner is hereby authorized to execute the proposed lease agreement with Fenner Renewable Energy Education Center, Inc., in the form presented to the Town Board, with such text amendments as may be further recommended by counsel to the Town, and to take such other actions and execute such other documents as may be necessary to carry out the intent of the lease agreement and the actions contemplated there under, and it is hereby

**FURTHER RESOLVED** that this resolution is adopted subject to permissive referendum as provided in section 64(2) of the Town Law of the State of New York.

Dated: January 9, 2008

Supervisor Cary informed Town Board that Planning Board has on their agenda to have Committee revisit zoning regulations and report back to Town Board with recommendations on upgrades and suggested changes. Approved by the Board

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Councilperson Jones moved to accept Town Clerk's Monthly Report as presented. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Councilperson Stokes moved to accept Supervisor's Monthly Report as presented. Seconded by Councilperson Jones. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

After discussion with Highway Superintendent Hyatt, Councilperson Jones moved to publish bid solicitations to be opened at next Board Meeting – February 13, 2008 at 12:30 p.m. for a 2008 or newer all-wheel drive, 6-wheel dump truck with plow equipment. Seconded by Councilperson Wester. Approved by the Board.

Councilperson Stoker moved to approve the payment of General Fund Claim Nos.1-11 in the amount \$7,124.36 as set forth in Abstract #1 and as audited. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Councilperson Stoker moved to approve the payment of Highway Fund Claim Nos.1-14 in the amount of \$17,625.54 as set forth in Abstract #1 and as audited. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Resident from the floor inquired about the status of unlicensed vehicles located on the Foster Property and cleanup of same. Supervisor Cary responded that the Code Enforcement Officer has addressed same in his Monthly Report. Met with Health Department on this

continuing problem with clean up of this property and will continue until property is cleaned up.

Handouts and Reports: On file in Town Clerk's Office

Dog Control Officer's Report

Code Enforcement Office Report

Highway Superintendent Report

Jim Stokes Contract

Free Center Contract

Councilperson Wester moved to adjourn the meeting. Seconded by Councilperson Jones.  
Meeting adjourned at 1:25 p.m.

By Order of the Town Board  
Joanne E. Buyea, Town Clerk

FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 12:30PM  
FEBRUARY 13, 2008

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

The regular meeting of the Fenner Town Board was called to order at 12:36 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

NEW BUSINESS:

Truck Bids were opened and read by Town Clerk at 12:37 p.m. Stadium International bid a price of \$150,164 and Tracey Equipment bid \$131,936. Bids on File in Town Clerk's Office. No action taken at this time.

Highway Superintendent Hyatt informed board that he had received a quote from Suburban Propane for new heaters for \$18,827. Copy on file in Town Clerk's Office. No action taken at this time.

After brief discussion, Councilperson Strack moved to authorize purchase of and installation of Generator per spec, breakin per code not to exceed \$4200. Seconded by Councilperson Jones. Approved by the Board

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

Supervisor Cary explained purposed Sr. and Military Exemptions to the Board. No action taken.

Town Clerk Buyea asked Board for approval of Records Destruction for 1999-2000. Councilperson Jones moved to approve Records Destruction. Seconded by Councilperson Wester. Approved by the Board

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

Councilperson Jones moved to accept Town Clerk's Monthly Report as presented. Seconded by Councilperson Wester. Approved by the Board.

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

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

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

After discussion, Councilperson Strack moved to check with Landfill and set up Fenner Clean-Up Days for first or seconded weekend in May. Seconded by Councilperson Jones. Approved by the Board.

Councilperson Strack moved to approve the payment of General Fund Claim Nos.12-32 in the amount \$5,616.17 as set forth in Abstract #2 and as audited. Seconded by Councilperson Wester. Approved by the Board.

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

Councilperson Wester moved to approve the payment of Highway Fund Claim Nos. 15-21 in the amount of \$4,412.12 as set forth in Abstract #2 and as audited. Seconded by Councilperson Jones. Approved by the Board.

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

Town Board reviewed and signed all Town Clerk, Justice and Supervisor's Cash Books for 2007.



Handouts and Reports: On file in Town Clerk's Office  
Dog Control Officer's Report  
Code Enforcement Office Report  
Highway Superintendent Report

Estimate for Heater Replacement – Suburban Propane  
NYS Dept. Pub. Serv. – Proposed (315) Area Code Changes  
Ltr. From C. Pace – Re: Caz. Lake Boat Launch Proposal  
Ltr. J. Stokes – Re: Consolidation of Town Justices  
Sr & Military Exemptions Breakdowns

Councilperson Wester moved to adjourn the meeting. Seconded by Councilperson Jones.  
Meeting adjourned at 1:44 p.m.

By Order of the Town Board  
Joanne E. Buyea, Town Clerk

FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 12:30PM  
March 12, 2008

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

The regular meeting of the Fenner Town Board was called to order at 12:35 p.m. by Supervisor Cary with the pledge to the flag.

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

OLD BUSINESS:

Supervisor Cary announced that he had contacted Madison County and set up our Spring Clean-up days for May 2 from Noon – 4:00 pm and May 3 from 8:00AM-2:00PM. Councilperson Wester moved to accept these dates with same guidelines as last year. Town Clerk Buyea will contact Mr. Zecca confirming dates and request 4 Roll-off dumpsters be delivered for those dates. Town Clerk Buyea will also post dates on Fenner Web site and put notices in newspapers in April.

NEW BUSINESS:

Town Clerk Buyea opened two bids received on Heaters and read prices. Cooney Air Conditioning and Heating quoted \$12,345.23 + \$708.00 upgrade to corrosive environment units. Suburban Propane quoted \$18,827.00. Councilperson Wester moved to accept Bid from Cooney Air Conditioning and Heating. Seconded by Councilperson Stoker. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Councilperson Jones moved to accept Town Clerk's Monthly Report as presented. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

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

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

After brief discussion, Councilperson Wester moved to authorize Supervisor Cary to approve purchase of 550 Truck off state bid, as presented by Hwy Supt. Hyatt, from Nye Ford for a price of \$48,745.00. Seconded by Councilperson Jones. Approved by the Board. The old Gradeall and International Truck will be put out for bid. If not taken, they will be placed in auction in the Spring.

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

After discussion of invoice received from Tracey Equipment for truck repairs in the amount of \$14,199.36, the Board recommended holding bill and Supervisor Cary will communicate with them regarding an adjustment and not to pay bill until resolved.

After brief discussion, it was decided to advertise for bids on repairs to Salt Barn Roof to be opened at next Board meeting on April 9, 2008.

Councilperson Stoker moved to approve the payment of General Fund Claim Nos.33-52 in the amount \$7,623.23 as set forth in Abstract #3 and as audited. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Councilperson Jones moved to approve the payment of Highway Fund Claim Nos.22-30 in the amount of \$7,412.59 as set forth in Abstract #3 and as audited. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Stoker	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Public Comment:

After discussion of code enforcement violations by more than one party, there is a general concern that code enforcement recommendation remain open-ended. A recommendation was made that code violation reports contain deadlines for remediation of non-conforming code violations. Deadlines should be published and tracked regularly on Code Enforcement Report.

Handouts and Reports: On file in Town Clerk's Office

Dog Control Officer's Report

Code Enforcement Office Report w/pictures

Highway Superintendent Report

Bids for Heater Replacement – Suburban Propane, Cooney on file in Town Clerk's Office

NYS Dept. Pub. Serv. – Proposed (315) Area Code Changes

Mad. Co. Ltr – Pub Info Meet. – Land Trust.

Ltr. from NYS Coalition of Concerned Cit. - Article 10 – windmills

Town of Smithfield Permit Fee Schedule

Councilperson Wester moved to adjourn the meeting. Seconded by Councilperson Jones.

Meeting adjourned at 1:22 p.m.

By Order of the Town Board  
Joanne E. Buyea, Town Clerk

FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 12:30PM  
April 09, 2008

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

The regular meeting of the Fenner Town Board was called to order at 12:35 p.m. by Supervisor Cary with the pledge to the flag.

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

OLD BUSINESS:

After brief discussion, Councilperson Wester moved to adopt Resolution #4 – A resolution opposing legislation reauthorizing NYS Public Service Law Article X (ten) provisions pre-empting Local Governmental Authority in siting of Electric Generating Facilities. Seconded by Councilperson Jones. Approved by the Board

After brief discussion, Councilperson Jones moved to adopt Resolution #5, a resolution expressing support for geographic split option 1 for the creation of an additional telephone area code for Central New York. Seconded by Councilperson Wester. Approved by the Board.

**RESOLUTION #5**  
Of the Town Board  
Of the Town of Fenner

EXPRESSING SUPPORT FOR GEORGRAPHIC SPLIT OPTION 1 FOR THE  
CREATION OF AN ADDITIONAL TELEPHONE AREA CODE FOR CENTRAL  
NEW YORK

**WHEREAS**, the New York State Department of Public Service has solicited comments to the State of New York Public Service Commission regarding the means of providing the needed additional telecommunications area code in the existing 315 code area; and

**WHEREAS**, the staff of the New York State Department of Public Service has composed and released for public comment a White Paper presenting four options for the provision of such an additional area code: an "overlay" option requiring the dialing 10-digit dialing throughout the existing 315 area code and three "geographic split" options creating a new area code area out or differing parts of the existing 315 code area; and

**WHEREAS**, Option 1 would leave Madison County in the same area code as virtually all of Onondaga County; and

**WHEREAS**, well over 10,000 residents of Madison County work in Onondaga County: more than 2.5 time the number of Madison County residents who work in Oneida County, with which Madison County would be paired under Option 3; and

**WHEREAS**, despite the White Paper's characterization of the Option 2 north-south split as leave only "a small portion of Madison [County]" west of the new area code boundary, this option would actually leave roughly equal numbers of Madison County residents and businesses in different area codes east and west of the new boundary line, to their incalculable and unnecessary inconvenience;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Fenner favors "geographic split" Option 1 and opposes the other options; and

**BE IT FURTHER RESOLVED**, that the Supervisor of the Town of Fenner is hereby directed to communicate this resolution to the Public Service Commission and to further express support for this Option 1.

Dated: April 9, 2008

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

NEW BUSINESS:

Town Clerk Buyea opened and read aloud the Bids received for repair of the Salt Barn Roof. Michael Bodley - \$28,000; Ralph Colvin - \$28,156.40. After brief discussion and comparison of bids, Councilperson Wester moved to award Bid to Michael Bodley as lowest bidder. Seconded by Councilperson Jones. Approved by Board

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Town Clerk Buyea opened and read aloud the Bid received on Truck from Nye Ford In the amount of \$51,039.00. No action taken.

After brief discussion with Tax Collector, Sharon Larkin, Councilperson Jones moved to approve Supervisor Cary signing Application for Corrected Tax Roll for 2008 for Nathan Weaver. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

The Public Hearing for Time Warner amendment to Franchise Renewal Agreement was opened at 1:00 pm. No comments. Hearing closed at 1:02 p.m. Councilperson Jones moved to adopt Resolution #6. Seconded by Councilperson Wester. Approved by the Board.

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

An application has been duly made to the Board of the Town of Fenner, County of Madison, New York, by **TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP (“Time Warner”)**, a partnership organized under the laws of the State of New York doing business at 6005 Fair Lakes Road, East Syracuse, NY 13221, and holder of a cable television franchise in the Town of Fenner for approval of an amendment to the agreement to renew Time Warner’s cable television franchise for an additional ten (10) years commencing July 11, 2007.

The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Fenner, New York on April 9, 2008 at 12:30 P.M. and notice of the hearing was published in the Oneida Daily Dispatch on and March 29, 2008 and April 5, 2008.

**NOW, THEREFORE,** THE Board of the Town of Fenner finds that:

1. Time Warner has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. The quality of the Time Warner service, including signal quality, response to customer complaints and billing practices has been in light of community needs; and
3. Time Warner has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
4. Time Warner can reasonable meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.
5. Time Warner shall pay the Town of Fenner an amount equal to 3% of Time Warner Cable’s Gross Revenues received by Time Warner directly from subscribers for cable services purchased by subscribers on a regular, recurring monthly basis and shall not include the amount attributable to franchise fees in the calculation of gross revenue.

**BE IT FURTHER RESOLVED** that the Board of the Town of Fenner hereby renews the cable television franchise of Time Warner in the Town of Fenner for ten (10) years commencing July 11, 2007 and expiring July 11, 2017.

**BE IT FURTHER RESOLVED** that the Board of the Town of Fenner hereby confirms that this Franchise Renewal Agreement replaces the original franchise last amended on November 29, 1996.

The foregoing having received a unanimous vote was thereby declared adopted.

Dated: April 9, 2008

By Order of the Fenner Town Board

Joanne Buyea  
Town of Fenner Clerk

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Councilperson Wester moved to accept Town Clerk's Monthly Report as presented. Seconded by Councilperson Jones. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

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

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Councilperson Jones moved to approve the payment of General Fund Claim Nos.54-69 in the amount \$2,854.94 as set forth in Abstract #4 and as audited. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Councilperson Wester moved to approve the payment of Highway Fund Claim Nos.31-41 in the amount of \$17,119.28 as set forth in Abstract #4 and as audited. Seconded by Councilperson Jones. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Wester	-	Aye

Assessor Rhonda Weigand has submitted Notice that Town of Fenner Grievance Day has been set for June 4, 2008 from 4:00 – 8:00 p.m.



Handouts and Reports: On file in Town Clerk's Office  
Dog Control Officer's Report  
Highway Superintendent Report  
NYS Dept. Pub. Serv. – Proposed (315) Area Code Changes  
Chenango Co. Plan Bd Overview in Norwich – 4/24/08

Councilperson Wester moved to adjourn the meeting. Seconded by Councilperson Jones.  
Meeting adjourned at 1:30 p.m.

By Order of the Town Board  
Joanne E. Buyea, Town Clerk

FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 8:00 PM  
May 14, 2008

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

The regular meeting of the Fenner Town Board was called to order at 8:02 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:

Supervisor Cary briefly discussed the Farmland Protection Program and the application guidelines for the County.

NEW BUSINESS:

After brief discussion, Councilperson Strack moved to accept the Estimate received from Hyatt Technical Services with the exception that the cable be Cat 5 and not Cat 3 as stated on quotation. Also, the Town of Fenner has a Tax Exempt # which should be used so sales tax can be deleted. Total should not exceed \$600. Seconded by councilperson Wester. Approved by the Board.

Supervisor Cary reported heating repairs completed.

Discussion continued on the subject of the new Highway Truck. Supervisor Cary asked Councilperson Strack and Councilperson Wester to sit down with Highway Supt. Hyatt and decide what is really needed and work up long range plan and report back at next meeting. No other action was taken at this time.

After question from the public, it was decided to dispose of the chipper and Gradeall for scrape metal. Also discussion on protecting emergency generator. Highway Supt. Hyatt assured that heavy pipes will be put on both corners.

Highway Supt. Hyatt reported that the Clean-up days went very well. Filled 2 ½ dumpsters with junk and 1 with tires.

Councilperson Stoker asked that the payment on the Radio Tower be checked. Supervisor Cary will contact them.

Councilperson Wester moved to accept Town Clerk's Monthly Report as presented. Seconded by Councilperson Jones. Approved by the Board.

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

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

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

Councilperson Strack moved to approve the payment of General Fund Claim Nos.69-88 in the amount \$2,754.13 as set forth in Abstract #5 and as audited. Seconded by Councilperson Jones. Approved by the Board.

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

Councilperson Jones moved to approve the payment of Highway Fund Claim Nos.42-56 in the amount of \$12,859.89 as set forth in Abstract #5 and as audited. Seconded by Councilperson Wester. Approved by the Board.

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

Handouts and Reports: On file in Town Clerk's Office  
 Dog Control Officer's Report  
 Code Enforcement Officer's Report for March & April  
 Highway Superintendent Report  
 Farmland Protection Grant Program Guidelines  
 Hyatt Technical Serv. Quotation  
 Mad. Co. Approval-Mortgage Tax Report  
 Time-Warner Cable Franchise Fee Worksheet

Councilperson Wester moved to adjourn the meeting. Seconded by Councilperson Jones. Meeting adjourned at 8:50 p.m.

By Order of the Town Board  
 Joanne E. Buyea, Town Clerk



FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 8:00 PM  
JUNE 11, 2008

PRESENT: SUPERVISOR CARY  
COUNCILPERSON JONES  
COUNCILPERSON STOKER  
COUNCILPERSON STRACK  
HWY SUPT HYATT  
TOWN CLERK BUYEA

The regular meeting of the Fenner Town Board was called to order at 8:02 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:

NEW BUSINESS:

After presentation of Premium Summary by Briggs, Bucciero & Smith Agency from Selective, Utica National, NYMIR and Trident, Councilperson Strack moved to continue coverage with Selective as the Insurance Carrier for upcoming policy commencing 7/1/08. Seconded by Councilperson Jones. Approved by the Board

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Strack	-	Aye

Councilperson Stoker moved to accept Resolution #7 approving Town of Fenner Office Building as polling place for 2008. Seconded by Councilperson Strack. Approved by the Board.

**RESOLUTION #7  
OF THE TOWN BOARD  
OF THE TOWN OF FENNER**

**WHEREAS**, the County of Madison did 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 BE IT HEREBY RESOLVED**, that the Lease Agreement between the Town of Fenner and the County of Madison has approval of the Fenner Town Board to be continued.

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

Dated: June 11, 2008

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Strack	-	Aye

After brief discussion, Councilperson Jones moved to allow Boy Scout Troop to build a new bulletin /message board for outside of Office Building. Seconded by Councilperson Strack. Approved by the Board.

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

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Strack	-	Aye

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

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Strack	-	Aye

Councilperson Strack moved to approve the payment of General Fund Claim Nos. in 89-107 the amount \$20,280.40 as set forth in Abstract #6 and as audited. Seconded by Councilperson Stoker. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Strack	-	Aye

Councilperson Jones moved to approve the payment of Highway Fund Claim Nos. 57-64 in the amount of \$26,279.64 as set forth in Abstract #6 and as audited. Seconded by Councilperson Strack. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Strack	-	Aye

Supervisor Cary stated that he had been asked to put some stripping on Nelson and Peterboro Roads. He asked Hwy Supt to look into possibility.

Handouts and Reports: On file in Town Clerk's Office

Dog Control Officer's Report

Highway Superintendent Report

Cornell Coop Ext. Farmland Protection Brochure

Record of Decision (ROD) from Dept of Interior on Land Trust

Councilperson Stoker moved to adjourn the meeting. Seconded by Councilperson Jones.

Meeting adjourned at 9:30 p.m.

By Order of the Town Board  
Joanne E. Buyea, Town Clerk

FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 8:00 PM  
JULY 09, 2008

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

The regular meeting of the Fenner Town Board was called to order at 8:07 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:

Highway Superintendent Hyatt reported that he and the committee have decided to research other options in regard to replacement of international dump truck, in as much as this is not a primary vehicle.

NEW BUSINESS:

After Board discussion, Councilperson Jones moved to send letter requesting stop sign on Fall Road be sent to Traffic Safety Board in Wampsville for study and recommendation. Seconded by Councilperson Wester. Approved by the Board.

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

After brief discussion, Councilperson Wester moved to accept proposal presented by Boy Scout Troop 17 to build outside display case for outside of Office Building. Seconded by Councilperson Stoker. Approved by the Board.

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

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

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye



Councilperson Stoker	-	Aye
Councilperson Strack	-	Aye
Councilperson Wester	-	Aye

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

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

Councilperson Stoker moved to approve the payment of General Fund Claim Nos. 108-123 in the amount \$17,222.97 as set forth in Abstract #7 and as audited. Seconded by Councilperson Strack. Approved by the Board.

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

Councilperson Wester moved to approve the payment of Highway Fund Claim Nos. 65-75 in the amount of \$93,487.80 as set forth in Abstract #7 and as audited. Seconded by Councilperson Strack. Approved by the Board.

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

After brief discussion, Supervisor Cary asked Councilperson Stoker to give an update on committee recommendations on review of Zoning and long range plans at next meeting.

Handouts and Reports: On file in Town Clerk's Office  
 Dog Control Officer's Report  
 Code Enforcement Officer's Report for May & June  
 Highway Superintendent Report  
 Ltr. and e-mail follow up on request for Stop Sign on Falls Road  
 Proposal from Boy Scout Troop #17

Councilperson Wester moved to adjourn the meeting. Seconded by Councilperson Jones. Meeting adjourned at 8:50 p.m.

By Order of the Town Board  
 Joanne E. Buyea, Town Clerk



FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 8:00 PM  
August 13, 2008

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

The regular meeting of the Fenner Town Board was called to order at 8:37 p.m. by Supervisor Cary with the pledge to the flag.

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

OLD BUSINESS:

After brief discussion, Councilperson Jones made a motion to accept Resolution #8 and rebid Sand Barn Roof repair/replacement. Seconded by Councilperson Wester. Councilperson Stoker moved to amend motion to include completion date of November 15, 2008. Approved by the Board.

**RESOLUTION NO. 8  
OF THE TOWN BOARD  
OF THE TOWN OF FENNER**

**WHEREAS**, the Town has previously solicited bids for the installation of a new steel roof on the Town of Fenner Highway Department Sand Barn, and

**WHEREAS**, by resolution dated April 9, 2008, an award of said work was made by this Town Board to Michael Bodley, Cazenovia, New York, doing business as M&M Construction and Remodeling in the amount of \$28,000.00, and

**WHEREAS**, subsequent to the acceptance of said bid, the Town Board became aware that the bid of Michael Bodley did not take into account the requirements of the New York State Prevailing Wage Law, and

**WHEREAS**, Michael Bodley has indicated his desire to withdraw his bid and terminate any contractual relationship with the Town of Fenner for this work based upon the mistake in his bid.

**NOW THEREFORE** it is hereby resolved that the resolution of this Town Board dated August 13, 2008 awarding the work for the installation for a new metal roof on the Town of Fenner Highway Department Sand Barn be, and hereby is, rescinded and any contractual relationship with Michael Bodley arising out of said bid dated April 9, 2008 is hereby terminated, and it is hereby further

**RESOLVED** that the work for the installation of a new metal roof on the Town of Fenner Highway Department Sand Barn be re-bid in accordance with the requirements of the

General Municipal Law and the New York State Prevailing Wage Law, and that the deadline for receipt of sealed bids by the Town Clerk be set at 8:00 p.m. on September 10, 2008.

Dated: August 13, 2008

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

NEW BUSINESS:

After brief discussion, Councilperson Stoker moved to adopt Resolution #9, a resolution regarding obligation for perpetual care of abandoned cemeteries designated annually in the Town of Fenner. Seconded by Councilperson Jones. Approved by the Board.

**RESOLUTION NO. 9  
OF THE TOWN BOARD  
OF THE TOWN OF FENNER**

**WHEREAS**, Section 291 of the Town Law imposes upon the Town Board the obligation for the perpetual care of abandoned cemeteries within the Town of Fenner, and

**WHEREAS**, said statute specifically provides that “the Town Board of any Town must also provide for the removal of grass and weeds from all cemeteries, other than private burial grounds, which are abandoned ...”, and that “such duties shall be performed under the supervision of the town board, or a person whom the town board may designate...”, and that the cost and expenses of caring for such abandoned cemeteries shall be a “town charge” and that the “town board shall appropriate and provide annually the monies necessary for carrying out the provisions of this [statute], and make the same available for the proper officer or persons by whom the monies are required to be expended.”

**NOW THEREFORE** it is hereby resolved that with respect to the following cemeteries: \_\_\_\_\_, the Town Board does hereby designate annually the Town Highway Superintendent as the officer responsible for carrying out the obligations of the Fenner Town Board pursuant to Section 291 of the Town Law, the cost of all such work performed by and under the direction of the Town Highway Superintendent to be paid from the following budget appropriation line: \_\_\_\_\_, and it is hereby further

**RESOLVED** that with respect to the following cemeteries: \_\_\_\_\_, the following individual(s) is retained as an independent contractor to the Town to fulfill the Fenner Town Board’s obligations annually pursuant to Section 291 of the Town Law, and in consideration for such services said individual(s) shall be paid the sum of \$35.00 per year per cemetery, said payment to be paid from the following budget appropriation line: \_\_\_\_\_.

Dated: August 13, 2008

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Supervisor Cary informed the Board that he had approached The Town Attorney regarding presenting an educational Planning School session to the Town Planning and Zoning Boards, as well as the Town Board and any interested parties on a Comprehensive Plan which could give 2 hours credit toward the 4 hr. requirement if approved. Councilperson Stoker moved to approve. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Supervisor Cary informed the Board that the Syracuse Radio Tower has contacted the Town Clerk requesting permission to pay charge over two month period.

Supervisor Cary explained to the Board that the bill for Hyatt Technical Services was \$648.90, \$48.90 over the original approved amount of \$600. because of extra work for new line and asked their approval for payment.

Bill June approached the town with a request to have the town take over the mowing of the Fenner Community Church Lawn located across for Fenner Town Building. Supervisor Cary will follow up with Town Attorney and report back at next meeting.

Supervisor Cary informed the Board that a 4-way stop sign has been installed at the intersection of Falls and Emhoff Road as requested by Hope Watson.

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

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

CouncilpersonStoker moved to accept Supervisor's Monthly Report as presented. Seconded by Councilperson Jones. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

A Group of concerned residents, Larry & Deb Kelson, Jeffrey Matt, Barbara Blake, Chuck Esposito, Margaret Costello and Robin Smith, approached the board regarding a dog on Francis Road which is continuously barking and also is aggressive. The aggressive issue has been and is able to be addressed through Ag & Market laws. After discussion, Larry

Kelson asked that a Noise ordinance be pursued which would give us a way to address loud and disturbing noises.

Councilperson Jones moved to approve the payment of General Fund Claim Nos.124-138 in the amount \$1,807.76 as set forth in Abstract #8 and as audited. Seconded by Councilperson Stoker. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Councilperson Jones moved to approve the payment of Highway Fund Claim Nos.76-87 in the amount of \$43,069.40 as set forth in Abstract #8 and as audited. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Handouts and Reports: On file in Town Clerk's Office  
Dog Control Officer's Report  
Code Enforcement Officer's Report for May & June  
Highway Superintendent Report  
Town of Lincoln Noise ordinance  
Buy Local Passport Brochure  
Town of Fenner Officials – Post Card

Councilperson Wester moved to adjourn the meeting. Seconded by Councilperson Jones.  
Meeting adjourned at  
9:05 p.m.

By Order of the Town Board  
Joanne E. Buyea, Town Clerk



FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 8:00 PM  
September 10, 2008

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

The regular meeting of the Fenner Town Board was called to order at 8:18 p.m. by Supervisor Cary with the pledge to the flag.

Councilperson Jones moved to accept the previous month's minute with amendment. Seconded by Councilperson Stoker. Approved by the Board. A Group of concerned residents, Larry & Deb Kelson, Jeffrey Matt, Barbara Blake, Chuck Esposito, Margaret Costello and Robin Smith, approached the board regarding a dog on Francis Road which is continuously barking and also is aggressive. The aggressive issue has been and is able to be addressed through Ag & Market laws. After discussion, Larry Kelson asked that a Noise ordinance be pursued which would give us a way to address loud and disturbing noises.

NEW BUSINESS:

The Bid Opening on the Sand Barn Roof was conducted at 8:20 pm.

Baker Construction - \$73,500.00

Ralph Colvin - 32,610.29

Michael Bodley - 31,800.00

(M & M Construction & Remodeling)

Councilperson Jones moved to accept lowest bid contingent upon Code Enforcement Officer's and Town Attorney's approval and to authorize Supervisor Cary to sign the contract when final approval is reached. Seconded by Councilperson Stoker. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Supervisor Cary informed the Board that the Town attorney will hold the training session on comprehensive plans on September 18, from 7-9 pm. All Planning Board and Zoning Board members attending will receive 2 hrs. credit toward their annual requirement of 4 hrs.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Supervisor Cary informed the Board that after discussion with the Town Attorney, the Town cannot legally take over mowing of the Fenner Church lawn and cannot use general funds for anything other than town property.



Councilperson Wester moved that the Town should go forward on a Noise Ordinance similar to the one the Town of Lincoln adopted and to hold a public hearing at November 12 meeting on the issue. Seconded by Councilperson Jones. Approved by the Board.

Councilperson Jones moved to accept the Town Clerk's Monthly Report as presented. Seconded by Councilperson Wester. Approved by the Board.

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

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Councilperson Stoker moved to approve the payment of General Fund Claim Nos.138-150 in the amount \$2,370.40 as set forth in Abstract #9 and as audited. Seconded by Councilperson Jones. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

Councilperson Jones moved to approve the payment of Highway Fund Claim Nos.88-94 in the amount of \$17,984.36 as set forth in Abstract #9 and as audited. Seconded by Councilperson Wester. Approved by the Board.

Supervisor Cary	-	Aye
Councilperson Jones	-	Aye
Councilperson Stoker	-	Aye
Councilperson Wester	-	Aye

PUBLIC COMMENTS::

Discussion of possibility of designating roads not needing access as seasonal until such time as someone files for a Building Permit due to the climbing costs of fuel, salt, etc. Highway Superintendent Hyatt will investigate and report back at next meeting.

Resident asked about status of Trailer Park on Falls Road.

Councilperson Wester moved to adjourn the meeting. Seconded by Councilperson Jones. Meeting adjourned at 9:00 pm.

Handouts and Reports: On file in Town Clerk's Office  
Dog Control Officer's Report  
Code Enforcement Officer's Report for May & June  
Highway Superintendent Report

By Order of the Town Board  
Joanne E. Buyea, Town Clerk

FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 8:00 PM  
October 8, 2008

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

The regular meeting of the Fenner Town Board was called to order at 8:05 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.

NEW BUSINESS:

After brief discussion of the proposed Noise Ordinance, no action was taken at this time.

After brief discussion, Councilperson Strack moved to accept Smithfield Fire Department three-year contract and to approve Supervisor Cary signing same. Seconded by Councilperson Wester. Approved by the Board.

Public Hearing on Preliminary Budget was opened at 8:24 p.m. No public comments were made and after brief discussion, Councilperson Strack moved to close Public Hearing. Seconded by Councilperson Jones. Councilperson Jones moved to adopt Preliminary Budget as Tentative Budget as presented for 2009. Seconded by Councilperson Wester. Approved by the Board

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

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

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

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

Councilperson Strack moved to approve the payment of General Fund Claim Nos.151-169 in the amount \$34,416.59 as set forth in Abstract #10 and as audited. Seconded by Councilperson Stoker. Approved by the Board.

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

Councilperson Strack moved to approve the payment of Highway Fund Claim Nos 95-107 in the amount of \$29,326.26 as set forth in Abstract #10 and as audited. Seconded by Councilperson Jones. Approved by the Board.

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

Councilperson Wester moved to adjourn meeting. Seconded by Councilperson Jones. Meeting adjourned at 8:40 p.m.

Handouts and Reports: On file in Town Clerk's Office  
Dog Control Officer's Report  
Code Enforcement Officer's Report for May & June  
Highway Superintendent Report  
Town of Caz. – Plan/Zoning Training Sessions  
Mad. Co. Highway ltr. to Hope Watson  
Thank you letter from Hope Watson

By Order of the Town Board  
Joanne E. Buyea, Town Clerk

FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 12:30 PM  
November 12, 2008

PRESENT: SUPERVISOR CARY  
COUNCILPERSON STOKER  
COUNCILPERSON STRACK  
COUNCILPERSON WESTER  
TOWN CLERK BUYEA

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 Wester. Approved by the Board.

NEW BUSINESS:

The public hearing on the proposed Noise Ordinance was opened at 12:35 p.m. with no input from the public for the record. After discussion, Councilperson Stoker suggested the possibility of placing a Proposition on the Lease Law on the ballot for the next general election, which would cover the issue of loud dogs. Supervisor Cary will investigate the process and report back to the Board. Councilperson Strack moved to close Public Hearing. Seconded by Councilperson Stoker. Public hearing was closed at 12:54 p.m. No action taken on Noise Ordinance at this time.

After brief discussion, Councilperson Strack moved to reappoint Stephen Weisbrod to the Board of Assessment Review. Term to run from 10/1/08 – 9/30/13. Seconded by Councilperson Stoker. Approved by the Board

Councilperson Stoker moved to adopt Resolution # 10, a resolution to increase Highway appropriation. Seconded by Councilperson Wester. Approved by the Board

**RESOLUTION #10**  
Of the Town Board  
Of the Town of Fenner

Resolution to increase from \$523,934.00 Highway appropriation \$16,000.00 to \$539,934.00 because New York State Chips was more than anticipated.

Dated: November 12, 2008

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

After brief discussion, Councilperson Wester moved to add \$1000 to Page 3, line 4 of the Preliminary Budget for 2009, making line \$1700 instead of \$700. Seconded by Councilperson Strack. Approved by the Board. Councilperson Strack moved to adopt the Preliminary Budget as the Final Budget for 2009 as amended. Seconded by Councilperson Stoker. Approved by the Board

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

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

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

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

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

Councilperson Strack moved to approve the payment of General Fund Claim Nos.  
170-190 in the amount \$4,974.87 as set forth in Abstract #11 and as audited. Seconded by  
Councilperson Stoker. Approved by the Board.

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

Councilperson Wester moved to approve the payment of Highway Fund Claim Nos.  
108-113 in the amount of \$2,194.67 as set forth in Abstract #11 and as audited. Seconded by  
Councilperson Strack. Approved by the Board.

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

Councilperson Wester moved to adjourn meeting. Seconded by Councilperson  
Stoker. 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  
Copy thank you Ltr. sent to Troop 17 for display case  
Copy 2008 Municipal Youth Rec. Prog. Funding Reduction  
and 2009 Funding Application  
Copy Mad. Co. Resolution for Mortgage Tax Report.

By Order of the Town Board  
Joanne E. Buyea, Town Clerk

FENNER TOWN BOARD  
TOWN OFFICE BUILDING – 12:30 PM  
December 10, 2008

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

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 corrected. Seconded by Councilperson Wester. Approved by the Board.

NEW BUSINESS:

Barb Henderson and Tom Clarke from the Cazenovia Area Community Development Assoc. made a presentation to the Board and left brochures as handouts.

After brief discussion, Councilperson Strack moved to allow Supervisor Cary sign Drug Testing Agreement with Industrial Medical Associates, P.C. for 2009. Seconded by Councilperson Jones. Approved by the Board.

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

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

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

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

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

Councilperson Jones moved to approve the payment of General Fund Claim Nos. 192-210 in the amount \$13,035.92 as set forth in Abstract #12 and as audited. Seconded by Councilperson Strack. Approved by the Board.

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

Councilperson Stoker moved to approve the payment of Highway Fund Claim Nos.113-127 in the amount of \$15,909.10 as set forth in Abstract #12 and as audited. Seconded by Councilperson Wester. Approved by the Board.

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

Councilperson Wester moved to adjourn meeting. Seconded by Councilperson Stoker. 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  
P. Keenly Ltr. – 11/15/08  
Notice of Change of Windstream E-mail acct.

By Order of the Town Board  
Joanne E. Buyea, Town Clerk