November 13, 2019

**PRESENT: SUPERVISOR JONES**

**COUNCILPERSON CODY**

**COUNCILPERSON PUSHLAR**

**COUNCILPERSON STRACK**

**COUNCILPERSON WESTER**

**HIGHWAY SUPERINTENDENT SMITH**

**TOWN CLERK DOLAN**

The regular meeting of the Fenner Town Board was called to order at 8:03 pm by Supervisor Jones with the Pledge of Allegiance.

Councilperson Strack motioned to accept the October Town Board meeting minutes as presented. Seconded by Councilperson Wester. Approved by the Board.

Councilperson Strack motioned to accept the October Town Board Special Budget meeting minutes as presented. Seconded by Councilperson Wester. Approved by the Board.

Councilperson Wester motioned to accept the Town Clerk’s Monthly Report as presented. Seconded by Councilperson Cody. Approved by the Board.

Councilperson Pushlar motioned to accept the Supervisor’s Monthly Report as presented. Seconded by Councilperson Strack. Approved by Board.

Highway Superintendent Smith presented the Highway Department’s report.

**2020 Budget Public Hearing**

Councilperson Pushlar motioned to open public hearing seconded by Councilperson Cody.

One item was adjusted to reflect a change in Joint Youth Project 4000.00 was increased to 6100.00 based on Fenner attendance increasing by 50%. Councilperson Strack moved to close public hearing, seconded by Councilperson Pushlar.

**MOTION TO PASS AND ADOPT 2020 BUDGET** moved by Councilperson Wester, seconded by Councilperson Cody. The question of the adoption of the 2020 Town Budget was put to a vote upon roll call, the vote was as follows:

**William Wester Councilor Voted Yes**

**William Cody Councilor Voted Yes**

**Adam Pushlar Councilor Voted Yes**

**Hannah Strack Councilor Voted Yes**

**David Jones Supervisor voted Yes**

Councilperson Wester moved to adopt **Resolution 2019-18**, seconded by Councilperson Hannah.

**William Wester Councilor Voted Yes**

**William Cody Councilor Voted Yes**

**Adam Pushlar Councilor Voted Yes**

**Hannah Strack Councilor Voted Yes**

**David Jones Supervisor voted Yes**

RESOLUTION NO. 2019 - 18

OF THE TOWN BOARD

OF THE TOWN OF FENNER

Transfer 2,284.39 from Contingency to General Fund

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| |  | | --- | | **TOWN OF FENNER** | | **2019 November Budget Modifications** | | | | |  | |  |  |
|  | | | |  | |  |  |
| |  |  |  |  |  | | --- | --- | --- | --- | --- | | **GENERAL** |  |  |  |  | |  |  |  | Transfer (from) to Increase |  | | Current Appropriation Shortfall |  |  | Appropriation (cover shortfall) |  | |  |  |  |  |  | | A1010.4 Town Board Cntr Exp | ($229.10) |  | A1990.4 Contingent | $2,284.39 | | A1110.4 Justices Cntr Exp | ($11.13) |  |  |  | | A1220.4 Supervisor Cntr Exp | ($400.71) |  |  |  | | A1910.1 Unallocated Insurance | ($1,643.45) |  |  |  | |  | ($2,284.39) |  |  |  | | | | | |  | | | |  |  |  |
|  | | | | |  | | | |  | Transfer (from) to Increase |  |
|  | | | | |  | | | |  | Appropriation (cover shortfall) |  |
|  | | | |  | |  |  |
|  | | | |  | | A1990.4 Contingent | $2,284.39 |
|  | | | |  | |  |  |
|  | | | |  | |  |  |
|  | | | | | ($1,643.45) | | | |  |  |  |
|  | | | | | ($2,284.39) | | | |  |  |  |

**Public Hearing: SEVAC**

Resident questioned why taxes would be so much higher than CAVAC, it is all based on tax assessments.

Councilperson Wester moved to close public hearing, seconded by Councilperson Pushlar.

**Town Board accepted Resolution 2019-19**

PRESENT: David R. Jones, Supervisor

William Cody, Councilor

Hannah Strack, Councilor

William Wester, Councilor

Adam Pushlar, Councilor

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In the Matter

RESOLUTION 2019 -19 AND

of the ORDER ESTABLISHING

DISTRICT SUBJECT TO REFERENDUM

Establishment of the TOWN OF FENNER

AMBULANCE DISTRICT NO. 2, in the Town of Fenner,

County of Madison, State of New York.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**WHEREAS**, previously hereto a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Fenner, Madison County, New York, relating to the establishment of a proposed ambulance district, to be known and designated as the Town of Fenner Ambulance District No. 2 of the Town of Fenner, and

**WHEREAS**, such map, plan and report have been duly filed in the office of the Town Clerk of the Town of Fenner, Madison County, New York, and

**WHEREAS**, the boundaries of the proposed district shall be the portion, generally in the east and northeast, of the whole of the Town of Fenner that lies within the Smithfield Fire District, but excepting and excluding all parcels currently assessed for the cost of ambulance service by the CAVAC Ambulance District, and

**WHEREAS**, an order was duly adopted by this Town Board on September 11, 2019, reciting the filing of said map, plan and report, the services proposed, the boundaries of the proposed district, the fact that the map, plan and report describing the same were on file in the Town Clerk’s Office for public inspection, and stating all other matters required by law to be stated, and specifying October 9, 2019 as the date, at 8:30 p.m. on said day as the time, at the Town Hall, 3151 Fenner East Road, Cazenovia, New York as the place where this Town Board would meet and consider said map, plan and report, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law; and

**WHEREAS**, such order was duly published and posted as required by law; and

**WHEREAS**, a hearing on said matter was duly held by said Town Board on October 9, 2019 at 8:30 p.m. on said day, and continued on November 13, 2019 at 8:00 p.m. on said day, in the Town Hall, 3151 Fenner East Road, Cazenovia, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the establishment of said Town of Fenner Ambulance District No. 2; now, therefore, upon the evidence adduced at such public hearing, be it

**RESOLVED AND DETERMINED:**

a. That the notice of hearing was published and posted as required by law, and is otherwise sufficient;

b. That all property and property owners within the proposed district are benefited thereby;

c. That all property and property owners benefited are included within the limits of the proposed district;

1. That it is in the public interest to establish said district; and be it further

**RESOLVED AND DETERMINED:**

That the establishment of the proposed district as set forth in said map, plan and report be approved; and that said district shall be designated and known as the Town of Fenner Ambulance District No. 2 in the Town of Fenner situated wholly outside of any incorporated village or city, and shall be bounded and described as the portion, generally in the east and northeast, of the whole of the Town of Fenner that lies within the Smithfield Fire District, but excepting and excluding all parcels currently assessed for the cost of ambulance service by the CAVAC Ambulance District; that the performance or supplying of ambulance service by the Smithfield Eaton Volunteer Ambulance Corps be contracted by the Town Board of the Town of Fenner acting for and on behalf of the Town of Fenner Ambulance District No. 2 for ambulance service in said district pursuant to the provisions of section 198(10-f) of the Town Law of the State of New York at a total annual charge not anticipated to exceed $16,438.00 per annum in the year 2021, which said expense shall be levied and collected from the several lots and parcels of land within said Town of Fenner Ambulance District No. 2 on an ad valorem basis; and it is

**FURTHER RESOLVED**, that this order is subject to a mandatory referendum of the qualified electors of the proposed Town of Fenner Ambulance District No. 2 as provided in section 209-e and section 94 of the Town Law.

Dated: November 13, 2019

s/ David R. Jones yes s/ William Cody yes

David R. Jones, Supervisor William Cody, Councilor

s/ Hannah Strack yes s/ William Wester yes

Hannah Strack, Councilor William Wester, Councilor

s/ Adam Pushlar yes

Adam Pushlar, Councilor

A special election will be held at date to be determined between January 13, 2020 and January 27, 2020 in which the majority votes will decide if there is an establishment of Fenner Ambulance District No. 2.

**New Business**

Trailer Parks will continue to be charged an annual license fee.

Board and town attorney are looking into establishing a potential law regarding cruelty to animals (dogs). Board will look into the number of cruelty cases Fenner has annually and the feasibility of ligation, before a decision will be made.

**Other Business**

CHRIS – 500.00 donation made

MADISON COUNTY LANDFILL UPDATED FEES

Post on website and in office

**Public Comment**

Concern about the cemetery on Nelson Road, and the boundaries of the cemetery being breached. New owner has expressed interested in improving the area around the cemetery and will be approached in the spring about possibly putting up a fence or some sort of clear boundary.

Cypress Creek has reached out to Town and some residents regarding upcoming informational meetings.

Councilperson Wester moved to adjourn meeting at 9:00 pm seconded by Councilperson Strack. Approved by Board.

VOUCHERS: Councilperson Pushlar moved to approve payment of the General Fund claims numbers G 19-116-128 in the amount of 3194.99 as set forth in abstract number 10 and as audited. Seconded by Councilperson Wester. Approved by the Board.

Councilperson Strack moved to approve payment of the Highway Fund claims numbers H 19-114 - H-19-128 in the amount of 98.058.11 as set forth in abstract number 10 and as audited. Seconded by Councilperson Pushlar. Approved by the Board.

HANDOUTS AND REPORTS: On file in the Town Clerk’s Office.

Code Enforcement Officer Report – October 2019

Town Clerk Report – October 2019

Supervisors Report – October 2019

Highway Superintendent Report – October 2019

Dog Control Report – October 2019

Respectfully Submitted

Lisa Dolan

Town of Fenner, Town Clerk