

**Town of Fenner
Town Board Meeting
September 14 2022**

**SUPERVISOR JONES
COUNCILPERSON CODY
COUNCILPERSON PUSHLAR
COUNCILPERSON STRACK**

TOWN CLERK DOLAN

Attendants: Judy Carmen
Paula Douglas
Andy Stone

The regular meeting of the Fenner Town Board was called to order at 8:05 PM by Supervisor Jones with the Pledge of Allegiance.

Councilperson Strack motioned to accept the August Town Board meeting minutes. Seconded by Councilperson Pushlar. Approved by the Board.

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

Supervisor's August Monthly Report as presented. Approved by the Board.

The Highway Superintendent report was presented and available for review at the town offices.

Councilperson Pushlar motioned to accept **Resolution 2022-35** seconded by Councilperson Strack. Approved by the Board.

**TOWN OF FENNER
TOWN BOARD RESOLUTION 2022- 35**

September 14, 2022

TOWN OF FENNER LOCAL LAW NO. A OF 2022
("A Local Law Overriding the Tax Levy Limit Established
in General Municipal Law § 3-c in the Town of Fenner")

Councilor Pushlar introduced proposed Local Law No. A-2022, relating to the ability of the Town of Fenner to override the limit on the amount of real property taxes that may be levied by the Town of Fenner pursuant to General Municipal Law § 3-c, and to allow the

Town of Fenner to adopt a Town budget for the fiscal year 2023 in excess of the “tax levy limit,” and made the following motion, which was seconded by Councilor Strack

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Fenner, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED that the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further;

RESOLVED AND DETERMINED that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. A-2022 at the Town Hall located at 3151 Fenner East Road

in the Town of Fenner on October 12, 2022 at 8:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

William Cody	Councilor	Voted	No
Adam Pushlar	Councilor	Voted	Yes
Hannah Strack	Councilor	Voted	Yes
William Wester	Councilor	Voted	No
David Jones	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: September 14, 2022

Councilperson Pushlar motioned to accept **Resolution 2022-36** seconded by Councilperson Strack. Approved by the Board.

TOWN OF FENNER

Resolution 2022-36

2022 GENERAL - AUGUST Budget Modifications

(for SEPTEMBER 2022 mtg)

TO ADJUST FOR BUDGET SHORTFALL(S)

GENERAL

Current Appropriation Shortfall

Transfer (from) to Increase

Appropriation (cover shortfall)

A1410.12 - DPTY TOWN CLERK PERS SRV	(\$58.00)		
A1620.1 - BUILDINGS - PERSONAL SERVICE	(\$120.00)		
A1910.4 - UNALLOCATED INSURANCE	(\$676.63)		
A3510.4 - DOG CONTROL - CONTR EXP	(\$25.00)	A1990.4 Contingency	\$879.63
TOTAL	(\$879.63)	TOTAL	\$879.63

TO ADJUST/MOVE ARPA FUNDS FROM LIABILITY TO ARPA EXPENSE ACCOUNTS & REVENUE

A1420.21 - TOWN CLERK - ARPA - EQUIPMENT	(\$725.99)		
A1620.21 - BUILDINGS - EQUIP (1/2 SECURITY SYS)	(\$6,826.00)		
A1620.421 - BUILDINGS - ARPA R & M (PAVING)	(\$19,387.13)	A4089.1 - FEDERAL AID - REVENUE - GEN	<u>\$26,939.12</u>
TOTAL	<u>(\$26,939.12)</u>	TOTAL	<u>\$26,939.12</u>

Councilperson Strack motioned to accept **Resolution 2022-37** seconded by Councilperson Pushlar Approved by the Board.

TOWN OF FENNER
 Resolution 2022-37
2022 HIGHWAY - AUGUST Budget
Modifications (for SEPTEMBER 2022 mtg)
TO ADJUST/MOVE ARPA FUNDS FROM
LIABILITY TO ARPA EXPENSE ACCOUNTS &
REVENUE

DA5130.21 - ARPA HWY EQUIP & VEHICLES (MOWER)	\$6,500.00		
DA5130.41 - ARPA - MACHINERY CNTR EXP	<u>\$772.00</u>	DA4089.1 - FEDERAL AID - REVENUE - HWY	<u>\$7,272.00</u>
TOTAL	<u>\$7,272.00</u>	TOTAL	<u>\$7,272.00</u>

New Business:

- County is looking at raising taxes due to high fuel and energy costs.
- Discussion about Delphi Falls project and increase in taxes, how that might be perceived by residents
- The Town is looking to purchase a new digit sign for the front of the building.

Old Business

- Alarm system for garage – Work should be completed mid-October
- Comprehensive Plan – updates – Surveys are coming in and yielding good information to work from, a public hearing will be held at the Town Hall October 5, 2022 to discuss.

Public Comment

A town resident spoke passionately against a proposed wind farm in Fenner.

A town resident asked about the status of the trailer park on Nelson and Moraine Rds. Madison County DOH is working with the residents, the Town was told the park will be closed on November 2, 2022.

VOUCHERS:

Councilperson Cody moved to approve payment of the General Fund claims numbers G22-107 – G22- 121 in the amount of 27506.84 as set forth in abstract number 8 and as audited.

Seconded by Councilperson Strack. Approved by the Board.

Councilperson Strack moved to approve payment of the Highway Fund claims numbers H 22— 98 H-22-105 in the amount of 7565.76 as set forth in abstract number 8 and as audited.

Seconded by Councilperson Pushlar. Approved by the Board.

ADJOURNMENT

Councilperson Strack moved to adjourn the meeting at 9:18 pm seconded by Councilperson Pushlar. Approved by Board

HANDOUTS AND REPORTS:

On file in the Town Clerk's Office.

Town Clerk Report

Supervisors Report

Highway Superintendent Report

Code Enforcement Officer

Resolution 2022-35

Resolution 2022-36

Resolution 2022-37

Respectfully Submitted,

Lisa Dolan, Town Clerk