

REGULAR TOWN BOARD MEETING
FEBRUARY 8, 2011

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 7:00 P.M. on February 8, 2011, at the Conklin Town Hall. Mrs. Preston, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT:	Town Board Members	Bullock, Minoia, Francisco, Finch, Preston
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Assistant to Supervisor	Lisa Houston
	Code Officer	Robert Jones
	Water & Sewer Superintendent/ Parks Superintendent	Tom Delamarter
	Dog Control Officer	Darlene Weidman
	Substitute DCO	Kelly Wildoner
	Zoning Board of Appeals	Hal Cole
GUESTS:	Country Courier	Elizabeth Einstein
	WBNG-TV	Jenna Hanchard
		Joseph Bartosik
		John Colley
		Laurie Francisco
		Peter J. Motsavage

MINUTES: JANUARY 25, 2011 REGULAR TOWN BOARD MEETING

Mr. Finch moved to approve the January 25, 2011 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Bullock.

VOTE: Bullock – Yes, Minoia – Yes, Francisco – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

2011 “STATE OF THE TOWN” ADDRESS

Supervisor Preston presented her 2011 “State of the Town” address. She began her address with a quote from Abraham Lincoln, “I am a firm believer in the people. If given the truth, they can be depended on to meet any crisis. The great point is to bring them the real facts.”

Supervisor Preston stated that when she presented this address in 2010, she had stated that “for the first time as your Supervisor, I had very little positive to speak about.” She went on to state, “As I stand before you tonight, I see no light at the end of this dark tunnel.” Supervisor Preston added that she has predicted that the economy would not turn around in 2010, adding, “as much as I wish I was wrong, I have to say I was right.” She added that she does not foresee much change in the near future but “knowing the people of the Town of Conklin and the strength they have had enduring all of the past challenges and hardships makes the difficult decisions that we have made and will have to continue to make somewhat easier.”

Supervisor Preston stated that the decisions that the Board has made and will have to make in the future are “based on events that we have little or no control over,” such as increases in the Town’s retirement contribution of 40-50%, high unemployment numbers, the “soaring debt” of New York State, and unfunded mandates. She stated that the situation often comes down to raising taxes and/or cutting services, adding that in 2010 and in 2011 and beyond, “we have and will continue to struggle with less and we are committed to providing the services you as taxpayers have paid for.”

Water & Sewer Department - Turning to discussion of the Water and Sewer Department, Supervisor Preston stated that 2010 was a “challenging year” for this department. She stated that there were various problems with Well 6, all of which have been repaired, which she stated, “proved that when we put in Well 5 a couple years ago, after the flood, it was the right decision.”

REGULAR TOWN BOARD MEETING
FEBRUARY 8, 2011

Supervisor Preston explained that Well 5 was the Town's backup during the time repairs were being made to Well 6.

In addition to the problems with Well 6, Supervisor Preston stated that the Water and Sewer Department had faced a larger than normal number of water main breaks in 2010, the largest of which occurred in front of the Conklin Cycle Center, which required replacement of 20 feet of a 12-inch water main. She thanked the Highway Department for its help in digging for the water main breaks whenever it was possible for the Highway crew to do so. Supervisor Preston stated that Water and Sewer Superintendent Tom Delamarter had called in the Rural Water Association to perform a water leak detection test to help find potential future leaks. She stated that the data has been collected and utilized to help find areas with potential future leaks.

Supervisor Preston stated that the Water and Sewer Department has also completed the upgrade of the Town's water meter system. She stated that the new meter system cuts the amount of time needed to read water meters, and is more accurate, cutting the time needed for re-reads. Supervisor Preston stated that 2010 also brought some problems with the Town's sewer system, including sensors that had to be replaced and rewiring required at Sewer Station 3.

Supervisor Preston explained that the basic fee for water and sewer, created several years ago, was used to pay for the needed repairs. She stated that even though the Town will face "a substantial increase" in the amount it pays to the Binghamton-Johnson City Joint Sewage Board in 2011, Town residents will not see an increase in rates for either water or sewer in 2011, which she called "a feat to be proud of."

Town Parks & Pool - Moving on to the topic of the Town parks and pool, Supervisor Preston stated that "the summer of 2010 was one of the best we have seen in a few years." She stated that the Town Pool saw a record number of users and attendance was high in the parks and in the rental of Town pavilions. Supervisor Preston stated that, due to the spending freeze set in 2010, there were no new projects in the Parks Department, adding that the same will be true in 2011. She stated that the Parks Department was kept busy with maintenance of the pool, the parks, and the Maines Community Center, in addition to mowing all of the properties obtained by the Town through the 2006 Flood Buy-Out Program.

Community Center – Supervisor Preston stated that the Maines Community Center "continues to see growth in its rentals and thus is paying its way." She added that it continues to host Meals on Wheels, the Conklin Rotary Club, numerous blood drives by the American Red Cross, exercise programs, the Conklin Senior Citizens Club, and dinners sponsored as fundraisers by the Conklin Fair Committee to raise money for the 2011 Town Fair. Supervisor Preston stated that 2010 saw the First Annual Disc Golf Tournament at the Community Center grounds. She stated, "This is what a community center is all about and we are proud to have one in our community."

Landfill – Supervisor Preston stated that the Town Landfill "continues to meet all requirements of the EPA (Environmental Protection Agency) and DEC (New York State Department of Environmental Conservation)." She added that the Town works with its engineering firm, which analyzes all of the testing done in the Landfill, "so that we can take appropriate action immediately." Supervisor Preston explained that the Town's SCADA system monitors the pumps and wells continuously, as it does the Town's water and sewer system, tracking flow and tank levels. She explained that this data is input directly to the Town's computer system, making it obtainable at any time from a laptop computer off-site.

Highway – Supervisor Preston stated that the Highway Department, "as always, has shown great effort in providing a high level of service to you, our residents." She noted that 2010 was another demanding year for the Highway Department, especially the winter months, which brought almost daily small storms, and recently larger snowstorms. This has been constant work for the Highway Department to keep the roads safe for travel. Supervisor Preston explained that, beginning January 1, 2011, the Broome County Highway Department is plowing the 25 miles of County-owned roads within the Town of Conklin. She explained that this is a result of the County's decision to reduce by 10% the amount of money paid to the municipalities to plow

REGULAR TOWN BOARD MEETING
FEBRUARY 8, 2011

County-owned roads. Supervisor Preston stated that this would not be feasible for the Town to accept without raising taxes, which the Board felt would be unfair to the taxpayers. She explained that this does not mean that the Town is saving money in the Highway Department, since the funding to plow the County-owned roads came from the County, and the Town Highway Department is no longer plowing the County-owned roads nor receiving money from Broome County.

Supervisor Preston stated that 2011 “is proving to be another difficult year for this department as they struggle with the snow storms and yet try to stay within their budget.” She stated that 2011 will be another year in which the Highway Department will “have to do more with less,” but added that she is confident that “they will continue to do what is best for the residents they represent.” She thanked Highway Superintendent Patrick Latting, who, she stated, “since he became Highway Superintendent, he has been asked to cut his budget each year and do more with less,” which she stated he has done. Supervisor Preston called the Town Highway Department “an exceptional part of our community.”

Code – Supervisor Preston stated that even though building construction was down from past years, 2010 was still a busy year for the Code office. She stated that many new businesses opened in the Town in 2010, including the Grand Opening of Impress USA in the Corporate Park. Supervisor Preston stated that Code Officer Robert Jones has also been busy with enforcing clean-up of properties, including condemning some properties not yet cleaned up from the 2006 Flood. She added that more demolition is scheduled for the spring of 2011. Supervisor Preston stated that Mr. Jones has also dealt with numerous Code violations in the past year and reminded residents that if they want to build an addition, open a business, or build a new home, they must first come to the Code Office to see what is required. She added that the laws “are not to stop future development or to deter those wanting to make their homes a better place to live; they are for the safety and well being of all residents.” Supervisor Preston stated that the Code Office now has a computer program that makes tracking permits and information for the Planning Board and Zoning Board of Appeals more efficient.

Stating that the Town looks forward to future development in the community, Supervisor Preston announced that a new solar business will be coming to the Corporate Park, along with a store on Conklin Road at the site of Warner’s Gas, where costumers will be able to fill their gas grill propane tanks and purchase parts and accessories for grilling.

Supervisor Preston stated that being the Code Officer “is no easy task,” as residents sometimes perceive that the Code Officer is against them, which she added is not true. She thanked Code Officer Jones and his assistant, Marilou Gabello, “for all of their hard work and dedication to this department,” adding that “their diplomacy, while still enforcing the law, is to be commended.”

Supervisor’s Office – Supervisor Preston stated that 2010 was a busy year for her office, noting that her staff was still implementing parts of the new accounting software system. She stated that the last part of the program, for the Water and Sewer Department, has been installed. Supervisor Preston stated that her goals for implementing this part of the program are to make payment of water and sewer bills more efficient, and to ensure that payments are recorded in real time to the resident’s account. She added that a check scanner has been installed so that payments by check are immediately scanned and deposited into the Town’s accounts.

Supervisor Preston stated that the new system makes the department heads “more involved in the business end of their department, thus making them more accountable for the day to day operation that they are responsible for.” She added that “by having every department head involved more in their individual department budgets, and by having current up-to-the minute balances, this cuts down on anyone unknowingly going over on their budget.” Supervisor Preston added that she realizes going over on a budget line cannot be helped in the case of an emergency or other unforeseen expense, but added that “this is just another way to keep the budget in check.” She added that the new system has provided information that enables her to “be able to run the financial side of the Town in a more fiscally responsible way,” adding that it also provides the security controls that she had felt were needed. Supervisor Preston thanked her staff “for their hard work and dedication.”

REGULAR TOWN BOARD MEETING
FEBRUARY 8, 2011

Other Departments – Supervisor Preston thanked the other departments of the Town, including Town Clerk Sherrie Jacobs and her staff, Assessor John McDonald and his assistant, Penny Lake, and Dog Control Officer Darlene Weidman. She stated that the Dog Control Officer’s job is “not an easy position, since she is on call 24/7, with dog complaints increasing. She is also out there working diligently serving tickets to keep everyone up to date on dog licenses, thus making sure the Town receives the revenue required.” Supervisor Preston stated that 2011 will see major changes for the Dog Control Officer and the Town Clerk, since New York State is no longer issuing dog licenses, that complete process having been turned over to the municipalities. This means the municipalities must purchase the dog license tags and no longer have a state-side data base for dog licenses. Supervisor Preston explained that this change means “a lot more work for both Darlene and Sherrie.”

Speaking of Town Justice J. Marshall Ayres, Supervisor Preston stated that she “applauds Judge Ayres for a job well done and the grants he has obtained and the cuts he made to his budget.” Supervisor Preston also thanked the members of the Planning Board and the Zoning Board of Appeals, Youth Commissioner Fran Bealo, and the members of the Conklin Volunteer Fire Department, who, she stated, “are always there putting their lives on the line to protect our residents.”

Goals for 2011 – Supervisor Preston stated that 2010 was a difficult year, in spite of a small increase in revenue from mortgage taxes, franchise fees, and “less than ½% increase in sales tax.” She stated that by adhering to the goals she set for 2010, plus the spending freeze, the Town was able to make it through the year. Supervisor Preston stated that she believes that 2011 will be an even more difficult year financially, “even though two positions were cut and there were no raises.” She asked for Board approval for the following goals for 2011:

1. “Continue the spending freeze, which means no wants only needs and I will continue to approve all requisitions. Please know that if I do not feel it is a necessary purchase, I will deny the requisition until proof is given that it is a need.”
2. “With our new software system in place, I am requesting that all department heads give the Board a report on the finances of their department at the first Board meeting at the beginning of each quarter of the year, starting in April, and then again in July, and October.”
3. “There will be no unnecessary overtime. Department heads will continue to approve their staff time cards for overtime, except when there is overtime not due to weather, water main breaks, or any other emergency, and then I will have to sign off on the overtime.”
4. “Vehicle repair – we will continue to do repairs to Town vehicles in-house whenever possible. Again I am asking that every department work together to accomplish this goal.”
5. “In 2010, I still saw more transfers of funds than I would have liked to see. Due to the department heads having to take more control over their own departments’ budgets, in 2011 I will not sign off on any transfers unless given written proof of it being a necessity and this should be done at the time of purchase. The only exception will be in payroll for unforeseen overtime. What this means is that if a line in the budget runs out of funds and it cannot be justified to transfer money into that line, that department will have to wait until the next year’s budget.”

Supervisor Preston stated that these goals “may sound unfair or harsh,” but emphasized that the Town is facing “very difficult times.” She stated that 2011 will bring a 2% decrease in state aid, and an unknown status regarding the “CHIPS” (Consolidated Highway Improvement Program) money, without which revenue, she stated, the Town will be unable to do some of its road work. Supervisor Preston stated that 2011 is the first year of the new agreement with Broome County regarding sales tax distribution, and the Town’s retirement contribution will see another increase. She stated that “another area of revenue that did not come to fruition was the much anticipated gas drilling into the Marcellus Shale.”

REGULAR TOWN BOARD MEETING
FEBRUARY 8, 2011

Supervisor Preston stated that she supports Governor Andrew Cuomo's proposed property tax cap, but added that this cannot be done "unless local governments get relief from state mandates such as our retirement contribution and health care. We cannot continue to see 40-50% increases in our retirement contribution and the double digit increases in health care." Supervisor Preston stated that "the path to recovery for New York State is not going to be easy," emphasizing the need to be proactive. She stated that she will "continue to be hands on and explore any avenue in order to save your tax dollars, without jeopardizing services." Ways in which the Supervisor stated she intends to do this include the following:

1. "I will continue to find ways to cut health care costs."
2. "I will continue to make sure that the Town of Conklin is in compliance with the law instituted by New York State regarding the New York State retirement system for all appointed and elected officials."
3. "I will continue to look at all of our debt and make sure we are receiving the best interest rate possible and if not, look at refinancing when possible."
4. "I will also look at any areas we can work with other municipalities regarding sharing of services that we are not already doing."

Supervisor Preston closed her address thanking the Town employees and stating, "As we move forward in 2011, we will be faced with many more difficult and challenging decisions, but I am confident that we will come through this. We are all dedicated and determined to continue to make the Town of Conklin a great place to live and raise a family. I am also confident that the only agenda that we will and should have is the agenda that is best for the people we have been elected to represent. We must always strive to keep an open mind and put the residents of Conklin first. God bless our country, our state, our county, and most of all, our community as we move forward knowing that no matter what challenges we face, we are a strong, caring community and a community to be proud of."

(A complete copy of Supervisor Preston's address is attached to these minutes.)

CORRESPONDENCE:

Supervisor Preston acknowledged receipt of reports from the Supervisor's Office, the Town Clerk, the Highway Department, the Code Officer, the Water and Sewer Superintendent, and from the Dog Control Officer.

PUBLIC COMMENTS:

None.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Water and Sewer Superintendent Tom Delamarter reported that his department is currently reading water meters. He thanked the Sheriff's Department for the assistance in shoveling out water hydrants. Mr. Delamarter stated that his crew has looked for the water shut-off at 560 Conklin Road, but has been unable to find it and asked if he and his crew could gain access to this building, adding that no water has been used at that address for the last four quarters of the year. Code Officer Robert Jones will contact the property owners and inform them that the Town needs to upgrade the water meter and Mr. Delamarter will investigate this situation.

Supervisor Preston stated that she received two thank-you notes from residents regarding the recently installed fence between Julius Rogers Park and Hobart Stone. She stated that slats will be installed in the fence this spring, adding that the price has been guaranteed.

REGULAR TOWN BOARD MEETING
FEBRUARY 8, 2011

REPORT: CODE OFFICER

In addition to his written report, Code Officer Robert Jones gave an update on the status of the three properties scheduled for demolition and clean-up. He stated that clean-up at the property at 11 Clearview Avenue is almost completed. Mr. Jones stated that there has been activity on the clean-up at 66-68 Stillwater Road. Supervisor Preston stated that she looked at the three quotes that Mr. Jones received on the clean-up of the property at 986 Conklin Road and noted that the quote from AP Construction does not include any air monitoring fees for asbestos abatement. She asked if the other two quotes included these air monitoring fees. Supervisor Preston stated that she was surprised that Gorick Construction, which demolished and cleaned up many of the sites lost in the 2006 Flood, had not given a quote.

Mr. Jones stated that the New York State tipping fee increased from \$2,000 to \$4,000 in 2011, which is one reason the quotes seem so high. He stated that Mr. Jerry Leahy was able to get the fee for the Town reduced to the 2010 rate of \$2,000 because the projects were started in 2010. Supervisor Preston stated that clarification of what is included in the quotes is needed, adding that she will contact the contractors. Mr. Minoia added that the Stillwater site looks much better and that most of the debris is gone.

REPORT: HIGHWAY DEPARTMENT

Highway Superintendent Patrick Latting was absent from the meeting due to illness but submitted a written report beforehand. Supervisor Preston stated that Mr. Latting had informed her that his department has an issue with fences constructed too close to the roadways, with damage to the fences occurring during snowplowing. Attorney Cheryl Sacco stated that no permanent structures are allowed in the Town's right-of-way and that, for what the Town is doing – plowing snow – the standard of care is lower. She added that she can create a Notice of Claim form for residents to use. Mr. Finch suggested that maybe the Town Code should be amended to require a building permit for fence installation. Ms. Sacco will e-mail the Notice of Claim form to Mr. Latting. Mr. Minoia added that sometimes the water and sewer mains are behind fences that have been installed by residents, creating other problems. Mr. Francisco asked if residents are aware of where the Town's right-of-way extends and Mr. Minoia replied, "I don't think they know."

REPORT: DOG CONTROL OFFICER

Refer to written report.

REPORT: SUPERVISOR'S OFFICE

Refer to written report.

REPORT: TOWN CLERK

Refer to written report.

(Copies of all written reports are on file in the office of the Town Clerk and may be examined by the public during normal business hours.)

OLD BUSINESS:

TOWN PROCUREMENT POLICY

The Town Board decided to hold over discussion of changes to the Town Procurement Policy until the February 22 Town Board meeting.

REGULAR TOWN BOARD MEETING
FEBRUARY 8, 2011

RESO 2011-35: AUTHORIZATION/COUGHLIN & GERHART/PROCEED WITH
LEGAL PROCEEDINGS/2000-2010 CONKLIN ROAD

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Coughlin & Gerhart, LLP, to proceed with legal proceedings regarding 2000 – 2010 Conklin Road.

Seconded by Mr. Finch.

VOTE: Bullock – Yes, Minoia – Yes, Francisco – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

NEW BUSINESS:

RESO 2011-36: RATIFY PAYMENT/DEBRA PRESTON/MILEAGE
REIMBURSEMENT/JANUARY 2011

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #2084, account code A1220.4, in the amount of \$93.33 to Debra Preston for mileage reimbursement for January 2011.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Minoia – Yes, Francisco – Yes, Finch – Yes, Preston – Abstain. Motion carried: 4 – Yes, 1 – Abstain.

RESO 2011-37: AUTHORIZE PAYMENT/BILL LIST/\$264,054.88

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Bill List in the total amount of \$264,054.88:

General	\$ 12,499.62
Highway	21,234.86
Fire District	229,485.00
Water District	<u>835.40</u>
Total	<u>\$264,054.88</u>

Seconded by Mr. Bullock.

VOTE: Bullock – Yes, Minoia – Yes, Francisco – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

RESO 2011-38: ACCEPT SUPERVISOR'S GOALS FOR 2011 AS STATED IN "STATE
OF THE TOWN" ADDRESS

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the Supervisor's goals for the Town of Conklin for 2011 as stated in her 2011 "State of the Town" address.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Minoia – Yes, Francisco – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

Supervisor Preston emphasized that this means there will be no transfers of budget lines unless absolutely necessary.

REGULAR TOWN BOARD MEETING
FEBRUARY 8, 2011

CPR/AED RECERTIFICATION CLASS

Mr. Bullock stated that he needs a list of participants so that he can schedule a CPR/AED (Automated External Defibrillator) recertification class, which he added will probably be held on a Saturday.

LIGHTING FOR DRIVEWAY/MAINES COMMUNITY CENTER

Mr. Francisco stated that he received information from NYSEG (New York State Electric and Gas Corporation) regarding the cost of providing lighting for the driveway into the Maines Community Center. He stated that 150 watts would cost \$8.36 per month, while 250 watts would cost \$9.83 per month. If the "arm" needed for the light is longer than 16 feet, it will cost an additional \$2.00 per month. The Town of Conklin would pay for the wire and NYSEG would pay for the engineering. Mr. Francisco stated that NYSEG will need a letter on Town letterhead approving this project in order to move forward. The cost will be less than \$12.00 per month. Mr. Francisco recommended using the 250-watt high-pressure sodium lighting. Supervisor Preston stated that the lack of lighting is a safety issue.

RESO 2011-39: AUTHORIZATION TO PROCEED/INSTALLATION OF LIGHTING/MAINES COMMUNITY CENTER DRIVEWAY

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes NYSEG to move forward with lighting the driveway at the Floyd Maines Community Center.

Seconded by Mr. Bullock.

VOTE: Bullock – Yes, Minoia – Yes, Francisco – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

STREET LIGHT REPAIRED/BROOME CORPORATE PARK

Mr. Finch commented that NYSEG also repaired the street light in the Broome Corporate Park, as requested by the Town.

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Finch.

The meeting adjourned at 7:58 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk