

WORK SESSION
FEBRUARY 26, 2013

The Town Board of the Town of Conklin held a Work Session at 5:30 P.M. on February 26, 2013, at the Conklin Town Hall. Mr. Finch, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

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| PRESENT: | Town Board Members | Bullock, Minoia, Francisco, Finch |
| | Town Counsel | Cheryl Sacco |
| | Town Clerk | Sherrie L. Jacobs |
| | Assistant to Supervisor | Lisa Houston |
| | Code Officer | Robert Jones |
| | Public Works Superintendent | Tom Delamarter |
| | Deputy Highway Superintendent | Mike Mott |
| | Planning Board | James Hauss |
| | Planning Board | Christopher Ostrowsky |
| | Zoning Board of Appeals | Arthur Boyle |

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| GUESTS: | Country Courier | Elizabeth Einstein |
| | | Laurie Francisco |
| | | Mike Gabello |
| | | George Frailey |
| | | Chris Kehoe |
| | | William Osborne, Jr. |
| | | Ellen Osborne |
| | | Dolly Stout |
| | | William Osborne, Sr. |
| | | Peter J. Motsavage |

TOWN OF CONKLIN COMPREHENSIVE MASTER PLAN UPDATE

Supervisor Finch stated that James Hauss, Chairman of the Planning Board, and Hal Cole, a member of the Zoning Board of Appeals, will be co-chairpersons of the Town of Conklin Comprehensive Master Plan Update Committee. He stated that the committee will remove roads owned by Broome County from the Town's list of assets, look at the change in population as a result of the two devastating floods, and consider plans for the Town's future. Town Attorney Cheryl Sacco stated that the committee should consider the Town's opinion regarding fracking and natural gas drilling, adding that this could impact the DEC (New York State Department of Environmental Conservation) decision regarding issuance of permits. She added that public outreach and a Public Hearing will be required to complete to update to the Master Plan.

GOVERNOR CUOMO'S GUN CONTROL PLAN

Mr. Finch stated that he was approached by resident Richard Griswold regarding the newly enacted New York State Safe Act, which Mr. Griswold opposes. Mr. Finch stated that several counties have approved resolutions opposing the Safe Act. Mr. Griswold will attend the March 12 meeting to address the Town Board, at which time the Board will assess whether or not it wishes to pass a resolution opposing the Safe Act.

DOG CONTROL AGREEMENT/TOWN OF BINGHAMTON

Mr. Finch reported that two members of the Town of Binghamton Town Board had questions regarding the shared services agreement to provide dog control services to the Town of Conklin,

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namely, whether the Town of Conklin would pay mileage for dog calls in Conklin, which the Board has agreed to do, and whether or not the Town of Conklin contracts with Front Street Dog Shelter, which it does. Mr. Finch stated that the Town of Conklin will pay the Town of Binghamton \$8540 toward John Simmons' salary as Dog Control Officer for both towns. The Town of Binghamton Town Board accepted this arrangement. Mr. Finch stated that the Conklin Town Board will amend the resolution regarding the Dog Control Agreement at the March 12 meeting, adding that tonight's meeting is a work session, rather than a Town Board meeting, therefore, no voting can occur, nor is there an opportunity for public comments.

LIGHT DISTRICT #7

Mr. Finch stated that a property owner from Shirley Avenue, Light District #7, had complained that it costs him \$200 on his taxes for two street lights on the dead end road, which only has one house since the other houses were demolished as a result of the 2006 Flood buyout. Mr. Finch stated that it will still cost \$200 to take out the light bulb and still pay for the light pole. Ms. Sacco stated that the Town cannot disband a light district unless 100% of the residents of that district no longer want the street lights. Mr. Finch stated that one of the other property owners wants the lights left as is because of safety issues. Assistant to the Supervisor Lisa Houston stated that the cost of the light district is not a flat fee. The Town Board decided to leave the lights as they are.

PARK OUTDOORS ADVERTISING

Mr. Finch reported that Park Outdoors Advertising has agreed to take down all of its billboards except the biggest one. They will put up a new billboard, which Mr. Finch stated will bring revenue to the Town.

CLARIFICATION/CWSRF ENGINEERING PLANNING GRANT LOCAL MATCH

Mr. Finch stated that at the February 12 Town Board meeting it was stated that the CWSRF Engineering Planning Grant would be for a total of \$30,000, with a local match of 20% required, or \$6,000. In speaking with Terrance Deuel from New York State, it was learned that the total cost of the Engineering Planning Grant project will be \$37,500, and the Town is responsible for 20% of the total cost, or \$7,500. An earlier study was conducted in 2004 to determine whether a small sewer treatment plant could be built in the southern end of Town to service the southern end of the Corporate Park, Stillwater Road, and the two mobile home parks, but it was determined that this is not a suitable site because of flooding issues, and any plant would have to be built on higher ground. It was asked if this 2004 study can be included in the Town's "in kind" contribution to the required 20% for this grant. Ms. Sacco stated that this grant may be "fact specific but there is the potential to include" the former study in the 20% local match. Town Engineer John Mastronardi is gathering data to pursue this option.

Mr. Finch commented that the Binghamton-Johnson City Joint Sewage Board will not accept any more volume of sewage from the Town of Conklin, adding that Griffiths Engineering and Engineer Ron Lake are working on proposals for a plant. He added that the new plant in West Windsor cost \$12,000,000. Mr. Finch stated that there will be a meeting at Binghamton University on February 27 of all the municipalities that utilize the Joint Sewage Treatment Plant to discuss stormwater infiltration issues, adding that the Town of Conklin has no problems with stormwater infiltration.

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2013 ROAD PROJECTS/NYS "CHIPS" PROGRAM

Mr. Finch stated that the New York State "CHIPS" (Consolidated Highway Improvement Program) will provide \$73,000 to blacktop roads in 2013. He stated that the Town intends to mill and pave Carol Court, David Drive, Sharon Drive, Carlin Road, and maybe Willow Way, if there is enough money. He stated that by paving the roads in this manner, entire sections of the Town could be completed, as opposed to a street or road here and there. Mr. Finch stated that it is important to check the thickness of the blacktop, which has been leased to Suitco and Broome Bituminous. Mr. Finch added that the Town may be able to more. The Town will be doing maintenance in the rural areas of the Town this year.

Mr. Finch stated that Mike Donohue, Highway Superintendent for the Town of Binghamton, has agreed to loan the Town of Binghamton's paver to pave Town of Conklin roads, adding that the Town of Conklin will pay the Town of Binghamton back in kind. He added that when the towns work together, "it is a win-win."

Mr. Minoia added that the "CHIPS" money can also be used to purchase salt, tires, and other Highway Department needs. Mr. Francisco asked about the condition of Cherry Drive and Roxbury Street and Mr. Finch replied that they are "not bad." Mr. Finch stated that Coolidge Street, Woodcrest Way, and Suncrest Drive are all scheduled for re-paving in 2014.

Deputy Highway Superintendent Michael Mott stated that he is getting pricing on a new method of paving roads, called the "Midland Process," which involves laying down "fabric" of stone and oil and paving over the top of that material. He added that this process may be less costly than milling and repaving. Mr. Minoia stated that if the Town does not mill the roads, it is "putting good over bad" and the edges of the roads may crack. Public Works Superintendent Tom Delamarter stated that "it depends on the quality," adding that in the past there has been "a lot of wasted blacktop." Mr. Finch stated that the Town can purchase blacktop using either the Broome County bid price or the New York State bid price, but not both. Mr. Minoia added that the Town pays by the ton for blacktop. Mr. Mott stated that if the road is milled too deeply, it can double the cost of the paving. He and Mr. Minoia agreed that it is possible to estimate the amount of paving material needed for the project. Ms. Sacco stated that the Town must be sure to follow procurement policy and competitive bidding practices.

CODE VIOLATIONS/1539 CONKLIN ROAD

Code Officer Robert Jones reported that the house at 1539 Conklin Road, owned by Douglas Ritter, has a temporary "garage," which he stated is actually a tent, attached to it. Mr. Jones stated that cars are being repaired, using torches, in this structure, which he stated presents a danger to the house and its occupants. Mr. Jones wants the Town to remove this structure and charge Mr. Ritter on his tax bill, as is done with unmowed grass that is in violation of the Town Code. Mr. Jones added that this is an unsafe structure, which was built without a building permit and which blocks egress from the structure and presents a fire hazard. Ms. Sacco stated that appropriate notices must be served and a Public Hearing held in order to evoke the Unsafe Structures Law. Mr. Finch added that he has received complaints of Mr. Ritter putting debris on the property belonging to his neighbor. Mr. Ritter has a large sign on the property in question, which he stated is protected by "freedom of speech," and which Mr. Minoia stated "violates the Town Code." Mr. Jones stated that he will send a letter informing Mr. Ritter that he has fifteen days in which to remove the tent structure or the Town will remove it. Ms. Sacco stated that the Town "should not take it down," adding that she will research the Town Code and report to the Town Board at the March 12 meeting.

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FEMA BUYOUTS

Ms. Sacco stated that there was a meeting on February 21 with the Town officials, including the Town Assessor, and the Town Engineer and Attorney, to discuss the deadlines and timeline for the FEMA (Federal Emergency Management Agency) Buyout Program. The Town Supervisor has been authorized to execute the agreement with SEMO (State Emergency Management Office). Ms. Sacco stated that it is important to find out whether or not SEMO has executed the agreement, because the date that this is completed is the date that sets the deadlines for other parts of the project. She stated that the Town should move ahead with designing RFPs (Requests For Proposals) for appraisals, surveys, asbestos mitigation, demolition, and post-demolition cleanup work. Ms. Sacco explained that the appraisals on the properties in the Buyout program must be approved by SEMO, and then the Town will have accurate numbers to give to property owners. It will be explained to the property owners that they will incur 25% of the cost of the Buyout. The Town will have a closing on each property that is included in the Buyout, the buildings will be demolished, and the property will be cleaned up and seeded.

Ms. Sacco stated that if the property owner requires a second appraisal, he or she is responsible for the cost of the second appraisal, with SEMO setting regulations for which appraisal is used. She added that these are pre-flood appraisals.

Mr. Bullock asked how much the Town must spend before the property owners commit to participation in the Buyout Program and Mr. Finch replied, "Minimal." Ms. Sacco added that money is being saved by utilizing Town officials, such as the Code Officer, Town Assessor, Assistant to the Supervisor, and Town Clerk, to help with some of the work. Mr. Finch stated that the first step is to obtain appraisals. He added that the policy on salvaging from the Buyout properties is very strict and must be enforced.

Mr. Finch stated that the potential Buyout list includes three vacant lots and 53 homes. He stated that there will be two meetings of groups of property owners. Ms. Sacco stated that the letter to the property owners should be the standard letter that is uniform with other municipalities. Mr. Finch stated that the Town must bond for the money and pay interest, as the Town pays the cost and is later reimbursed by FEMA. Ms. Sacco stated that there is now an opportunity to submit a Request for Advancement of Funds to SEMO to get money for the "up front" costs of the Buyout, which she added is a new feature this year. Mr. Finch commented that the Town is "still paying \$80,000 per year for the 2006 Buyout."

2013 CONKLIN FAIR

Mr. Finch stated that Kelly Wildoner, President and CEO of the Conklin Fair Committee, Inc., has booked the Community Center and grounds for a town fair to be held August 23-25, 2013. He stated that Mr. Wildoner wants to work with service organizations, such as the Conklin Kiwanis Club, Conklin Rotary Club, and Conklin Business Association, to share the cost and profit of the fair. Mr. Wildoner stated to Mr. Finch that he may be able to offer free booth rental to these service organizations, in exchange for their assistance with the fair. Mr. Finch stated that the liability insurance for the parade costs \$3,000 and added that the Town may pay for that cost and for the Sheriff's Department to provide traffic control for the parade. Mr. Finch commented that in 2012 the Conklin Fair Committee donated money to the Veterans' Memorial. He also commented that in 2012 the Conklin Fair Committee was able to get the dumpsters and the portable bathrooms donated, and maybe could do so again this year.

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WATER AT APARTMENTS/BARBARA AVENUE

Mr. Finch stated that Douglas Ritter has purchased the apartment buildings located on Barbara Avenue and has requested that the Town turn the water on to the buildings. Mr. Finch stated that the buildings have not been inspected so the Town has refused Mr. Ritter's request.

LIGHTING AT COMMUNITY CENTER

Mr. Francisco proposed a new lighting design for the Community Center. He stated that the dimmer switches that are currently in place are frequently not turned off completely, and suggested replacing them with regular switches that would provide different levels of light. He stated that this would cost \$1,600 to \$1,700, which does not include labor, or miscellaneous materials. The project would be put out to bid.

HIGHWAY ISSUES

Mr. Delamarter asked if the Town Board wanted to discuss the paving project any further, and Mr. Finch stated that the Board would wait to get more information regarding the new process that Mr. Mott is researching. Mr. Finch stated that security cameras are being installed at the Highway Garage, along with signs advising that "grass, white goods, metals, and tree trim only" will be accepted at the Garage. He stated that the cameras will capture license plate numbers and the Town will prosecute violators. The security cameras became a necessity because of people dumping garbage at the Highway Garage and stealing metal from the dumpster. No tires will be accepted by the Town this year because Broome County will no longer waive the tipping fee for transporting tires to the County Landfill, the cost of which is \$155 per ton plus the cost of trucking the tires to the Landfill. It was noted that people pay a cost of \$5 per tire when they purchase new tires, which is supposed to offset the cost to the seller of disposing of old tires. Mr. Finch stated that the security camera tapes will run 24 hours per day, seven days per week, and will hold 90 days' worth of footage before being replaced.

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 6:35 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk