

**WORK SESSION**  
**MARCH 22, 2016**

The Town Board of the Town of Conklin held a Work Session at 5:30 P.M. on March 22, 2016, at the Conklin Town Hall. Mr. Finch, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b>	Town Board Members	Bullock, Boyle, Dumian, Francisco, Finch
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Highway Superintendent	Brian Coddington
	Assistant to Supervisor	Lisa Houston
	Public Works Superintendent	Tom DeLamarter
	Code Officer	Ron Lake
	Highway Laborer	Mike Mott
	Planning Board	Jim Hauss
	Zoning Board of Appeals	William Northwood
	Zoning Board of Appeals	Hal Cole
	Zoning Board of Appeals	Art Boyle
<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein
		John Colley
		Laurie Francisco
		Gail Kumpan
		Stan Scobie

**MANUFACTURED HOMES IN CONKLIN**

Code Officer Ron Lake opened the discussion regarding placement of manufactured homes in the Town, adding that these homes must look like stick-built homes and must be a minimum of 24 feet wide by 40 feet long. He stated that the criteria for a modular home (brought in on transports in two or more pieces and assembled) are the same as for stick-built homes. Discussion centered on whether or not the Town will allow single-wide manufactured homes to be placed in areas of the Town zoned Agricultural. Current Town Code restricts placement of this type of home to established mobile home parks. It was noted that single-wide homes are usually 16 feet by 80 feet, although the smallest ones can be 14 feet by 42 feet. A double-wide is 28 feet by 42 feet.

Mr. Boyle asked why the Town would eliminate single-wide manufactured homes in the Agricultural zone, noting that many families start out with this type of home then go on to build a stick-built home. Mr. Dumian stated that he like the suggestions that the manufactured homes be required to look like stick-built homes. Mr. Lake stated that is should be required that the manufactured homes sit on a permanent foundation. Mr. Dumian asked if the Town could require that new placements be homes that are manufactured after a certain date. Mr. Boyle stated that HUD (Department of Housing and Urban Development) has required that all manufactured homes built after 1976 have a pitched roof. Mr. Lake explained that manufactured homes meet federal HUD standards, whereas modular homes meet the more stringent New York State Building Code. He stated that no manufactured home meets the New York State Code.

Mr. Boyle stated that he is in favor of allowing single-wide manufactured homes in rural areas of the Town. He stated that in the current Comprehensive Plan it states that of the 500 manufactured homes in the Town of Conklin, over half are located in rural areas. Hal Cole, a

**WORK SESSION**  
**MARCH 22, 2016**

member of the Comprehensive Plan Committee and of the Zoning Board of Appeals, stated that the manufactured homes located within mobile home parks in the Town, should be subtracted from the total number of manufactured homes in the Town, because “they are legal.” He stated that the rest of the manufactured homes, located outside of mobile home parks, “may pre-date the Zoning Laws.” Mr. Boyle stated that this restriction is “keeping new young couples out of the Town.”

Arthur Boyle, member of the Zoning Board of Appeals, stated that he has “no problem with single-wides in Agricultural, but not in R12 or R15” (Residential zones). He stated that the Town re-zoned the area where he first lived in Conklin from Agricultural to R12/R15 while he was living in a manufactured home. Mr. Dumian asked if there are manufactured homes on Conklin Road that were placed there after the 2006 flood that were not there prior to the flood and Mr. Arthur Boyle replied that there are several, citing two examples. Mr. Cole stated that a “large area of the Town is Agricultural,” suggesting that the Board look at the Zoning Map in the Comprehensive Plan. He asked if the Town Board should consider rezoning some of the area from Agricultural to Residential.

James Hauss, Chairman of the Planning Board, asked if manufactured homes meet New York State requirements. Mr. Dumian stated that they only meet HUD requirements, not New York State Building Code requirements. Mr. Hauss asked if the central question then is: “Are single-wides acceptable in the Agricultural zone?” Mr. Finch stated that it depends upon what the Town allows next to stick-built homes, which he stated could devalue the property. Mr. Dumian stated that it is a complex question, adding that the Town “needs guidelines” to “allow affordable housing.” He added that the “newer ones (manufactured homes) are much better made.” Mr. Bullock asked if the homes being considered for the development proposed by the Town off Corporate Drive would be stick-built and Mr. Finch stated that this is the case. Mr. Finch asked if the Board is concerned with the appearance of the Town and how this would be impacted by the placement of single-wide manufactured homes. Mr. Arthur Boyle stated that the Town needs to increase its tax base and therefore should allow single-wide homes in the Agricultural zone. Mr. Finch stated that perhaps the Town should be rezoned.

Mr. Lake stated that the Town should separate what is allowed in various zones, perhaps allowing single-wide structures in the Agricultural zone. He stated that perhaps the Board should consider re-zoning. He reiterated that these structures should be on a permanent foundation. Mr. Finch concurred, stating that they should not be able to be moved once installed.. Mr. Dumian stated that he is in favor of “non-government subsidized affordable housing.” Mr. Finch appointed a committee to study this issue. The committee will consist of Ron Lake, Dell Boyle and Bill Dumian, Jr. from the Town Board, Jim Hauss and one other member of the Planning Board, and two members of the Zoning Board of Appeals. Mr. Bullock asked if the Town receives many requests to install a single-wide home and Mr. Lake stated that his office receives approximately one request per month or every other month. Town Attorney Cheryl Sacco stated that maybe the same committee could look at the proposed local laws regarding wind, solar, and gas and oil energy development. Mr. Hauss stated that he would like a definition of the Board’s goals and restrictions (“the unwritten rules”) for the new committee. Mr. Dumian asked about the Town Board’s expectations.

As the time for the Regular Board Meeting had arrived, Mr. Finch closed the Work Session and opened the Regular Town Board Meeting, adding that further discussion on the topic of manufactured homes would resume in the Regular Meeting.

**REGULAR TOWN BOARD MEETING**

**MARCH 22, 2016**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on March 22, 2016, at the Conklin Town Hall. Mr. Finch, Supervisor, presided.

<b>PRESENT:</b>	Town Board Members	Bullock, Boyle, Dumian, Francisco, Finch
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Highway Superintendent	Brian Coddington
	Assistant to Supervisor	Lisa Houston
	Public Works Superintendent	Tom DeLamarter
	Code Officer	Ron Lake
	Highway Laborer	Mike Mott
	Planning Board	Jim Hauss
	Zoning Board of Appeals	William Northwood
	Zoning Board of Appeals	Hal Cole
	Zoning Board of Appeals	Art Boyle

<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein
		John Colley
		Laurie Francisco
		Gail Kumpan
		Stan Scobie

**MINUTES: MARCH 8, 2016 REGULAR TOWN BOARD MEETING**

Mr. Bullock moved to approve the March 8, 2016 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

**CORRESPONDENCE:**

Mr. Finch acknowledged receipt of correspondence from Liberty Mutual Insurance regarding payment from the ICCC (Increased Cost of Compliance Coverage) for 20 Woodcrest Way.

**PUBLIC COMMENTS:**

None.

**REPORTS:**

None.

**CONTINUED DISCUSSION/MANUFACTURED HOMES IN CONKLIN**

The question of expectations for the newly formed committee to study the question of the placement of manufactured homes in the Town of Conklin was again raised and Mr. Finch replied that Mr. Lake and the committee would set goals at the first meeting, then get approval from the Town Board and proceed. Mr. Dumian, a member of the new committee, stated that he

## **REGULAR TOWN BOARD MEETING**

**MARCH 22, 2016**

wanted feedback before the committee starts meeting. Mr. Finch stated that “if a single-wide meets Code, it’s good; but if it does not, then no.” Mr. Lake reiterated that manufactured homes are not currently permitted outside of mobile home parks. He asked if the Town wants to allow the placement of manufactured homes, and if so, where would they be allowed. Mr. Bullock replied, “Not in the valley, but they may not be a problem in the Agricultural zone.” He added that it will require a Public Hearing anyway, because it will require a change in the local law. Mr. Francisco stated that it needs to be decided “for the betterment of the whole Town, not just an isolated area.”

Town Attorney Cheryl Sacco stated that this is a policy decision which the Town Board must make, after which she could help with the legal mechanisms for enacting the policy, such as an overlay zone. Mr. Cole asked if the 24 foot by 40 foot minimum limits in the Residential zones are still acceptable and Mr. Finch stated that they are acceptable. Mr. Cole asked if the committee should look at other areas of the Town for approval for placement of single-wide manufactured homes and Mr. Finch confirmed that this is a goal of the committee. Mr. Cole asked if overlay zoning should be considered and Mr. Finch stated that this should be discussed.

Mr. Arthur Boyle stated that there are two types of manufactured home – double and triple-wide. Mr. Cole stated that manufactured homes are mobile homes, adding that the discussion is not regarding modular or stick-built homes, which are already allowed by Town Code. It was asked that the term “mobile” not be included in the discussion, as “mobile” homes built before 1976 are only allowed in mobile home parks. Mr. Lake stated that any mobile homes built prior to 1976 must be inspected by the Code Officer before placement to make sure they are safe for human habitation. Ms. Sacco stated that New York State interchanges the terms “mobile” and “manufactured.” Mr. Cole stated that the Town’s definitions are in the Zoning Code. Mr. Lake asked if the Town could require that any new placements of manufactured homes be “new” structures. Ms. Sacco stated that this proposed local law may need to be reviewed and approved by the New York State Department of State before the Board can move for its adoption. Mr. Cole stated he does not believe the Town can specify that a new placement must be a “new manufactured home.” Ms. Sacco stated that the Town can specify parcel size requirements and can consider the density of population in an area. She again suggested that the Town consider overlay zoning. Mr. Francisco asked if this is not “spot zoning,” and Ms. Sacco replied that this is only a concern in a small area, such as one structure zoned Commercial in the midst of a Residential zone. Mr. Cole stated that the Zoning Map shows that the Agricultural Zone is very large, more than half of the Town. He also discussed the possibility of an overlay zone. Mr. Dumian agreed with considerations of parcel size and density of population. Mr. Hauss reiterated that the committee needs definite goals and tests so that it can solve the problem. Mr. Cole stated that the parcels in the Agricultural Zone tend to be large. Mr. Boyle stated that “families tend to keep their parcels,” maybe “breaking off small parcels.” He added, “If they are built on, they are worth more than brush lots” in terms of the tax base. He stated that single-wide manufactured homes would not be allowed in housing developments. “Do you want us to also look at tax aspects of this issue?” asked Mr. Cole. He stated that he wants direction from all of the Town Board.

Mr. Arthur Boyle asked if the Town has received complaints regarding some of the double-wide manufactured homes that have been allowed to be placed near upscale development, such as the “Meadowlands,” and Mr. Finch stated that the Town has received complaints. Mr. Hauss stated that some of these issues can be handled by deed restrictions. Mr. Lake replied that the Town does not enforce deed restrictions unless they have been approved by the Planning Board. Otherwise, he stated, they must be settled with a civil law suit. Mr. Arthur Boyle stated that the Zoning Board of Appeals sets restrictions. Mr. Dumian stated that he would like the three

## **REGULAR TOWN BOARD MEETING**

**MARCH 22, 2016**

members of the Town Board who will not be serving on this committee to put their ideas and input in writing for consideration by the committee.

### **DISCUSSION/NUMBER OF PRIMARY STRUCTURES ALLOWED PER PARCEL**

Mr. Lake stated that the Town Code currently restricts each parcel to one principal structure. He asked if the Town Board might consider allowing two primary structures per parcel in the Commercial Zone or two homes on a five-acre or larger parcel in the Residential Zone. Mr. Cole asked if the question is in regard to two uses per parcel. Ms. Sacco stated that two uses per building are already allowed by Code, but not two primary buildings per parcel. She stated that the question is whether or not to allow two houses in Residential or two buildings in Commercial on one lot, and if allowed, what would be the minimum size parcel required. Mr. Hauss asked if one lot is one Tax Map Number and Mr. Lake confirmed that this is the definition. Ms. Sacco asked, "Why not just subdivide the lot?" She also asked what the minimum size requirement would be. Mr. Lake stated that the owner might not be able to subdivide a parcel legally to meet Code requirements for size or road frontage. Ms. Sacco stated that it comes back to lot or parcel size and density of population.

### **OLD BUSINESS:**

#### **UPSTATE TOWERS**

Mr. Finch stated that he will meet with representatives from Upstate Towers on March 24 to discuss the possibility of installation of five cell towers in the Town.

#### **WELL 6 PUMP**

Public Works Superintendent Tom DeLamarter stated that his department is waiting for parts to be delivered before they can repair the pump in Well 6.

#### **VETERANS MEMORIAL LIGHTING**

Mr. Finch stated that two individuals have agreed to dig the ditch and lay the pipe for the lighting at the Veterans Memorial. He added that the Town will supply the wire. Mr. Francisco stated that he will make a list of materials required to complete the project.

#### **TIME WARNER CABLE CONTRACT**

Ms. Sacco stated that she had sent another e-mail to Time Warner Cable regarding the franchise agreement with the Town, but again received no response. She noted that she has been trying to make progress on this agreement for four years now. She stated that she also sent a letter to the Public Service Commission but received no response from that attempt as well. Mr. Finch stated that the franchise fees which the Town is currently receiving are based on the old contract.

### **NEW BUSINESS:**

#### **COMMUNITY CENTER ROOF & EXTERIOR PAINTING OF CASTLE**

Mr. Finch stated that Mr. Lake is writing bid specifications for the repair/replacement of the roof at the Community Center and for the painting of the exterior of the Castle. The bid specifications will be reviewed by Ms. Sacco for legal requirements.

**REGULAR TOWN BOARD MEETING**

**MARCH 22, 2016**

**RESO 2016-45: PUBLISH BID SPECIFICATIONS/COMMUNITY CENTER ROOF & EXTERIOR PAINTING OF CASTLE**

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin will publish in the **Country Courier** and in the **Dodge Report** bid specifications for both the repair/replacement of the roof at the Community Center and the painting of the exterior of the Castle, with bid specifications reviewable by the Town Attorney, and bids due by May 10, 2016.

Seconded by Mr. Finch.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

It was noted that the **Dodge Report** provides information to all contractors and subcontractors. Mr. Francisco stated that he spoke with an individual regarding repairing the concrete on the porch of the Castle, stating that repairing a four foot area would cost approximately \$300. Mr. Finch reminded Mr. Francisco that if this individual has an assistant, he must pay prevailing wage rates. Mr. Francisco stated that the individual stated that to replace the door tread up to the beginning of the ceramic tile would cost approximately a little less than \$500. Mr. Francisco stated that the individual stated that to chip out and level the concrete to three entrances to the Town Hall would cost approximately \$400.

**SOLAR PANELS/TOWN LANDFILL**

Mr. Finch stated that he spoke with Broome County Public Works Commissioner Dan Schofield regarding the possibility of installing solar panels at the Town Landfill. Mr. Schofield is meeting with Solar City to discuss this possibility.

**WATER BILLS**

Mr. Finch stated that the notices for the quarterly water bills were damaged in the flooding caused by the pipe break last month and had to be replaced, adding that new bills were sent out.

**SEWER GRINDERS**

Mr. DeLamarter stated that the sewer grinder project is on hold while he is waiting for more information. He stated that the mixers stir things up and keep them moving so that grease doesn't solidify and the rags that end up in the sewer don't become stuck and create clogs. He stated that the mixers cost \$2,500 each and two would be needed for each sewer station.

**RESO 2016-46: APPROVE T. DELAMARTER/ATTEND NYS RURAL WATER ASSOCIATION CONFERENCE/LAKE PLACID/MAY 15-19, 2016**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Public Works Superintendent Tom DeLamarter to attend the New York State Rural Water Association Conference to be held in Lake Placid, New York, from May 15-19, 2016.

Seconded by Mr. Dumian.

**REGULAR TOWN BOARD MEETING**  
**MARCH 22, 2016**

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

**RESO 2016-47: RATIFY PAYMENT/PITNEY BOWES/REFILL POSTAGE METER**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of an ACH payment, account code A1670.4, in the amount of \$500.00 to Pitney Bowes to refill the postage meter.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

Mr. Finch stated that he has Assistant to the Supervisor Lisa Houston researching a way to assign a code to each department for the postage meter, in order to track which department uses what amount of postage. Until this is implemented, departments will be required to count the number of envelopes mailed each day, as well as the amount of postage used.

**RESO 2016-48: AUTHORIZE PAYMENT/BILL LIST/\$44,239.51**

Mr. Boyle 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 \$44,239.51:

General	\$ 20,015.95
Highway	5,644.47
Light Districts	444.58
Sewer District #1	6,141.02
Water District	<u>11,993.49</u>
<b>Total</b>	<b>\$ 44,239.51</b>

Seconded by Mr. Bullock.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

**RESO 2016-49: APPROVE 2016 ANNUAL PARK PERMIT/MASCIARELLI REAL ESTATE/FOUNTAIN BLEAU MOBILE HOME PARK**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the 2016 Annual Park Permit for the following Mobile Home Park located in the Town of Conklin:

Masciarelli Real Estate                      Fountain Bleau Mobile Home Park

Seconded by Mr. Bullock.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously. Ms. Sacco stated that this action required no environmental review.

**REGULAR TOWN BOARD MEETING**  
**MARCH 22, 2016**

**PUBLIC COMMENTS:**

None.

**SOFTWARE/HIGHWAY DEPARTMENT GPS**

Highway Superintendent Brian Coddington and Highway Laborer Mike Mott gave a presentation regarding GPS software for the Town Highway and Water and Sewer Departments. Mr. Mott stated that the Town does not have a GPS unit, but shares one with the Town of Kirkwood. He stated that the Highway Department's current computers will soon be too advanced for the unit that they are currently using, which, he stated, only has a six to eight foot range for accuracy. The new GPS unit which the departments propose purchasing is accurate to within three to five inches, making it much more reliable for finding breaks in pipes or in water or sewer lines. The software will also be able to store data for federal and New York State inspections. Mr. Coddington stated that the cost of the new software would be shared 50 % each between the Highway Department and the Water & Sewer Department. Mr. Mott stated that annual updates are currently being done on the Esri GIS Mapping software but would not be required for the TerraSync. He stated that the cost of the Esri software is \$7,375 and the cost of the TerraSync is \$2,695, for a total cost of \$10,070. The software is on NYS contract pricing. Mr. Francisco asked if the current computers are compatible to handle this software and Mr. Mott stated that they are sufficient. Mr. Francisco asked if the data is backed up and Mr. Mott replied that it is backed up.

**RESO 2016-50: APPROVE PURCHASE/ESRI SOFTWARE & TERRASYNC/OGS**  
**CONTRACT #PT64163/COST SPLIT 50% EACH/HIGHWAY DEPARTMENT &**  
**WATER & SEWER DEPARTMENT**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase of Esri GIS Mapping Software and TerraSync for the price on the New York State Office of Government Supply (OGS) contract #PT64163, with cost split 50% each between the Highway Department and the Water & Sewer Department.

Seconded by Mr. Dumian.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

**ENERGY DEVELOPMENT LOCAL LAWS**

Ms. Sacco distributed draft local laws regarding natural gas and oil extraction and solar power, as well as a copy of the Town's stand-alone wind energy local law. She asked if the Town Board would also want individual local laws for solar and gas/oil energy development, which would give the Town oversight over this energy development. Mr. Finch stated that natural gas extraction is not currently viable in New York State and Ms. Sacco stated that the Board should address it nevertheless, because it is in the Comprehensive Plan. She asked if the newly formed committee researching the issue of manufactured homes might also research this issue. Mr. Hauss stated he would need to make sure this committee has the necessary expertise.

**REGULAR TOWN BOARD MEETING**

**MARCH 22, 2016**

**ENTRANCE DOOR/TOWN HALL**

Mr. Bullock stated that the entrance door to the foyer on the Water Department side of the building sticks open and needs to be repaired.

**VETERANS MEMORIAL LIGHTING**

Mr. Francisco stated that when the trenches are dug at the Veterans Memorial he will measure for materials needed to finish the lighting project.

**REBATE/LIGHTS AT COMMUNITY CENTER**

Mr. Francisco stated that the rebate on the lights at the Community Center, which had been discontinued in November 2015, has been reinstated by NYSEG (New York State Electric & Gas Corporation) on February 24, 2016. He stated that he has requested information regarding the status of the Town's rebate on the lights, which would be approximately \$1,900.

**UPCOMING EVENTS**

Town Clerk Sherrie Jacobs reminded those present that the Town of Conklin/Conklin Business Association Easter Eggstravaganza will be held on March 26 from 11 A.M. until 1 P.M. at the Community Center. Mr. Finch noted that the Dog Park will be closed from 10:30 A.M. until 2:30 P.M. that day, with signage informing people of the closure.

Ms. Jacobs stated that the Conklin Historical Society will hold a reorganizational meeting on March 31, 2016, at 4:00 P.M. at the Town Hall. All interested parties are welcome to attend.

**SAVINGS ON GASOLINE BILLS**

Mr. Finch stated that the lower prices for oil and gasoline this winter have resulted in a savings of more than \$20,000 on the Town's bills for fuel.

**DEC FLOOD PLAIN ISSUES**

Mr. Finch stated that the DEC (New York State Department of Environmental Conservation) has a video which addresses concerns regarding some of the existing properties on the riverfront, with issues related to elevation, swimming pools, etc. Mr. Lake stated that these concerns will be addressed.

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 7:05 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk