

**REGULAR TOWN BOARD MEETING**

**APRIL 8, 2014**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 7:00 P.M. on April 8, 2014, at the Conklin Town Hall. Mr. Finch, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b> Town Board Members	Bullock, Dumian, Francisco, Finch (Jerry Minoia – Absent due to illness)
Town Counsel	Cheryl Sacco
Town Clerk	Sherrie L. Jacobs
Assistant to the Supervisor	Lisa Houston
Highway Superintendent	Brian Coddington
Public Works Superintendent	Tom Delamarter
Code Officer	Robert Jones
Zoning Board of Appeals	Hal Cole

<b>GUESTS:</b> Country Courier	Elizabeth Einstein John Colley Laurie Francisco Dolly Stout Stan Scobie Bob Ronk Peter J. Motsavage
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**MINUTES: MARCH 25, 2014 REGULAR TOWN BOARD MEETING**

Mr. Francisco stated that a clarification was needed on page 3, line 17 from the top, of the March 25, 2014 Regular Town Board Meeting minutes to add the words “in the Corporate Park” right after the words “has added three new businesses.”

Mr. Bullock moved to approve the March 25, 2014 Regular Town Board Meeting minutes as clarified.

Seconded by Mr. Francisco.

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

**CORRESPONDENCE:**

Mr. Finch acknowledged receipt of correspondence from Governor Cuomo’s office regarding the New York State Rising Community Grant. Mr. Finch stated that the grants will be awarded at a meeting to be held on April 25.

Mr. Finch acknowledged receipt of correspondence from Brian Birtch, a resident of Blue Ridge Mobile Home Park, stating that the water is “bad” at both Blue Ridge and Pride Manor Mobile Home Parks, which have the same owner. Mr. Finch stated that Blue Ridge Mobile Home Park has a private water supply and is not connected to the Town water system. Public Works Superintendent Tom Delamarter stated that any problem at Pride Manor Mobile Home Park is probably due to an issue with the lines within the mobile home park. He stated that the holding tank may be dirty and should be cleaned and inspected. Code Officer Robert Jones will contact Robert Kearns, owner of both mobile home parks, to address this issue.

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Mr. Finch acknowledged receipt of correspondence from 1040 Conklin Road (Susquehanna Valley High School) complaining about salt on the roads and potholes. Most of the locations addressed are on Route 7, which belongs to New York State, or on roads belonging to Broome County. The writer stated that more sand should be added to the salt mix. Mr. Finch stated that he was informed that this letter was part of a project assigned by a Social Studies teacher at the school to write a letter to Town officials.

### **REPORT: SUPERVISOR'S OFFICE**

Refer to written report.

### **REPORT: TOWN CLERK**

Refer to written report.

### **REPORT: HIGHWAY DEPARTMENT**

In addition to his written report, Highway Superintendent Brian Coddington reported that his department has been cleaning and sweeping roads, removing brush, making repairs to trucks and plows, patching roads, and repairing/replacing guard rails and stop signs.

### **PUBLIC COMMENTS:**

#### **FLOOD INSURANCE**

Bob Ronk stated that he read a report that stated that flood insurance costing \$460 for a \$35,000 insurance policy would cost \$4,600 after the new flood maps are approved. He also stated that the article stated that any buildings that are built to Code are "grandfathered in." Mr. Finch stated that the floor level determines if one's structure is in Zone A or B for flood insurance ratings. He stated that information has been available in the **Country Courier**, the **Press & Sun Bulletin**, and at an informational meeting conducted by engineer Gary Whistle. Mr. Dumian stated that new flood insurance policies require a certificate of elevation. Mr. Finch commented that there is nothing the Town can do regarding the cost of flood insurance.

Mr. Finch commented to Mr. Ronk that the grass at the Little League field, which had been under the new ice rink, was not damaged and is in good shape. Mr. Ronk had expressed concern about this at an earlier meeting.

### **REPORT: WATER & SEWER**

In addition to his written report, Public Works Superintendent Tom Delamarter reported that the Town water tanks must be inspected, adding that a dry inspection may be required, which would entail draining the water tanks. He stated that the tank on Ahern Road holds 500,000 gallons of water and the one on Stewart Road holds 1,000,000 gallons of water.

Mr. Delamarter stated that Colin Casey, who works in his department, just obtained his water distribution license, which entitles him to an increase in pay rate of \$.40 per hour, according to the Town Employee Manual.

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### **REPORT: CODE OFFICER**

In addition to his written report, Code Officer Robert Jones reported that the addition to the FedEx building in Corporate Park is progressing, with the foundation having been completed. He stated that a new foundation was installed for a modular home on Powers Road and one in Fountain Bleau Mobile Home Park. Mr. Jones stated that there are several projects pending for the Planning Board to review: a tattoo parlor, a spray painting facility, a seasonal flower shop, an auto refurbishing shop, and two used car lots. He added that most of these proposed businesses would be located in the northern end of the Town. Mr. Jones stated that he also has an application for the Zoning Board of Appeals, for a Special Permit to operate a repair shop on Shaw Road.

Mr. Jones reported that Hobart Stone dumped material on the Town property at Julius Rogers Park and damaged the fence that separates the two properties. He stated that a letter was sent to Mr. Hobart.

Mr. Jones stated that the owner of 9 Cherry Drive had a deadline of April 15, 2014, by which he must clean up his property, but now, however, the owner wants to get a building permit and rebuild the house on the property. He was given two weeks in which to obtain engineer-stamped building plans and a building permit. After obtaining these necessary documents, he would be able to leave the building materials but must clean up the rest of the material on the property. Mr. Jones stated that there is a program through the New York State Rising Community Grant providing money to demolish or refurbish flood-damaged homes. Mr. Dumian asked if the public has been made aware of this program and Mr. Jones replied that information regarding it has been published in the **Press & Sun Bulletin** and in the **Country Courier**, and has been offered to all property owners in the Buyout Program. He stated that the program has been available since October of 2013. Mr. Jones stated that the owner of 9 Cherry Drive will be required to have an architect's plans and a "bona fide contractor." Mr. Finch stated that there should be a verbal agreement that progress will be evident within one month's time.

### **OLD BUSINESS:**

#### **UPDATE ON BUYOUT PROGRAM**

Attorney Cheryl Sacco asked for an update on the Flood Buyout Program. Mr. Jones replied that he has submitted eight applications to SEMO (State Emergency Management Office) representative Tom Abatti and six applications to Ms. Sacco's office, all for review. He stated that he received four applications back from Mr. Abatti, which must be adjusted and re-submitted. Mr. Jones stated that the Town has not yet received any approvals for the Buyout Program. He stated that he must file his Quarterly Report with New York State by April 15.

#### **TIME WARNER CABLE AGREEMENT**

Mr. Finch stated that Time Warner Cable agreed to install an underground line for six houses on Gratsinger Road to provide cable television service. The cost will be determined by the services which the residents elect to purchase and installation will take place during the summer of 2014.

#### **BINGHAMTON-JOHNSON CITY JOINT SEWAGE AGREEMENT**

Mr. Finch stated that he learned that CP Rail has two pumping stations moving waste to the City of Binghamton lines, so their sewer lines are not hooked into the Town's lines. He stated that the

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City of Binghamton wants to replace its 18-inch sewer pipes with 24-inch pipes from Duke Street to Broome Street, at a cost of \$950,000, before it will accept any more flow from the Town of Conklin, even though the Town is currently only at one-third the allowed flow. The City wants the Town to bear the cost of this pipe replacement. Mr. Finch stated that several options were discussed, including the possibility of Broome County taking over management of the Sewage Treatment Plant, or constructing a small processing plant to serve the Towns of Conklin and Kirkwood. He stated that the 11 outside users want representation on the Joint Sewage Board but the mayors of both the City of Binghamton and the Village of Johnson City have refused this request. Mr. Finch stated that the Town has offered to sign a one-year contract with the Joint Board, but the City of Binghamton, which owns 51% of the Joint Sewage Treatment Plant, will not accept this. The Joint Board wants a 30-year contract.

### **NEW YORK STATE RISING COMMUNITY GRANT**

Mr. Finch stated that he received a letter from Governor Cuomo's office stating that the recipients of the New York State Rising Community Grant will be chosen at a meeting to be held April 25. He stated that the Town sent photos of the 2006 Flood, as well as a drawing depicting the proposed relocation of the Community Center to Corporate Drive.

### **UPDATE/COMPREHENSIVE PLAN**

Comprehensive Plan Committee Chairman Hal Cole distributed draft copies of the updated Comprehensive Plan, and added that the final plan will be ready in May. He suggested that the Board members call him with any questions and that they write down suggestions and ideas with page numbers for reference. Mr. Cole stated that he received a response from Broome County Planning Department with six suggestions, which he and his committee will address. One of these suggestions was the idea that the Town should address the water and sewer limits within the Town, which Mr. Cole stated his committee has already addressed, adding, "It's in the plan."

Mr. Cole stated that a public meeting will be held at 6:30 P.M. on April 30, 2014, at the Community Center to receive public input on the Plan. Advertisements for this meeting will run in the **Country Courier** April 16, 23, and 30. Mr. Cole stated that April 30 will be the cutoff for receiving public comments.

Mr. Cole stated that Broome County also suggested that the Town "identify the importance of agriculture." Mr. Cole stated that more than 50% of the Town is zoned Agricultural, although he added that there is very little active agricultural activity in the Town. He stated that there are no major concerns from Broome County. Mr. Finch commented that the Comprehensive Plan Committee makes recommendations to the Town Board, which can choose to implement the recommendations or not do so. Mr. Dumian commented that Kraft and Chobani are both important agricultural employers in New York State. Mr. Cole stated that the land in Conklin is hilly, and added that many landowners are waiting for the possible approval of natural gas extraction.

### **NEW BUSINESS:**

#### **RESO 2014-56: AUTHORIZE SUPERVISOR/ENTER CONTRACT/SHUMAKER CONSULTING & ENGINEERING PC/LANDFILL POST-CLOSURE OPERATIONS & MAINTENANCE**

Mr. Francisco moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes Supervisor James Finch to enter into Contract Task Order No. 6 with Shumaker Consulting & Engineering, PC, with the price negotiated from \$13,390 to \$4,600. This contract is the continued support of the Town Landfill's post-closure operations and maintenance.

Seconded by Mr. Dumian.

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

**RESO 2014-57: AUTHORIZE ADVERTISEMENT/COUNTRY COURIER/HIRING OF LIFEGUARDS FOR 2014 SEASON**

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes advertisement in the **Country Courier** for hiring of lifeguards for the 2014 season.

Seconded by Mr. Francisco.

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

**SALARIES/PARKS & POOL**

Mr. Finch stated that minimum wage has increased 75 cents, so the lifeguards would need to see an increase in their pay rates. Mr. Dumian stated that the pool operates at a loss of \$24,000 to \$25,000 each year, and suggested increasing the pay rate of the Pool Manager by \$.25 to \$10.25 per hour and the pay rate of the Assistant Pool Manager by \$.50 to \$9.00 per hour. He stated that in 2013, the cost of wages for pool workers increased but the income decreased, adding that perhaps more checks and balances are required. Mr. Delamarter explained that some years the pool opens earlier in the season and closes later, or has more rain days, since attendance at the pool is impacted by the weather. He explained that there are many variations that affect the pool, adding that the staff rotates which jobs they perform. Even though the pool loses money, stated Mr. Delamarter, it is a service that the Town provides for the public. "I don't want to close the pool," stated Mr. Dumian.

**RESO 2014-58: INCREASE PAY RATE BY \$.75 PER HOUR TO REACH MINIMUM WAGE**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes an increase in pay rate of Pool staff by \$.75 per hour to reach minimum wage requirements.

Seconded by Mr. Francisco.

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

**RESO 2014-59: INCREASE PAY RATE/POOL MANAGER & ASSISTANT MANAGER**

Mr. Dumian moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes increasing the pay rate of the Pool Manager by \$.25 per hour to \$10.25 per hour and the pay rate of the Assistant Pool Manager by \$.50 per hour to \$9.00 per hour for the 2014 season.

Seconded by Mr. Bullock.

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

It was noted that this increase is in the 2014 Budget. Assistant to the Supervisor Lisa Houston stated that \$23,000 was budgeted for Pool staff salaries, with the average amount spent per year being \$20,000. She stated that with the increase, the cost would be approximately \$22,000.

Mr. Bullock asked if swimmers are required to sign in at the Pool. Mr. Delamarter stated that swimmers are required to sign in with name and address. Mr. Bullock stated that the Pool is important because it provides a safe place for people to swim. Mr. Francisco agreed, stating that the Town should keep the service for the residents. The Town Board discussed increasing the rates for using the Pool, which have not been increased since 2005.

**RESO 2014-60: INCREASE POOL RATE FOR ADULTS/\$1.25 FOR RESIDENTS/\$2.25 FOR NON-RESIDENTS**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves increasing the rates to use the Pool to \$1.25 for adult residents and \$2.25 for adult non-residents. Rates for children will remain the same.

Seconded by Mr. Dumian.

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

**DISCUSSION/PAY RATE INCREASE/WATER & SEWER DEPARTMENT**

Mr. Finch stated that Colin Casey has earned his Water Distribution License and will receive a pay rate increase of \$.40 per hour, as mandated by the Town Employee Handbook. He stated that Mr. Casey was hired at \$11.50 per hour, and now makes \$12.00 per hour. He will receive another increase of \$.60 per hour when he receives his Water Treatment License, which the Broome County Health Department stipulates cannot be given until the employee has been employed at least two years. Mr. Finch stated that Nick Platt, who also works in the Water and Sewer Department, has worked in that capacity for seven years, and has his license, and makes \$14.35 per hour. Mr. Finch stated that he feels Mr. Platt deserves an increase in his pay rate, adding that Broome County is requiring the Town to pay the new Account Clerk, to be hired to work in his Assistant's office, \$12.00 per hour. Mr. Bullock stated that he is opposed to an increase for Mr. Platt, adding that "we must be accountable to the public." Mr. Dumian proposed tabling the decision on this matter until the April 22 meeting. Mr. Francisco stated that the requirements of the Water Department, with all the licensing required, are "more professional services than just a clerk," and therefore worth more money. Mr. Delamarter made the point that if a problem occurs with municipal water supplies, Homeland Security becomes involved and a water operator can face very serious consequences, further stressing the importance of the job. The Town Board decided to table the decision until the April 22 meeting.

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**RESO 2014-61: APPROVE PAY RATE INCREASE/\$.40 PER HOUR/COLIN CASEY**

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves an increase in pay rate of \$.40 per hour for Colin Casey, for obtaining his Water Distribution License.

Seconded by Mr. Francisco.

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

**RESO 2014-62: AUTHORIZE PAYMENT/BILL LIST/\$22,214.68**

Mr. Dumian 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 \$22,214.68:

General	\$14,288.94
Highway	3,070.44
Light Districts	1,798.79
Sewer Districts	593.54
Water District	<u>2,462.97</u>
<b>Total</b>	<b>\$22,214.68</b>

Seconded by Mr. Bullock.

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

**TIRE PICK-UP**

Mr. Dumian stated that Highway Superintendent Brian Coddington stated that his department has only had to pick up eight tires that were illegally thrown along the road throughout the Town, attributing this low number to the fact that the Town has accepted tires for disposal for the past several years. The Town has opted not to do so this year, because Broome County will no longer waive the tipping fee at the County Landfill. The Town has in the past imposed a four tire per household limit. Mr. Dumian stated that he “doesn’t want to see tires on the back roads.” Mr. Francisco mentioned the issue with tires being dumped on Mr. Soucie’s property on Conklin Road. Mr. Jones stated that he has an agreement with Mr. Soucie to get the tires cleaned up, adding that there have been no additional tires dumped there since the snow melted. Mr. Francisco stated that there had been an issue with the DEC (New York State Department of Environmental Conservation) about the tires being a breeding ground for mosquitoes and rats. It costs \$4 per tire to dispose of the tires. Mr. Bullock added that only the Town had been held responsible by the DEC for stored tires. Mr. Dumian commented that the surveillance cameras at the Highway Garage monitor any illegal dumping there and have decreased the incidence of this behavior.

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**RISING COMMUNITY GRANT**

Mr. Dumian asked when construction would begin if the Town receives the Rising Community Grant. Mr. Finch stated that the studies would have to be completed before any construction could begin.

**TOWN CLEAN-UP DAY**

Mr. Finch announced that a Town-wide Clean-up Day will be held on April 26, 2014. The Susquehanna Valley School District Athletic Department will participate. He added that he spoke to the Town Justice's office about using the clean up as community service for people who are sentenced to that task.

**CP RAIL**

Mr. Finch stated that CP Rail paid the water bill for 560 Conklin Road, a location at which the railroad owns the land but not the building located on it. He added that Mr. Knapp, who had claimed he had a lease for the building from the railroad company, has never paid any rent on it. The railroad company stated that it will not demolish the badly damaged building, but would allow the Town to do so.

Mr. Finch stated that the representative from CP Rail stated that the railroad crossing on Powers Road will be repaired beginning in June, with the work expected to be completed in July.

**PUBLIC COMMENTS:**

None.

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 8:10 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk