

REGULAR TOWN BOARD MEETING

APRIL 10, 2012

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 7:00 P.M. on April 10, 2012, at the Conklin Town Hall. Mr. Finch, Deputy Supervisor, presided. The meeting opened with the Pledge of Allegiance.

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| PRESENT: | Town Board Members | Bullock, Minoia, Francisco, Finch |
| | Town Counsel | Mark S. Gorgos |
| | Town Clerk | Sherrie L. Jacobs |
| | Assistant to Supervisor | Lisa Houston |
| | Highway Superintendent | Patrick Latting |
| | Code Officer | Robert Jones |
| | Water & Sewer Superintendent/ Parks Superintendent | Tom Delamarter |
| | Dog Control Officer | Darlene Weidman |
| | Substitute DCO | Kelly Wildoner |

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| GUESTS: | Country Courier | Elizabeth Einstein |
| | Broome County Executive | Debra A. Preston |
| | Broome County Planning | Elaine Miller |
| | Broome Co. Resident Svcs. | Deidra Martin |
| | | Laurie Francisco |
| | | Paul Preston |
| | | Raymond "Tom" Edmister |
| | | Peter J. Motsavage |

MINUTES: MARCH 27, 2012 REGULAR TOWN BOARD MEETING

Mr. Bullock moved to approve the March 27, 2012 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Minoia – Abstain, Francisco – Yes, Finch – Yes. Motion carried: 3 – Yes, 1 - Abstain.

BROOME COUNTY EXECUTIVE DEBRA A. PRESTON

Broome County Executive Debra A. Preston thanked the Town Board for giving her the opportunity to speak to the residents, adding that she has attended several Town Board meetings in other municipalities in Broome County, with the goal of visiting each Town Board for a meeting. She introduced the Commissioner of the Broome County Planning and Economic Development Department, Elaine Miller, and Deidra Martin, who also works for Broome County in Resident Services.

County Executive Preston stated that she saved \$365,000 by cutting her salary and that of many top officials, by 5 percent. She stated that she saved over \$400,000 by decreasing the size of the Broome County fleet of vehicles and tightening the controls on the use of such vehicles. Ms. Preston stated that she has created a task force comprised of businesspeople – no politicians - to examine the possibility of leasing or selling some of Broome County's assets, such as the Forum, the Arena, the Landfill, etc.

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Ms. Preston stated that her Open Office Hours, held Tuesdays from 9 to 11 A.M., have been a huge success. She stated that she is looking into grants for businesses impacted by the September 2011 Flood, adding that information regarding damage would have to be verified. Ms. Preston stated that she is creating an Office for Safe Natural Gas Drilling, which will open soon, adding that there is a site at the Broome County Airport which could be drilled, once horizontal drilling has been approved in New York State.

Ms. Preston stated that she is advocating returning to a 50%-50% split of sales tax revenue between Broome County and the municipalities. She stated that there have been “many challenges and there will be many changes.”

Deputy Supervisor Jim Finch asked what the minimum amount would be that a business owner might receive from a grant and Ms. Preston replied that the grant money totals \$500,000, to be split among the Towns of Conklin and Union and the City of Binghamton.

Ms. Preston then introduced Elaine Miller, Commissioner of the Broome County Planning and Economic Development Department, adding that Ms. Miller was a former Deputy Mayor of the City of Binghamton under Mayor Richard Bucci, and has also worked for New York State government in the Department of State.

Ms. Miller spoke about the previously mentioned flood recovery grants for businesses, adding that \$150,000 is received from a Community Development Block Grant, with the remaining \$350,000 coming from the New York State Main Street Program. She stated that for some businesses, there may not be enough money available to help them much or to be worth the effort of documentation of losses. Ms. Miller stated that additional money will become available through a Community Development Block Grant, with \$54 Million from HUD (Housing and Urban Development) to be split among four counties, including Broome County.

Ms. Miller stated that 100 New York State and Federal representatives were present at Binghamton University on March 27, 2012, to address residents’ concerns regarding flood recovery. She stated that this was the second in a series of workshops, with the next scheduled workshop geared toward Highway Superintendents.

Ms. Miller introduced a new project which she and Broome County Executive Preston are developing which partners Broome County with Binghamton University. The project is a High-Tech Transfer Incubator, to develop start-up businesses formulated at Binghamton University. She stated that the building will be located in the urban core and has support from “major stakeholders,” adding that the project will be officially unveiled soon. Ms. Miller stated that the Southern Tier Strategic Plan, which supports this project, was “very good,” adding that the County is seeking \$7 Million to \$15 Million for construction of the project, which is scheduled to be open in three years. Broome County will provide support services.

Mr. Minoia asked about co-owning property and Ms. Miller stated that the County is “looking at that.” Mr. Francisco asked for an estimate of how much money could be saved with space consolidation at the County, if the County gave up the properties at which it rents office space. County Executive Preston stated that an energy and space audit is currently being conducted at the County offices.

Town Counsel Mark Gorgos stated that he thinks there are “too many planning agencies.” County Executive Preston stated that she is “working on that,” adding that she is “streamlining,

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but it is difficult, because no one wants to give up what they have.” She added that the Broome County government is working with other counties on various projects.

CORRESPONDENCE:

Assistant to the Supervisor Lisa Houston read the following thank you card from the Conklin Presbyterian Church:

“On behalf of the people of Conklin Presbyterian Church, our many volunteers, and most importantly the flood affected, we want to thank you for your generosity. Your gift will enable us to serve thousands of meals and to help clean-out flood-damaged homes. Our work continues on and we value your prayers.

“With deepest gratitude,

“Pat Bond

“Assistant Financial Secretary”

Deputy Supervisor Finch explained that Cleaners’ Supply donated \$10,000 to help with flood relief. This money was divided between the businesses in Conklin, with the remaining \$2,500 donated to the Conklin Volunteer Fire Department. Some businesses chose to either return the gift or have not re-opened, and the returned money was donated, \$400 each, to the Conklin Presbyterian Church and the Little White Church, as a thank you for all of the efforts extended by both churches to aid in flood recovery.

PUBLIC COMMENTS:

None.

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 Patrick Latting reported that he and his department, along with Water & Sewer & Parks Superintendent Tom Delamarter and Nick Platt from the Water/Sewer/Parks Department have completed their CPR (Cardiopulmonary Resuscitation) recertification.

Mr. Latting reported that the work on the FEMA (Federal Emergency Management Agency) Highway projects is progressing, with work completed, except for grout, by ZMK Construction on Site #2, which Mr. Latting stated was the first priority. He stated that Town Engineer John Mastronardi has checked and approved the work. Mr. Latting stated that the next project will be on Stenson Road, where trees have been cleared and pipe laid in preparation for the project.

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Mr. Finch asked about the culvert on State Line Road. Mr. Latting stated that it looks “promising” to re-line the culvert, which he added is failing due to erosion and is on a daily watch. He stated that this is normal for a culvert which was installed in 1984 or 1986.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Water and Sewer Superintendent Tom Delamarter reported that Nick Platt and Jim Gates from his department will attend training to receive their Grade C Water Certification, with one person attending the September training session and the other attending the November training session. Mr. Delamarter added that this training is free to the Town except for the cost of travel and meals for the two employees.

Mr. Delamarter asked about the issue of the Town Booster Club having its own flood insurance for the contents of the concession stands. He stated that the Town cannot require the Booster Club to have insurance, noting that FEMA did not cover the contents during the 2011 Flood, and only gave the Booster Club \$2,000 to cover its losses, which totaled \$20,000 in damages. Mr. Delamarter suggested putting the contents under the Town’s flood insurance and having the Booster Club pay the Town the difference in the cost of the premium. Mr. Finch stated that the Booster Club did not follow through with the appeals process. Mr. Minoia commented that FEMA sets guidelines and thresholds for flood insurance but insurance companies have some leeway. Mr. Delamarter asked if it would be possible for the Town to lease the concession stand buildings to the Booster Club. Mr. Francisco requested that a representative from the Town’s insurance carrier, The Partners, come to a Town Board meeting to discuss this issue.

REPORT: CODE OFFICER

In addition to his written report, Code Officer Robert Jones reported that he has been issuing building permits and conducting inspections as a result of flood issues. He stated that two businesses want to open in the former Hycourt Supply building on Conklin Road, and that Michael Yezzi wants to open a business in the former True Value Hardware Store, also on Conklin Road. Mr. Jones stated that all of these applicants are scheduled to appear before the Planning Board. Mr. Jones stated that he and Assessor Clerk Penny Lake represented the Town of Conklin at a Flood Information Workshop held at Binghamton University on March 27, 2012.

REPORT: DOG CONTROL OFFICER

Refer to written report.

(Copies of all written reports are available in the office of the Town Clerk.)

OLD BUSINESS:

DOG PARK

Mr. Finch stated that progress is being made moving forward with establishment of a Dog Park on the Maines Community Center grounds. Mr. Delamarter reported that the fencing has been ordered and work on the project will begin this week. He stated that the Dog Park will be ADA (Americans with Disabilities Act) compatible.

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COMMUNITY CENTER UPDATE

Mr. Finch reported that the Community Center has had one rental already and several more are booked for future use. He stated that the Town Board is researching installation of a key card entry system for the building, which will save having someone open and close the building whenever it is in use. Mr. Finch stated that the kitchen appliances are due to be delivered and installed this week. He stated that Meals on Wheels will soon be once again operating out of the Community Center, having been displaced by the September 2011 Flood. Mr. Francisco thanked Mr. Delamarter for getting the lights adjusted at the Community Center. Mr. Finch asked about lighting in the parking lot, adding that illumination is needed. Mr. Francisco agreed to research this issue.

TOWN-WIDE CLEAN-UP DAY

Mr. Finch reminded those present that the Town-Wide Clean-Up Day will be held on Saturday, April 14, 2012, from 9 A.M. until 2 P.M. Trash bags and gloves are available in the Town Clerk's office, and volunteer groups can sign up there to be assigned a section of Conklin Road to clean. Mr. Delamarter arranged for the Sheriff's Department to assign weekend inmates to clean areas of Conklin Road. Mr. Latting will have his Highway Department pick up the trash bags that volunteers will leave along Conklin Road.

UNITED COMMUNITY DAY

Mr. Finch reported that many businesses are participating in United Community Day, which will be held from 10 A.M. until 4 P.M. on April 28, 2012. He stated that COOL 100 will be doing live remote broadcasting from area businesses and from the Maines Community Center. Each participating business and volunteer organization is providing a raffle with prizes, and participants can also get their "passports" stamped by businesses to enter their name in a drawing for a Grand Prize. Several car clubs will be exhibiting their cars at the Community Center grounds that day, and entertainer Rich Wilson will be performing from 1 to 3 P.M. Robert Brown of R & R Mulch has a contact that will make signs for individual businesses to promote their business and/or the United Community Day, at a price of \$10 each. The media has been contacted with information regarding this event, with COOL 100 promoting the event all of the week preceding the event.

NEW BUSINESS:

**RESO 2012-70: ACCEPT DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL
IMPACT STATEMENT TO DEVELOP STANDARDS TO ENSURE THE SAFE
DEVELOPMENT OF NATURAL GAS RESOURCES BASED ON THE EXPERTISE OF
THE DEC**

Mr. Bullock moved for the following resolution:

WHEREAS, the state has dedicated more than three years and more than 10,250 man hours creating a 900-page comprehensive plan for the safe development of natural gas through its draft Supplemental Generic Environmental Impact Statement (sGEIS) under the leadership of the Department of Environmental Conservation (DEC) and Commissioner Joe Martens as well as Governor Andrew Cuomo; and

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WHEREAS, promoting economic activity and creating jobs to support families is a top priority; and

WHEREAS, state officials are developing standards to ensure safe development of our natural gas resources based on the expertise of DEC employees and advisors, such as:

- Requiring DEC staff to visit every well pad before permits are issued; and
- Requiring preapproval of wastewater treatment plans for every proposed well pad; and
- Requiring natural gas operators to provide a plan for assessing and repairing any road wear before permits are issued; and
- Requiring multiple layers of cement and steel casings around each underground well, extending at least 75 feet below New York State's deepest drinking water tables; and
- Requiring operators to provide dual failsafe protections for wastewater from hydraulic fracturing, mandating it be sealed in watertight, covered tanks enclosed in a secondary containment system; and
- Requiring disclosure of all additives used in the hydraulic fracturing process; and

WHEREAS, the role of municipal governments in New York State's natural gas development still remains under review by the DEC as a part of the ongoing sGEIS process; and

WHEREAS, local municipalities will have a designated role under the state guidelines once released; and

WHEREAS, development of our natural gas resources is currently prohibited pending the DEC's plan and final approval by Governor Cuomo.

WHEREAS, premature local action in our municipality could negatively impact the competitive environment of all of New York State for natural gas development, and jeopardize the potential \$11.4 billion in statewide economic impact of development; and

WHEREAS, preserving a competitive environment for development in New York as compared to neighboring states will be critical to the economic future of our region; and

NOW, THEREFORE, BE IT RESOLVED, that we, the undersigned, find pursuit of a ban or moratorium to be an irresponsible and premature misallocation of town resources pending the release of the state's final sGEIS; and

BE IT FURTHER RESOLVED that we commend the state's leadership in developing a comprehensive statewide program to address the potential resource development holds for New York; and

BE IT FURTHER RESOLVED that we have confidence the state will develop a program that allows development of our natural gas resources to proceed in a safe, responsible, and competitive manner.

Seconded by Mr. Francisco.

ROLL CALL VOTE:

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| Mr. Bullock | YES |
| Mr. Minoia | YES |
| Mr. Francisco | YES |
| Mr. Finch | YES |

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Motion passed unanimously.

RESO 2012-71: AUTHORIZE PAYMENT/BILL LIST/\$120,018.05

Mr. Minoia 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 \$120,018.05:

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| General | \$ 27,516.16 |
| Highway | 6,060.69 |
| Flood Emergency | 85,480.94 |
| Water District | <u>960.26</u> |
| Total | \$120,018.05 |

Seconded by Mr. Francisco.

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

RESO 2012-72: APPROVE JOINT VENTURE/TOWN OF CONKLIN & CONKLIN
KIWANIS CLUB/SPONSOR RED CROSS BLOOD DRIVE AT CONKLIN
PRESBYTERIAN CHURCH

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves a Joint Venture between the Town of Conklin and the Conklin Kiwanis Club to sponsor a Red Cross Blood Drive at the Conklin Presbyterian Church.

Seconded by Mr. Bullock.

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

CONKLIN SENIORS CLUB BACK AT COMMUNITY CENTER

Mr. Francisco reported that the Conklin Seniors Club met at the Community Center on April 5 for their monthly luncheon, for the first time since the September 2011 Flood, and they are very happy with the renovations and with the ability to once again meet at the Community Center. The members of the Conklin Seniors Club who meet only to play cards on the Thursdays alternate to their luncheon meetings, will meet at the Castle to play cards.

STREET LIGHTS

Mr. Francisco stated that there are two methods by which one can report street light outages, either by reporting on the NYSEG (New York State Electric and Gas Corporation) website or by faxing the information to (585) 340-1664. The report must include either the pole number of the affected light or the number of the closest house. Mr. Bullock asked if there is a priority list for addressing outages, noting that there are many street lights on Conklin Road that have been out for a long time. Mr. Francisco stated that “the people in charge have changed.”

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12 WOODCREST WAY

Mr. Finch reported that no bids have been received to date for the purchase of the property located at 12 Woodcrest Way. The Town is offering the property for a minimum bid of \$12,000, with \$2,000 to be refunded if the structure is made Code compatible within the designated amount of time.

BEROTA COURT EASEMENT

Mr. Finch stated that John and Maria Corey will be in this week to sign the Temporary Easement on their property on Berota Court, so that the Town can move forward with addressing stormwater ponding issues in that area. Mr. Finch stated that the mitigation includes a swale and a pipe with a flapper valve.

INSURANCE REQUIREMENTS/COMMUNITY CENTER RENTALS

Mr. Finch stated that copies of renters' homeowners' insurance will no longer be required for rentals of the Community Center. He stated that, instead, those wishing to rent the Community Center can obtain a one-day coverage certificate of liability for \$1 Million coverage for a cost of \$97, adding that this certificate can be obtained in a short period of time. Mr. Finch stated that conversation with the Town's insurance carrier determined that this is a better procedure.

FIRE ALARM SYSTEM AT TOWN HALL

Mr. Francisco asked if the fire alarm system at the Town Hall has been repaired yet and Code Officer Jones stated that it has not been repaired, in spite of numerous visits by repairmen from both Verizon and Procon. Mr. Jones stated that Verizon needs to fix the problem.

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 8:05 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk