

REGULAR TOWN BOARD MEETING

JUNE 24, 2014

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 5:30 P.M. on June 24, 2014, at the Conklin Town Hall. Mr. Finch, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT:	Town Board Members	Bullock, Minoia, 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
	Planning Board	Dell Boyle
	Zoning Board of Appeals	Hal Cole

GUESTS:	Country Courier	Elizabeth Einstein
	Town of Triangle	Sandra K. Martin
	NYSTCA	April Scheffler
	NYSTCA	Karen Snyder
		Laurie Francisco
		Stan Scobie
		Gail Kumpan
		Roger Conklin
		Dorothy H. Conklin
		Bob Ronk

MINUTES: MAY 28, 2014 REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the May 28, 2014 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Dumian.

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

MINUTES: JUNE 6, 2014 SPECIAL TOWN BOARD MEETING

Mr. Minoia moved to approve the June 6, 2014 Special Town Board Meeting minutes as presented.

Seconded by Mr. Francisco.

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

DISTRICT 6 CLERK OF THE YEAR

New York State Town Clerks Association (NYSTCA) District 6 Director April Scheffler made a presentation to Town Clerk Sherrie Jacobs honoring her as District 6 Clerk of the Year. Ms. Scheffler read a proclamation describing Ms. Jacobs' contributions to the state and county clerks' associations and to her community, and presented her with flowers, a scrapbook, and a photograph of Ms. Jacobs receiving the District 6 Clerk of the Year award from NYSTCA

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President Christian Sampson at the NYSTCA Conference held in Saratoga Springs in April 2014. Ms. Jacobs received a standing ovation.

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PUBLIC HEARING
TO RECEIVE INPUT REGARDING THE PROPOSED UPDATED
TOWN OF CONKLIN COMPREHENSIVE PLAN

PRESENT: Same as listed on page one.

Notice of Public Hearing having been duly advertised, Supervisor Finch declared the Public Hearing open at 5:39 P.M. and asked those present to speak either for, or in opposition to, the proposed updated Town of Conklin Comprehensive Plan.

There being no questions or public comments, Supervisor Finch declared the Public Hearing closed at 5:40 P.M.

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Town Attorney Cheryl Sacco addressed suggestions from the Broome County Department of Planning and Economic Development.

- Recommendation to include the term “pedestrian-friendly” in the Vision Statement in Section II. Ms. Sacco stated that this topic is addressed at length in Section X- C, with discussion of the Multi-Use Trail.
- Recommendation to provide training courses and/or information for residents wishing to age in place. Ms. Sacco stated that this need is being addressed through proposed housing to possibly be funded through the New York State Rising Community Grant.
- Recommendation to check population and housing figures for accuracy and 2010 updating. Ms. Sacco stated that the figures used in the Plan were obtained from the U.S. Census and from Broome County and added that there is no way to check their accuracy.
- Recommendation to provide a business plan to target types of businesses the Town wishes to attract and retain. Ms. Sacco stated that this is already addressed in the Vision Statement, adding that the Town could develop a separate business plan if it chooses to do so.
- Recommendation to provide continued stormwater and flood training for Town representatives. Ms. Sacco stated that this provision is already in place in the Plan.
- Recommendation to mention New Preliminary FEMA 100-Year Floodplain in Section XI. Ms. Sacco stated that this provision is already in place in the Plan.
- Recommendation to include Spill Prevention Plans in Section XI. Ms. Sacco stated that this is already covered by the Town Planning Board under the new updated SEQR (State Environmental Quality Review) process.
- Recommendation to add “and related uses” to Section XIII-C, with reference to gas drilling. Ms. Sacco stated that this section refers to land uses, rather than to extraction per se.

Ms. Sacco stated that this Plan has been shared with the City of Binghamton, the Town of Binghamton, and the Town of Kirkwood. She noted that the Board felt it was not necessary to take action on the recommendations from the Broome County Department of Planning and Economic Development.

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Ms. Sacco and the Town Board then addressed the questions found in the Full Environmental Assessment Form (EAF). The Comprehensive Plan is a Type 1 Action for purposes of SEQR (State Environmental Quality Review). The EAF listed which agencies would need to approve adoption of the updated Comprehensive Plan – the Town Board, the Town Comprehensive Plan Committee, and Broome County.

Under Section E.1.h. – Land uses on and surrounding the project – under the heading, “Potential contamination history,” it was noted that a portion is listed on the Environmental Site Remediation database. Under Section E.2.h. – Natural resources on or near project – It was noted that the site (the whole Town is addressed in the Comprehensive Plan) contains wetlands, some of which are federally regulated, and that the site is located over or adjoining a principal aquifer and/or a sole source aquifer. It was noted that the site contains species of plant or animal considered rare and/or endangered by New York State and/or the federal government. It was noted in Section E.3 – Designated Public Resources On or Near Project – that the site includes a designated agricultural district, but does not include a registered National Natural Landmark, nor a Critical Environmental Area. It was noted that the site does contain a building listed on the New York State and National Register of Historic Places (the Conklin Town Hall), and is located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office archaeological site inventory. The site is not located within a designated river corridor under the Wild, Scenic, and Recreational Rivers Program 6 NYCRR 666.

RESO 2014-99: ISSUE NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE RELATING TO THE ADOPTION OF THE PROPOSED TOWN OF CONKLIN COMPREHENSIVE PLAN UPDATE 2014

PRESENT:

Supervisor James E. Finch
Councilman Gary D. Bullock
Councilman Charles Francisco
Councilman Jerry Minoia
Councilman William Dumian

ABSENT:

Offered By: Mr. Bullock Seconded By: Mr. Minoia

The Town Board (hereinafter “Town Board”) of the Town of Conklin (hereinafter “Town”), duly convened in regular session, does hereby resolve as follows

WHEREAS, The Town of Conklin (the “Town”) Comprehensive Plan Committee has prepared a Comprehensive Plan Update 2014 (hereinafter “Comprehensive Plan”) with said plan having previously accepted, but not adopted, by the Town Board of the Town of Conklin (the “Town Board”), and

WHEREAS, the Conklin Town Board determined that the proposed action of adopting the Comprehensive Plan by the Town of Conklin is a Type I Action under the State Environmental Quality Review Act (SEQRA) regulations, and

WHEREAS, the Town Board caused a full Environmental Assessment Form (EAF) to be prepared for assessing the potential adverse environmental impacts that may result from the adoption of the Plan,

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NOW THEREFORE, BE IT RESOLVED that the Town Board does hereby declare itself Lead Agency for the purposes of conducting the environmental review of the proposed action of adopting the proposed Comprehensive Plan, and

BE IT FURTHER RESOLVED that the Town Board does hereby accept the full EAF for assessing the potential adverse environmental impacts associated with the adoption of the proposed Plan, and

BE IT FURTHER RESOLVED that the Town Board does hereby determine that the action of adopting the proposed Comprehensive Plan will have no significant adverse environmental impacts on the environment and such determination is based on the following:

Compared to the criteria listed in Section 617.7 of the SEQRA regulations, all indications are that the proposed action of adopting the Comprehensive Plan will not cause substantial adverse change in the community character, aesthetics, design, natural features, natural resources including flora and fauna, or other environmental or community resources based upon the extensive reasoning contained in the full Environmental Assessment Form and the Negative Declaration document.

BE IT FURTHER RESOLVED that the Supervisor of the Town of Conklin be and is hereby directed to sign and issue the Negative Declaration form attached hereto as evidence of the Town of Conklin's determination of environmental non-significance.

This Resolution shall take effect immediately.

CERTIFICATION

I, Sherrie L. Jacobs, do hereby certify that I am the Town Clerk of the Town of Conklin and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Conklin at a meeting thereof held at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on June 24, 2014. Said resolution was adopted by the following roll call vote:

Supervisor James E. Finch	-	YES
Councilman Gary D. Bullock	-	YES
Councilman Charles Francisco	-	YES
Councilman Jerry Minoia	-	YES
Councilman William Dumian	-	YES

Dated: June 24, 2014

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk of the Town of Conklin

**RESO 2014-100: ADOPT TOWN OF CONKLIN'S
COMPREHENSIVE PLAN UPDATE 2014**

PRESENT:

Supervisor James E. Finch
Councilman Gary D. Bullock
Councilman Charles Francisco
Councilman Jerry Minoia
Councilman William Dumian

ABSENT:

Offered By: Mr. Dumian

Seconded By: Mr. Bullock

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The Town Board (hereinafter “Town Board”) of the Town of Conklin (hereinafter “Town”), duly convened in regular session, does hereby resolve as follows

WHEREAS, the Town Board (“Board”) of the Town of Conklin (the “Town”) is responsible for the preparation and adoption of the Town’s Comprehensive Plan Update 2014, pursuant to Section 272-a of the New York State Town Law; and

WHEREAS, the Board, pursuant to the provisions of section Article 12-A of the General Municipal Law of the State of New York, has duly appointed the Town of Conklin Comprehensive Plan Committee (“Comprehensive Plan Committee”) to investigate and report to the Town Board of the Town of Conklin on the advisability of the adoption of and the creation of a Town of Conklin Town Comprehensive Plan Update 2014 (“Comprehensive Plan”); and

WHEREAS, the Comprehensive Plan was drafted by the Town of Conklin Comprehensive Plan Committee with cooperation with the Broome County Department of Planning and Economic Development and others ; and

WHEREAS, Pursuant to Section 272-a of the Town Law of the State of New York, the Comprehensive Plan Committee is required to hold, and did hold, one or more public hearings and such other meetings as it deems necessary to assure full opportunity for citizen participation; and

WHEREAS, Pursuant to Section 272-a of the Town Law of the State of New York, the Comprehensive Plan Committee is required to recommend, by resolution, the proposed Comprehensive Plan to the Town Board for review and adoption, which it did; and

WHEREAS, Pursuant to the provisions of section 272-a of the Town Law, the Town Board received the Comprehensive Plan from the Comprehensive Plan Committee for review and adoption in accordance with section 272-a of the Town Law,

WHEREAS, The Town desired to be proactive in dealing with regional and intermunicipal issues, protecting its resources, and planning for community and/or service needs; and

WHEREAS, the Comprehensive Plan Committee and its planning consultants undertook a comprehensive study of the historic and existing conditions in the Town and the surrounding vicinity; identified issues and opportunities; analyzed numerous topics and potential options; and developed goals, objectives, policy recommendations and implementation strategies which resulted in the Comprehensive Plan; most specifically the Comprehensive Plan Committee also looked at Strengths, Weaknesses, Opportunities and Threats (SWOT); and

WHEREAS, the Comprehensive Plan Committee and its consultants consulted with various boards, including County departments/agencies and officials, business groups, environmental and civic groups, civic leaders as well as various Federal, State and regional resources; and

WHEREAS, the Comprehensive Plan is a vision document which identifies the important positive attributes and components which define the Town and which provides a blueprint for the future; and

WHEREAS, the Comprehensive Plan will provide guidance to decision makers, residents, property owners and organizations through the Comprehensive Plan’s Vision Statement, Plans/Recommendations and the other parts of the Comprehensive Plan ; and

WHEREAS, there has been public participation throughout the process, including a survey in 2014, and public meetings, a public hearing held by the Comprehensive Plan Committee on April 30, 2014, and public hearing by the Town Board on June 24, 2014, and

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website publication, archival research and review of background documents and review of the 2004 Comprehensive Plan; and

WHEREAS, the Town Board referred the proposed Comprehensive Plan to the Broome County Planning and Economic Development Department in accordance with Sections 239-1 and m of the New York State General Municipal Law and the County responded by means of its letter dated June 19, 2014, wherein the County did not identify any significant countywide or intercommunity impacts associated with the proposed project, congratulated the Town for its efforts, and provided eight short recommendation for considerations; and

WHEREAS, the Town Board has issued a Negative Declaration regarding the adoption of the Comprehensive Plan, for the extensive reasoning contained in the full Environmental Assessment Form and Negative Declaration document and thereby completed the SEQRA review of the proposed action pursuant to the criteria contained in Section 617 of 6 NYCRR,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Conklin Town Board hereby adopts the proposed Comprehensive Plan dated 2014 as an important planning tool which identifies a wide range of issues, initiatives, studies, projects, and programs which can be undertaken by various entities in the short-term and the long-term.

RESOLVED, that this resolution shall take effect immediately.

CERTIFICATION

I, Sherrie L. Jacobs, do hereby certify that I am the Town Clerk of the Town of Conklin and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Conklin at a meeting thereof held at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on June 24, 2014. Said resolution was adopted by the following roll call vote:

Supervisor James E. Finch	-	YES
Councilman Gary D. Bullock	-	YES
Councilman Charles Francisco	-	YES
Councilman Jerry Minoia	-	YES
Councilman William Dumian	-	YES

Dated: June 24, 2014
Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk of the Town of Conklin

CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from Attorney Alan Pope regarding a meeting with representatives of the Binghamton-Johnson City Joint Sewage Board, and the mayors of the City of Binghamton and the Village of Johnson City on July 17.

PUBLIC COMMENTS:

None.

REPORT: SUPERVISOR'S OFFICE

Refer to written report.

REPORT: TOWN CLERK

Refer to written report.

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REPORT: HIGHWAY SUPERINTENDENT

In addition to his written report, Highway Superintendent Brian Coddington reported that his department burned 50 loads of brush, removed storm damage debris, trimmed trees along the streets, filled shoulders and did ditch work on several roads, and took the tires from the municipal clean-up to Gary's U-Pull-It. He stated that his department had also been repairing potholes and took 20 loads of compost to the CHOW gardens. Mr. Coddington stated that a new starter was installed in the loader, and that he met with the Broome County Sheriff's Department regarding illegal dumping at the Town Highway Garage. He stated that his department set up permits to remove beavers from the Carol Court area and opened the dams three times. Mr. Coddington also stated that he is preparing to resurface several roads in the Town, with funding provided through the "CHIPS" (Consolidated Highway Improvement Program) program.

UPDATE/FEMA BUYOUT PROGRAM

Assistant to the Supervisor Lisa Houston reported that seventeen offers to buy have been accepted by property owners, who are waiting for closings on the property transfers. She added that she has filed the paperwork for the funding for the costs of closings. Ms. Houston stated that the FEMA (Federal Emergency Management Agency) Buyout project will be completed by the end of 2014, she believes. She stated that she is working on the last 35 properties, adding that the current hold-up is at SEMO (State Emergency Management Office), who must approve the offers to buy. Ms. Houston stated that the Town has until October to request an extension, adding that there is no extra money to spend on demolition, so the Town must wait for the funding to be approved by FEMA/SEMO.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Public Works Superintendent Tom Delamarter reported that the water meters have been read and billed, and that the Highway Department assisted with two digs for his department. He stated that the pump at Sewer Station 5 was plugged again by rags, adding that this keeps recurring every 3 to 4 weeks to 2 to 3 months. Mr. Delamarter reported that the 2nd Quarter testing was done on the Town Landfill. He stated that Little League and softball programs are finished and Teener League is now being played. Mr. Delamarter stated that the pool has been inspected and is now open.

RESO 2014-101: APPROVE HIRING/LIFEGUARDS/PAY RATE \$8.00 PER HOUR

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the hiring of the following lifeguards for the Town Pool, all at a pay rate of \$8.00 per hour: Amy Storti, Megan Bensley, and Maura Hanrahan.

Seconded by Mr. Minoia.

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

HOME RULE REQUEST/RESIDENCY REQUIREMENT/CODE OFFICER

Attorney Cheryl Sacco reported that the Town's request for Home Rule to allow hiring a Code Officer who is not a resident of the Town of Conklin was passed in the State Senate on June 12 and in the State Assembly on June 19, and has been sent to Governor Cuomo to sign.

OLD BUSINESS:

NEW YORK STATE RISING COMMUNITY GRANT

Mr. Finch stated that he, Mr. Delamarter, and Town Engineer John Mastronardi have been working with the New York State Rising Community Grant Committee. He added that the

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Committee has approved the Evacuation Route project and the Stillwater Road drainage mitigation project. He stated that the Broome County Industrial Development Agency (BCIDA) will survey property in the Broome Corporate Park for the purpose of building affordable housing. Mr. Dumian asked if there will be individual building lots available also and Mr. Finch replied that he is waiting to hear about this possibility. Mr. Finch stated that the Rising Community grant would pay for a road to be built into the housing development and for the installation of municipal water and sewer service. Mr. Dumian asked if a local builder would be employed for the project and Mr. Finch replied that local builder Christopher Ostrowsky is meeting with the Rising Community Committee about this project, adding that both New York State and the BCIDA would like to employ a local builder. Mr. Minoia asked if companies owned by women and/or minorities had been considered. Mr. Bullock stated that the project would be competitively bid.

NEW BUSINESS:

2015 BUDGET KICK-OFF MEETING WITH DEPARTMENT HEADS

Mr. Finch stated that a kick-off meeting with department heads to begin the 2015 Budget process will be held after the July 4 holiday.

RESO 2014-102: RATIFY AUTHORIZATION/TOWN SUPERVISOR/ENTER AGREEMENT/2014 CONKLIN-KIRKWOOD SUMMER FUN PROGRAM

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the authorization of the Town Supervisor to enter an agreement with the Town of Kirkwood for the 2014 Conklin-Kirkwood Summer Fun Program.

Seconded by Mr. Francisco.

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

RESO 2014-103: RATIFY ACH PAYMENT/PITNEY BOWES/METERED POSTAGE

Mr. Bullock moved for the following resolution:

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

Seconded by Mr. Francisco.

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

RESO 2014-104: ACCEPT DONATION/FIDELIS CARE/\$100/DRINKING WATER FOR COMMUNITY DAY

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the donation of \$100.00, account code A2705, from Fidelis Care to purchase drinking water for Community Day.

Seconded by Mr. Dumian.

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

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**RESO 2014-105: AUTHORIZE PAYMENT/
PRE-APPROVED JUNE 10 BILL LIST/\$25,223.24**

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following pre-approved June 10, 2014 Bill List in the total amount of \$25,223.24:

General	\$13,352.01
Highway	3,755.03
Sewer District	104.00
Water District	3,054.20
Non-Budget	<u>4,958.00</u>
Total	\$25,223.24

Seconded by Mr. Dumian.

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

RESO 2014-106: AUTHORIZE PAYMENT/BILL LIST/\$44,878.19

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 \$44,878.19:

General	\$19,443.17
Highway	13,522.48
Light Districts	2,038.56
Sewer District	1,734.93
Water District	3,154.05
Non-Budget	<u>4,985.00</u>
Total	\$44,878.19

Seconded by Mr. Bullock.

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

**RESO 2014-107: SCHEDULE PUBLIC HEARING/JULY 22, 2014/5:35 P.M./LOCAL
LAW/RESTRICING PARKING ON ONE SIDE OF MORRIS BOULEVARD/**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 5:35 P.M. on July 22, 2014, to receive input regarding a proposed local law that would restrict parking on one side of Morris Boulevard.

Seconded by Mr. Francisco.

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

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CODE ISSUES

Mr. Bullock asked about the unmowed grass on the former driving range near the Community Center. Mr. Finch stated that Code Officer Robert Jones sent a letter to the property owner, adding that the former driving range is in foreclosure.

Mr. Minoia stated that a person is hauling gravel from the Town's stockpile on Millburn Drive to Keith Lane.

THANK YOU

Town Clerk Sherrie Jacobs again thanked the Town Board for its support of her and for allowing Ms. Scheffler to make the presentation honoring her as District 6 Clerk of the Year.

CONCERT IN THE PARK

Mr. Finch announced that the first Concert in the Park, featuring "The Shambles," will be held on June 25, 2014.

REPAIRS TO THE CASTLE

Mr. Finch stated that he received two quotes for the concrete repair work needed on the steps of the Castle, adding that the Town could use reserve fund money to pay for the repair. He stated that Mr. Jones is working on a grant to provide funding to re-paint the Castle.

**RESO 2014-108: APPROVE SALE/SHAWSVILLE CEMETERY/
LOTS 260-B & 260-C/REGINA TERRY & MARK J. TERRY**

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the sale of Lots 260-B and 260-C in Shawsville Cemetery to Regina Terry and Mark J. Terry.

Seconded by Mr. Minoia.

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

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Dumian. The meeting adjourned at 6:30 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk