

REGULAR TOWN BOARD MEETING
JULY 10, 2012

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

PRESENT:

Town Board Members	Bullock, Minoia, Francisco, Finch
Town Counsel	Cheryl Sacco
Town Clerk	Sherrie L. Jacobs
Assistant to Supervisor	Lisa Houston
Town Justice	J. Marshall Ayres
Highway Superintendent	Patrick Latting
Code Officer	Robert Jones
Water & Sewer Superintendent/ Parks Superintendent	Tom Delamarter
Dog Control Officer	Darlene Weidman

GUESTS:

Country Courier	Elizabeth Einstein
	John Colley
	Marilynn Fanto
	Jackie Penny
	Rick Penny, Sr.
	Laurie Francisco
	Albert Mydlinski
	Andy Summa
	Tina Summa
	Arlene C. Dubay
	John J. Dubay
	Peter J. Motsavage

MINUTES: JUNE 12, 2012 REGULAR TOWN BOARD MEETING

Mr. Bullock moved to approve the June 12, 2012 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Minoia.

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

MINUTES: JUNE 26, 2012 WORK SESSION

Mr. Francisco stated that the June 26, 2012 Work Session minutes should be amended on page 3, second paragraph, to add that he had stated at that meeting that if present billboards are replaced, they should not be allowed to be any larger than the current size that they are replacing.

Mr. Francisco moved to approve the June 26, 2012 Work Session minutes as amended.

Seconded by Mr. Bullock.

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

CORRESPONDENCE:

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None.

PUBLIC COMMENTS:

HEAVY EQUIPMENT TRAFFIC/SOUTH END OF TOWN

Tina Summa of Corbettsville Road stated that she has many concerns regarding the heavy equipment and water trucks that are moving over Town of Conklin roads to a natural gas well drilling site just over the state line in Pennsylvania, off Farnham Road. Among the concerns she named were road quality, safety, and potential for spills, citing problems that have occurred in Pennsylvania. Ms. Summa asked why Town residents were not informed before the trucks began traveling Town roads.

Mr. Finch replied that the Town is discussing an agreement with WPX Energy, which has agreed to provide a \$2 million bond and \$20,000 non-refundable up front to cover the cost of any repairs that may be needed for the roadways involved. He added that the Town is changing the prescribed route to go from Montrose Drive to Keith Lane to Banta Road, then up to Finch Road and Farnham Road, bypassing Corbettsville Road and the hairpin curves on lower Banta Road. Mr. Finch explained that the Town cannot prohibit heavy vehicles from using public roads, but can only ask to limit speed and weight on the roads. Town Attorney Cheryl Sacco added that the Town Board has not yet received a formal agreement, but added that the Town has asked for bonding, upfront money, the suggested route change, and videos of the current road conditions. She stated that this is a brand new issue for this Town Board and added that the Board is being proactive in trying to protect the Town before problems arise.

Ms. Summa asked if the DEC (New York State Department of Environmental Conservation) is aware of this heavy vehicle traffic and Mr. Finch replied, "The DEC has nothing to do with it." Ms. Sacco stated that the New York State Department of Transportation (NYSDOT) has jurisdiction over the roads.

Ms. Summa asked if the tanker trucks are carrying only water or if they also are hauling chemicals, and Mr. Finch replied that the trucks are carrying water only, with the chemicals needed for hydrofracturing ("fracking") transported in kegs and mixed into the water at the well site. He reiterated that the Town Board is being proactive in its dealings with WPX Energy.

Ms. Summa asked about a possible decrease in property values as a result of the increased heavy vehicle traffic. Mr. Finch replied that the Town already has logging trucks, oil trucks, and quarry vehicles traveling over its roads. He stated that safe natural gas drilling is needed to save the Town financially. Mr. Finch stated that the roads in Pennsylvania are not as well made as those in Broome County, adding that the gas companies have repaired roads in Pennsylvania, sometimes leaving them better than they were before the gas companies started drilling.

BONDING FOR ROADS

Continuing the discussion of the road usage by the heavy vehicles, Ms. Sacco reiterated that the Town has no road use agreement in place yet, but added that the Town is requesting the \$2 million bond, \$20,000 upfront money, indemnity insurance, the suggested route change, and repairs if needed. Mr. Bullock stated that he feels this is a good agreement.

Mr. Minoia stated that no heavy vehicles should be allowed on the twin pipe culverts on Banta Road, adding that the pipes involved are a span of 190 feet. He suggested that the route be

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Conklin Forks Road to Ross Hill Road. Mr. Minoia stated that Banta Road would need to be closed if the culvert is damaged. He stated that the Town should post Banta Road and Ross Hill Road with weight limits. Ms. Sacco stated that an engineering study and a new local law would be required for the Town Board to be able to post such limits. Mr. Minoia commented that NYSDOT inspects bridges and could post a weight limit.

Mr. Francisco suggested posting speed limits on the roads involved to improve safety. Mr. Finch stated that the Town could post a speed limit of 35 miles per hour. Ms. Sacco stated that there is a process that must be followed, adding that the Town must request permission from NYSDOT to decrease the speed limit.

RESO 2012-129:

**RECOMMENDATION TO IMPROVE TRAFFIC SAFETY BY REDUCING THE SPEED
LIMIT and POSTING SPEED LIMIT SIGNS ON BANTA ROAD, FINCH ROAD and
FARNHAM ROAD IN THE
TOWN OF CONKLIN**

PRESENT:

Supervisor Vacant

Councilman Gary D. Bullock

Councilman Charles Francisco

Deputy Supervisor and Councilman James E. Finch

Councilman Jerry Minoia

ABSENT:

Offered By: **Mr. Finch**

Seconded By: **Mr. Bullock**

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 community and the Town of Conklin are concerned about traffic safety and the safety of residents;

WHEREAS, members of public appeared at Town Board meeting on July 10, 2012, alleging that speed limit signs and a reduction in the speed limit was necessary for Banta Road, Finch Road and Farnham Road;

WHEREAS, these roads are rural and residential, where a number of families with young children live;

WHEREAS, it is believed that these roads have a speed limit of 50 mph;

WHEREAS, the community and the Town of Conklin want appropriate action taken to mitigate the life-threatening risk posed by current conditions found on the Banta Road, Finch Road and Farnham Road in the Town of Conklin.

NOW, THEREFORE, the Town Board of the Town of Conklin resolves unanimously to recommend to the County of Broome and the New York State Department of Transportation that: 1) the speed limit on Banta Road, Finch Road and Farnham Road in the Town of Conklin be reduced to 35 miles per hour and 2) that the speed limit be clearly posted.

RESOLVED, that copies of this resolution, and the attached form TE 9a shall be forwarded to Senator Thomas W. Libous, Assemblypersons Clifford Crouch and Donna Lupardo, the Broome County Executive, Jack Williams, (NYS DOT REGION 9 Director at 44 Hawley Street, Binghamton, New York 13901) and the County Highway Superintendent ; and it further is

RESOLVED, that this resolution shall take effect immediately.

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Resolution Adopted: July 10, 2012

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 July 10, 2012. Said resolution was adopted by the following roll call vote:

Supervisor Vacant	_____
Councilman Gary D. Bullock	YES
Councilman Charles Francisco	YES
Deputy Supervisor and Councilman James E. Finch	YES
Councilman Jerry Minoia	YES

Dated: July 10, 2012

Town of Conklin Seal

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

Regional Traffic Engineer
Region No. 9
Department of Transportation

Gentlemen:

The Town Board of the **Town of Conklin**, by a resolution adopted on July 10, 2012, hereby request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on **Banta Road, Finch Road and Farnham Road**.

Upon receipt of the notice that the regulation herein requested has been established, the **Town of Conklin** will provide, install, and maintain signs in accordance with the Vehicle and Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the Department of Transportation.

Dated: July 10, 2012

By: _____
Sherrie L. Jacobs Town Clerk of the Town of Conklin

CONTINUATION OF DISCUSSION

Albert Mydlinski of Stewart Road asked how long the bonding agreement would extend after the end of the usage and Ms. Sacco stated that it would extend one year after the end of usage. She added that the issue of backfilling has been addressed and added that the Town can improve the roads in question before the heavy vehicles utilize them and be reimbursed for the improvements.

Rick Penny of Corbettsville Road asked what is done with the fracking water after it has been used for the gas extraction and Mr. Finch replied that the gas companies recycle the water and it is taken to a sewage treatment plant. Jackie Penny of Corbettsville Road asked if there is a weight limit on the Corbettsville Road bridge and Highway Superintendent Patrick Latting replied that there is no weight limit on that bridge. Ms. Sacco reiterated that the Town cannot legally stop the vehicles from using its roads. Ms. Penny asked what would happen if a spill occurred from one of the vehicles, noting that most residents in the area in question have shallow wells. Mr. Finch stated that the gas company must make the wells good or provide drinking water. Ms. Sacco stated that the DEC and Broome County Health Department would have

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jurisdiction in this situation. Ms. Penny stated that the vehicles should stay in Pennsylvania. Town Justice J. Marshall Ayres, who owns property in Pennsylvania, commented that he was informed at a property owners meeting that he attended that no truck traffic is currently allowed on Route 29 (Montrose Drive after it crosses the border into Pennsylvania), but noted that after Route 29 is repaired, truck traffic will be routed from Route 29 onto Muckey Run Road, avoiding New York State roads to get to the well site in question. He added that WPX Energy has provided a bond for \$13 million to repair Route 29 in 2013.

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 his department has completed the second round of mowing of Town-owned roads. He added that Broome County is working on the roads that it owns in the Town of Conklin. Mr. Latting stated that his department has been using the weed eater in the guide rail and bridge areas of the roadways. He stated that drainage work has been done in the Wilbur Way area. Mr. Latting stated that the sign replacement program is ongoing, adding that he is waiting until the 2013 budget year before placing any new signs.

Mr. Latting reported that the FEMA (Federal Emergency Management Agency) repairs on Ketchum Road were completed on June 19. Mr. Latting also reported that the repairs made to the culvert on State Line Road involved a "new process for the Town of Conklin and a new scope of work." He stated that the culvert was failing and required emergency repair work. Mr. Latting stated that the project went very well and that while the cost estimate had been \$115,000, the actual cost was less than \$45,000, which means that the Town saved more than \$70,000 on the project. He stated that it took his department five work days to complete the needed repairs. Mr. Finch stated that the Highway Department did a "great job."

Mr. Rick Penny stated that his son, Rick Penny, Jr., had inquired about the possibility of installing a boat launch on Stillwater Road, perhaps on one of the Buyout properties. He asked if this is feasible and whether or not FEMA would allow this use of the green space. Mr. Finch replied that this decision would be determined by FEMA and the DEC. Mr. Latting commented that the Conklin Volunteer Fire Department would be helped by a boat launch in that area for its Swift Water Rescue operation, adding that the boat launch that was constructed on Woodcrest Way is not practical. Mr. Finch commented that the boat launch in the Town of Kirkwood has been closed. He stated that an application must be submitted to the DEC, which in turn will contact the Susquehanna River Basin Commission to obtain permission. FEMA must be contacted to see whether or not a boat launch is an accepted use for green space. Mr. Finch stated that the issues of safety and who will monitor the proposed boat launch must also be addressed. Mr. Minoia stated that the Town should wait until it knows whether or not FEMA will allow this use before any further action is taken. Parks Superintendent Tom Delamarter commented that FEMA will probably approve this use. Mr. Bullock stated that maintenance must also be discussed. Mr. Francisco commented that the neighbors should be contacted to see how they feel about a boat launch in their neighborhood. Ms. Sacco stated that she agrees with all of the concerns expressed – maintenance, liability, uses of green space. Mr. Latting asked Mr. Bullock if the proposed boat launch would be a benefit for the fire department and Mr. Bullock agreed that it would be a benefit, since there is no other boat launch in the area. Mr. Latting asked if there is funding available through the fire department, perhaps a grant, and Mr. Bullock replied that the grants that are available to the fire department do not include boat launches.

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Mr. Bullock asked when the street paving will begin and Mr. Latting replied that his department had started milling the streets this week, adding that he is waiting for NYSEG (New York State Electric and Gas Corporation) to finish replacing its services on the streets in question. He stated that the paving will be completed by the end of July.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Water and Sewer Superintendent Tom Delamarter reported that the Broome County Health Department inspected the Town water and added that he is expecting that report soon. He stated that there was a water leak on JR Boulevard, which has been repaired. Mr. Finch asked if the dirt from digging to make the repairs has been removed and Mr. Delamarter replied that it has not been removed yet. Mr. Delamarter reported that the Town Landfill has been mowed and trimmed and the Second Quarter testing has been completed. He stated that Shawsville Cemetery has also been mowed and trimmed, and added that everything with the Town Pool, the parks, and the water and sewer system is going well.

REPORT: CODE OFFICER

In addition to his written report, Code Officer Robert Jones reported that FEMA has some more questions regarding the Town's application for the 2011 Flood Buyout Program, with a deadline of July 18, 2012, to supply the needed information. Mr. Finch asked if there are 62 homes on the potential Buyout list, and Mr. Jones replied that there may be less than 62, noting that two property owners have withdrawn their names from the potential Buyout list, one on Conklin Road and one on Lotus Avenue.

Mr. Jones reported that his office issued 15 Building Permits, including several pool permits. He stated that five new businesses have been approved by the Planning Board. Mr. Jones reported that the Town Board met with the chairpersons from the Planning Board and the Zoning Board of Appeals at the last Work Session.

Ms. Sacco asked if the Form 239 response on the Meier Supply Company case has been received by the Town and Mr. Jones replied that the Town has received the response from the Broome County Planning Department, adding that the County had questions regarding the signage for Meier Supply Company. Mr. Jones stated that he was able to answer the County's questions regarding signage.

REPORT: DOG CONTROL OFFICER

In addition to her written report, Dog Control Officer Darlene Weidman thanked the Town Board for allowing her to assist the Broome County Humane Society in a recent dog abuse case on Shaw Road in the Town of Conklin. Mr. Finch asked why it took so long to get Broome County involved in this case and Ms. Weidman replied that she could not contact the dogs' owner, Christine Macan. She added that the Humane Society posted a notice twice on Ms. Macan's door, and received no response. Ms. Weidman stated that on July 3, 2012, New York State Police responded to a 9-1-1 call from a neighbor of Ms. Macan at 10:30 P.M. and 12 dogs were discovered. At 7:30 A.M. on July 4, stated Ms. Weidman, the NYS Police contacted her, and she and the State Police met at the Humane Society and went, with a representative from the Humane Society, to 200 Shaw Road and took 13 dogs. "The woman needs help," stated Ms. Weidman. Ms. Macan is scheduled to be arraigned in the Town of Conklin Court on July 17, 2012. Mr. Finch stated that Ed Freije, one of Ms. Macan's neighbors, stated that "nothing is being done" about the house and the smell. Mr. Finch stated that he asked the NYS Police to check on Ms. Macan to make sure she is okay. The Broome County Health Department has stated that the house should be cleaned and Ms. Macan would need to pay for that service. No psychiatric evaluation has been ordered to date. Mr. Finch stated that the Broome County Mental Health for Seniors is looking into the case to see if they can be of assistance. Ms. Weidman stated that the "dogs need help," adding that she went to the Humane Society and helped to wash the dogs. Mr. Francisco asked if there is any chance that the dogs will be returned to Ms. Macan and Ms. Weidman stated that there is no chance of that being allowed.

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

SEQRA/MEIER SUPPLY COMPANY

Ms. Sacco and the Town Board completed the short form EAF (Environmental Assessment Form) for Meier Supply Company, Inc., 275 Corporate Parkway. The Town Board answered "No" to all of the following questions:

- Doe this Action exceed any Type I threshold in 6 NYCRR, Part 617.4?
- Will this Action receive coordinated review as provided for Unlisted Actions in 6 NYCRR, Part 617.6?
- Could this Action result in any adverse effects associated with the following:
 1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems?
 2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character?
 3. Vegetation or fauna, fish, shellfish, or wildlife species, significant habitats, or threatened or endangered species?
 4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources?
 5. Growth, subsequent development, or related activities likely to be induced by the proposed action?
 6. Long term, short term, cumulative, or other effects not identified in C1-C5?
 7. Other impacts, including changes in use of either quantity or type of energy?
- Will this Project have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?
- Is there, or is there likely to be, controversy related to potential adverse environmental impacts?

RESO 2012-130: DECLARE TOWN OF CONKLIN LEAD AGENCY/ISSUE NEGATIVE DECLARATION/MEIER SUPPLY COMPANY, INC.

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin declares the Town of Conklin Lead Agency and issues a Negative Declaration regarding the potential environmental impact of the issuance of a Special Use Permit for Meier Supply Company, Inc.

Seconded by Mr. Francisco.

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

RESO 2012-131: ISSUE SPECIAL USE PERMIT/MEIER SUPPLY COMPANY, INC.

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin issues a Special Use Permit to Meier Supply Company, Inc.

Seconded by Mr. Minoia.

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

OLD BUSINESS:

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RAIL ROAD/FORMER CITY LINE GARAGE SITE

Ms. Sacco stated that her office sent a letter regarding the former City Line Garage site on Conklin Road to the owner of the building, and received no response. Mr. Finch stated that the new signal tower that CP Rail wants to install has been approved. He stated that the railroad company has been approached regarding the Town's wish to route water drainage under the railroad tracks, but added that the DEC must first determine if the area in question is a wetlands area. He stated that Assemblyman Clifford Crouch is researching possible grants to help with this project. Mr. Finch stated that the privately-owned lot needed for the drainage project could be acquired through eminent domain. Ms. Sacco stated that the railroad has a procedure in place for requests to dig under the railroad tracks to route drainage, adding that this is a common issue for CP Rail. She stated that the railroad company needs an application, plans for the project, and contact information.

2010 CONKLIN ROAD

Code Officer Robert Jones inspected 2010 Conklin Road to see if the property owner is in compliance with the Town Code and presented photographs of the recently cleaned up property to the Town Board. The Town's legal firm, Coughlin & Gerhart, wants a member of the Town Board to inspect the property again with Mr. Jones. If the property is still out of compliance, stated Ms. Sacco, the Town can then issue fines. Mr. Bullock will inspect the property.

NEW BUSINESS:

ROAD BONDING – WPX ENERGY

Mr. Finch asked if the other Town Board members are in agreement with the proposed terms of the bonding for the road with WPX Energy. Mr. Bullock and Mr. Francisco are in agreement. Mr. Minoia stated that he agrees with the proposed terms of the bond agreement but wants to see the route changed.

Mr. Francisco stated that the speed limit on Terrace Drive is 35 miles per hour, but the speed limit on Woodside Avenue is 40 miles per hour, and it has become a "raceway." He wondered if the Board would want to include Woodside Avenue in the request to change the speed limits. Mr. Bullock stated that he feels what is needed is enforcement of the existing speed limit. Ms. Sacco stated that the Broome County Sheriff's Department will set up a speed indicator if requested to do so.

Ms. Sacco stated that, since the Town Board does not yet have the actual Road Use Agreement to read and vote on, a special Town Board meeting may need to be called.

Mr. Francisco asked about trucks traveling over Fallbrook Road. Mr. Latting stated that the bridge on Fallbrook Road will not hold that much weight, adding that this is not a good route.

BROOME COUNTY GRANT WRITING PROGRAM

Mr. Finch stated that the Town of Conklin could participate with Broome County, which has hired a grant-writing company from Syracuse, and could save money on grant writing. The Town would be required to pay its share of the cost.

Mr. Finch stated that the Town Engineer is working on a \$30,000 grant, with \$6,000 in kind, to extend the water and sewer lines. A letter has been sent to Governor Cuomo.

**RESO 2012-132: AUTHORIZE TOWN OF CONKLIN
TO PARTICIPATE WITH BROOME COUNTY STEERING COMMITTEE
UPDATE OF BROOME COUNTY HAZARD MITIGATION PLAN**

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Mr. Bullock moved for the following resolution:

WHEREAS, in 2008 all Broome County municipalities adopted the Broome County Hazard Mitigation Plan (the “HMP”) and it was approved by FEMA, and

WHEREAS, by federal regulation the HMP must be formally updated each five years in order for participating municipalities to be eligible for various FEMA grant programs, and

WHEREAS, the Broome County Department of Planning and Economic Development is willing to lead such HMP update effort, and

WHEREAS, the Town of Conklin is desirous of participating in the steering committee charged with preparation of portions of the updated HMP,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Conklin in regular session duly convened that the Supervisor be and hereby is authorized to execute the attached Letter of Intent to participate in the Broome County Hazard Mitigation Plan Update Project.

This resolution shall take effect immediately.

Seconded by Mr. Minoia.

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

**RESO 2012-133: RATIFY PAYMENT/JANET OR DAVID ORR/
FULL PARK PERMIT REFUND/PERMIT #677/ILLNESS IN FAMILY**

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #4513, account code A2771, in the amount of \$30.00 to Janet or David Orr for a full refund of Park Permit #677, due to illness in the family.

Seconded by Mr. Francisco.

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

**RESO 2012-134: RATIFY PAYMENT/TONI-LOU GRIFFIS/PAYMENT FOR CPR &
AED MEDICAL TRAINING FOR 4 TOWN EMPLOYEES**

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #4424, account code A1620.4, in the amount of \$100.00 to Toni-Lou Griffis for CPR (Cardiopulmonary Resuscitation) and AED (Automatic External Defibrillator) medical training for four Town employees.

Seconded by Mr. Francisco.

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

RESO 2012-135: RATIFY PRE-AUTHORIZED PAYMENT/BILL LIST/\$41,490.15

Mr. Francisco moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin ratifies the pre-authorized payment of the following Bill List in the total amount of \$41,490.15:

General	\$ 7,410.84
Highway	4,716.38
Flood Emergency	17,912.74
Light Districts	1,745.87
Water District	2,495.10
Sewer District	1,046.22
Non-Budget	<u>6,163.00</u>
Total	\$41,490.15

Seconded by Mr. Minoia.

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

RESO 2012-136: AUTHORIZE PAYMENT/BILL LIST/\$77,815.46

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 \$77,815.46:

General	\$17,436.97
Highway	8,141.57
Flood Emergency	6,496.26
Water District	638.94
Sewer District	<u>45,101.72</u>
Total	\$77,815.46

Seconded by Mr. Minoia.

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

RESO 2012-137: AUTHORIZE MODIFICATION/STATED FROM AND TO BUDGET LINES/AS OF JULY 10, 2012

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes modification of the stated from and to Budget lines as of July 10, 2012 (see attached).

Seconded by Mr. Bullock.

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

RESO 2012-138: AUTHORIZE APPROPRIATION OF UNANTICIPATED NYS GRANT REVENUES

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the appropriation of unanticipated New York State Grant revenues (see attached).

Seconded by Mr. Minoia.

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

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Mr. Finch commented that the Town will need to borrow money to pay for the 2011 Buyout Program, if the Town of Conklin is approved by FEMA. The Town pays the money up front and is later reimbursed by FEMA.

LOCAL LAW/SPECIAL USE AGREEMENT

Ms. Sacco stated that she will bring a draft of the proposed local law regarding Special Use Agreements to the August 14, 2012 Town Board meeting.

CARS IN BOAT LAUNCH/SULLIVAN PARK

Mr. Bullock stated that he has seen cars backing down into the boat launch area of Sullivan Park to attempt to launch large boats. The launch is intended only for small boats, such as canoes and kayaks, which can be carried to the water's edge.

Mr. Bullock also commented that New York State DOT is fixing the bumps on Conklin Road.

CARPETS AT TOWN HALL

Mr. Bullock stated that he is researching prices to have the carpets at the Town Hall cleaned.

BILLBOARDS/UPDATE ON HIGHWAY LAW

Mr. Minoia asked if there is an update on the status of Conklin Road in regard to whether or not it is part of the state-assigned system that would require the Town to reimburse the owners of billboards if the Town forces the billboards to be removed. Ms. Sacco replied that Mr. Jones is working with another attorney from her law firm, Reinaldo Valenzuela, adding that Mr. Valenzuela needs a better map of locations of the billboards in the Town of Conklin. She stated that it will take 60 to 90 days for the billboards to be removed, if that is the decision that the Town Board makes. Mr. Jones commented that there are two billboards at 560 Conklin Road, the property owned by CP Rail, adding that one billboard is located in the Town of Conklin and the other is located in the Town of Binghamton.

FLOOD BUYOUT PROPERTIES

Mr. Minoia stated that if FEMA approves the Town to participate in the 2011 Flood Buyout Program, the Town Board needs to make sure the contracts for demolition of the buildings in question includes the cost of grading and filling. Public utilities are sealed on these properties and Water and Sewer Superintendent Tom Delamarter inspects each property. Mr. Minoia commented that after the 2006 Flood, the Town had to pay the cost of having septic tanks pumped out and collapsed and filled. Ms. Sacco suggested that Mr. Jones "keep an eye on this process," then added that she will contact the Town Engineer regarding this issue.

Mr. Minoia asked at which point in the process the survey is conducted and Ms. Sacco stated that the survey and title search are conducted after the price has been negotiated but before the closing on the property. Mr. Minoia asked if FEMA pays the cost of the survey if the property owner declines to participate in the Buyout. He added that many properties were surveyed after the 2006 Flood, only to have the owners decline, and he feels that these properties do not need to be surveyed again if they are in the potential 2011 Buyout Program.

Mr. Bullock asked about appraisals on the Buyout properties and Ms. Sacco stated that the Town Board would need to obtain three quotes.

BOAT LAUNCH/SULLIVAN PARK

Revisiting the discussion regarding the use of the boat launch at Sullivan Park, Mr. Francisco asked if boulders could be placed at the entrance to the river in such a way as to prevent boat trailers from being backed into the entrance. Mr. Latting stated that he will put boulders in place leaving a six foot opening, which is large enough for hand-carried watercraft.

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JULY 10, 2012

CIVIL WAR ILLUMINATION CEREMONY

Town Clerk Sherrie Jacobs, an officer of the Conklin Historical Society, asked the Town Board's permission for the Conklin Historical Society to participate in a Civil War Illumination Ceremony to take place on November 3, 2012, at Shawsville Cemetery and Conklin Cemetery to honor those lost in the Civil War and buried in one of these two cemeteries in Conklin. There are thirteen Civil War veterans buried in the Conklin Cemetery and four veterans buried in Shawsville Cemetery. The Conklin Cemetery Association has granted permission for the Illumination Ceremony to take place in Conklin Cemetery. The Town Board granted permission for the Illumination Ceremony to take place in Shawsville Cemetery as well, and enthusiastically supported the idea.

TAX CERTIORARI/INLAND PAPERBOARD

Mr. Finch stated that Inland Paperboard has filed a tax certiorari against the Town of Conklin, seeking a lower assessment due to the September 2011 flood. He stated that the case has been turned over to Ms. Sacco and Town Assessor John McDonald.

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Minoia. The meeting adjourned at 8:26 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk