

REGULAR TOWN BOARD MEETING
JULY 23, 2013

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 5:30 P.M. on July 23, 2013, at the Conklin Town Hall. Mr. Finch, 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
	Code Officer	Robert Jones
	Public Works Superintendent	Tom Delamarter
	Highway Foreman	Stanley Albrechta
	Highway Laborer	Brian Coddington
	Planning Board	Chris Ostrowsky
	Planning Board	Dell Boyle

GUESTS:	Country Courier	Elizabeth Einstein
		Mike Gabello
		William Dumian, Jr.
		Lois H. James
		Laurie Francisco
		Nancy Coddington
		Daniel Fitzsimmons
		Cathie Russell
		Cathy Minoia
		Bob Muckey

MINUTES: JUNE 25, 2013 REGULAR TOWN BOARD MEETING

Mr. Bullock moved to approve the June 25, 2013 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Francisco.

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

CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from Assemblyman Clifford Crouch regarding “Agenda 21” and the Town Board’s stance against it.

Mr. Finch acknowledged receipt of a letter of resignation from his position of Water and Sewer and Parks Department Laborer from James Gates.

Mr. Finch acknowledged receipt of correspondence from the DEC (New York State Department of Environmental Conservation) approving a mining permit for Roberts’ Stone Quarry on State Line Road.

PUBLIC COMMENTS:

None.

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REPORT: SUPERVISOR'S OFFICE

Refer to written report.

REPORT: TOWN CLERK

Refer to written report.

REPORT: HIGHWAY DEPARTMENT

In addition to his written report, Public Works Superintendent Tom Delamarter reported that the Highway Department has been busy with ditch and shoulder work, and has used 130 tons of blacktop for paving projects, including Carol Court. He stated that the crew had been doing maintenance work on the equipment, adding that there is a problem with Truck 34. Mr. Delamarter stated that his crew removed eight loads of brush from the Highway Garage and has used 50 loads of crusher stone.

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PUBLIC HEARING
TO RECEIVE INPUT REGARDING PROPOSED LOCAL LAW 2, 2013
“ABOLISH THE POSITION OF ELECTED TOWN HIGHWAY SUPERINTENDENT
AND CREATE AN APPOINTED TOWN HIGHWAY SUPERINTENDENT POSITION,
SUBJECT TO MANDATORY REFERENDUM”

PRESENT: Same as on page one.

Notice of Public Hearing having been duly advertised, Mr. Finch declared the Public Hearing open at 5:35 P.M. and asked those present to speak either for, or in opposition to, proposed Local Law 2, 2013, “Abolish the Position of Elected Town Highway Superintendent and Create an Appointed Town Highway Superintendent Position, Subject to Mandatory Referendum.”

Mr. Finch stated that approving this local law would “give the voters a chance to vote on this” issue. He stated that there is not currently a Highway Superintendent, so it would not create a hardship of someone losing his or her job. Mr. Finch stated that this is the same procedure that was used to abolish both the position of Tax Collector and the position of the second of two Town Justices in the past, adding that the move will “save taxpayers money.”

Mr. Finch listed a number of long-term debts and extra expenses the Town is facing, including \$80,000 that must be paid in 2014 and 2015 for debts incurred during the 2006 Flood; \$60,000 that must be paid to Broome County for the Town Landfill, which is a portion of the \$135,000 that was owed from the past ten years; \$16,000 for a new monitoring well for the Town Landfill, to be overseen by Shumaker Surveying and Consulting, and which has been required by the EPA (Environmental Protection Agency); \$16,000 per year on the municipal water and sewer bond which the Town must pay on the lots bought out by FEMA (Federal Emergency Management Agency) in the northern end of Town following the 2006 Flood; and \$300,000 for which the Town must bond to pay the initial cost of the potential 2011 Flood Buyout Program. He added that New York State may pay the 25% of the cost of the Buyout Program not covered by FEMA, but that is not yet a certainty. Mr. Finch added that the tipping fee charged by Broome County to take debris to the County Landfill has increased from \$40 per ton to \$60 per ton.

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Mr. Finch stated that the position of the Highway Superintendent pays approximately \$77,658 per year (\$53,000 in salary plus approximately \$24,000 in benefits), which he stated adds up to \$310,000 over a four-year elected term of office. He stated that the Town will save this amount of money if the elected position of Highway Superintendent is eliminated, adding that there will be no increase in salary for the additional responsibilities of Highway Superintendent if the position becomes an appointed one and becomes part of the position of Superintendent of Public Works, a position currently held by Thomas Delamarter. Mr. Finch stated that if this proposed local law fails, "drastic cuts" will need to be made and taxes will need to be increased. He added that the Town lost \$7,000,000 in real estate taxes, and has faced a 7.1% increase in Susquehanna Valley school taxes in the past year. "We need to run this Town as a business, not a political entity," stated Mr. Finch.

Michael Gabello of Leslie Avenue stated that this proposed local law was discussed at the May 14, 2013 Town Board meeting and defeated, making this discussion "a moot point." "Will this set a precedent," asked Mr. Gabello, "bringing up a proposal until it is passed?" He stated that an appointed person answers only to the Town Board, whereas an elected person answers to the voters. "Nepotism is possible," stated Mr. Gabello. "The best person should be elected." This proposal "should not be on the ballot."

Mr. Finch replied that nepotism cannot happen because, although the Town Board can appoint someone to the position of Highway Superintendent, if the proposed change is made, New York State requires licensing for water and sewer oversight. He presented a petition with "over 100 signatures" requesting that the decision between an appointed and elected Highway Superintendent be put on the November 2013 ballot in the General Election. Dell Boyle presented additional names for the petition. Mr. Minoia stated that if all of the people who signed the petition wanted it to be on the ballot, "they should be here in person" to express their viewpoint. Mr. Finch asked Mr. Minoia if, when he took his Oath of Office as a Councilman, he had not at that time agreed to look out for the best financial interest of the people of the Town of Conklin when making decisions. Mr. Minoia replied that there is a difference in opinion among members of the Board regarding this proposed decision.

Daniel Fitzsimmons of Roxbury Street stated that if the position of Highway Superintendent is elected, "money is wasted. People want favors and the Highway Department does them." He stated that the position should be appointed. "The Town cannot afford an elected Highway Superintendent," stated Mr. Fitzsimmons. "We need to downsize government. Let the voters speak."

Robert Muckey stated that his father was a former Highway Superintendent for the Town of Conklin and added that there were no favors done under his father's oversight of the position. "If it was not in the Budget, it didn't get done," stated Mr. Muckey. He added that the Town needs strong integrity in whoever is elected to the position.

Nancy Coddington asked for clarification of the proposed resolution. Town Attorney Cheryl Sacco stated that New York State law requires that the municipality have a Highway Superintendent, but not necessarily one that is elected. She added that the plan, if the proposed Local Law is approved by the voters in November, is to keep the appointed Highway Superintendent, and, in January 2014, add the responsibilities of that position to the Department of Public Works, the Superintendent of which has oversight of parks, pool, landfill, water, sewer, and Shawsville Cemetery. Mrs. Coddington questioned the legality of this plan, adding that the Board is "misleading the public." Ms. Sacco stated that these **must** be two separate actions – one is subject to mandatory referendum and the other is not.

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Mrs. Coddington asked, if the position of Highway Superintendent is a 40+ hour per week job, how the current Public Works Superintendent, Tom Delamarter, could take on that added responsibility for no increase in salary. Mr. Finch explained that New York State law states that an elected official can work whatever hours they choose, so there is no guarantee with an elected Highway Superintendent that he or she would be working 40 hours per week. He added that there has been no overtime paid to the Deputy Highway Superintendent. Mr. Delamarter confirmed that there has been no overtime paid in 2013. Mrs. Coddington stated, "It is confusing to have both [the proposition to abolish the elected position of Highway Superintendent and a candidate running for the position of Highway Superintendent] on the ballot."

Lois James stated, "I hate to lose the right to vote on this," adding that the Town has good roads and has had good Highway Superintendents. Mr. Finch stated, "It is a money issue. By doing this, we can co-mingle equipment and personnel from both departments [Highway and Public Works] and save money. Where would you cut?" Ms. James stated, "You could cut services and everyone could take a cut in pay."

Mr. Muckey stated that in the 1960's and 1970's, "all the departments – Highway, Parks, and Water and Sewer – worked together." He added that costs would be charged back to individual departments' budgets. Adding that he understands that the Water Superintendent must be licensed, Mr. Muckey suggested that the Public Works Superintendent should be an elected position, with the Town appointing licensed workers to run the Water and Sewer Department. He also stated that he understands that the money saved by the resignation of former Highway Superintendent Patrick Latting was used to give an increase in salary to the current Highway Department workers. Mr. Finch replied that the workers' pay rate was increased to \$12.00 per hour. Mr. Muckey stated that he has heard that some of the Highway Department personnel were hired without having a CDL (Commercial Driver's License) and Mr. Finch replied that these people were hired as laborers.

There being no further public comments or questions, Mr. Finch declared the Public Hearing closed at 6:08 P.M.

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Ms. Sacco stated that the election of a Highway Superintendent and the referendum to abolish the position of elected Highway Superintendent will both be on the November 2013 ballot if the proposed local law is approved. She added that this approval must be done more than 60 days before the November election. When the local law was first proposed, a Special Election was scheduled to be held in July 2013.

Mr. Bullock stated that he felt it would be "unfair to vote in July. I'm not necessarily in favor of abolishing the position but I think the people should be allowed to vote."

Mr. Minoia stated that he felt that the five people who spoke at the May 14 meeting represented the feelings of the taxpayers, adding that he "is not in favor."

Mr. Francisco stated that he feels the taxpayers should have the option to vote, adding that the idea of a Special Election in July was a "bad situation," but that he is in favor of it being on the ballot in November.

Mr. Finch stated, "I want the taxpayers to be able to vote."

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Mr. Francisco stated that another unknown charge to the Town is the increase requested by the Binghamton-Johnson City Joint Sewage Board. Mr. Finch stated that he met with the Joint Board on July 18, and learned that the Joint Board had been billing on 2010 rates and had thus overbilled the outside users, who will get a rebate. However, he stated, the Joint Board requested an increase of \$13,000 per quarter from its outside users, adding that it may end up being an increase of \$5,000 per quarter, but the increase is still being negotiated. Mr. Finch added that the cost is based on amount of flow. Mr. Francisco stated that if there is an increase in amount of flow, there is an increase in cost to the Town.

RESO 2013-98: APPROVE LOCAL LAW 2, 2013
“ABOLISH POSITION OF ELECTED TOWN HIGHWAY SUPERINTENDENT AND
CREATE AN APPOINTED TOWN HIGHWAY SUPERINTENDENT POSITION,
SUBJECT TO MANDATORY REFERENDUM”

PRESENT:

Supervisor James E. Finch
Councilman Gary D. Bullock
Councilman Charles Francisco
Councilman Jerry Minoia
Councilman – vacant

ABSENT:

Offered By: Mr. Finch **Seconded By:** Mr. Francisco

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

WHEREAS, a resolution was duly adopted by the Conklin Town Board for a Public Hearing to be held by said board at the Conklin Town Hall, 1271 Conklin Road in said Town, on July 23, 2013, commencing at 5:35 P.M. to hear all interested parties on proposed Local Law “Abolishing the Position of an Elected Town Highway Superintendent and Creating an Appointed Town Highway Superintendent Position, Subject to Mandatory Referendum,” and

WHEREAS, notice of said Public Hearing was duly advertised in the **Country Courier**, the official newspaper of the Town, on July 10, 2013, and posted on the Town Clerk’s sign board, and

WHEREAS, said Public Hearing was duly held at the Conklin Town Hall at 5:35 o’clock P.M. on July 23, 2013, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) (“SEQRA”), adoption of this local law does not constitute an Action as defined and can be considered without further regard to SEQR; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby makes a determination that this local law is not an Action which requires environmental review; and further

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RESOLVED, the Conklin Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law; and further

RESOLVED, the Conklin Town Board hereby adopts said Local Law as Local Law No. 2, 2013, entitled, A Local Law “Abolishing the Position of an Elected Town Highway Superintendent and Creating an Appointed Town Highway Superintendent Position, Subject to Mandatory Referendum,” a copy of which is attached hereto and made a part hereof, and

RESOLVED, that upon the approval of the Local Law at a Regular Election by the Electors, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Town of Conklin, and to give due notice of the adoption of said Local Law to the Department of State.

BE IT FURTHER 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 July 23, 2013. 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	NO
Councilman – vacant	

Motion carried: 3 – Yes, 1 – No.

Dated: July 23, 2013

Town of Conklin Seal

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

Ms. Sacco stated that she will bring the referendum with the proper language that will be on the ballot to the August 27 Town Board meeting.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Public Works Superintendent Tom Delamarter reported that NYSEG (New York State Electric & Gas Corporation) had experienced a power surge in the lines which damaged Sewer Station 2 and the drive at Well 6. Mr. Bullock asked if there are surge protectors on the lines at these facilities and Mr. Delamarter replied that there are surge protectors in place. He added that he has submitted the bills for the repairs to the Town’s insurance companies, adding that it cost \$27,000 for parts and labor to replace the pump. Mr. Francisco stated that there is a “wild leg,” in which the voltage varies, which runs down Conklin Avenue, adding that he will address the problem with NYSEG. Mr. Delamarter stated that he has been told by A.C. Spear and two other companies that there is “nothing that can be done to prevent this from happening.”

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Mr. Delamarter reported that the new sewer pumps have been installed and the mitigation completed, the cost of which will be paid by FEMA, because the pumps were damaged in the 2011 Flood. Assistant to the Supervisor Lisa Houston stated that the Town is awaiting the final FEMA audit of this project and then the Town will be reimbursed.

Mr. Delamarter reported that the Buyout properties and Shawsville Cemetery have been mowed and trimmed, and that the Five-Year Plan for mitigation of the Town Landfill is progressing. He reported that the New York State Rural Water Association will conduct a smoke test of the Town's water lines in September, adding that the Town must advertise to advise the public that this will occur. Mr. Delamarter stated that the Association will provide the equipment and the testing is free of charge to the Town. The Hold Harmless Agreement has been revised. Mr. Delamarter reported that the Joint Sewage Board will conduct camera testing of the lines in October.

RESO 2013-99: AUTHORIZE SUPERVISOR/ENTER AGREEMENT & REVISED HOLD HARMLESS AGREEMENT/NYS RURAL WATER ASSOCIATION/SMOKE TESTING OF TOWN OF CONKLIN WATER LINES

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Town Supervisor to enter an agreement and a revised Hold Harmless Agreement with the New York State Rural Water Association to conduct smoke testing of the lines in the Town of Conklin.

Seconded by Mr. Bullock.

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

SOLAR ENERGY/TOWN LANDFILL

Mr. Bullock asked about the status of the solar energy project proposed at the Town Landfill and Mr. Delamarter replied that he has not been able to receive any answers from the company which had proposed the project, and which is now re-located to Pennsylvania.

SUMMER HELPERS/PARKS DEPARTMENT

Mr. Bullock asked if the teens/young adults that are hired as temporary summer helpers in the Parks Department “shadow” permanent employees or if they receive instruction, adding that they “can’t go alone.” He mentioned several instances of dissatisfaction with mowing and trimming work done by these temporary employees. Mr. Delamarter replied that they are “kids” and “they make mistakes,” adding that they are given “complete instructions” as to what they are to do and how to do it. Mr. Minoia added that Code Officer Robert Jones had been asked to make a map of the properties obtained by the Town through the 2006 Flood Buyout Program, adding that he has not yet seen such a map and that “the kids don’t realize which is which.”

REPORT: CODE OFFICER

In addition to his written report, Code Officer Robert Jones reported that he issued 12 permits last month, including two for new houses on Leslie Avenue and on Millburn Drive. He stated he also issued a permit for the demolition of the barn on the former Lawrence property near the Community Center. Mr. Jones reported that three new businesses were represented at the

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Planning Board meeting for sketch plan reviews. He stated that he has been performing job site inspections and dealing with complaints. Mr. Jones reported that he filed the Second Quarter report for the FEMA 2011 Flood Buyout Program, and has been working with bids for demolition and with provision for asbestos monitoring.

Mr. Jones reported that eight bids were received for demolition of structures damaged in the 2011 Flood, ranging from \$383,248 to \$2,407,000 for demolition of 46 structures. Ms. Sacco stated that there are irregularities in the bid bond for the \$383,248 bid, which provided 5% instead of the required 10%, which she stated could allow the Board to reject this bid for “irresponsibility,” adding that the bid should not be awarded “as is.” She stated that the bid must be awarded within 45 days of the bid opening, which was held on July 19. The Board plans to award the bids at the August 27 meeting and has reserved the right to award the bids for the individual properties, rather than as a total package.

OLD BUSINESS:

TIME WARNER CABLE FRANCHISE AGREEMENT

Ms. Sacco stated that the proposed Time Warner Cable Franchise Agreement does not include the addition of service to Gratsinger Road, the security provision, nor high-speed Internet provision. She stated that it also was set for a ten-year term instead of the eight years which the Town had requested. Ms. Sacco stated that the Hold Harmless language in the Agreement is “not good for the Town of Conklin.” She stated that she will contact Time Warner about the Town’s requests. The Board agreed that the Town will agree to a ten-year contract if the Gratsinger Road addition is approved by Time Warner. She will request that security, high speed modem, and telephone be included for the Town Hall and Highway Garage.

NEW BUSINESS:

2014 BUDGET

The Town Board received the worksheets for the 2014 Budget.

BACKUP POWER & ACQUISITION GRANTS

Mr. Finch stated that on June 25, 2013, the Town applied for Backup Power and Acquisition Grants within the Hazard Mitigation Community Grant Program from New York State. The grants would reimburse the Town for the cost of the used federal generators which it purchased and for the installation of these generators at different buildings within the Town.

ASSOCIATION OF TOWNS & UPSTATE TOWN ASSOCIATION

Mr. Finch stated that the Upstate Town Association would be in addition to, not “breaking off from” the Association of Towns. He stated that it would cost \$300 to join but would provide educational opportunities that are closer to this area and less expensive than the training traditionally held in New York City. Mr. Finch added that the Town has been using NYMIR (New York Municipal Insurance Reciprocal) through the Association of Towns for all of its insurance needs and this was recently discovered to be more expensive. He stated that the Town should look for three bids on insurance instead.

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**RESO 2013-100: AUTHORIZE TOWN TO JOIN UPSTATE TOWN ASSOCIATION &
EXPEND NOT MORE THAN \$450 FOR MEMBERSHIP FEE**

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Town to join the Upstate Town Association and expend not more than \$450 for a membership fee.

Seconded by Mr. Francisco.

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

KLEIN SCHMIDT ENVIRONMENTAL CONSULTANTS & WETLANDS

Mr. Finch stated that the federal government gave \$5,000,000 in grant monies to the Towns of Union, Vestal, and Conklin. Part of the purpose of this grant was to construct flood walls, although none will be built in Conklin. Julie Sweet, from the Broome County Planning Department, suggested that the monies be used to “redirect water in the Town of Conklin.” Mr. Finch stated that Town Engineers Dan Griffiths and John Mastronardi are studying ways to redevelop the wetlands in the Town, adding that one area they are studying is the Carol Court area. He stated that the water level in that area could be lowered and a ditch constructed to the southern end of the Town. Mr. Finch stated that there is no charge to the Town for this study.

**RESO 2013-101: ACCEPT RESIGNATION/JAMES GATES/WATER & SEWER &
PARKS LABORER/EFFECTIVE JULY 26, 2013**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of James Gates from the position of Water and Sewer and Parks Laborer, effective July 26, 2013.

Seconded by Mr. Francisco.

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

**RESO 2013-102: RATIFY PAYMENT/MLD BUILDERS/FINAL
PAYMENT/COMPLETION OF BULLETPROOF WINDOW & NEW
COUNTERS/JUSTICE CLERK OFFICE**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #6085, account code A1110-2-201 (grant monies), in the amount of \$9,164.00 to MLD Builders for final payment for the completion of bulletproof window and new counters in the Justice Clerk office, Purchase Order #13-00685.

Seconded by Mr. Minoia.

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

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RESO 2013-103: RATIFY PRE-AUTHORIZED PAYMENT/BILL LIST/\$58,706.15

Mr. Bullock moved for the following resolution:

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 \$58,706.15:

General	\$14,810.53
Highway	12,411.78
Flood Emergency	22,776.08
Light Districts	2,020.71
Water District	2,578.65
Sewer District	<u>4,108.40</u>
Total	\$58,706.15

Seconded by Mr. Francisco.

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

RESO 2013-104: AUTHORIZE PAYMENT/BILL LIST/\$60,261.75

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 \$60,261.75:

General	\$ 7,839.14
Highway	2,316.93
Flood Emergency	357.56
Water District	910.40
Sewer District	45,101.72
Non-Budget	<u>3,736.00</u>
Total	\$60,261.75

Seconded by Mr. Minoia.

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

RESO 2013-105: APPROVE HOURLY PAY RATE ADJUSTMENT/OLIVIA MORGAN/ASSISTANT POOL MANAGER/FROM \$7.75 PER HOUR TO \$8.25 PER HOUR/EFFECTIVE MAY 28, 2013

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves an hourly pay rate adjustment from \$7.75 per hour to \$8.25 per hour, effective May 28, 2013, for Olivia Morgan, Assistant Pool Manager.

Seconded by Mr. Francisco.

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

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RESO 2013-106: APPROVE CREATION OF POSITION/SUPERINTENDENT OF PUBLIC WORKS/RETROACTIVE TO JANUARY 1, 2013

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the creation of the position of Superintendent of Public Works, retroactive to January 1, 2013. This position is vested with authority as outlined in attached list of duties and also has the authority to hire and fire Town employees under his/her position after consultation and approval of the Town Board of the Town of Conklin.

Seconded by Mr. Francisco.

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

Ms. Sacco explained that the creation of this position is a requirement from New York State which protects it from the requirement of Civil Service testing, since it is not a competitive position. She further explained that this is not related to the discussion regarding the position of Highway Superintendent.

RESO 2013-107: EXECUTIVE SESSION/HIRING & PAY INCREASE/PARTICULAR EMPLOYEES

Mr. Francisco moved to close the Regular Town Board Meeting and move into Executive Session at 7:10 P.M. to discuss the hiring and/or pay increase of particular employees.

Seconded by Mr. Bullock.

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

An Executive Session of the Town Board of the Town of Conklin was held at the Conklin Town Hall at 7:10 P.M. with Supervisor James Finch presiding. Present were: Supervisor Finch, Mr. Bullock, Mr. Minoia, Mr. Francisco, and Attorney Cheryl Sacco. Supervisor Finch assumed duties of secretary of the meeting.

A discussion was held pursuant to Public Officers Law section 100 of the State of New York regarding the hiring and/or pay rate increase of particular employees.

RESO 2013-108: RE-OPEN REGULAR TOWN BOARD MEETING

After this discussion, Mr. Bullock moved to close the Executive Session and re-open the Regular Town Board Meeting at 7:25 P.M.

Seconded by Mr. Francisco.

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

RESO 2013-109: APPROVE HIRE/COLIN CASEY/LABORER/PAY RATE OF \$11.50 PER HOUR/EFFECTIVE JULY 22, 2013

Mr. Bullock moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin approves the hiring of Colin Casey to the position of Laborer with a pay rate of \$11.50 per hour, effective July 22, 2013.

Seconded by Mr. Minoia.

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

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 7:26 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk