

REGULAR TOWN BOARD MEETING

AUGUST 14, 2012

The Town Board of the Town of Conklin held a Regular Town Board Meeting on August 14, 2012. 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
	Highway Superintendent	Patrick Latting
	Code Officer	Robert Jones
	Dog Control Officer	Darlene Weidman
	Substitute DCO	Kelly Wildoner

GUESTS:	Country Courier	Elizabeth Einstein
		Bev Collins
		John Colley
		Grace Farnham
		Otto Farnham
		Paul Preston
		Maureen E. Dedrick
		Laurie Francisco
		Bonnie Tolomei
		Angelo Tolomei
		Ken Decker
		Tom Decker

MINUTES: JULY 10, 2012 REGULAR TOWN BOARD MEETING

Mr. Bullock moved to approve the July 10, 2012 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 a letter from the Conklin Presbyterian Church thanking the Town Board for the donation of \$500 toward flood relief following the 2011 Flood. The money was donated by Cleaner Supply. He also acknowledged receipt of letters from Shumaker Surveying and Consulting regarding the Town Landfill and from Broome County regarding the Comprehensive Plan. Mr. Finch acknowledged receipt of a letter from the attorney representing Mr. Daniel Parker, 2010 Conklin Road. He acknowledged a letter from WPX Energy regarding the proposed road use agreement. Mr. Finch stated that WPX Energy has agreed to provide bonding to cover any damage to the Town roads, as well as \$20,000 non-refundable money up front. He stated that WPX Energy states that they do not intend to start developing the well near Farnham Road until January 2013.

PUBLIC COMMENTS:

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CONKLIN FAIR COMMITTEE, INC.

Maureen Dedrick, Vice President of the Conklin Fair Committee, Inc., read the following into the minutes:

“My name is Reenie Dedrick and I have lived in the Town of Conklin since 1949. I have been a member of the Conklin Fair Committee since 1972, the year of its first fair 40 years ago. At that time, it was called the Conklin Community Corp. The purpose of the Corp. was to involve the community organizations in a day of celebration, a fair day, while earning funds for their organization’s budget and the proceeds from the fair events would be used by the Corp. to fund the needs of the newly formed Town parks.

“I am here today as a representative of the current non-profit Conklin Town Fair Committee to make a request to the Conklin Town Board.

“The 2012 40th Fair Day dates and times are: Friday, September 7, 2012, 6 p.m. -11 p.m.; Saturday, September 8, 2012, 10 a.m. – 11 p.m.; Sunday, September 9, 2012, Noon - 6 p.m.

“Here is the request - At the July 24, 2012 meeting of the Conklin Fair Committee, I was directed to come to the Conklin Town Board meeting tonight, August 14, 2012, and advise you of the serious concerns facing the Conklin Fair Committee due to the Conklin Town Board’s decision to withdraw manpower help to the Fair setup days and to charge the Committee \$125 for each of the three days for use of the Maines Community Center fields. The Committee is appealing to the Town Board to repeal these first-time decisions and find a way to provide manpower and a truck to move picnic tables, run electric cords, and help place the Fair Day signs.

“We offer these reasons – The annual Fair has been ongoing for 40 years. It benefits the people of Conklin. It’s an opportunity for the people to gather together and celebrate as a community and for community organizations to earn funds to support their projects. It has also been a benefit to the Town parks and recreation in many ways. The Town has helped us in previous years.

“The Conklin Community Center was gifted to the Town to benefit the people of the Town of Conklin, which the annual Fair does.

“The Fair Committee will not be using the Community building at all, only the fields.

“Other neighboring communities non-profit events have received help for their fair celebrations from their Boards, i.e., Binghamton, Johnson City, and Kirkwood. Also, Broome County government has helped non-profit organizations around the County, so it must be possible to provide help.

“The Town Board would be showing the people of Conklin that they are ‘fair friendly.’ This is important. One business owner, upon hearing that the Fair Committee had to pay for use of the Community Center fields, was offended and offered to cover the costs because she felt the Board’s decision was unfair.

“The Fair Committee members will be considering the possibility of not having a fair in 2013 if there is no support from the Conklin Town Board. The Fair Committee members are older and they are becoming physically unable to do the heavy work of setting up the Fair.

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“Please consider our request and please respond. Thank you.”

Mr. Finch responded by stating that in 2005, the Town Auditor discovered that the Fair Committee’s monies were co-mingled with the Town’s monies, which, he added, is illegal. The Fair Committee at that point became an incorporated 501c3 organization. He stated that the initial agreement between the Town and the Conklin Fair Committee, Inc., called for “in kind” contributions from the Fair Committee to the Town, adding that no such donations have been made since 2007, when a Christmas tree was purchased for the Town Hall foyer. Mr. Finch also explained that the New York State Constitution prohibits the Town from using taxpayer-funded manpower and equipment for a private non-profit organization. He added that the Dog Control Officer, who is the Treasurer of the Fair Committee, is using her Town-issued cell phone to make arrangements for the Fair, and the Town Board has agreed to allow the Parks Department to place the Fair Committee signs advertising the Fair and to move picnic tables. Mr. Finch inquired how much money is in the Fair Committee funds and how the Committee plans to contribute to the Town.

Town Attorney Cheryl Sacco stated that in New York State “gifting” of materials or manpower is illegal. She explained that an exception can be made if the Town is getting anything in return for what it is giving. Ms. Sacco stated that some municipalities see a fair itself as a gift, for the public good.

Paul Preston, C.E.O. of the Fair Committee, stated that the Fair Committee’s by-laws do not state that the Committee must give back to the Town, adding that Mr. Finch’s claim is “bogus.” “We are not obligated to give back,” stated Mr. Preston. “We are not obligated to help you,” replied Mr. Finch, adding that the money from the Johnson City Field Days comes back to the Village, which is why the Village of Johnson City helps sponsor the Field Days. Mr. Preston stated that the “Fair does not make money,” adding that the Committee needs \$3,000 for start-up funds. He added that there are “more costs,” as the price of everything has gone up.

Mr. Finch stated that the Town Board would consider waiving the \$125 per day charge if the Community Center building is not used. Dog Control Officer Darlene Weidman, who is Treasurer of the Conklin Fair Committee, stated that Broome County Health Department requires that the Fair Committee have access to hot water because it is serving food. Mr. Minoia stated that use of the hot water would be acceptable. Mr. Minoia, Mr. Bullock, and Mr. Francisco all agreed to waive the \$125 per day fee if the building is not used. Mr. Finch reiterated that if the Fair Committee uses the building and the Town must pay to have it cleaned, the Fair Committee will be charged the fee.

Mr. Preston stated that the Community Center building “should be open to all non-profits free of charge.” Mr. Finch stated that the Town “can’t afford that,” noting that the Town lost \$14,000 in 2011 on the Community Center. He added that the Town has “many expenses,” including trying to recover from two devastating floods. Ms. Sacco stated, “Even if the Town Board thinks it’s getting something from the Fair, there is no requirement that the Board give anything.”

Mr. Preston stated that the profits, if any, of the 2012 Fair would be donated to the Conklin Veterans Memorial Fund. Mr. Finch stated that the Parks Department will move picnic tables and put up the signs to advertise the Fair. Mr. Preston asked about clean-up and Mr. Finch stated that Mr. Preston can contact the Broome County Sheriff’s Office to arrange clean-up by the weekend inmates.

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Jerry Kane stated that he has been involved with the Fair since 1966 and that the Fair is a “benefit to the people and children of Conklin.” He stated, “All people of the Town of Conklin benefit from the Fair. Vendors return proceeds back to the good of the people.” Mr. Finch reiterated that the fee has been waived as long as the building is not used. Bev Collins, Fair Committee member, thanked the Board for its concessions to the Fair Committee.

NEW BUSINESS:

FARNHAM QUARRY

Attorney Sacco stated that the New York State Department of Environmental Conservation (DEC) will be Lead Agency for SEQR (State Environmental Quality Review) review for the Farnham Quarry. The Town of Conklin has until September 7, 2012, to object to this designation. New York State will approve the quarry and issue the mining permit. The Town Board is in agreement to allow the development of the quarry to proceed. The DEC will conduct the SEQR review. Notice of Complete Application has been received by Otto Farnham, owner, and by Ken Decker, operator of the quarry. Ms. Sacco stated that the Town has 30 days in which to agree or disagree with the designation of the DEC as Lead Agency, adding that the Town can respond in a written letter earlier than 30 days if it is in agreement with the designation.

RESO 2012-139: APPROVE DEC AS LEAD AGENCY/FARNHAM QUARRY

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the DEC (New York State Department of Environmental Conservation) as Lead Agency for the Farnham Quarry, and has no comments, and is in agreement that the process move forward on development of the Farnham Quarry.

Seconded by Mr. Francisco.

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

Mr. Finch stated that the Town will send a letter on August 15, 2012, approving the DEC as Lead Agency. He reminded those present that there are already two other quarries operating in the area, which also have trucks that contribute to the truck traffic in the area.

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 much cleanup was needed after the intense storms on July 26, which included seven tornadoes in the area, one of which touched down on Burts Road in the Town of Kirkwood. He stated that cleanup efforts went well, even though the radios were inoperable because of the storms. Mr.

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Latting stated that residents were affected by the wind and tree damage, adding that they are grateful for the Town's pick-up of the debris. He added that his department picked up 50 loads of debris from the storms and took the debris to Boland's Topsoil. Mr. Latting stated that the Town has a good working relationship with the Conklin Volunteer Fire Department and its Fire Chief, Bill Gorman. Mr. Finch expressed his appreciation to the Highway Department for its cleanup efforts.

Mr. Latting reported that the "CHIPS" (Consolidated Highway Improvement Program) paving projects have been delayed by the July 26 storms, rain, and the wait for NYSEG (New York State Electric and Gas Corporation) to complete its repairs to gas services.

REPORT: WATER & SEWER DEPARTMENT

Refer to written report. Mr. Delamarter, Water and Sewer Superintendent, was excused due to illness. Mr. Finch commented that the Parks Department has been busy with mowing and cleanup.

REPORT: CODE OFFICER

In addition to his written report, Code Officer Robert Jones reported that his office has issued eight or nine permits, two of which were for houses being raised. He reported that the first round of the application process for the Buyout Program has been completed, and includes 60 buildings and two empty lots. Mr. Jones reported that Griffiths Engineering has been working on updating the Town's Hazard Mitigation Plan, adding that the Town of Conklin will be joining the Broome County Hazard Mitigation Plan, effective January 2013. Mr. Jones stated that his office is making "significant progress." He added that he has been conducting safety inspections also. Mr. Finch thanked Mr. Jones and his assistant, Marilou Gabello, for their hard work, particularly on the FEMA (Federal Emergency Management Agency) Buyout Application.

REPORT: DOG CONTROL OFFICER

Refer to written report. Mr. Finch asked about the progress in making sure dogs whose owners are delinquent in paying for their licenses have become current with licensing, and Dog Control Officer Darlene Weidman replied that twelve delinquent owners came in last Monday, and three or four on Tuesday. Mr. Finch asked about the Board's requirement that Ms. Weidman bring the Town files from her home back to the office the Town has created for her in the Town Hall and that she do her paperwork at the Town Hall, and Ms. Weidman replied, "I can't do my paperwork here. It's worked fine the way it is for the past eight years. I get interrupted with dog calls and would have to leave and come back." Mr. Finch asked about the Dog Enumeration, which the Town Board has instructed Ms. Weidman to do, and she replied, "I can't do the enumeration because of my foot." Referencing a recent dog abuse case at 200 Shaw Road, Mr. Finch stated that the Code Officer issued a letter, which was served on August 9, 2012, giving owner Christine Macan a deadline of September 8 to bring her house into compliance with the Town Code Property Maintenance Law.

OLD BUSINESS:

ROAD USE AGREEMENT

Mr. Finch stated that WPX Energy has agreed to a \$2 million bond and \$20,000 non-refundable payment up front for protection of Town of Conklin roads from truck damage. He stated that

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videos have been taken of all of the roads, which are in good condition as of August 14, 2012. Mr. Finch stated that there will be no water trucks traveling on Town of Conklin roads until January of 2013. He added that the Town requested an escrow account of \$5,000, refundable if not used, which could be used to pay attorney and engineering fees, but WPX Energy was unwilling to agree to this condition.

Ms. Sacco stated that she has created a draft of the route and map of the area to be utilized by truck traffic and is looking for consensus from the Town Board, although she added that the formal approval should wait until October or November. Mr. Minoia asked if a different agreement is needed for every gas well and Mr. Finch replied that a different agreement is needed for each different drilling company. Mr. Minoia asked if New York State allows natural gas drilling if a new agreement will be needed. Mr. Finch stated that these road use agreements are agreeable to the Joint Landowners Coalition of New York, and would be the same with all gas companies. He added that subcontractors must follow the agreements as well. Mr. Minoia commented that the Town of Conklin should tell the gas companies which roads to use, not vice versa. Mr. Bullock asked if the agreement covers all of Banta Road. Mr. Finch stated that these roads are public thoroughfares, and if a vehicle is not overweight or violating traffic regulations, it can travel on any road the driver chooses.

Bonnie Tolomei stated that her house is on Montrose Drive near Keith Lane, an area slated to be part of the proposed route for the trucks. She suggested that the trucks should exit Route 81 at Exit 1 and travel over Conklin Forks Road. Mr. Finch stated that Conklin Forks Road has a much higher population. "We don't count," stated Ms. Tolomei. Mr. Finch stated that it only takes three weeks to put the water for hydrofracturing into a well.

Ms. Sacco asked if there is consensus for the legal language to move forward with the proposed Road Use Agreement, including the \$2 million bond, \$20,000 non-refundable payment, and no \$5,000 escrow account. Mr. Francisco, Mr. Bullock, Mr. Minoia, and Mr. Finch all stated that they are in agreement with moving this Road Use Agreement forward.

12 WOODCREST WAY

Mr. Jones has inspected the structure at 12 Woodcrest Way and provided photographs for the Town Board. The Board was in agreement that property owner Stuart Kasmarcik met the conditions of purchase in bringing the outside of the structure into compliance with the Town Code within the prescribed amount of time and should therefore be entitled to the \$2,000 refund, as previously agreed in the terms of purchase.

**RESO 2012-140: APPROVE REFUND/\$2,000/STUART KASMARCIK/STRUCTURE AT
12 WOODCREST WAY BROUGHT INTO CODE COMPLIANCE**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the refund of \$2,000 to Stuart Kasmarcik, for having met the conditions of purchase of 12 Woodcrest Way in bringing the outside of the structure into compliance with the Town Code within the prescribed period of time.

Seconded by Mr. Minoia.

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

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TIME WARNER FRANCHISE AGREEMENT

Mr. Finch stated that Time Warner Cable would agree to an eight year contract and a percentage of money from the shopping channels to be paid to the Town. He stated that Time Warner will not agree to a real estate tax credit. The respective attorneys for the two parties are working on the legal language of the agreement, which will be ready in September and which will require that a Public Hearing be held.

560 CONKLIN ROAD

Attorney Sacco has been in contact with CP Rail regarding the railroad company's property at 560 Conklin Road. There is no lease agreement between the railroad company and the building owner. CP Rail has been paying taxes on a building it did not know existed, and wants to demolish the building, which was damaged in the September 2011 Flood. There are one or two billboards located on the site, and the question arose of whether or not there is a lease agreement with Park Outdoor. Ms. Sacco stated that the assessment on the property is set at the State level, and added that the building in question is being taxed as an "improvement."

NEW BUSINESS:

PRIDE PARK HOLDINGS, LLC/AGREEMENT/WATER DISTRICT 6 USER
EXTENSION

Mr. Finch stated that a tentative agreement has been reached with Pride Park Holdings, LLC, regarding adding Pride Manor Mobile Home Park to the Town's water system. Pride Park Holdings has agreed to pay an additional 1.6% the rate of the Town of Kirkwood water purchased to provide water to the southern end of the Town of Conklin and to provide bonding as indemnification for the actions being undertaken by Pride Park Holdings. This outside user agreement would provide an additional \$1,300 per year to the Town's General Budget, since Pride Manor Mobile Home Park is outside the existing water district, which pays 1.5%, which goes to Special District Funds for Water and Sewer. Mr. Finch stated that the Town of Conklin personnel will be digging the ditch for the pipe.

RESO 2012-141: AUTHORIZE DEPUTY SUPERVISOR/ENTER AGREEMENT/PRIDE
PARK HOLDINGS, LLC/NO SEQR REQUIRED

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Deputy Supervisor to enter an agreement with Pride Park Holdings, LLC, regarding the addition of Pride Manor Mobile Home Park as an outside user to the Town of Conklin water system. No SEQR review is required for this agreement.

Seconded by Mr. Francisco.

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

Mr. Finch stated that next month the Town of Conklin will finalize the agreement with the Town of Kirkwood.

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WATER DISTRICT 6 EXPANSION/STILLWATER ROAD

Mr. Finch stated that there were 47 homes on Stillwater Road that had been interested in being attached to the Town water system, adding that Mr. Delamarter will determine whether or not they are still interested. Ms. Sacco stated that it will be the same process and type of agreement, if more than 50% are interested in the expansion. Mr. Finch stated that it will be either an extension of the existing water district or a new district, with users paying 1.5% plus the cost of the bond. He added that this issue will be addressed next spring.

2013 BUDGET

Mr. Finch stated that he has received input from the department heads and there are very few increases expected in the 2013 Budget. The department heads will hand in their budget requests to Secretary to the Supervisor Lisa Houston this week. Mr. Finch stated that the water and sewer rates will be evaluated. At the September 11 meeting, the Tentative Budget will be given to the Town Clerk to distribute to the Town Board.

**RESO 2012-142: AUTHORIZE DEPUTY SUPERVISOR/ENTER
AGREEMENT/SHUMAKER ENGINEERING/
2012 REVIEW OF LANDFILL OPERATIONS**

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Deputy Supervisor James E. Finch to enter into an agreement with Shumaker Engineering for the 2012 Review of Landfill Operations, Task Order No. 3, SCE No. R09357.0, for an amount not to exceed \$4,825 for Section II- A through II- C, and not to exceed \$10,375 for Section II- D.

Seconded by Mr. Bullock.

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

**RESO 2012-143: SCHEDULE SPECIAL TOWN BOARD MEETING/SEPTEMBER 8,
2012/12:00 NOON/MAINES COMMUNITY CENTER GROUNDS**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Special Town Board Meeting at 12:00 Noon on September 8, 2012, at the Floyd Maines Community Center grounds at 942 Conklin Road.

Seconded by Mr. Bullock.

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

**RESO 2012-144: AUTHORIZE TOWN JUSTICE AYRES/APPLY FOR
GRANT/JUSTICE DEPARTMENT/MAXIMUM AMOUNT AVAILABLE \$30,000**

Mr. Bullock moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes Town Justice J. Marshall Ayres to apply for a grant for the Justice Department, with the maximum amount available being \$30,000.

Seconded by Mr. Francisco.

VOTE: Bullock - Yes, Minoia – Yes, Francisco – Yes, Finch – Yes.

RESO 2012-145: AUTHORIZE BUDGET MODIFICATION/COVER
FEES/SHUMAKER ENGINEERING LANDFILL OPERATIONS TASK ORDER NO. 3

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the following Budget modification to cover the fees for Shumaker Engineering Landfill Operations Task Order No. 3:

From A1900-4-400 Contingency Contractual	- \$15,200.00
To A 8160-4-400 Landfill Contractual	+ \$15,200.00

Seconded by Mr. Francisco.

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

RESO 2012-146: RATIFY PAYMENT/BROOME COUNTY SHERIFF'S
DEPARTMENT/WARRANT CHARGE/200 SHAW ROAD

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #4638, account code A3620-4, in the amount of \$27.00 to the Broome County Sheriff's Department for the warrant charge for 200 Shaw Road.

Seconded by Mr. Francisco.

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

RESO 2012-147: ACCEPT DONATIONS/TOWN OF CONKLIN BEAUTIFICATION
PROJECT/FLOWER POTS OR FLAGS

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the following donations for the Town of Conklin Beautification Project, account code A2750, with monies to be used for either flower pots or flags:

Conklin Rotary Club	\$200.00
Erin Eckert	86.00
Nancy Banick	43.00
Danielle Palmer	43.00
Daniel Kane	43.00
Margaret Lamb	50.00
Maureen Dedrick	43.00
Robert Henyan	43.00

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Market Velocity	50.00
Jim Finch	50.00
Gerard Minoia	50.00
Sherrie Jacobs	50.00
Gary Bullock	50.00
Chuck Francisco	50.00
Pat Latting	50.00
Marshall Ayres	<u>50.00</u>
Total	\$951.00

Seconded by Mr. Francisco.

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

RESO 2012-148: APPROVE BUDGET LINE MODIFICATION

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following Budget line modification:

Increase Revenue A2705 (Gifts & Donations)	\$951.00
Increase Expenditure A7550.4 (Celebrations Contractual)	\$951.00

Seconded by Mr. Francisco.

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

RESO 2012-149: RATIFY PRE-AUTHORIZED PAYMENT/BILL LIST/\$107,210.11

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 \$107,210.11:

General	\$ 20,809.03
Highway	8,825.78
Flood Emergency	46,736.20
Light Districts	290.25
Water District	23,790.95
Sewer District	192.90
Non-Budget	<u>6,565.00</u>
Total	\$107,210.11

Seconded by Mr. Francisco.

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

RESO 2012-150: AUTHORIZE PAYMENT/BILL LIST/\$54,758.30

Mr. Minoia moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Bill List in the total amount of \$54,758.30:

General	\$24,454.76
Highway	19,153.21
Flood Emergency	298.99
Light Districts	1,978.57
Water District	8,214.59
Sewer District	<u>658.18</u>
Total	\$54,758.30

Seconded by Mr. Francisco.

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

RESO 2012-151: SCHEDULE PUBLIC HEARING/SEPTEMBER 25, 2012/5:35 P.M./PROPOSED LOCAL LAW AMENDING CHAPTER 140 OF TOWN CODE, ENTITLED “ZONING”

Mr. Francisco 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 September 25, 2012, regarding a proposed Local Law amending Chapter 140 of the Town Code, entitled “Zoning.”

Seconded by Mr. Bullock.

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

RESO 2012-152: SCHEDULE PUBLIC HEARING/OCTOBER 9, 2012/7:05 P.M./PROPOSED LOCAL LAW AMENDING CHAPTERS 91 & 140 OF TOWN CODE

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 7:05 P.M. on October 9, 2012, regarding a proposed Local Law amending Chapters 91 and 140 of the Town Code.

Seconded by Mr. Bullock.

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

2010 CONKLIN ROAD/PARKER

Mr. Jones has inspected the property belonging to Mr. Daniel Parker at 2010 Conklin Road, as stipulated in the Court Order, and has found it to be in compliance with the Town Code. A settlement has been proposed in which Mr. Parker would move the van and pile of steel, and keep his tools, unlicensed plow truck, and three licensed vehicles, and three flatbed trucks. He will be asked to pay either the attorney fees (more than \$8,000) or fines of \$200 per day for the past 200 days. Town Attorney Cheryl Sacco will consult with Mr. Parker’s attorney to attempt to reach an agreement.

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RESO 2012-153: AUTHORIZE TOWN ATTORNEY/C. SACCO/REACH
SETTLEMENT WITH DANIEL PARKER

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Town Attorney Cheryl Sacco to reach a legal settlement with Daniel Parker on behalf of the Town of Conklin.

Seconded by Mr. Finch.

VOTE: Bullock – Yes, Minoia – 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. Minoia. The meeting adjourned at 8:38 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk