

WORK SESSION
NOVEMBER 25, 2014

The Town Board of the Town of Conklin held a Work Session at 5:30 P.M. on November 25, 2014, at the Conklin Town Hall. Mr. Finch, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT: Town Board Members	Bullock, Dumian, Francisco, Finch (Mr. Minoia absent due to illness.)
Town Counsel	Cheryl Sacco
Town Clerk	Sherrie L. Jacobs
Assistant to Supervisor	Lisa Houston
Highway Superintendent	Brian Coddington
Public Works Superintendent	Tom DeLamarter
Planning Board	Dell Boyle
Zoning Board of Appeals	Art Boyle
GUESTS: NBT Bank	John Deierlein
Country Courier	Elizabeth Einstein
	Laurie Francisco
	Judy Kelly
	Tom Kelly

INVESTMENT PROPOSAL/NBT BANK/JOHN DEIERLEIN

Mr. John Deierlein of NBT Bank offered a presentation explaining the benefits of Insured Cash Sweep (ICS), a money market product for municipal funds. Mr. Deierlein explained that the funds would be spread out among different banks, all insured by FDIC (Federal Deposit Insurance Corporation). He stated that in 2012, the New York State Comptroller approved the use of this investment vehicle for public funds, adding that it has been approved for use for non-public funds (not-for-profit entities) for the past ten years. He stated that it is a reciprocal deposit program.

Mr. Finch stated that the Town would receive a better interest rate (.15%) than it currently is receiving (.04%). Mr. Deierlein explained that the money market could be for any amount, with a \$100 minimum. He added that this is not a checking account but rather a money market account to use for investible funds, emphasizing the liquidity of this type of account. The Town could make as many deposits per month as it wished and could make six withdrawals per month (per federal banking regulations). Mr. Dumian asked if there would be any fees required from the Town of Conklin and Mr. Deierlein replied that there are no fees attached to these transactions. He explained that the funds are managed by the Promontory Advisory Board, which is paid by NBT Bank, rather than the Town. Mr. Deierlein stated that the Town would have access to view its account at any time and added that the investment is not for a set time period, as a certificate of deposit would be.

Mr. Deierlein stated that the Norwich City Council is in the process of approving use of this financial instrument and the Town of Hancock is also researching the possibility of using it. The Town of Maine is already using the Insured Cash Sweep program. Mr. Dumian asked how long this program has been available and Mr. Deierlein responded that it has been available since March 2013. Mr. Dumian confirmed that the program pays a variable interest rate. Assistant to the Supervisor Lisa Houston stated that the Town's Investment Policy has not been updated in a long time and suggested that the Board review the policy for updates. She will e-mail the current

WORK SESSION
NOVEMBER 25, 2014

policy to Town Counsel Cheryl Sacco. Mr. Deierlein commented that the New York State Comptroller's Office has a model Investment Policy on its website.

DOG CONTROL VEHICLE

Mr. Finch stated that he looked at a van at Botnick Chevrolet that is on the New York State bid list. He stated that the Town could finance a new van for the Water and Sewer Department, and pay that department back for the payment on the van originally purchased for the Town Dog Control Officer and currently being used by the Water and Sewer Department. This original van would then be used by the Dog Control Officer. Public Works Superintendent Tom DeLamarter stated that approximately \$5,000 is still owed on the original van. Mr. Bullock asked if the Dog Control van would be kept at the Town Hall and Mr. Finch confirmed that this will be the case. Mr. Francisco stated that he had looked at a different, used van that the Town was considering and found it to be in poor condition. Mr. Bullock, Mr. Dumian, and Mr. Francisco all informally agreed that the purchase of this new van should be pursued.

CODE OFFICER POSITION

Ms. Houston pointed out that a "temporary" appointment is limited to 89 days, per Broome County Personnel policy. Mr. Dumian asked if the Town can re-appoint the current temporary part-time Code Officer, Ron Lake, after 89 days, and Ms. Houston stated that she will research this question. Mr. Finch stated that the current arrangement is "working well."

As the time for the Regular Town Board Meeting had arrived, Mr. Finch closed the Work Session and opened the Regular Town Board Meeting.

Respectfully submitted,

Sherrie L. Jacobs, Town Clerk

REGULAR TOWN BOARD MEETING

NOVEMBER 25, 2014

FLOOD BUYOUT PROGRAM

Mr. Finch explained that the demolition timeline for the Flood Buyout properties is set by FEMA. He added that there are fourteen properties set to be demolished after December 1, 2014, with 32 still on the books to close. Mr. Finch stated that Mr. Gorick signed the contract and will begin the demolitions after December 1. He stated that there are “a lot of details that the Town can’t control,” in trying to close on the properties.

Mr. Bullock suggested that the Town put together a written plan of the steps needed to take part in a FEMA Buyout, in the event of a future catastrophic event. Mr. Dumian commented that the Code Officer should have the formulas, noting that 50% of the structure must be damaged to be considered for the Buyout program. It was noted that elevation certificates are needed. Ms. Sacco cautioned that “every Buyout is different” and added that the Board should “make sure to look at new FEMA regulations each time.”

CORRESPONDENCE:

Mr. Finch acknowledged receipt of an e-mail from Julie Sweet of the Rising Community Grant Program, as well as one from Kevin McLaughlin, Director of the Broome County Industrial Development Agency (BCIDA). He stated that it appears that the affordable housing project in Corporate Park is “back on track.” Mr. Finch stated that a meeting is scheduled on December 4 at the BCIDA office to discuss the project. He added that the Stillwater Road drainage project, another Rising Community Grant project, has been approved.

NEW BUSINESS:

DOG CONTROL VAN

It was noted that the original Dog Control van will be re-outfitted with equipment currently owned by the Town of Conklin, including cages, etc.

**RESO 2014-187: RATIFY ACH PAYMENT/PITNEY BOWES/POSTAGE METER
REFILL**

Mr. Dumian moved for the following resolution:

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

Seconded by Mr. Finch.

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

**RESO 2014-188: RATIFY PAYMENT/U.S. POSTAL SERVICE/4TH QUARTER WATER
& SEWER BILLING POSTAGE**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of a check, account code SW8310.4, in the amount of \$312.80 to the U.S. Postal Service for postage for 4th Quarter Water and Sewer billing.

REGULAR TOWN BOARD MEETING
NOVEMBER 25, 2014

Seconded by Mr. Dumian.

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

Mr. Finch commented that a particular employee of the Town of Conklin has not paid his or her water and sewer bills for several months and asked if the Town can shut off this person's water. He noted that the Town has a law in place allowing this action for non-payment of water and sewer bills. Ms. Sacco stated that the Town "cannot hold an employee to higher standards than other residents." Ms. Houston added that each year about \$20,000 to \$30,000 in unpaid water and sewer bills is added to the tax levies of the property owners who have not paid their bills, noting that some people choose to do this. Mr. DeLamarter stated that if the law regarding water shut-off is to be enforced, "it must be enforced equally." He added that some of the delinquencies are from owners of the mobile home park and that "we can't shut off water where there are children involved." Mr. Dumian asked to continue this discussion in Executive Session.

RESO 2014-189: APPROVE REVISION/POLICY AND BENEFITS STANDARDS/ARTICLE 15/ PARAGRAPHS 2, 3, & 4/PPO RECIPIENTS

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves revision of the Town Employees' Policy and Benefits Standards in Article 15 (Health Insurance), paragraphs 2, 3, and 4, which deal with PPO recipients (those who do and who do not receive Medicare premium reimbursement), and retirees' health insurance.

The Board also specified that employees who respond to emergency calls in the Town, through the fire or rescue squad, and receive the same rate of pay they would had they continued in the performance of their duties, must be responding during their regularly scheduled work hours.

Seconded by Mr. Finch.

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

RESO 2014-190: ACCEPT DONATION/\$50.00/SUSAN FRAIR/DOG PARK

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts a donation in the amount of \$50.00 from Susan Frair to be used for supplies for the Town dog park.

Seconded by Mr. Francisco.

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

2014-191: APPOINT DAN SMITH/PLANNING BOARD MEMBER/1 YEAR TERM/DECEMBER 10-2014 – DECEMBER 31, 2015

Mr. Bullock moved for the following resolution:

REGULAR TOWN BOARD MEETING
NOVEMBER 25, 2014

Be It Resolved: that the Town Board of the Town of Conklin appoints Dan Smith to the position of member of the Town Planning Board for a one-year term, to run from December 10, 2014, through December 31, 2015, to fill the unexpired term of Dell Boyle.

Seconded by Mr. Francisco.

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

RESO 2014-192: ACCEPT RESIGNATION/GERARD MINOIA/TOWN COUNCILMAN/EFFECTIVE DECEMBER 10, 2014

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts, with regret, the resignation of Gerard Minoia from the position of Town Councilman, effective December 10, 2014.

Seconded by Mr. Francisco.

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

RESO 2014-193: ACCEPT RESIGNATION/DELL BOYLE/PLANNING BOARD MEMBER/EFFECTIVE DECEMBER 10, 2014

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of Dell Boyle from the position of member of the Town Planning Board, effective December 10, 2014.

Seconded by Mr. Finch.

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

RESO 2014-194: APPOINT DELL BOYLE/TOWN COUNCILMAN/EFFECTIVE DECEMBER 11-DECEMBER 31, 2014/RATE OF PAY WILL BE PRO-RATED SALARY OF \$9,307.50

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin appoints Dell Boyle to the position of Town Councilman, effective December 11, 2014, through December 31, 2014, to fill the unexpired term of Gerard Minoia, with a pay rate of the pro-rated salary of \$9,307.50.

Seconded by Mr. Dumian.

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

REGULAR TOWN BOARD MEETING
NOVEMBER 25, 2014

RESO 2014-195: AUTHORIZE PAYMENT OF CLAIMS/BILL LIST DATED
11/25/2014/\$35,912.65

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following claims, Bill List dated November 25, 2014, in the total amount of \$35,912.65:

General	\$16,596.04
Highway	13,326.54
Light Districts	2,309.33
Sewer District	815.08
Water District	<u>2,865.66</u>
Total	\$35,912.65

Seconded by Mr. Dumian.

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

RESO 2014-196: APPROVE BUDGET LINE MODIFICATIONS

Mr. Bullock 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 November 30, 2014 (See attached).

Seconded by Mr. Francisco.

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

ZONING LAWS

Mr. Dumian expressed concern that the current Zoning laws may not be able to prevent multiple families from obtaining “bare minimum” Certificates of Occupancy for the flooded houses that are not being demolished and turning them into multiple family dwellings, adding that he believes the Board should review the Zoning laws for the Town. Mr. Finch stated that Code Officer Ron Lake is researching the Town Code currently regarding this issue. Ms. Sacco suggested that either the Comprehensive Planning Committee or the Planning Board and Zoning Board of Appeals could review the laws, with the Code Officer included in the discussion. It was decided to invite the Chairpersons of both the Planning Board and the Zoning Board of Appeals, as well as the Code Officer, to the Work Session to be held on January 27, 2015.

TOWN OF CONKLIN CHILDREN’S CHRISTMAS PARTY

Town Clerk Sherrie Jacobs reminded those present that the Town of Conklin Children’s Christmas Party will be held on December 20, 2014, from 1 to 3:30 P.M. at the Community Center and that the Conklin Business Association is collecting new toys and non-perishable food items to donate to needy families in the Conklin area.

REGULAR TOWN BOARD MEETING
NOVEMBER 25, 2014

RESO 2014-197: EXECUTIVE SESSION/SPECIFIC PERSONNEL ISSUE & POSSIBLE LITIGATION

Mr. Bullock moved to close the Regular Town Board Meeting and move into Executive Session at 6:38 P.M. to discuss a specific personnel issue and possible litigation.

Seconded by Mr. Dumian.

VOTE: Bullock – Yes, Dumian – 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 6:38 P.M. with Supervisor James Finch presiding. Present were: Supervisor Finch, Mr. Bullock, Mr. Dumian, Mr. Francisco, Attorney Cheryl Sacco, and Public Works Superintendent Tom DeLamarter. Ms. Sacco 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 medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation, and of proposed, pending, or current litigation.

RESO 2014-198: RE-OPEN REGULAR TOWN BOARD MEETING

After this discussion, Mr. Dumian moved to close the Executive Session and re-open the Regular Town Board Meeting at 6:50 P.M.

Seconded by Mr. Francisco.

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

No Action was taken. There being no further business to come before the Board, Mr. Dumian moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 6:50 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk

