

REGULAR TOWN BOARD MEETING
NOVEMBER 27, 2012

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 5:30 P.M. on November 27, 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
	Water & Sewer Superintendent/ Parks Superintendent	Tom Delamarter
	Highway Department	Michael Mott
	Highway Department	Stanley Albrechta
	Highway Department	Brian Coddington
	Highway Department	Mike Platt
	Highway Department	Elmer Murray
	Highway Department	Thomas Nickerson
GUESTS:	Country Courier	Elizabeth Einstein George Frailey Angelo Tolomei Bonnie Tolomei Dolly Stout Laurie Francisco

MINUTES: NOVEMBER 13, 2012 REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the November 13, 2012 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Minoia.

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

CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from the New York State Unemployment Insurance Department stating that the disputed claim for unemployment insurance by a former employee of the Town of Conklin has been resolved in favor of the employee.

Mr. Finch acknowledged receipt of a letter from Patrick Latting resigning his position as Highway Superintendent, effective December 2, 2012, at midnight.

**RESO 2012-205: ACCEPT RESIGNATION/PATRICK LATTING/HIGHWAY
SUPERINTENDENT/EFFECTIVE 12-02-2012 AT MIDNIGHT**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of Patrick Latting from the position of Highway Superintendent, effective December 2, 2012, at midnight.

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Seconded by Mr. Francisco.

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

Town Clerk Sherrie Jacobs was asked to read the following letter from Mr. Angelo Tolomei into the minutes:

“To the Town of Conklin Town Board:

“At the town meeting on October 9, 2012, a neighbor stated that I cut six of his trees, which made its way into the minutes of the meeting. This is untrue...I’ve never cut any of his trees and would not do so. He has two small trees planted on the town roadbed in front of my property and they are still there. Also, he has other small trees planted along Keith Lane which appear to be doing okay. I don’t have any problem with the two small trees on the roadbed (which he is claiming to be his ‘land-improved orchard’)...or any of the trees on Keith Lane...my complaint is with his long line of material that sits on the town roadbed in front of my property.

“When I bought my property from Theodore Swingle (in March 1980), it consisted of a nursery where he was growing a tree farm. Soon after I put in at least 1,000 additional seedlings acquired from NY State to improve the land and to protect wildlife. I value trees and land, and I would not do anything to cause harm to the property of others.

“Respectfully submitted,

“Angelo N. Tolomei”

Town Attorney Cheryl Sacco stated that a letter had been sent from her office to Mr. Rivera, the Tolomeis’ neighbor. Mr. Finch commented that Keith Lane was formally deeded to the Town of Conklin in 1991.

PUBLIC COMMENTS:

None.

OLD BUSINESS:

WATER AT PRIDE MANOR MOBILE HOME PARK

Mr. Finch stated that the Town water will be hooked up at the Pride Manor Mobile Home Park on November 28 and will be turned on as soon as the mobile home park owner pays for the legal and engineering costs for the project, as he has agreed to do.

PARKING AT COMMUNITY CENTER

Mr. Finch stated that a private party parked at the Community Center on November 24, taking up parking spaces from the other private party that had rented the Community Center for that day. The Board stated that persons wishing to park at the Community Center must get permission from the Town first. Mr. Bullock stated that perhaps signage would be appropriate, such as, “Private Parking – Unauthorized Vehicles Will Be Towed.” Mr. Francisco commented that people also need to be able to park to utilize the dog off-leash area. Mr. Minoia commented that the person wanting to have cars parked at the Community Center should have called the Town

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Clerk to find out whether or not the Community Center was rented for the day. Mr. Finch added that he contacted Greg Jenkins and told him that the food truck that utilizes the parking lot every other month for distribution cannot block the Meals on Wheels workers, nor are people allowed inside the Community Center.

NEW BUSINESS:

2010 CONKLIN ROAD/PARKER/UPDATE

Attorney Cheryl Sacco stated that she received an e-mail from Code Officer Robert Jones stating that he is “satisfied with the progress” made by Mr. Daniel Parker in bringing into compliance Mr. Parker’s property located at 2010 Conklin Road. Mr. Jones had provided new pictures of the property and stated that, as far as his office is concerned, the issue is resolved. Mr. Finch stated that the original issues involved safety concerns and agreed that Mr. Parker is now in compliance with the Town Code.

BINGHAMTON-JOHNSON CITY JOINT SEWAGE TREATMENT PLANT

Ms. Sacco stated that the Binghamton-Johnson City Joint Sewage Board has “changed the rules” regarding leachate from landfills being released into the sewer system. She stated that the leachate from the Town Landfill has already been tested, approved, and released into the sewer system, adding that the Town of Conklin is in compliance, and needs only to amend its local law regarding sewers.

**RESO 2012-206: SCHEDULE PUBLIC HEARING/DECEMBER 11, 2012/
7:05 P.M./PROPOSED LOCAL LAW 7, 2012/ “SEWERS”**

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 December 11, 2012, to receive input regarding proposed Local Law 7, 2012, entitled, “Sewers.”

Seconded by Mr. Minoia.

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

LIGHTS AT DRIVEWAY ENTRANCE & EXIT/TOWN HALL

Mr. Finch stated that SunMaxx Solar can provide solar powered lights for the entrance and exit of the driveway at the Town Hall at a cost of \$399.00 each. The solar panels would be installed to face in a southerly direction to capture the most sunlight and would be set to be turned off during the daylight hours and turned on at night, much like the lights at Sullivan Park. The Board discussed the possibility of installing similar lights with a motion detector at the Community Center and at the Highway Garage, at a cost of \$150 each for the motion detector. Mr. Minoia asked about storage batteries and Parks Superintendent Tom Delamarter replied that they are inside the lights.

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RESO 2012-207: APPROVE PURCHASE/TWO SOLAR-POWERED
LIGHTS/DRIVEWAY ENTRANCE & EXIT/TOWN HALL

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase of two solar-powered lights from SunMaxx Solar, at a cost of \$399.00 each, to be installed at the entrance and exit of the driveway at the Conklin Town Hall.

Seconded by Mr. Minoia.

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

Mr. Finch suggested that Town Justice J. Marshall Ayres may want to consider a similar light for security in the area near the Judge's entrance door into the Town Hall.

RESO 2012-208: RATIFY PAYMENT/GREATER BINGHAMTON CHAMBER OF
COMMERCE/ANNUAL BUSINESS LUNCHEON/J. FINCH, T. DELAMARTER,
& L. HOUSTON

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #5051, account code A1220.4 and A7110.4, in the amount of \$60.00 to the Greater Binghamton Chamber of Commerce for attendance at the Annual Business Luncheon for Jim Finch, Tom Delamarter, and Lisa Houston.

Seconded by Mr. Francisco.

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

RESO 2012-209: RATIFY PAYMENT/U.S. POSTAL SERVICE/POSTAGE FOR 4TH
QUARTER WATER & SEWER BILLING

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #5111, account code SW8310.4, in the amount of \$294.40 to the U.S. Postal Service for postage for the 4th Quarter Water and Sewer billing.

Seconded by Mr. Francisco.

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

RESO 2012-210: RATIFY ACH PAYMENT/POSTAGE ON CALL/METERED
POSTAGE PURCHASE

Mr. Francisco moved for the following resolution:

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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 Postage on Call for purchase of metered postage.

Seconded by Mr. Minoia.

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

RESO 2012-211: AUTHORIZE PAYMENT OF CLAIMS/BILL LIST/11-27-2012

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following claims on the Bill List dated November 27, 2012, in the total amount of \$15,702.06:

General	\$ 7,239.33
Highway	2,222.36
Light District	1,839.85
Sewer District 1	307.52
Water District	2,034.87
Water District 6	<u>1,658.13</u>
Total	\$15,702.06

Seconded by Mr. Bullock.

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

FLOOD INSURANCE UPDATE FOR TOWN

Mr. Finch asked Mr. Minoia if there is an update on the flood insurance for the Town, a project which Mr. Minoia is researching with Mr. Jones. Mr. Minoia stated that he does not have an update at this time.

DISCLOSURE/POSSIBLE CONFLICT OF INTEREST

Mr. Francisco stated that the Town is working with Park Outdoor Advertising on a potential franchise agreement and stated that his employer, Dunn Electric, is working with Park Outdoor Advertising for a solar lighting project, which might create a conflict of interest for him as a Councilman. Attorney Sacco stated that this does not constitute a conflict of interest.

CAROL SING & TREE LIGHTING

Town Clerk Sherrie Jacobs stated that the Conklin Business Association and Town of Conklin will host a carol sing and tree lighting event on December 2, 2012, from 4 to 6 P.M. at the Floyd Maines Community Center.

MEETING WITH PARK OUTDOOR ADVERTISING

Mr. Finch stated that he and Mr. Bullock will meet with representatives from Park Outdoor Advertising at 10 A.M. on December 4, 2012.

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RESO 2012-212: EXECUTIVE SESSION/PERSONNEL ISSUES

Mr. Bullock moved to close the Regular Town Board Meeting at 5:55 P.M. and move into Executive Session to discuss two personnel issues.

Seconded by Mr. Francisco.

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 5:55 P.M. with Deputy Supervisor James Finch presiding. Present were: Deputy Supervisor Finch, Mr. Bullock, Mr. Minoia, Mr. Francisco, Attorney Cheryl Sacco, and Town Clerk Sherrie Jacobs (for part of the Executive Session). Town Clerk Jacobs assumed the duties of secretary of the portion of the meeting in which she was in attendance, and Attorney Sacco assumed the duties of secretary for the remainder 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.

RESO 2012-213: RE-OPEN REGULAR TOWN BOARD MEETING

After this discussion, Mr. Francisco moved to come out of Executive Session at 6:58 P.M., with no action taken.

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. Finch. The meeting adjourned at 6:58 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk