

REGULAR TOWN BOARD MEETING
DECEMBER 13, 2011

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 7:00 P.M. on December 13, 2011, at the Conklin Town Hall. Mrs. Preston, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT:	Town Board Members	Bullock, Minoia, Francisco, Finch, Preston
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Highway Superintendent	Patrick Latting
	Code Officer	Robert Jones
	Assistant to Supervisor	Lisa Houston
	Water & Sewer Superintendent/ Parks Superintendent	Tom Delamarter
	Dog Control Officer	Darlene Weidman
	Substitute DCO	Kelly Wildoner
	Zoning Board of Appeals	Hal Cole
	Zoning Board of Appeals	Paul Preston

GUESTS:	Country Courier	Elizabeth Einstein
	Conklin Vol. Fire Dept.	Bill Gorman
		Ruth Joyner
		Dolly Stout
		Joseph Bartosik
		Mario Masciarelli
		John Colley
		Laurie Francisco
		Peter J. Motsavage

Supervisor Preston offered her congratulations to Attorney Cheryl Sacco for being named partner at Coughlin & Gerhart, LLP, effective January 1, 2012.

MINUTES: NOVEMBER 9, 2011 REGULAR TOWN BOARD MEETING

Mr. Finch moved to approve the November 9, 2011 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Bullock.

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

CORRESPONDENCE:

Supervisor Preston acknowledged receipt of reports from the Supervisor's Office, the Town Clerk, the Highway Superintendent, the Code Officer, the Water and Sewer Superintendent, and from the Dog Control Officer.

PUBLIC COMMENTS:

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WATER & SEWER COMMITTEE REQUESTED TO STUDY SOUTHERN END OF
ROUTE 7

Mario Masciarelli, owner of Fountain Bleau Mobile Home Park in the 1800 block of Route 7, requested that a Water and Sewer Committee be established to study the water and sewer issues that impact the southern end of Route 7 in the Town of Conklin. Supervisor Preston stated that this committee will consist of two Town Board members and will be set up after January 1, 2012.

REPORT: HIGHWAY DEPARTMENT

In addition to his written report, Highway Superintendent Patrick Latting reported that the annual leaf pick-up went very well, adding that the residents were “very cooperative” in their placement of leaves. He reported that FEMA (Federal Emergency Management Agency) repairs are going well, with six locations town-wide that will require work by a contractor. Mr. Latting reported that emergency repairs to Fallbrook Road have been completed and the road is safe to travel.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Water and Sewer Superintendent Tom Delamarter reported that Shawsville Cemetery was mowed and raked by inmates under supervision of the Broome County Sheriff's Department. He reported that the quarterly water meter readings were complete, with only 32 estimated reads after the September flood. Mr. Delamarter reported that everything is going well with the Town sewer system. He stated that the Fourth Quarter testing of the Town Landfill was completed by Eastern Labs.

Mr. Delamarter stated that he believes the FEMA repair work to mitigate damage done by the September flood will be completed by February 2012. He reported that it will cost \$15,000 to renovate the Little League concession building, adding a second floor. The addition of a second floor to the pool house was also considered but the pump will not work if this is done. The Town will instead utilize a company that can strip the pool house of essential items with a twelve-hour advance notice of any major flood. Mr. Delamarter reported that the berm has been completed along Carlin Creek in Schnurbusch Park and FEMA will pay for this mitigation work. He reported that the cables at three of the Town's sewer stations were flooded in September, so they will be raised even higher than they were following the June 2006 Flood.

Supervisor Preston stated that \$200,000 in damages from the September flood have been submitted to FEMA, with another \$300,000 yet to be submitted from the Highway Department.

REPORT: CODE OFFICER

In addition to his written report, Code Officer Robert Jones reported that his office has been busy with building permits and inspections, primarily of homes and businesses impacted by the September flood. He reported that seven FEMA trailers have been installed in Pride Manor Mobile Home Park, 1832 Conklin Road, with an eighth trailer installed on Bradley Avenue.

REPORT: DOG CONTROL OFFICER

Refer to written report.

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REPORT: SUPERVISOR'S OFFICE

Refer to written report.

REPORT: TOWN CLERK

Refer to written report.

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

OLD BUSINESS:

SULLIVAN PARK

Supervisor Preston stated that the donation of Sullivan Park to the Town of Conklin was jeopardized by a Town Board member telling Mr. Robert Sullivan that he would be able to maintain the mineral rights to the property being donated to the Town. She stated that this is illegal, as drilling cannot be done in a public park and no one can own the mineral rights in a park, according to New York State law. Attorney Cheryl Sacco further explained that special legislation must be obtained from New York State, under "Alienation of Park Lands," and the park land would have to be replaced with an equivalent size parcel of land, before any drilling could occur. Mr. Sullivan approved the transfer of the property and Sullivan Park was donated to the Town of Conklin.

NEW BUSINESS:

RESO 2011-171: AUTHORIZE PAYMENT OF CLAIMS/BILL LIST/
12-13-2011/\$61,294.42

Mr. Finch 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 December 13, 2011, in the total amount of \$61,294.42:

General	\$31,089.49
Highway	13,769.03
Fire District	253.08
2011 Flood Emergency	11,943.42
Sewer District 1	266.72
Water District	2,202.88
Light Districts	<u>1,769.80</u>
Total	\$61,294.42

Seconded by Mr. Bullock.

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

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RESO 2011-172: AUTHORIZE SUPERVISOR/MAINTAIN CHECKING & SAVINGS ACCOUNTS/NBT BANK/FOR GENERAL ACCOUNT, PAYROLL, AND TRUST & AGENCY ACCOUNT, & WATER & SEWER ACCOUNT/2012

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Supervisor to maintain checking and savings accounts at NBT Bank for the General account, Payroll and Trust and Agency account, and for the Water and Sewer account for 2012.

Seconded by Mr. Minoia.

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

RESO 2011-173: AUTHORIZE LISA HOUSTON/SECRETARY TO THE SUPERVISOR/TRANSFER FROM VARIOUS TOWN OF CONKLIN CHECKING ACCOUNTS TO PAYROLL/TRUST & AGENCY ACCOUNT TO COVER 2012 BI-WEEKLY AMOUNTS ONLY

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Lisa Houston, Secretary to the Supervisor, to transfer from various Town of Conklin checking accounts to the Payroll/Trust & Agency account to cover 2012 bi-weekly amounts only.

Seconded by Mr. Finch.

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

RESO 2011-174: DESIGNATE COUNTRY COURIER AS OFFICIAL NEWSPAPER OF TOWN & PRESS & SUN BULLETIN AS ADDITIONAL NEWSPAPER WHEN DETERMINED NECESSARY BY TOWN BOARD/2012

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin designates the **Country Courier** as the Official Newspaper of the Town of Conklin for the year 2012, with the **Press & Sun Bulletin** as an additional newspaper when determined necessary by the Town Board.

Seconded by Mr. Finch.

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

RESO 2011-175: AUTHORIZE HIGHWAY SUPERINTENDENT/USE HIGHWAY EQUIPMENT/2012/IN WATER DISTRICTS, SEWER DISTRICTS, FIRE PROTECTION DISTRICT, SOIL CONSERVATION DISTRICT, & TOWN PARKS/RENTAL FEES SET BY BROOME COUNTY

Mr. Minoia moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes the Highway Superintendent to use Highway Equipment in 2012 in the Water Districts, the Sewer Districts, the Fire Protection District, the Soil Conservation District, and in the Town Parks, with rental fees set by Broome County.

Seconded by Mr. Francisco.

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

RESO 2011-176: APPOINT COUGHLIN & GERHART, LLP/TOWN COUNSEL FOR TOWN BOARD, TOWN PLANNING BOARD, & TOWN ZONING BOARD OF APPEALS/2012/ANNUAL RETAINER OF \$69,600

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin appoints Coughlin & Gerhart, LLP, as Town Counsel for the Town Board, the Town Planning Board, and the Town Zoning Board of Appeals for the year 2012 for an annual retainer of \$69,600.

Seconded by Mr. Francisco.

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

RESO 2011-177: AUTHORIZE TOWN BOARD MEETINGS/CONTINUE TO BE HELD SECOND TUESDAY & FOURTH TUESDAY OF MONTH AT 7:00 P.M. IN CONKLIN TOWN HALL/2012

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Town Board meetings to continue to be held on the second Tuesday and fourth Tuesday of the month at 7:00 P.M. in the Conklin Town Hall for the year 2012.

Seconded by Mr. Francisco.

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

RESO 2011-178: AUTHORIZE SHUT-OFF DATE FOR RECEIVING VOUCHERS/15TH AND 30TH OF MONTH PRIOR TO FIRST AND SECOND MEETING OF THE FOLLOWING MONTH/2012/EXCEPTION - LAST MONTH OF TOWN'S FISCAL YEAR

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes a shut-off date for receiving vouchers as the 15th and 30th of the month prior to the first and second meeting of the following month in 2012, with the exception of the last month of the Town of Conklin's fiscal year.

Seconded by Mr. Finch.

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

RESO 2011-179: SET BI-WEEKLY PAY PERIODS TO RUN CONCURRENTLY FROM SATURDAY THROUGH FRIDAY/CHECK AND DIRECT DEPOSIT TO BE DISTRIBUTED THE FOLLOWING THURSDAY AFTER END OF PAY CYCLE/2012

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin sets bi-weekly pay periods to run concurrently from Saturday through Friday, with check and direct deposit to be distributed the following Thursday after the end of the pay cycle in 2012.

Seconded by Mr. Francisco.

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

RESO 2011-180: AUTHORIZE MONTHLY CELL PHONE REIMBURSEMENT/TOM DELAMARTER/PATRICK LATTING/NICHOLAS PLATT/\$40.00 PER MONTH/2012

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes a monthly cell phone reimbursement to be paid to Thomas Delamarter, Patrick Latting, and Nicholas Platt in the amount of \$40.00 per month for the year 2012, account codes A7110.4 and A5010.4 respectively.

Seconded by Mr. Minoia.

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

RESO 2011-181: APPROVE PAYMENTS TO PRIOR INSPECTED 2012 PARK PERMIT DEPOSIT REFUNDS/PARK PAVILION CLEAN-UP RENTALS INSPECTIONS PERFORMED BY THOMAS DELAMARTER

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payments, account code A688, to prior inspected 2012 Park Permit deposit refunds, with Park Pavilion clean-up inspections to be performed by Thomas Delamarter.

Seconded by Mr. Minoia.

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

RESO 2011-182: APPROVE PAYMENTS TO PRIOR INSPECTED 2012 COMMUNITY CENTER DEPOSIT REFUNDS/COMMUNITY CENTER CLEAN-UP INSPECTIONS PERFORMED BY PAUL PRESTON

Mr. Finch moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin approves payments, account code A688, to prior inspected 2012 Community Center deposit refunds, with Community Center clean-up inspections to be performed by Paul Preston, for a fee to be determined at a later date.

Seconded by Mr. Francisco.

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

RESO 2011-183: APPROVE PAYMENTS/BANDS FOR CONCERTS IN THE PARK SERIES/DESIGNATED BY TOWN SUPERVISOR

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payments, account code A7110.4.401, to bands in the Concerts in the Park series, to be designated by the Town Supervisor. Paul Preston will continue to book the bands.

Seconded by Mr. Francisco.

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

RESO 2011-184: ACCEPT HICKORY LANE/TOWN OF CONKLIN INVENTORY OF HIGHWAYS

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts Hickory Lane, .09 miles long, into the Town of Conklin Inventory of Highways to allow “CHIPS” (Consolidated Highway Improvement Program) reimbursement.

Seconded by Mr. Francisco.

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

RESO 2011-185: AUTHORIZE ADVERTISEMENT/COUNTRY COURIER/PARKING RESTRICTIONS FOR SNOW REMOVAL

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes advertisement in the **Country Courier** of parking restrictions for snow removal for the Town of Conklin roads.

Seconded by Mr. Francisco.

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

RESO 2011-186: AUTHORIZE FILING/JUSTICE COURT ASSISTANCE PROGRAM GRANT APPLICATION/\$30,801.94

Mr. Minoia moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes filing of the Justice Court Assistance Program Grant Application for the amount of \$30,801.94 by Town Justice J. Marshall Ayres.

Seconded by Mr. Bullock.

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

**RESO 2011-187: RATIFY PAYMENT/U.S. POSTAL SERVICE/
4TH QUARTER WATER & SEWER BILLING POSTAGE**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #3376, account code SW8310.4, in the amount of \$266.80 to the U.S. Postal Service for postage for the Fourth Quarter Water and Sewer billing.

Seconded by Mr. Francisco.

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

**RESO 2011-188: RATIFY PAYMENT/DEBRA PRESTON/NOVEMBER 2011
MILEAGE REIMBURSEMENT**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #3404, account code A120.4, in the amount of \$86.58 to Debra Preston for mileage reimbursement for November 2011.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Minoia – Yes, Francisco – Yes, Finch – Yes, Preston – Abstain. Motion carried: 4 – Yes, 1 – Abstain.

**RESO 2011-189: RATIFY PAYMENT/BRIGHAM BUILDERS/DOWN
PAYMENT/PURCHASE ORDER #11-01803/FLOYD MAINES COMMUNITY CENTER
RESTORATION PROJECT**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #3457, account code HA8760.4.4E, in the amount of \$8,779.50 to Brigham Builders for down payment of Purchase Order #11-01803, Floyd Maines Community Center Restoration Project.

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Seconded by Mr. Bullock.

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

Supervisor Preston commented that it will cost \$17,000 total for the restoration project, which she added will not be ready for use by January 1, 2012. The Conklin Senior Citizens Club, which meets at the Community Center, is currently meeting at the East Side Methodist Church until the repairs are completed on the Community Center. Mr. Finch asked if the floor tiles are being replaced and Code Officer Robert Jones replied that 900 to 1000 feet of tile was removed. Supervisor Preston stated that FEMA and the Town's insurance carrier disagree on the amount of tile that needs to be replaced, adding that the insurance will only pay for half.

RESO 2011-190: RATIFY WIRE ACH PAYMENT/POSTAGE ON CALL/POSTAGE METER PURCHASE

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies a wire ACH payment, account code A1670.4, in the amount of \$500.00 to Postage on Call for purchase of postage for the postage meter.

Seconded by Mr. Francisco.

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

RESO 2011-191: APPROVE 2012 HOLIDAY SCHEDULE

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following 2012 Holiday Schedule:

January 2, 2012 (Monday)	New Year's Day
January 16, 2012 (Monday)	Martin Luther King's Birthday
February 20, 2012 (Monday)	Presidents' Day
April 6, 2012 (Friday)	Good Friday
May 28, 2012 (Monday)	Memorial Day
July 4, 2012 (Wednesday)	Independence Day
September 3, 2012 (Monday)	Labor Day
November 12, 2012 (Monday)	Observation of Veterans' Day
November 22, 2012 (Thursday)	Thanksgiving
November 23, 2012 (Friday)	Day after Thanksgiving
December 25, 2012 (Tuesday)	Christmas Day

Seconded by Mr. Bullock.

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

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RESO 2011-192: AUTHORIZE OFFICERS & EMPLOYEES/RECEIVE
REIMBURSEMENT OF MILEAGE/USE OF PERSONAL VEHICLES/AT CURRENT
IRS STANDARD MILEAGE RATE PER MILE/FOR PERFORMANCE OF THEIR
DUTIES ON OFFICIAL BUSINESS ONLY

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the officers and employees herein named to receive reimbursement of mileage at the current IRS Standard Mileage Rate per mile for use of personal vehicles for performance of their duties on official business only: Supervisor, Town Clerk, Highway Superintendent, Zoning Board of Appeals members, Planning Board members, Town Historian, Town Justice, Secretary to the Supervisor, Supervisor Clerk, Code Officer, Town Assessor, Youth Commissioner, Water Superintendent, Town Board members, Deputy Town Clerk, and Justice Clerks.

Seconded by Mr. Francisco.

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

Secretary to the Supervisor Lisa Houston stated that the current mileage reimbursement rate is \$.55 per mile and added that it is adjusted twice a year.

RESO 2011-193: AUTHORIZE EXECUTION OF SETTLEMENT/LITIGATION
MATTER/TAX CERTIORARI/VERIZON

Mr. Finch moved for the following resolution:

WHEREAS, a tax certiorari matter was commenced, which was captioned Verizon New York, Inc . vs. the Assessor, Board of Assessment Review and the Town of Conklin, Index number 2011-1622

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) (“SEQRA”), entering into a stipulation is a non-action and thus no SEQRA review is necessary, and

WHEREAS, at the advice of the Assessor and Legal Counsel, it is in the best interest of the Town to enter into this settlement;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Conklin in regular session duly convened as follows:

1. Legal Counsel is hereby is authorized to execute said Stipulation papers on behalf of the Town.

2. This resolution shall take effect immediately.

Seconded by Mr. Bullock.

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

I, Sherrie L. Jacobs, Town Clerk of the Town of Conklin, in the County of Broome, State of New York, HEREBY CERTIFY, that the above resolution was duly adopted by the Town Board of

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the Town of Conklin on December 13, 2011. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 13 day of December, 2011.

Sherrie L. Jacobs, Town Clerk, Town of Conklin

RESO 2011-194: CREATE OFFICE/TOWN OF CONKLIN OFFICE/DEPUTY TOWN SUPERVISOR

Mr. Francisco moved for the following resolution:

WHEREAS, pursuant to Town Law Section 42, the Town Board of the Town of Conklin may at any time establish the office of Deputy Supervisor;

WHEREAS, the Deputy Supervisor shall be appointed by the Supervisor and shall serve at the pleasure of the Supervisor;

WHEREAS, during the absence or inability to act by the Supervisor, or while the office of the Supervisor is vacant, the Deputy Supervisor shall preside, when present, at the meetings of the Town Board and shall be vested with all of the powers and may perform all of the duties of the Supervisor as allowed under law;

NOW THEREFORE, in pursuance of the power vested in the Town Board pursuant to Town Law section 42, we create the position of Deputy Supervisor.

This Resolution shall be effective immediately.

Seconded by Mr. Bullock.

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

It was noted that the Deputy Supervisor does not immediately succeed to the position of Supervisor in the absence of a Supervisor.

Supervisor Preston appointed James Finch to the position of Deputy Supervisor.

DONATION/\$10,000/CLEANER SUPPLY

Supervisor Preston stated that she is looking to the Town Board for suggestions concerning the best way to distribute the \$10,000 donated by Cleaner Supply to aid flood survivors. Mr. Finch suggested using it to offset the water bills incurred by residents using additional water to clean their residences. Supervisor Preston stated that she felt the money should be given to the Town's businesses, noting that 74 businesses in the Town of Conklin were flooded in September. She added that Raymour and Flanagan had donated 100 gift cards, which had been given to people who obtained building permits to rebuild their flood-damaged homes. The Board decided to divide the \$10,000 between the 74 businesses that were damaged, at \$100 each, and then donate the balance to the Conklin Volunteer Fire Department.

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RESO 2011-195: AUTHORIZE DISTRIBUTION/\$10,000 DONATION TO TOWN
BUSINESSES

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes distribution of the \$10,000 donation from Cleaner Supply to be divided at \$100 each between the 74 Town of Conklin businesses damaged by the September 2011 Flood, with the balance donated to the Conklin Volunteer Fire Department, Inc.

Seconded by Mr. Finch.

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

BUYOUTS OF FLOOD-DAMAGED PROPERTIES

Supervisor Preston stated that a Buyout Program for flood-damaged properties will be offered but added that it will be based on “substantial damage” determinations. She suggested that the Town Counsel handle the Buyout paperwork, calling it “a massive job.” Supervisor Preston stated that a preliminary list has been sent to FEMA, adding that there are 45 homes in the Town of Conklin that could qualify. She also suggested that John Mastronardi of Griffiths Engineering handle the grant process and write the letter of intent. Supervisor Preston stated that this time, FEMA would pay 75 % and the resident would have to pay the remaining 25% (not the Town of Conklin) of the cost of appraisal, asbestos abatement, and demolition.

FIRE DEPARTMENT AUDIT

Supervisor Preston stated that New York State Law S209Z requires that a volunteer fire department have an independent audit of its books conducted if its budget is over \$200,000. However, she noted, this is not the responsibility of the Town Board but rather of the New York State Comptroller’s Office. The Conklin Volunteer Fire Department, Inc., has an independent audit conducted annually.

CONKLIN ROTARY CLUB PROPOSAL/PURCHASE NEW FLAGS &
FLAGPOLE/COMMUNITY CENTER

Conklin Rotary Club President Chuck Francisco brought a proposal to the Town Board. The Conklin Rotary Club is offering to purchase a new flag for inside the Community Center and a new flag, flagpole, and appropriate lighting for outside the Community Center. After installation, the flags and flagpole would become the property of the Town of Conklin. If approved, the Conklin Rotary Club will begin fundraising to complete this project.

RESO 2011-196: ACCEPT FUTURE DONATION/TWO AMERICAN
FLAGS/FLAGPOLE/APPROPRIATE LIGHTING/CONKLIN ROTARY CLUB

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the future donation from the Conklin Rotary Club of two American flags, a flagpole, and appropriate outdoor lighting for the outdoor flag for the Floyd Maines Community Center.

Seconded by Mr. Minoia.

VOTE: Bullock – Yes, Minoia – Yes, Francisco – Abstain, Finch – Yes, Preston – Yes. Motion carried: 4 – Yes, 1 – Abstain.

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APPOINTMENT OR ELECTION OF NEW SUPERVISOR TO FILL UNEXPIRED
TERM OF DEBRA PRESTON

Supervisor Preston, who will be leaving her office December 31, 2011, to become the new Broome County Executive, stated that after January 1, 2012, the Board can choose who the new Supervisor will be to fill her unexpired term, which ends December 31, 2012. She explained that any Board member wishing to be appointed as Supervisor must first resign his Board seat (to the Town Clerk), then the Board would appoint someone to fill that vacant Board seat and a vote would be taken. The person wishing to be appointed Supervisor cannot vote for himself. A majority of the five Town Board seats, or three votes, would be needed for the appointment to take place. Supervisor Preston stated that if a tie vote occurs or no agreement can be reached, the Town has the following options:

1. Ask the Governor to call a special election to fill the position.
2. Allow the Supervisor's position to remain vacant until the November 2012 Election decides who the next Supervisor would be. This could mean the Town of Conklin would operate with the Deputy Supervisor and three Board members, or another person could be appointed to fill the vacant Board seat. The new Supervisor does not have to be the same political party as Supervisor Preston.

CHILDREN'S CHRISTMAS PARTY

The Town of Conklin Children's Christmas Party will be held on December 17, 2011, from 1 to 3 P.M. Supervisor Preston wished those present a "Merry Christmas!"

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Finch. The meeting adjourned at 7:55 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk
