

**REGULAR TOWN BOARD MEETING**  
**MAY 9, 2018**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on May 9, 2018. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

**PRESENT:** Town Board Members Boyle, Farley, Platt, Francisco, Dumian

|                                  |                   |
|----------------------------------|-------------------|
| Town Counsel                     | Nate Van Why      |
| Town Clerk                       | Sherrie L. Jacobs |
| Secretary to the Supervisor      | Lisa Houston      |
| Crew Leader                      | Tom DeLamarter    |
| Highway Superintendent           | Brian Coddington  |
| Code Officer/Dog Control Officer | Nick Vascello     |

**GUESTS:** John Colley  
Jed Woodruff  
LeRoy Jenkins  
Laurie Francisco

**MINUTES: APRIL 24, 2018 REGULAR TOWN BOARD MEETING**

Mr. Francisco moved to approve the April 24, 2018 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Platt.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**CORRESPONDENCE:**

Mr. Dumian acknowledged receipt of a letter from Phyllis (Penny) Lake stating that she will retire effective May 29, 2018. Mr. Dumian stated that he has asked the Assessor Clerk from the Town of Binghamton to assist in the Conklin office for 90 days, pending Board approval.

**REPORT: WATER & SEWER & PARKS**

Mr. Dumian asked Crew Leader Tom DeLamarter, who has oversight of the Water and Sewer Department and the Parks Department, if A.C. Spear had contacted him regarding the cable for the generator at the Town Hall, and Mr. DeLamarter replied that the cable should arrive within the next week. Mr. DeLamarter added that the Town is purchasing lights for the flag, as well as a new large flag for the lighted field at Schnurbusch Park.

Mr. DeLamarter stated that the repairs to the sidewalks at the Town Hall have been completed. He stated that the same company, 21<sup>st</sup> Century Pools and Spas, could do needed work at the Town Pool, leveling the pool pad, for a cost of \$3,793.00. He stated that the Broome County Health Department mentioned at the time of its inspection that this needed to be corrected. This is a single source project. Mr. Dumian stated that the Board will add a resolution approving this repair later in the meeting.

Mr. DeLamarter stated that the concrete pad at the Sewer Station is “not at specifications,” therefore the new elbow didn’t fit, so he had one from the original setup located. Mr. Dumian stated that this is a “more cost effective fix.”

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Mr. DeLamarter stated that he has obtained three quotes for the electronic message sign for Schnurbusch Park.

**REPORT: HIGHWAY DEPARTMENT**

Highway Superintendent Brian Coddington reported that his department took one truck of debris to the Broome County Landfill from the municipal cleanup, adding that the brush cleanup is still ahead.

Mr. Coddington reported that his department will move the smaller bridge at Schnurbusch Park to a new foundation. He stated that his crew has been cleaning the shoulders of the Town roadways in preparation to stone and oil the roads. Mr. Coddington stated that the Town's new Skidsteer will arrive next week. He stated that one of the surplus trucks from his department has been sold, with three more items left to sell.

**REPORT: CODE OFFICER**

Code Officer Nick Vascello stated that he has been busy with property maintenance issues in the Town.

**PUBLIC COMMENTS:**

**WATER & DRAINAGE ISSUES/PRIDE MANOR MOBILE HOME PARK**

Mr. Jed Woodruff addressed the Town Board seeking help for water and drainage issues at Pride Manor Mobile Home Park, where he resides. He stated that there are water and drainage issues caused by leaks in the water line from the hydrant, adding that there is an open pond area that he states "smells bad." He added that he has contacted the supervisor of the Mobile Home Park, to no avail. Mr. Dumian stated that Mr. Woodruff should contact the Broome County Health Department regarding the open pond area, as it could be a septic problem. Mr. Vascello stated that he has called the supervisor of the park regarding this issue. Mr. Woodruff explained that each trailer in the park has a water meter, and the Town bills the park owner for water used, with the cost being passed on to the residents of the mobile home park.

**REPORT: SUPERVISOR'S OFFICE**

The Supervisor's Report is on file in the office of the Town Clerk.

**OLD BUSINESS:**

**UPDATE/STILLWATER ROAD DRAINAGE PROJECT & COMMUNITY-DAYCARE CENTER PROJECT**

Mr. Dumian provided an update on the two pending CDBG-DR (Community Development Block Grant – Disaster Recovery) Projects: the Stillwater Road Drainage Project and the Community Center/Day Care Center Project. He stated that he had recently postponed a meeting regarding these projects, although the new plan for the Stillwater Road Project should be in place by the end of this week, providing a new drainage route, which will mean an adjustment in the required easement. He stated that GOSR (Governor's Office for Storm Recovery) will evaluate both projects in September 2018 in regard to total cost, to make sure the money is still available to fund these projects. It is possible, but not certain, that the money being saved on the Stillwater

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Road Project by re-routing the drainage route could be transferred to the Community Center/Day Care Center Project. Mr. Dumian stated that there will be “no groundbreaking on either project in 2018.” He added that this is the first time GOSR has mentioned the Town providing “in kind funds,” which he stated would be at least 15% of the cost that must be borne by the Town, adding that this would equal \$50,000 to \$60,000 on \$2,000,000.

Mr. Francisco stated that \$100,000 of the original grant amount had been given to the Hillcrest Complex, which is now a “dead project,” and asked if the money would be coming back to the Town of Conklin. Mr. Dumian replied, “Probably not.” Mr. Dumian stated that the Town may need a new Production Plan for the Stillwater Road Project and it may need to go out to bid. He called the process “very frustrating.”

Mr. Boyle asked if other funds are available, without utilizing Rising Community Grant funds. Mr. Dumian replied, “The Community Center Project would be dead. I can ask but probably not – it is all New York State or federal money. I can’t cut the red tape if they won’t give me the scissors.”

### **UPDATE/JVA DE-ICING/HARDIE ROAD**

Mr. Dumian stated that the Zoning Board of Appeals approved the variance for the number of tractor-trailer trucks JVA De-Icing will be allowed: a total of 60 to be divided between Progress Parkway and Hardie Road, with a maximum of 20 on Hardie Road, pending approval by the Planning Board of the new site plan to be submitted by JVA De-Icing. There is to be no limit on “trucks” (non-tractor-trailers). Mr. Vascello will monitor and enforce this limit. It was noted that tractor-trailers are a hazard in the school zone. It was noted that the property had been zoned for 50 trucks and the first variance raised that level to 60 trucks. The second variance approved a haul road off Progress Parkway. Mr. Vascello commented that the road is not zoned; property is zoned. He stated that there is “no limit on the actual road,” and no zoning on Progress Parkway. Mr. Dumian stated that he sees property zoned Commercial next to property zoned Residential “all over New York State.”

### **OPENING DAY RECAP**

Mr. Dumian stated that the Opening Day of Town Baseball and Softball went well, with “great feedback” from those involved. He stated that he and Mr. Farley and Mr. DeLamarter cooked 260 to 280 hamburgers and 300 or more hot dogs for those present, although he said that maybe next year refreshments would only be provided for players and coaches. Mr. Dumian stated that the Town had “beautiful weather” for the event. He stated that the Town of Conklin “parks and fields are one of the best,” and commended Mr. DeLamarter and his department for their hard work in caring for the Town parks and fields. He stated that the “fire trucks were great” at the event, adding that in 2019 he would like to see a parade and a dj for Opening Day. Mr. Dumian stated that he received “30 to 40 good comments” about the event.

Mr. Dumian stated that there are a lot of younger players, which will help build the program. He stated that the structure of leadership will be changed after the softball/baseball season is over, adding that volunteer help is needed.

**NEW BUSINESS:**

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**RESO 2018-61: APPROVE PLACEMENT OF AD/COUNTRY  
COURIER/LIFEGUARDS**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves placement of an ad in the **Country Courier** to hire Lifeguards for the 2018 Pool season.

Seconded by Mr. Boyle.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**RESO 2018-62: RATIFY PAYMENT/DICK'S SPORTING GOODS, INC./PURCHASE  
OF MISCELLANEOUS BASEBALL EQUIPMENT**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #13800, account code A7310.4, in the amount of \$774.98 to Dick's Sporting Goods, Inc., for the purchase of miscellaneous baseball equipment.

Seconded by Mr. Farley.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**RESO 2018-63: AUTHORIZE PAYMENT/BILL LIST/\$54,007.78**

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the payment of the following Bill List in the total amount of \$54,007.78:

|                 |                     |
|-----------------|---------------------|
| General         | \$ 10,564.06        |
| Highway         | 1,849.00            |
| Sewer Districts | 35,102.39           |
| Water District  | 1,575.33            |
| Non-Budget      | <u>4,917.00</u>     |
| <b>Total</b>    | <b>\$ 54,007.78</b> |

Seconded by Mr. Francisco.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**RESO 2018-64: APPROVE HIRING/VINCENT MALANDRA/PARKS DEPARTMENT  
2018 SUMMER SEASONAL LABORER/\$10.40 PER HOUR/EFFECTIVE MAY 7, 2018**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves hiring Vincent Malandra to the position of Parks Department 2018 Summer Seasonal Laborer at a pay rate of \$10.40 per hour, effective May 7, 2018.

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Seconded by Mr. Francisco.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**RESO 2018-65: ACCEPT RETIREMENT/PHYLLIS LAKE/ASSESSOR**  
**CLERK/EFFECTIVE MAY 29, 2018**

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the retirement of Phyllis Lake from the position of Assessor Clerk, effective May 29, 2018.

Seconded by Mr. Francisco.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

Mr. Boyle stated that Ms. Lake “really helped the residents” and Mr. Francisco commented that she created “a friendly environment.”

**RESO 2018-66: APPROVE SOLE SOURCE/21<sup>ST</sup> CENTURY POOLS & SPAS/POOL**  
**PAD LEVELING/NOT TO EXCEED \$3,793.00**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves hiring 21<sup>St</sup> Century Pools and Spas as the sole source provider to level the pool pad for a cost not to exceed \$3,793.00.

Seconded by Mr. Farley.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

Mr. Francisco asked what the time frame is for the repairs and Mr. DeLamarter replied that it would be completed as soon as possible.

**LIGHTED SIGN/SCHNURBUSCH PARK**

Mr. DeLamarter stated that he received three quotes to install a new lighted sign on existing posts at Schnurbusch Park, with the lowest price offered by C & E Electronics, who he stated are lowest both on the cost of the sign and on the cost of the installation. This company recently installed the electronic sign at the Conklin Fire Station #1 and has a good reputation. The sign would be covered under warranty – five years for parts and three years for labor, and would be in full color.

**RESO 2018-67: AWARD C & E ELECTRONICS/DESIGN AND INSTALL**  
**ELECTRONIC LIGHTED SIGN AT SCHNURBUSCH PARK**

Mr. Dumian moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin awards the contract to C & E Electronics, as the lowest of three competitive quotes, to design and install an electronic, full color, lighted sign at Schnurbusch Park, for a cost of \$14,375.00.

Seconded by Mr. Francisco.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

Mr. DeLamarter stated that the cost of installation is \$500 and the sign will be completed in six to eight weeks.

**ENVIRONMENTAL ASSESSMENT FORM (EAF)/SALT BARN**

Attorney Nate VanWhy led the Board through the Short EAF (Environmental Assessment Form) as part of the SEQR (State Environmental Quality Review) for the proposed Highway Department salt barn. Griffiths Engineering completed Part 1 of the EAF for the 65 foot by 100 foot structure. The Board completed Part 2 of the EAF, answering “No” to each question 1 through 11, resulting in a Negative Declaration, meaning the Board feels there will be no significant environmental impact from construction of the salt barn.

**RESO 2018-68: APPROVE CONSTRUCTION/SALT BARN**

**PRESENT:** Supervisor William Dumian, Jr.  
Councilman Willis M. Platt  
Councilman Charles Francisco  
Councilman Dell Boyle  
Councilman William Farley

**ABSENT:** None

**Offered By:** Councilman Francisco

**Seconded By:** Councilman Boyle

The Town Board of the Town of Conklin, duly convened in regular session, does hereby resolve as follows:

**WHEREAS**, the Town Board desires to construct a 65'x100' pre-engineered salt/sand storage building located on the existing Highway Department property. The structure will be constructed on concrete walls and footings and elevated above the Base Flood Elevation. The interior floor of the building will be paved with hot mix asphalt; and

**WHEREAS**, the Town Board desires to enter into said construction project in conjunction with DASNY; and

**WHEREAS**, the construction of the salt/sand storage building is in the best interests of the residents of the Town of Conklin;

**NOW, THEREFORE, BE IT RESOVED** that the Town Board of the Town of Conklin, after due deliberation, finds it in the best interest of the Town to enter into the project to construct the salt/sand building in conjunction with DASNY as set forth herein; and

**BE IT FURTHER RESOLVED** that the Town Board of the Town of Conklin hereby authorizes the Town Supervisor to execute any and all documents necessary to enter into said project with DASNY; and

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**BE IT FURTHER RESOLVED** that pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Town Board that the project is an Unlisted Action, as defined under said regulations. The Town Board has considered the possible environmental impacts of the action and has determined that the project will not have a significant adverse impact on the environment, and the Town Board adopts a negative declaration with respect thereto; and

**BE IT FURTHER RESOLVED**, that this resolution will 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 May 9, 2018. Said resolution was adopted by the following roll call vote:

|                                |     |
|--------------------------------|-----|
| Supervisor William Dumian, Jr. | YES |
| Councilman Willis M. Platt     | YES |
| Councilman Charles Francisco   | YES |
| Councilman Dell Boyle          | YES |
| Councilman William Farley      | YES |

Dated: May 9, 2018

Town of Conklin Seal

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Sherrie L. Jacobs, Town Clerk  
Town of Conklin, New York

**PUBLIC COMMENTS:**

None.

**ADDITIONS TO PARKS/WATER/SEWER REPORT**

Mr. DeLamarter stated that the recent storm damaged the soffit and tore shingles off the roof at the Community Center, adding that Kevin Coates will fix these issues.

Mr. DeLamarter stated that his department will be flushing hydrants within the Town, starting at 10 P.M., May 20 through May 23.

Mr. DeLamarter stated that his department's Jacobson tractor is being repaired, adding that he has a loaner – a newer model – and he is “not impressed with the loaner,” as it does not have as much power as the original tractor.

**RESO 2018-69: APPROVE TOM DELAMARTER/ATTEND ANNUAL RURAL WATER CONFERENCE/MAY 20-23, 2018/TURNING STONE CONVENTION CENTER**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Tom DeLamarter to attend the annual Rural Water Conference to be held May 20-23, 2018, at Turning Stone Convention Center, with all required and necessary expenses.

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Seconded by Mr. Boyle.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**LAWN TRACTOR PULL/CONKLIN FAIR**

Mr. Boyle stated that Chris Ostrowsky would like to create a space for a lawn tractor pull at the Conklin Fair. He stated that Mr. Ostrowsky had picked a narrow path, 20 by 300 feet, between the railroad tracks and the fence of the dog park. He had stated that the area is not currently being mowed by the Town but is between two mowed areas. It was noted that the Conklin Fair Committee has insurance that would cover this event, and Mr. Ostrowsky is willing to do the work. Mr. Dumian stated that the Board is “not opposed” to the project, but concern was expressed by some members of the Board that this particular location might interfere with the existing disc golf course. Mr. Boyle and Mr. DeLamarter will meet with Mr. Ostrowsky to try to find a more suitable location.

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Farley. The meeting adjourned at 7:40 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk