

**WORK SESSION**  
**FEBRUARY 26, 2019**

The Town Board of the Town of Conklin held a Work Session at 5:30 P.M. on February 26, 2019, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided.

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

Town Counsel	Cheryl Sacco
Town Clerk	Sherrie L. Jacobs
Code Officer/Dog Control Officer	Nick Vascello
Crew Leader	Tom DeLamarter
Planning Board	Chris Ostrowsky

**GUESTS:** **Country Courier** Elizabeth Einstein  
Conklin Fair Committee George Frailey  
Conklin Fair Committee Frank Mower  
Conklin Fair Committee Darcy Mower  
Conklin Fair Committee Don Einstein  
Laurie Francisco  
John Colley

**STREET LIGHT CONVERSION**

Mr. Dumian stated that within the first twelve months after converting the Town's street lights to LED (Light Emitting Diode) lights, the savings would be greater than the cost of conversion. He added that Mr. Francisco has been working with NYSEG (New York State Electric and Gas Company) for quite a while on this project. Mr. Dumian pointed out that the Town consulted a couple of private suppliers of lights, but if it decided to utilize a private supplier, the Town would have taken responsibility for maintenance of the lighting system, which NYSEG will oversee if the Town uses NYSEG for the conversion. He stated that it will cost \$20,190.00 to complete the project, which will create a savings of \$29,270.00 per year. The Town will be responsible for the cost of salvage with whichever provider it chooses. Mr. Francisco added that the monthly lease charge for equipment is where the Town will see the greatest savings. He added that if the Town owned the lights, it would have to set up a Light Department and hire repair workers. Mr. Dumian commented that another benefit of the conversion will be that the lights that are currently not working will be replaced.

**PAVILION/STAGE AT COMMUNITY CENTER**

Mr. Dumian stated that the Town is discussing partnering with the Conklin Fair Committee to construct a stage/pavilion near the Maines Community Center, to be used during the Conklin Fair and possibly for Concerts in the Park. He stated that the original size of the pavilion was to be 20 feet by 40 feet, but has since been upgraded to 28 feet by 42 feet. Mr. Platt stated that he believes the Community Center area to be a better venue than Schnurbusch Park for Concerts in the Park, due to flooding issues in the park. Mr. Dumian commented that a 200 amp electrical service already exists in the site in question, adding that he would like to see the electrical service put underground. He added that the proposed site is not close to the disc golf course.

George Frailey of the Conklin Fair Committee presented a drawing of the proposed site, located to the left of the concrete slab where the food court is usually located during the fair, adding that it would be angled toward the Veterans Memorial. Mr. Dumian stated that the Town will work in conjunction with the Conklin Fair Committee, noting that a new pavilion will add potential rental space for the Town.

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Crew Leader Tom DeLamarter, who has oversight of the Parks and Water and Sewer Departments, stated that he has money in his budget that could be utilized at least to install the concrete slab. The Town will purchase materials and hopefully local contractor Chris Ostrowsky will install it. Mr. DeLamarter suggested making the pavilion 28 feet by 48 feet, adding that this is the size of the newest pavilion at Schnurbusch Park. He added that this pavilion cost \$33,000 “but one-half of that was labor” costs. Frank Mower of the Conklin Fair Committee estimated that it will cost \$5,000 to \$7,500 just for the concrete slab. There was discussion of the appropriate height for the stage – six inches and 12 inches above ground level were considered. Mr. Dumian commented that material can be moved from one area of a parcel to another in the flood plain, where the Community Center is located, but extra fill cannot be brought in. Town Attorney Cheryl Sacco stated that the stage/pavilion must be accessible to persons with disabilities, adding that the proposed plan does not create any alienation of park lands. Mr. Francisco expressed concern that people might drive on the grass to unload cars if the pavilion is located too far from the driveway. Mr. Dumian stated that driving on the grass would have to be expressly prohibited in the rental agreement.

**FATHER’S DAY CAR SHOW**

Mr. Dumian explained that Iroquois Car Club is not able to host the annual Father’s Day Car Show at the Community Center this year, so Dublin’s Adventure Resort is partnering with the Conklin Fair Committee to sponsor the annual event. He stated that the Town charged Iroquois Car Club, an organization which is not based in Conklin, \$450 to rent the Community Center for two days and have the grass mowed three times. Mr. Dumian suggested charging Dublin’s \$200, with no extra charge for mowing the grass. Mr. DeLamarter stated that his department keeps the grass in that area mowed all the time anyway. Mr. Dumian stated that the dog park will be closed during the car show. Parking will be handled by the Conklin Fair Committee, which will receive \$5.00 per car. Money paid by vendors to sell their food/crafts at the car show will go to Dublin’s to offset the cost of prizes. The car show will be held on June 16, 2019.

**GENERATOR TEST AT TOWN HALL**

Mr. DeLamarter stated that A.C. Spear conducted a test on the generator at the Town Hall on February 18 and all went as planned. Mr. Dumian stated that the Town can conduct a test of the generator under load for \$200, adding that it should be done two to four times a year, with a full test of the building powered down once a year. He stated that there was no problem with the generator handling the load for the Town Hall, adding that the building is “storm ready.” He stated that he thinks A.C. Spear should do the testing for safety reasons. Mr. DeLamarter stated that the sewer stations already have generators, adding that he will take the third available generator to Julius Rogers. The Highway Department has the second generator that is already in use.

**NEW COMMUNITY CENTER**

Mr. Dumian stated that he believes the Town will be able to break ground for the new Community Center by August 2019, perhaps even late June or early July, with the interior of the building completed in 2020. The transfer of the property from the BCIDA (Broome County Industrial Development Agency) to the Town has been approved by the BCIDA Board. The Town would like approval to be able to start clearing the land in preparation for construction. The transfer of ownership will hopefully allow money to move from GOSR (Governor’s Office of Storm Recovery) to the Town. The Town would only be required to pay the BCIDA for the

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property if it sells the building and/or property sometime in the future, in which case the cost would be \$30,000 per acre.

The Community Center, whose cost is approximately \$2.1 million, would serve as a command center in the event of a disaster, with plans for it to be "Red Cross ready." Mr. Francisco asked if there will be a backup generator for the new building. Mr. Boyle stated that there will already be natural gas on the site so that could be a possibility. Mr. Dumian stated that the Town may be able to use the \$200,000 saved on the Stillwater Road Drainage Project to purchase a generator. He stressed that any Change Orders made during construction of a project become the Town's responsibility to pay.

**CLOTHING ALLOWANCE/HIGHWAY DEPARTMENT**

Mr. Dumian stated that the Highway Department personnel will be receiving an allowance for clothing, similar to what the Parks/Water and Sewer Department currently receives.

**FOLLOW-UP/FLOOD DAMAGED PROPERTIES**

In response to questions from Mr. Francisco, Code Officer Nick Vascello stated that the former Progressive Dental building has been repaired to the point where all safety violations have been addressed, adding that the property owner is unsure of his plans for the building, which he may turn into rental housing. Mr. Vascello stated that progress is being made on the former site of Dino's on the Susquehanna, with part of the foundation already having been replaced. He stated that the owner will continue making repairs after the weather improves.

**PHONE SYSTEM UPGRADE**

Mr. Dumian stated that he has spoken to a representative from ProCom, the current supplier of the Town's phones, about the poor phone service the Town is experiencing. He stated that he has spoken to a representative from Verizon regarding the outside phone lines, and was told that there is still water in the lines from the 2006 and 2011 floods. Mr. Dumian stated that he has been told that the Town needs to replace 16 telephones and he wants to research the situation further. He stated that the Town may need to keep a dedicated phone line from Verizon for the alarm system, even if it purchases digital phones from Spectrum. Mr. Dumian stated that the security cameras are separate from the phone system.

**TIME WARNER CABLE FRANCHISE AGREEMENT**

Ms. Sacco will reach out again to Time Warner Cable to see what the company will offer the Town in regard to a cable franchise agreement.

**CASTLE FRONT DOOR**

Mr. Francisco stated that Rufus T. Hall, who has done previous work on the Castle front door, will give the Town a quote on replacing the front door, but it will be 10 to 12 weeks before he will be able to look at the building. Mr. Francisco added that the Town must also address the decaying stone/concrete near the door. Ms. Sacco stated that since the Castle is a historical building, the swing of the door should be kept as close as possible to the original.

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 26, 2019**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on February 26, 2019, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b>	Town Board Members	Boyle, Farley, Platt, Francisco, Dumian
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Code Officer/Dog Control Officer	Nick Vascello
	Crew Leader	Tom DeLamarter
	Planning Board	Chris Ostrowsky
<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein
	Conklin Fair Committee	George Frailey
	Conklin Fair Committee	Frank Mower
	Conklin Fair Committee	Darcy Mower
	Conklin Fair Committee	Don Einstein
		Laurie Francisco
		John Colley

**MINUTES: JANUARY 22, 2019 WORK SESSION & REGULAR TOWN BOARD MEETING**

Mr. Boyle clarified that on page two of the January 22, 2019 Regular Town Board Meeting minutes, under the Code Officer's report, what he meant to say in his remarks about the emergency vehicles being unable to travel on County owned roads was not that it was illegal for them to travel because of the Governor's ban (which was only on tractor trailers and buses on interstate highways) but that the emergency vehicles could not travel because the County had not plowed the snow from its roads.

Mr. Farley moved to approve the January 22, 2019 Work Session and Regular Town Board Meeting minutes as clarified.

Seconded by Mr. Francisco.

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

**CORRESPONDENCE:**

None.

**PUBLIC COMMENTS:**

**REQUEST FOR REZONING/C. OSTROWSKY**

Chris Ostrowsky asked for an update on his request for re-zoning of a parcel on Conklin Forks Road/Conklin Road. He seeks to have the site rezoned from R-15 (Residential) to General Commercial. Mr. Dumian stated that the Town's attorney looked at the request and added that it is very similar to two other cases on Conklin Road, both of which were determined to be "spot zoning," which is not allowed under Town of Conklin Code. Ms. Sacco referenced the rezoning

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of the area near Nirchi's Pizza, stating that this was a larger area and approval was given by all of the neighboring property owners, so the rezoning was approved. She stated that if the Board is interested in Mr. Ostrowsky's request, it can pass a resolution referring the case to the Planning Board for that Board's recommendation.

Mr. Ostrowsky argued that there are Commercial, Neighborhood Commercial, and Economic Development zoning areas around his property, touching in some places, and added that he is seeking to rezone four parcels, not just one. He explained that his property lines "are to the center of the road, therefore, my property touches the other zones." He also stated that the easement across his property "does not belong to New York State – they just have permission to use it." Ms. Sacco stated that Mr. Ostrowsky cannot build around the easement. "How is this spot zoning?" asked Mr. Ostrowsky. Mr. Dumian replied, "It's touching Residential." Mr. Ostrowsky stated that his request is "in line with the Town's Comprehensive Plan," which he stated provides for "room for Commercial and Industrial growth." He added that he wants to have a food service on his property, which is why he is requesting the rezoning. Mr. Dumian replied that spot zoning is not allowed under the Town Code, adding that the Town must stay consistent in all similar cases brought before the Board. Mr. Platt agreed with the need to stay consistent. Mr. Farley suggested referring the request to the Planning Board. Mr. Boyle stated that if the Town wants new businesses to build/open in the Town, it must look at the zoning and spot zoning regulations.

**RESO 2019-21: RECESS FOR LEGAL COUNSEL**

Mr. Dumian moved to close the Regular Town Board Meeting and recess for Legal Counsel at 6:55 P.M.

Seconded by Mr. Boyle.

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

**RESO 2019-22: RE-OPEN REGULAR TOWN BOARD MEETING**

Mr. Boyle moved to close the recess for Legal Counsel and re-open the Regular Town Board Meeting at 7:23 P.M.

Seconded by Mr. Farley.

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

Mr. Dumian stated that the Town Board will not be referring Mr. Ostrowsky's request to the Planning Board. Mr. Vascello stated that the Board is researching a way to link current allowed uses in areas zoned R15 to areas zoned Neighborhood Commercial, which would require a change in local law. He explained that the change in the law would allow all of the uses allowed by Neighborhood Commercial to be allowed in R15 zoning, by Special Use Permit from the Planning Board.

Mr. Ostrowsky agreed to withdraw his application for rezoning of his parcel.

**OLD BUSINESS:**

None.

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**NEW BUSINESS:**

**RESO 2019-23: ALLOW TOWN CLERK TO ATTEND ANNUAL NYSTCA  
CONFERENCE IN SYRACUSE, NEW YORK, MAY 5-8, 2019**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Town Clerk Sherrie Jacobs to attend the annual New York State Town Clerks Association Conference from May 5 - 8, 2019, in Syracuse, New York, at a cost of \$125.00 registration fee, plus all necessary travel and lodging expenses, account code A1410.4.

Seconded by Mr. Dumian.

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

**RESO 2019-24: ALLOW WATER & SEWER SUPERINTENDENT/ATTEND ANNUAL  
WATER CONFERENCE/TURNING STONE/MAY 20-22, 2019**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Water and Sewer Superintendent Tom DeLamarter to attend the annual Rural Water Conference from May 20 – 22, 2019, at Turning Stone Resort, Verona, New York, at a cost of \$300 registration fee, plus all necessary travel and lodging expenses.

Seconded by Mr. Farley.

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

**RESO 2019-25: AUTHORIZE SUPERVISOR/SIGN SHUMAKER 2019 LANDFILL  
CONTRACT SCE NO. R09357.11, TASK ORDER NO. 11**

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Town Supervisor to sign the Shumaker 2019 Landfill Contract SCE No. R09357.11, Task Order No. 11.

Seconded by Mr. Francisco.

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

**RESO 2019-26: AUTHORIZE SUPERVISOR/SING AQUARIUS CAPITAL/GASB  
75/ALTERNATIVE MEASUREMENT VALUATION SERVICE AGREEMENT**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Town Supervisor to sign the Aquarius Capital, GASB 75, Alternative Measurement Valuation service agreement, professional services not to exceed \$4,500.00.

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Seconded by Mr. Francisco.

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

**RESO 2019-27: AUTHORIZE SUPERVISOR/SIGN DASNY GRANT/CONSTRUCTION OF SALT BARN PROJECT ID9375 GRANT DISBURSEMENT AGREEMENT**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Town Supervisor to sign the DASNY Grant in the amount of \$100,000.00 for construction of a Salt Barn Project, ID 9375, Grant Disbursement Agreement.

Seconded by Mr. Boyle.

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

**RESO 2019-28: APPROVE NYSEG STREET LIGHT CONVERSION AGREEMENT**

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the NYSEG Street Light Conversion Agreement, in an amount not to exceed \$25,000 for salvage cost.

Seconded by Mr. Farley.

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

**RESO 2019-29: RATIFY PAYMENT/NYSEG/FINAL 2018 BILLING**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #14938, various account codes, in the amount of \$8,834.85 to NYSEG for final 2018 billing.

Seconded by Mr. Farley.

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

**RESO 2019-30: RATIFY PAYMENT/JUSTIN PARKER/2018 FIRST AID KIT**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #14939, account code A7310-4, in the amount of \$134.97 to Justin Parker for 2018 First Aid Kit.

Seconded by Mr. Farley.

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

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**RESO 2019-31: RATIFY ACH PAYMENT/PITNEY BOWES/POSTAGE METER**  
**REFILL**

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies ACH payment, various departments, in the amount of \$500.00 to Pitney Bowes for postage meter refill.

Seconded by Mr. Farley.

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

**RESO 2019-32: RATIFY PAYMENT/U.S. POSTAL SERVICE/WATER & SEWER 1<sup>ST</sup>**  
**QUARTER BILLING**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #15021, account codes SW8310.4 and SS1-8110.4, in the amount of \$315.00 to the U.S. Postal Service for 1<sup>st</sup> Quarter Water and Sewer billing

Seconded by Mr. Platt.

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

**RESO 2019-33: AUTHORIZE PAYMENT/PRE-APPROVED BILL LIST/\$152,885.13**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Pre-approved Bill List in the total amount of \$152,885.13:

General	\$ 10,894.29
Highway	14,867.75
Fire District	49,413.00
Sewer District	64,503.96
Water District	1,148.13
Non-Budget	<u>12,058.00</u>
<b>Total</b>	<b>\$152,885.13</b>

Seconded by Mr. Farley.

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

**RESO 2019-34: AUTHORIZE PAYMENT/ BILL LIST/\$103,556.79**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Bill List in the total amount of \$103,556.79:

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General	\$ 35,277.66
Highway	44,409.93
Light Districts	2,557.44
Sewer District	12,729.06
Water District	4,490.70
Non-Budget	<u>4,092.00</u>
<b>Total</b>	<b>\$103,556.79</b>

Seconded by Mr. Farley.

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

**RESO 2019-35: AUTHORIZE 2019 CLOTHING ALLOWANCE TO HIGHWAY EMPLOYEES, INCLUDING SUPERINTENDENT**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes a clothing allowance for 2019 to the Highway Department employees, including the Highway Superintendent, in an amount consistent with the amount currently given to the Parks/Water & Sewer Department, effective immediately and retroactive to January 1, 2019.

Seconded by Mr. Platt.

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

**PUBLIC COMMENTS:**

None.

**YOUTH COMMISSION**

Mr. Farley reported that baseball and softball sign-ups are coming in to the Youth Commission, although there have been quite a few late arrivals.

**KIWANIS SKATING PARTY**

Town Clerk Sherrie Jacobs, who is also President of the Conklin Kiwanis Club, thanked the Town and in particular Mr. DeLamarter for their assistance with the Kiwanis Ice Skating Party held February 2, 2019, at the Conklin Ice Rink.

**THANK YOU TO THE BEALOS**

Mr. Dumian stated that Deputy Town Clerk Elizabeth Einstein is working on wording for a plaque to honor retired Youth Commissioner Fran Bealo and his wife Jodie, adding that a retirement party for the couple is also being planned.

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

Respectfully submitted, Sherrie L. Jacobs, Town Clerk