

REGULAR TOWN BOARD MEETING

JUNE 11, 2019

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on June 11, 2019. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT:	Town Board Members	Boyle, Farley, Platt, Francisco, Dumian
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Parks Superintendent	Tom DeLamarter
	Secretary to the Supervisor	Lisa Houston
	Administrative Assistant	Mary Plonski
	Code Officer	Nick Pappas

GUESTS:	John Colley
	Laurie Francisco
	Sylvia Eckelberger
	Peg Lamb
	Dee Nevins
	Amber Britton
	Brooke Holmberg
	Tyler Dietzen
	Dominic Setzer
	Ethan Sussmann
	James Hobbs
	LeRoy Jenkins
	Laura Abbott
	Brianna Schmidt

MINUTES: MAY 14, 2019 REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the May 14, 2019 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Farley.

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

CORRESPONDENCE:

DOG PARK

Mr. Dumian stated that he received a complaint from a dog owner using the Conklin Dog Park who stated that her dog was attacked in the park and received puncture wounds. He is very concerned about potential injury to dogs and/or people at the Dog Park and about the liability to the Town as owners of the site. Mr. Dumian stated that he is researching a potential registration/liability waiver form for Dog Park users, as well as a nominal annual fee. He stated that a security camera will be installed and potentially a lock system of some sort will be installed. Town Attorney Cheryl Sacco stated that she will look at legal options.

PUBLIC COMMENTS:

REGULAR TOWN BOARD MEETING

JUNE 11, 2019

DOG PARK

Sylvia Eckelberger, a frequent user of the Dog Park, continued the conversation regarding problems at the Dog Park, adding that most of the problems are caused by people bringing their young, unneutered male dogs to the park, as these dogs tend to be more aggressive. It was noted that people are often there at night with their dogs, after the Dog Park is closed.

SUPERVISOR'S REPORT:

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

OLD BUSINESS:

GOSR COMMUNITY CENTER/DAYCARE CENTER UPDATE

Mr. Dumian stated that the advertisement to bid on the construction of the Community Center/Wellness Center/Daycare Center has been published in the **County Courier**, the **Press & Sun Bulletin**, and on the NY Reporter website, adding that the Town will have the bid documents on Thursday. He stated that a committee of five members must be appointed to look at the bids and make a recommendation to the Town Board. Mr. Dumian stated that any costs in excess of the amount of the grant must be borne by the Town. He stated that it had been suggested that the Town purchase a second generator to supply power to the new facility if electrical service is interrupted but added that the cost would be approximately \$15,000 and it might be possible instead to tie into the generator at the Town Hall as a backup power source. Mr. Dumian also stated that he is meeting with the Town's legal counsel on June 12 to look at the proposed lease agreement with Ascension Health. Mr. Boyle stated that he would like a set of the plans for the new facility.

NEW PAVILION AT MAINES COMMUNITY CENTER SITE

Mr. Dumian stated that the Town received a bid proposal of \$10,400 to build the new pavilion at the site of the Maines Community Center, but he added that the grant received from Broome County is only for \$3,000, so much of the construction will be done in house. He stated that the concrete pad for the pavilion would cost between \$2,000 and \$2,500. Mr. Dumian stated that the pavilion will be 12 feet high to accommodate a stage and will have a wide sidewalk leading up to it from the driveway to make it accessible. The 2019 Conklin Fair will be held July 11 through the 13, and Mr. Dumian stated that it is possible the pavilion will be completed by the July 11 Opening Night, except for the concrete pad. The Town will utilize the new pavilion as an alternate site for Concerts in the Park, currently held at Schnurbusch Park, as standing water is often a problem at Schnurbusch Park.

MEETING WITH NEW DIRECTOR OF THE AGENCY

Mr. Dumian stated that he met with the new Director of The Agency, Stacy Duncan, adding that much of the conversation concerned the lack of affordable housing in Broome County. While remaining opposed to subsidized government housing in Conklin, Mr. Dumian stated that he would welcome veterans or senior housing on the site of the new Community/Wellness Center in the Broome Corporate Park. He added that the property known as the "Wright property" off Carlin Road could be considered for corporate offices. Mr. Dumian stated that he and Ms. Duncan also discussed the new healthcare facility, adding that it is an important piece of the grant application.

REGULAR TOWN BOARD MEETING
JUNE 11, 2019

NEW BUSINESS:

GRASS LAW/CODE/VACANT PROPERTY REGISTRY

The Board discussed the current Town of Conklin Grass Law and the possible adoption of a vacant property registry. Code Officer Nick Pappas presented copies of the Town of Binghamton's Vacant Property Law as a template for a possible similar law in Conklin. The Town of Binghamton's Vacant Property Law allows the Town to mow unkempt lawns and charge the property owners. Mr. Pappas explained that the Registry of Vacant Properties would allow the houses to be identified with a placard, which he stated would help protect firefighters, as they would know there should be no one in the building. The proposed Town of Conklin local law would allow the Town's Parks Department to mow vacant properties every two weeks and charge the owners. Mr. Dumian stressed that this law only refers to vacant properties, not occupied residences. Town Attorney Cheryl Sacco asked Mr. Pappas if there are changes that need to be made to the Town of Binghamton law to make it applicable in the Town of Conklin. The Town of Conklin already has a chapter (Chapter 62) in the Town Code that deals with "brush, grass, and weeds." Ms. Sacco stated that the Town of Binghamton local law deals with "neglect above brush, grass, and weeds," with abandoned properties becoming "zombie properties" with no care given to upkeep. Mr. Dumian added that the New York State Building Code includes provision for a registry of vacant properties.

Mr. Boyle had concerns about both the new proposed local law and the existing Chapter 62 "Grass Law." He stated that, according to Section 62-3, "80% of the Town's population is out of compliance with the law." Mr. Pappas replied that the intent of the current law is that property owners will only be required to mow around their house, not their entire property. Mr. Dumian added that clarifications could be made to the existing law, making sure that it is non-political and non-discriminatory.

The Town of Binghamton law charges the property owner \$50 per property per mowing, which is added to the owner's tax bill. A permit for the vacant property is required, at a cost of \$50, and the property is added to the registry. There is also an annual fee of \$500, due on the renewal date of the registration application, which is held in an escrow account. Ms. Sacco stated that Section 62-6 of the Town of Conklin Code states that the Town can charge a flat fee for mowing. She stated that the Town could hire a third party, and could add "not to exceed \$50" to the wording of the law. Mr. Dumian stated that he did not see a reason to make any changes to the Town of Conklin law. In response to Mr. Boyle's concerns that a Code Officer, who has discretion as to whether or not a property is out of compliance with the law, might abuse his or her power because of issues with a particular property owner, Mr. Pappas stated that the Code Officer "can't go on occupied property – that is trespassing." Mr. Boyle, Mr. Pappas, and Mr. Dumian agreed to meet to discuss Chapter 62 of the Town Code and the proposed new local law.

RESO 2019-80: SCHEDULE PUBLIC HEARING/JULY 9, 2019/6:35 P.M./
PROPOSED LOCAL LAW 2, 2019/ "CHAPTER 102 ENTITLED PROPERTY,
VACANT"

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:35 P.M. on July 9, 2019, to receive input regarding proposed Local Law 2, 2019, "Chapter 102 Entitled Property, Vacant."

REGULAR TOWN BOARD MEETING

JUNE 11, 2019

Seconded by Mr. Farley.

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

Mr. Francisco asked if vacant buildings will be secured to provide limited or no access and Mr. Dumian replied that Mr. Pappas will be making sure that vacant buildings are secured. A letter from the Code Office will be sent to property owners of vacant properties. Mr. Dumian stated that the Town has received a list of formal complaints about places such as the former Progressive Dental building and the former Dino's on the River building, both on Conklin Road.

RESO 2019-81: APPROVE HIRING/J & D CONSTRUCTION/PARK PAVILION NEAR OLD COMMUNITY CENTER

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin determines that construction of the park pavilion near the old Community Center is a Type II Action under SEQRA (State Environmental Quality Review Act) and authorizes the hiring of J & D Construction, the lowest responder, in an amount not to exceed \$11,000 for such construction.

Seconded by Mr. Platt.

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

RESO 2019-82: APPROVE HIRING/SARAH MASTERS & TRACY PARKER/ RECREATION LEADERS/2019 SUMMER FUN PROGRAM

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the hiring of Sarah Masters and Tracy Parker as Recreation Leaders for the Town of Conklin 2019 Summer Fun Program, at a pay rate of \$1,500.00 each.

Seconded by Mr. Francisco.

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

Mr. Dumian stated that the Summer Fun Program will be held at Susquehanna Valley High School and at Richard T. Stank Middle School this year, as Donnelly Elementary School is undergoing renovation this summer.

RESO 2019-83: APPROVE HIRING/2019 LIFEGUARDS/2019 SEASONAL LABORERS

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves hiring the following 2019 Lifeguards and 2019 Seasonal Laborers, with the effective date of June 12, 2019:

<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>2019 RATE</u>	
Bedosky	Richard	\$11.10	
Benedum	Evelyn	\$11.75	Assistant Manager

REGULAR TOWN BOARD MEETING

JUNE 11, 2019

Blackman	Madelyn	\$12.75	Manager
Maynard	Tanner Rose	\$11.10	
Petryszyn	Melissa	\$11.10	
Reifler	Samantha	\$11.10	
Savercool	Hope	\$11.10	
Storti	Amy	\$11.75	Assistant Manager
Holmburg	Brooke	\$11.10	
Miller	Nicholas	\$11.10	
Stettinius	Logan	\$11.10	
Keehle	Sophie	\$11.10	
Van Putten	Lara	\$11.10	
Deeter	Alexandra	\$11.10	

Seconded by Mr. Farley.

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

Mr. Dumian thanked the members of the Beautification Corps, who were present in the audience, for their hard work in maintaining flowers in various areas of the Town, adding that weeding and maintenance of the four key areas of the Town will be the responsibility of the Town Parks Department.

**RESO 2019-84: APPROVE HIRING/JARRED FREIJE/TEMPORARY PART-TIME
GENERAL LABORER/EFFECTIVE JUNE 12, 2019**

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the hiring of Jarred Freije to the position of Temporary Part-Time General Laborer, effective June 12, 2019, at a pay rate of \$11.10 per hour.

Seconded by Mr. Francisco.

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

RESO 2019-85: RATIFY PAYMENT/PITNEY BOWES/POSTAGE METER REFILL

Mr. Francisco moved for the following resolution:

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

Seconded by Mr. Platt.

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

**RESO 2019-86: RATIFY PAYMENT/U.S. POSTAL SERVICE/2019 2ND QUARTER
WATER & SEWER BILLING POSTAGE**

Mr. Francisco moved for the following resolution:

REGULAR TOWN BOARD MEETING

JUNE 11, 2019

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #15363, account codes SW8310.4 and SS1-8110.4, in the amount of \$315.00 to the U.S. Postal Service for postage for the 2019 2nd Quarter Water and Sewer billing.

Seconded by Mr. Farley.

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

RESO 2019-87: RATIFY PAYMENT/KIM GULICK/MAY & JUNE CELL PHONE REIMBURSEMENT

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #15381, account code A3510.4, in the amount of \$80.00 to Kim Gulick for reimbursement for May and June cell phone charges.

Seconded by Mr. Platt.

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

RESO 2019-88: RATIFY PAYMENT/SHERRIE JACOBS/ REIMBURSEMENT/ANNUAL BEAUTIFICATION FLOWERS FOR VETERANS MEMORIAL MARQUEE

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #15440, account code A8510.4, in the amount of \$139.75 to Sherrie Jacobs for reimbursement for purchase of annual beautification flowers for marquee at Conklin Veterans Memorial.

Seconded by Mr. Francisco.

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

RESO 2019-89: AUTHORIZE TOWN SUPERVISOR/SIGN BROOME COUNTY LETTER OF AGREEMENT/SMALL COMMUNITY GRANT/CONSTRUCTION OF PARK PAVILION

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Town Supervisor, William Dumian, Jr., to sign a letter of agreement with Broome County regarding funds from Small Community Grant Fund CA 9-394. Agreement is for construction of a park pavilion and the County shall pay the Town of Conklin a grant not to exceed \$15,000.00 for a term from May 16, 2019 through December 31, 2019.

Seconded by Mr. Platt.

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

REGULAR TOWN BOARD MEETING

JUNE 11, 2019

RESO 2019-90: AUTHORIZE PAYMENT/MAY 28, 2019 PRE-APPROVED BILL

LIST/\$41,467.94

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following May 28, 2019 pre-approved Bill List in the total amount of \$41,467.94:

General	\$ 24,681.94
Highway	6,003.02
Light Districts	2,293.34
Sewer District	1,381.07
Water District	1,869.57
Non-Budget	<u>5,239.00</u>
Total	\$ 41,467.94

Seconded by Mr. Francisco.

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

RESO 2019-91: AUTHORIZE PAYMENT/BILL LIST/\$36,281.06

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 \$36,281.06:

General	\$ 17,861.14
Highway	16,825.46
Sewer Districts	27.63
Water District	1,516.83
Non-Budget	<u>50.00</u>
Total	\$ 36,281.06

Seconded by Mr. Francisco.

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

PUBLIC COMMENTS: None.

DRAINAGE PROJECTS/STILLWATER ROAD & SCHNURBUSCH PARK

Mr. Boyle stated that there is still some final grading work to be done at the Stillwater Road drainage project and asked about progress on the drainage project at Schnurbusch Park. Mr. Dumian stated that maybe the Skidsteer could be used for grading work and asked Mr. Boyle to discuss this with Parks Superintendent Tom DeLamarter. Mr. Dumian stated that the Highway Department has installed the drainage pipe in Schnurbusch Park and the water is draining. Mr. Boyle stated that the park site needs to be graded also, and stated that he wants to meet with contractors to get pricing on finishing the project. He estimates that it will cost between \$3,000 and \$5,000. Mr. Boyle was reminded that he needs to obtain three bids.

REGULAR TOWN BOARD MEETING

JUNE 11, 2019

**RESO 2019-92: AUTHORIZE PURCHASE/AD IN FIRST TO SAY THANK YOU
PUBLICATION**

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the purchase of an advertisement in the "First To Say Thank You" publication honoring graduates who are entering military service, at a cost not to exceed \$500.

Seconded by Mr. Platt.

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

STREET LIGHTS

Mr. Francisco stated that the April microburst windstorm took down the light pole near Fire Station 1 on Conklin Road and, while NYSEG (New York State Electric and Gas Corporation) has replaced the poles, the lights had not been replaced. He stated that he contacted NYSEG and they will be bringing new LED (Light Emitting Diode) lights.

Mr. Platt asked when the new street lights will be installed throughout the Town, replacing the existing lights. Mr. Francisco stated that it is scheduled to begin in late June or early July.

VETERANS DEDICATION CEREMONY

Town Clerk Sherrie Jacobs thanked those who helped with and who attended the Veterans Dedication Ceremony held on June 8, 2019, in particular thanking Administrative Assistant Mary Plonski for all of her hard work in organizing the celebration. Mr. Dumian added his thanks to those who organized the event and expressed his appreciation to all of our veterans and especially to Bob Page, a three war veteran who had the original vision for the Conklin Veterans Memorial.

BASEBALL/SOFTBALL CLOSING DAY FESTIVITIES

Mr. Dumian stated that Closing Day for Town of Conklin Baseball and Softball will be June 15, from 1 to 3 P.M. He stated that there will be a Closing Ceremony, food, a bounce house, and a dunk tank. Conklin Volunteer Fire Department is bringing a truck to provide spray for the children to run through.

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Platt. The meeting adjourned at 7:45 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk