

REGULAR TOWN BOARD MEETING
JANUARY 12, 2016

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on January 12, 2016, at the Conklin Town Hall. Mr. Finch, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT:	Town Board Members	Bullock, Boyle, Dumian, Francisco, Finch
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Assistant to Supervisor	Lisa Houston
	Public Works Superintendent	Tom DeLamarter
GUESTS:	Country Courier	Elizabeth Einstein
		John Colley
		Laurie Francisco
		Tom Kelly

MINUTES: DECEMBER 8, 2015 REGULAR TOWN BOARD MEETING

Mr. Boyle stated that the December 8, 2015 Regular Town Board Meeting minutes should be corrected on page 10, line 13 from the top to read “Mr. Boyle thanked the residents of Conklin Forks, Corbettsville, and the Town of Conklin who had voted him into office.”

Mr. Bullock moved to approve the December 8, 2015 Regular Town Board Meeting minutes as corrected.

Seconded by Mr. Francisco.

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

CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from Coughlin & Gerhart, LLP, and from Griffiths Engineering, both in regard to contracts for 2016, and from the Office of the Broome County Executive regarding the renewal of the contract allowing the Meals on Wheels program to utilize the Floyd Maines Community Center at no charge.

PUBLIC COMMENTS:

None.

REPORT: TOWN CLERK

Refer to written report.

REPORT: HIGHWAY SUPERINTENDENT

Refer to written report.

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REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Public Works Superintendent Tom DeLamarter reported that the agreement with the YMCA to provide swim lessons for 2016 has been signed. He stated that his department plans to set up the ice rink this week and that he has been working on scheduling entertainment for this summer's Concerts in the Park series. Mr. DeLamarter reported that his department repaired a water main break on Lotus Avenue on December 16, 2015.

ISSUES WITH SEWER LINES

Mr. DeLamarter reported that debris flushed into the Town's sewer system is creating problems at Sewer Pump Station 1, where it clogged the motors causing one motor to burn out. He stated that the backup pump didn't work, but Suburban Sanitary helped by keeping the sewage pumped out and the City of Binghamton allowed the Town to dump the sewage into a manhole. Mr. DeLamarter stated that he ordered a new pump, scheduled to arrive on January 13. He stated that he sent the burned out pump, along with a second pump from the Julius Rogers area, which had also burned out due to debris, to be repaired.

Mr. DeLamarter informed the Board regarding upcoming expenses to help solve the problems with the sewer system and prevent future problems. He stated that the following expenses will be incurred:

Balance of cleaning of sewer lines	\$35,000
Leakage alarms	\$51,000
Generators	\$ 8,000
Repairs to pumps	\$ 6,000
Suburban Sanitary for pumping Station 1	\$10,000
Electrician	\$ 2,000
Grinder	\$50,000

Mr. DeLamarter stated that it will cost at least \$180,000 for the needed repairs and improvements. He stated that the Town "has the money," adding that it is "good that we raised the rates" (of sewer usage). Mr. Finch stated that letters will be sent to residents, with a copy being required to be signed by the resident stating that they have read the letter. The letters will list specifically items that cannot be flushed into the system, such as diapers. Mr. Finch stated that materials will be traced back to their source and the offender confronted. Mr. Bullock asked if there can be a penalty for knowingly or intentionally putting items in the sewer system that should not be there. Town Attorney Cheryl Sacco will research this possibility. Mr. Dumian stated that there is currently \$100,000 left in the Water and Sewer budget line but confirmed that more revenue will be incoming. Mr. Francisco commented that the letters to the residents "are a good idea." Mr. Finch stated that inspections for required drains will be held in the Broome Corporate Park.

REPORT: CODE OFFICER

Refer to written report. Mr. Bullock asked for an update on the former Progressive Dental office on Conklin Road, and Mr. Finch stated that the building has been sold and the new owners are supposed to either repair or demolish it, adding that they have a 30-day limit in which to begin work in one direction or the other.

Mr. Dumian stated that he thinks before violation letters are sent to residents, the Code Office should first make a phone call to try to resolve the issues.

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Mr. Bullock asked about the parcel on Barbara Avenue owned by the Giammarino family, adding that it is a “junkyard.” He asked about the new proposed car lot next to the former Dino’s and whether or not the number of cars would be limited and the arrangement of them. Mr. Finch stated that the proposal must come before the Planning Board. Ms. Sacco suggested that Mr. Bullock attend the Planning Board meeting and express his concerns.

Mr. Francisco asked about the building on the property owned by the railroad company (formerly Klock Towing), adding that more unlicensed vehicles are now being stored there. Mr. Finch replied that the railroad company has not responded to any of the Town’s queries regarding the building and the vehicles in question. Ms. Sacco commented that the Town cannot find an owner of the building to whom to issue a ticket, since the railroad company owns the property but not the structure on it. She stated that the Code Officer can investigate, however, a site plan cannot be done without a proper owner. Mr. Dumian asked if the County could take possession of the property through eminent domain and Ms. Sacco explained that in order to do so, the County would need to show a public purpose/need for the property and the cost of obtaining it. She stated that the Town could try to have the building demolished under the Unsafe Structures Law, however, there is no owner to whom to present a Notice. She stated that the persons utilizing the building previously were “squatters” and added that there is a concern that there may be underground gasoline tanks on the property, since it was a gas station at one time. Mr. Dumian asked, since there is no tenant with a lease, if the Notice could be given to the railroad company, but Ms. Sacco reiterated that the railroad company does not own the building, only the property. Mr. Bullock asked the value of the building and Mr. Finch replied that it has no value. Ms. Sacco stated that the value is probably in the negative numbers, since it is badly damaged and should be demolished.

OLD BUSINESS:

LIGHTING AT CONKLIN VETERANS MEMORIAL

Mr. Finch stated that the new lights for the Conklin Veterans Memorial have been delivered, however, the cost of installation is higher than the Town anticipated. He suggested that the Conklin Veterans Memorial Committee pay for the installation, with the Town reimbursing them to help with the cost. He stated that the Town owns the land on which the Memorial was built. The Town will rent a “ditch witch” to dig a trench for the wiring for the lights.

Mr. Francisco stated that the current plan is to install one large light on the American flag. Mr. Dumian stated that he feels the Town should install all of the lights at the same time and “do it correctly.” Mr. Bullock seconded this opinion, adding the Town had agreed to “do it the correct way.” Mr. Francisco commented that the lights will be 9 to 10 inches above the ground, adding that a high snow would cover them. He stated that a direct burial of the wire, as opposed to conduit, would withstand water, since the wire is sealed. Mr. Boyle prefers conduit and asked how many feet would be needed. Mr. Finch replied that the number of feet needed would equal the circumference of the circle. Mr. Francisco stated that it would be 60 feet horizontal and 30 feet vertical, plus fittings and boxes, or approximately 100 feet total. Mr. Finch stated that the installation cost is the hold-up. Mr. Dumian asked if the Town is appropriating money to install all of the lights, since they have already been purchased. He stated that labor cost is estimated to be approximately \$2,000. He asked if the project would be postponed again. Mr. Francisco stated that the installation price quoted included use of a ditch witch. Mr. DeLamarter commented that Agway charges \$240 per day to rent a ditch witch, with free delivery, adding that he has gotten Agway to agree to waive the fee and donate the use of the ditch witch, since it

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is for the Veterans Memorial. Mr. Francisco stated that he will try to get a revised price from the contractor. A. C. Spear provided an estimate of approximately \$1,800.

Mr. Boyle asked why Town of Conklin employees cannot do the installation. Mr. Finch asked if Code Officer John Rudy, who is an electrician, could do the wiring. It was stated that Mr. Rudy has stated that he is willing to help with this project. Mr. Francisco stated that all equipment must be in place, adding that the lighting poles will not work with conduit, adding that either a box or direct burial are required. He stated that he will provide a layout design and material list for the project.

NEW BUSINESS:

SOLAR FARM/BROOME CORPORATE PARK

Mr. Finch stated that Broome County is planning to install a solar park behind Ardaugh in the Broome Corporate Park, adding that it will generate electricity for County use only. He stated that a solar park at the Town Landfill is also being considered.

**RESO 2016-1: AUTHORIZE TOWN SUPERVISOR/ENTER & SIGN 2016 ATTORNEY
& COUNSELORS RETAINER AGREEMENT**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Town Supervisor, James Finch, to enter into and sign the 2016 Attorney and Counselors Retainer Agreement in the amount of \$6,005 per month.

Seconded by Mr. Francisco.

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

**RESO 2016-2: APPROVE GRIFFITHS ENGINEERING AS TOWN ENGINEERING
FIRM AT 2016 RATES**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Griffiths Engineering as the Town of Conklin's Engineering Firm at the 2016 rates quoted in the correspondence letter. Mr. Finch stated that there is no increase over the 2015 rates.

Seconded by Mr. Dumian.

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

**RESO 2016-3: AUTHORIZE TOWN SUPERVISOR/ENTER INTO AND SIGN 2016
OFFICE FOR THE AGING LEASE OF SPACE FOR MEALS ON WHEELS
CONTRACT RENEWAL**

Mr. Francisco moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes the Town Supervisor, James Finch, to enter into and sign the 2016 Office for the Aging lease of space for Meals on Wheels contract renewal CA 292-423 at no cost.

Seconded by Mr. Boyle.

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

RESO 2016-4: RATIFY ACH WIRE PAYMENT/PITNEY BOWES/POSTAGE METER
REFILL PURCHASE

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies an ACH wire payment, account code A1674-4, in the amount of \$500.00 to Pitney Bowes for postage meter refill purchase.

Seconded by Mr. Dumian.

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

RESO 2016-5: RATIFY PAYMENT/GRIFFITHS ENGINEERING/DESIGN
DEVELOPMENT/STILLWATER ROAD STORMWATER IMPROVEMENT GRANT
PROJECT

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #102, account code HS8597-2, in the amount of \$3,376.00 to Griffiths Engineering for payment for design development for the Stillwater Road Stormwater Improvement grant project.

Seconded by Mr. Dumian.

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

RESO 2016-6: RATIFY PAYMENT/TOWN OF CONKLIN CLERK
ACCOUNT/ANNUAL TOWN CHILDREN'S CHRISTMAS PARTY EXPENSES/TO
COVER CHECK DONATED TO TOWN BY LOVE'S TRAVEL STOPS/DEPOSITED
TO TOWN GENERAL ACCOUNT 12-14-2015

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #10204 in the amount of \$450.00 to the Town of Conklin Clerk account for annual Town Children's Christmas Party expenses to cover check in the amount of \$450.00 donated to the Town by Love's Travel Stops and deposited to the Town General Account on December 14, 2015.

Seconded by Mr. Francisco.

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

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Town Clerk Sherrie Jacobs explained that the donation check was deposited into the Town General Account, then a check written to the Town Clerk account to facilitate cashing the check so that supplies could be purchased for the Christmas party.

RESO 2016-7: RATIFY PAYMENT/THE HARTFORD GROUP/4TH QUARTER
DISABILITY INSURANCE

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #102, account codes A9055.8, DA9055.8, and SW9055.8, in the amount of \$212.67 to The Hartford Group for payment of 4th Quarter disability insurance.

Seconded by Mr. Finch.

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

RESO 2016-8: AUTHORIZE PRE-APPROVED 2015 BILL LIST/\$55,854.65/
PAID 12-30-2015

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following pre-approved 2015 Bill List in the total amount of \$55,854.65, paid on December 30, 2015:

General	\$ 35,478.46
Highway	5,777.61
Light Districts	1,863.47
Sewer District	1,501.71
Water District	8,755.40
Non-Budget	<u>2,478.00</u>
Total	\$ 55,854.65

Seconded by Mr. Dumian.

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

RESO 2016-9: AUTHORIZE PAYMENT/2015 BILL LIST/\$50,047.13

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following 2015 Bill List in the total amount of \$50,047.13:

General	\$ 12,593.59
Highway	1,120.90
Light Districts	499.81
Sewer Districts	30,458.28
Water District 1	1,338.05
Water District 6	<u>4,036.50</u>
Total	\$ 50,047.13

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Seconded by Mr. Francisco.

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

RESO 2016-10: AUTHORIZE PAYMENT/2016 BILL LIST/\$216,509.78

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following 2016 Bill List in the total amount of \$216,509.78:

General	\$ 62,835.62
Highway	24,729.62
Sewer District #3	19,785.00
Sewer District #1	4,156.00
Water District	7,598.54
Water District 6	2,582.00
Non-Budget	<u>94,823.00</u>
Total	\$216,509.78

Seconded by Mr. Dumian.

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

RESO 2016-11: AUTHORIZE MODIFICATION/STATED FROM AND TO BUDGET
LINES/AS OF 12-31-2015

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes modifications of the stated from and to Budget lines, as of December 31, 2015 (see attached).

Seconded by Mr. Francisco.

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

RESO 2016-12: AUTHORIZE APPROPRIATION OF UNANTICIPATED REVENUES

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the appropriation of unanticipated revenues (see attached).

Seconded by Mr. Bullock.

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

RESO 2016-13: SET COMMITTEES FOR 2016

Mr. Finch moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin sets the following committees for the year 2016:

Town Hall Castle	Dell Boyle
Community Center Rental & Non-Profit Rental	Charles Francisco
Community Center Building	Gary Bullock
Senior Citizens Liaison	Charles Francisco
Town Wide Electrical & NYSEG	Charles Francisco
Town Wide Insurance	Bill Dumian
Town Flood Insurance	Gary Bullock
Town Grounds & Flood Lots	Gary Bullock
Drainage Districts	Dell Boyle
Cemeteries	Charles Francisco
Fire Department Liaison	Charles Francisco
Youth Liaison	Bill Dumian
Planning Board	Dell Boyle
Zoning Board of Appeals	Charles Francisco
Highway Department & Garage	Dell Boyle
Deputy Supervisor	Charles Francisco
Code Department	Bill Dumian
Public Works Department	Supervisor

Seconded by Mr. Bullock.

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

RESO 2016-14: AUTHORIZE PAYMENT/2015 PURCHASE ORDERS

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following 2015 purchase orders:

PO 15-02130	Assessment & Appraisal, Inc.	\$2,450.00	A 1355-4-403
PO 15-02131	Dig Safely NY	\$ 10.00	SW8310-4-400

Seconded by Mr. Dumian.

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

PUBLIC COMMENTS:

None.

RESO 2016-15: AUTHORIZE CODE OFFICERS/RON LAKE & JOHN RUDY/ATTEND MANDATORY CODE TRAINING/MARCH 29-31, 2016/SYRACUSE, NEW YORK

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Code Officers Ron Lake and John Rudy to attend mandatory Code training March 29-31, 2016, in Syracuse, New York, at a cost of \$360 per person, or \$720 total.

Seconded by Mr. Finch.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch - Yes. Motion passed unanimously.

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2016 LEGAL PROJECTS

Ms. Sacco stated that there are several legal projects held over from 2015, including: Time Warner Cable contract renewal, Neighbor Notice protocol, Professional Fees proposed local law, and Fill proposed local law, adding that the Fill law “cannot be easily changed.” She stated that the Board needs to “discuss all proposed local laws more fully” before setting Public Hearings and voting on them.

PROPOSED CHANGES TO SPEED LIMITS

Mr. Bullock suggested that the 40 mile per hour speed limit on Conklin Road be continued from Shaw Road to the Maines Community Center at 942 Conklin Road, to make it safer for cars entering or exiting several businesses located on the stretch of road. Ms. Sacco stated that she will have the Region 9 DOT (New York State Department of Transportation) form ready for the January 26 meeting.

Mr. Boyle stated that the 50 mile per hour speed limit on the Corporate Parkway should be lowered to 35 miles per hour from the ADEC building to River Bridge. Ms. Sacco stated that the Town could also request a sign showing drivers’ speeds from the Broome County Sheriff’s Department.

IMPLEMENTING ZONING SUGGESTIONS FROM COMPREHENSIVE PLAN

Mr. Boyle stated that the Town Board and Zoning Board of Appeals should schedule a joint meeting to look at the Town Code regarding implementation of the zoning suggestions from the Comprehensive Plan. Mr. Finch stated this will be scheduled for the Work Session on February 23.

AUTOMATIC CLOSERS FOR DOORS/COMMUNITY CENTER

Mr. Francisco stated that the Town should purchase automatic closers for the doors at the Community Center.

PROJECT UPDATES

Mr. Finch stated that he will meet with grant writer Autumn Tompkins on January 13 to get an update on grants for which the Town may be eligible. Mr. Finch stated that the Town has received five applications to date for the two vacant positions on the Zoning Board of Appeals.

Mr. Finch stated that he will meet with Upstate Towers on January 19 regarding four possible sites for the installation of towers on Town-owned properties.

Mr. Finch stated that the large meeting room in the Castle has been refurbished, with the next steps being to clean the Historian’s office and to install carpeting in the remainder of the first floor of the Castle.

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 7:03 P.M.

Respectfully submitted,

Sherrie L. Jacobs, Town Clerk

