

WORK SESSION
FEBRUARY 24, 2015

The Town Board of the Town of Conklin held a Work Session at 5:30 P.M. on February 24, 2015, 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
	Highway Superintendent	Brian Coddington
	Assistant to Supervisor	Lisa Houston
	Administrative Assistant	Mary Plonski
GUESTS:	Country Courier	Elizabeth Einstein
		Laurie Francisco
		John Colley
		Peter J. Motsavage
		Cindy Marcello
		David Marcello

ELECTRONIC GATEWAY SIGNAGE

Mr. Finch reported that the Town is not eligible for electronic Gateway signage because the traffic count is not high enough. He stated that perhaps the Town will be able to have a sign on the crossover road from the Town of Kirkwood that would say "Welcome to Conklin."

PRELIMINARY FLOOD PLAIN MAPS

Administrative Assistant Mary Plonski fielded questions regarding the new preliminary flood plain maps recently released by Broome County. It was noted that not all towns agree with the County's proposed designations of flood plain areas. For example, in Conklin, all of Woodcrest Way would now be in the 100-year flood plain, including the parts of the street that have never flooded. Ms. Plonski stated that Code Officer Ron Lake is looking for clarification from the Town Board regarding its views on the new preliminary maps. Mr. Finch commented that the area which includes Roxbury Street, Melody Lane, Cherry Drive, Tiffany Avenue, and Maple Avenue are all considered to be in the flood plain according to the new maps.

Town Attorney Cheryl Sacco stated that some towns are postponing approval of the new maps because they are preliminary maps from the DEC (New York State Department of Environmental Conservation). Mr. Bullock asked if the Town can reject the proposed new maps outright. Ms. Sacco replied that the Town could challenge the boundaries set by the new maps, but added that there is no precedent for doing so. She suggested that the Town postpone adopting the new maps because they are still preliminary. It was noted that the cost of flood insurance and the requirement for it will be based on the new flood map designations.

Mr. Francisco asked if a property can be split and Ms. Sacco replied that the flood plain lines are not drawn by tax map number, therefore, one part of a particular parcel could be in the flood plain and the other part be outside the flood plain. She suggested going to the Broome County GIS site and overlaying the old and new flood maps. Mr. Dumian addressed the split on Woodcrest Way, stating that the properties would be "in the 500-year flood plain up to the houses." Ms. Plonski stated that flood insurance on her property has doubled. Ms. Sacco reiterated that the boundaries set by the new maps are not property specific.

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COURT SYSTEM

Mr. Finch stated that he and Town of Kirkwood Supervisor Gordon Kniffen had discussed the possibility of researching consolidation of the Courts of the Towns of Conklin, Kirkwood, and Windsor.

WATER ISSUES

Mr. Finch stated that the Town Water Department has been dealing with frozen pipes in five locations, including MacGeorge Street and Pride Manor Mobile Home Park.

Mr. Finch stated that the Town of Kirkwood has expressed interest in purchasing water from the Town of Conklin for the area near Frito-Lay, adding that the Broome County Industrial Development Agency (BCIDA) has expressed interest in helping with this project. Mr. Bullock commented that the Town of Conklin only has two wells, which are located next to each other. He stated that if anything happened in that area that affected the wells, the Town would be without municipal water.

GREAT BEND SEWER TREATMENT PLANT

Mr. Finch reported that the Township of Great Bend, Pennsylvania, is building a new sewer treatment plant and added that the sewer system will extend to Randolph Road and the Pennsylvania/New York border (also the border of the Town of Kirkwood). He stated that the new plant has “unlimited capacity,” and stated that perhaps the Town of Conklin would be able to join the new system. Mr. Finch stated that the cost would be “one-third the cost of the Binghamton-Johnson City Joint Sewage Board.””

PROPOSED FEES/CODE DEPARTMENT

Code Officer Ron Lake had provided the Board with a written list of current and proposed fees for his office. One of the fees involved cemeteries and it was clarified that this refers to private cemeteries on private property. Ms. Sacco stated that changes to fees would depend upon whether they were set by local law or by Board resolution. Mr. Dumian stated that he would like clarification from Mr. Lake, who was not present at the meeting. Mr. Finch stated that he will ask Mr. Lake to attend the March 10 Town Board meeting and the Board will discuss these fees further at that time.

Ms. Sacco stated that the Town Board needs to schedule a Public Hearing for the proposed local law changing the wording from “manufactured home” to “modular home.” She also asked for input from the Board regarding “neighbor notice” for Planning Board and Zoning Board of Appeals applications. Mr. Dumian stated that he feels written notices should be mailed to property owners within 500 feet of the application site. Mr. Boyle stated that he feels installing a placard on the property in question advising of the applicant’s request is sufficient. Mr. Dumian stated he feels the Town could also install a placard, in addition to the written notices, but should “err on the side of caution.” Ms. Sacco reminded the Board that if it enacts the Professional Fees proposed local law, the Town will recoup 100% of the costs of notification from the applicant. Ms. Plonski stated that a recent mailing for a project in the Broome Corporate Park involved over 500 notices. Ms. Sacco stated that one problem with the current notification requirements is that they are not consistent, adding that they are not required at all currently for Zoning Board of Appeals cases, and adding that the Board might want to consider adding notification

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requirements for ZBA cases, to replace the current “courtesy notice.” Mr. Dumian stated that the Town will have the capacity to “recapture fees,” and reiterated that he feels more notification should be given rather than less. Mr. Francisco stated that this discussion should be held over until the March 10 meeting.

Since the time for the Regular Town Board Meeting to begin had arrived, Mr. Finch closed the Work Session at 6:00 P.M. and opened the Regular Town Board Meeting.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk

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REGULAR TOWN BOARD MEETING
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The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. at the Conklin Town Hall. Mr. Finch, Supervisor, presided. The Pledge of Allegiance had been said earlier to open the Work Session at 5:30 P.M.

PRESENT:	Town Board Members	Bullock, Boyle, Dumian, Francisco, Finch
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Highway Superintendent	Brian Coddington
	Assistant to Supervisor	Lisa Houston
	Administrative Assistant	Mary Plonski
GUESTS:	Country Courier	Elizabeth Einstein
		Laurie Francisco
		John Colley
		Peter J. Motsavage
		Cindy Marcello
		David Marcello

MINUTES: FEBRUARY 10, 2015 REGULAR TOWN BOARD MEETING

Mr. Bullock asked for clarification on page 2, line 8 from the bottom, of the February 10, 2015 Regular Town Board Meeting minutes to state that Mr. DeLamarter is getting prices on a new plow *frame* rather than an entire new plow for the Parks truck.

Mr. Bullock moved that the February 10, 2015 Regular Town Board Meeting minutes be approved as presented, with the above clarification.

Seconded by Mr. Francisco.

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

CORRESPONDENCE:

Mr. Finch stated that he received correspondence from the Broome County Landfill for Highway Superintendent Brian Coddington regarding the white goods and brush collection days.

Mr. Finch reported that he received correspondence regarding bonding for Town of Conklin employees, with information received from Haylor, Freyer, and Coon, Travelers' Insurance, and Main Street Insurance regarding fees, coverage, and deductible amounts. Mr. Francisco asked if the Town did not already have bonding on its employees and Mr. Finch replied, "Not on everyone." Mr. Finch added that the Auditor had recommended complete bonding and utilization of a courier for banking deposits. Ms. Sacco will research this issue.

Mr. Finch reported that he and Assistant to the Supervisor Lisa Houston have been working with the New York State Rising Community Grant Committee to set up a separate checking account for the funds that the Town will receive from the Committee. Ms. Sacco stated that she has the legal notice ready for the architectural and engineering services for the Stillwater Road Drainage Project, and is awaiting the RFQ (Request For Quotes) from the Rising Community Grant Committee and is awaiting communication from the **Contractors' Report** regarding publishing the legal notice in their publication. Mr. Bullock commented that this drainage project will not

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project the Stillwater Road area in the event of another catastrophic flood – that is not its purpose. Mr. Dumian confirmed that it will address the drainage and standing water issue in that area, as well as the sewage issue at Fountain Bleu Mobile Home Park, and Mr. Finch confirmed that the project will address those issues.

Mr. Finch reported that he received a renewal for the contract with BlueStorm Technologies, which provides IT (Information Technology) services for the Town. He stated that the cost was to be \$12,000 for the year, but the Town removed some computers that are no longer in use, decreasing the cost to \$9,000 per year.

RESO 2015-33: APPROVE CONTRACT RENEWAL/BLUESTORM TECHNOLOGIES

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves renewal of the contract with BlueStorm Technologies to provide IT services for the Town of Conklin.

Seconded by Mr. Francisco.

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

Mr. Finch reported that he is awaiting communication from CMA (Communication Management Associates, Inc.) regarding the proposed installation of communication towers on Town-owned properties.

PUBLIC COMMENTS:

None.

OLD BUSINESS:

UPDATE/NYS RISING COMMUNITY GRANT

As discussed at the Work Session, Mr. Finch reported that a separate checking account is being set up for funds that the Town will receive from the New York State Rising Community Grant for projects that have been approved or will be approved.

NEW BUSINESS:

GATEWAY SIGNAGE

As was discussed at the Work Session, Mr. Finch reported that the Town is not eligible for electronic Gateway signage because the traffic count is not high enough.

**DISCUSSION WITH TOWN OF KIRKWOOD/CONSOLIDATION OF COURT
SYSTEM**

Mr. Finch stated in the Work Session that he and Town of Kirkwood Supervisor Gordon Kniffen had discussed the possibility of consolidating the Town Courts of the Towns of Conklin, Kirkwood, and Windsor. Mr. Finch stated that this action would have to be approved by the

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New York State Office of Court Administration and by referendum by the residents of the three municipalities.

CODE DEPARTMENT

Mr. Finch stated that Code Officer Ron Lake and Administrative Assistant Mary Plonski are doing a “fantastic job” organizing records in the Code Office and updating procedures and regulations. Mr. Francisco stated that the Town should “alert the public” to proposed changes to fees and notifications. Mr. Finch stated that perhaps an article could be run in the **Country Courier** regarding the proposed changes.

RESO 2015-34: APPROVE NSF FEE CHARGE BACK/\$35.00 PER INCIDENT

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves setting a fee of \$35.00 per incident as a charge back to the check issuer for checks returned for non-sufficient funds (NSF).

Seconded by Mr. Francisco.

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

Ms. Houston explained that this fee will be in addition to the \$10.00 bank fee already being charged back for NSF returned checks. The auditors will determine the best way to handle this fee.

RESO 2015-35: APPROVE ORDERING/DIGITAL TOWPATH PROGRAM/CODE AND ASSESSOR OFFICES

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the ordering of the Digital Towpath computer program to be used in the Code and Assessor Offices. The basic cost (CMS and E-mail) will be \$750.00.

Seconded by Mr. Dumian.

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

RESOLUTION TO ADOPT NEW PRELIMINARY FEMA FLOOD PLAIN MAPS
TABLED

The Town Board decided to table its vote on adoption of the new preliminary FEMA (Federal Emergency Management Agency) flood plain maps, pending further information.

RESO 2015-36: RATIFY PAYMENT/U.S. POSTAL SERVICE/POSTAGE FEE/1ST QUARTER WATER & SEWER BILLING MAILING

Mr. Francisco moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #8851, account code SW8310-4, in the amount of \$312.80 to the U.S. Postal Service for the postage fee for the 1st Quarter Water and Sewer billing mailing.

Seconded by Mr. Dumian.

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

RESO 2015-37: AUTHORIZE PAYMENT/BILL LIST/\$145,521.70

Mr. Dumian 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 \$145,521.70:

General	\$ 32,815.38
Highway	88,872.62
Light District	1,043.78
Sewer District #1	7,312.96
Water District	6,836.96
Non-Budget	<u>8,640.00</u>
Total	\$145,521.70

Seconded by Mr. Francisco.

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

Mr. Finch explained that the large amount in the Highway line was due to orders of salt and sand for the roads and two payments on trucks that had been paid.

PUBLIC COMMENTS:

None.

RESO 2015-38: SCHEDULE PUBLIC HEARING/PROPOSED LOCAL LAW/CHANGE WORDING FROM “MANUFACTURED HOME” TO “MODULAR HOME”

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:05 P.M. on March 24, 2015, to receive input regarding a proposed local law which would change the wording in the Town Code from “manufactured home” to “modular home.”

Seconded by Mr. Bullock.

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

The Board will discuss the proposed local law regarding establishment of professional fees at the March 10 Board meeting. This proposed law would allow the Town to recoup 100% of the cost of notification for proposed projects.

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CODE ISSUE/BARBARA AVENUE

Mr. Bullock stated that the property on the corner of Barbara Avenue and Conklin Road looks like “a junkyard.” Mr. Finch stated that Mr. Lake will look into this problem.

Mr. Bullock thanked Ms. Houston for her work preparing the lists of overdue water and sewer bills.

SECESSION FROM NEW YORK STATE

Mr. Bullock challenged Mr. Finch’s statement to the media which stated that the Town of Conklin is among a number of municipalities that wish to secede from New York State and join Pennsylvania. He stated that Mr. Finch should “keep the Board out of it” and tell the media that he (Mr. Finch) is speaking for the gas coalition and not for the Town Board. He also questioned Mr. Finch conducting interviews on this topic in his Supervisor’s office. Mr. Finch stated that he made the statement to bring the Governor’s attention to the economic plight of the Southern Tier.

NEWSLETTER

Mr. Boyle suggested that the Town resume publication of a quarterly newsletter to keep the residents apprised of developments and activities taking place in the Town. Mr. Finch stated that it costs over \$1,500 to mail a mailing to the entire Town. It was determined that the newsletter could be put on the Town website.

REACTION TO SECESSION STATEMENT/DUMIAN

Stating that he “completely disagrees” with Mr. Finch’s statement about seceding from New York State, Mr. Dumian read the following statement into the minutes:

“I completely disagree with Conklin succeeding from New York State. This statement was made after the decision was announced to not allow fracking in New York State. I explained to the Town Supervisor after the first time the statement was made that I disagreed, and I also explained why I thought it could potentially have a negative impact on the approval of Natural Gas extraction here in Conklin.

“Although I support Safe Natural Gas extraction, I believe there were other options to show New York State how some of the residents in Conklin support alternative energy resources. The Supervisor should have clarified that he was making this statement as an individual, not as a Town Supervisor.

“There were not any facts to show that the majority of the residents in Conklin supported this statement, and it was not thought out clearly in my opinion. We are currently working on New York State Rising Community Grant money to the tune of 3,000,000 dollars, and we need this money to help with flood remediation. I emphasize, New York State Rising Community Grant money.

“Moving forward, I can only hope that for those residents who believe that the Town of Conklin board supported the statement in regards to seceding from New York State, I can make sure that everyone is aware that we never voted on or approved this type of action.

“The next time a blanket statement is made by an individual, I hope they clarify that they are speaking out as an individual, not as a Town Supervisor. Again, there were not any facts provided to show that the majority of the residents in Conklin supported this statement or action.

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“We sit on this board due to the fact that a majority of the residents chose us to represent them. Let’s keep the majority in mind moving forward, not personal agendas.”

ICE SKATING PARTY

Town Clerk Sherrie Jacobs reminded those present that the Conklin Kiwanis Club is sponsoring its second Ice Skating Party from 11 A.M. until 2 P.M. on February 28, 2015, at the Conklin Ice Rink in Schnurbusch Park, with free hot dogs, hot chocolate, coffee, and s’mores.

BUILDING AND CODE ISSUES

Mr. Finch stated that the apartment buildings on Barbara Avenue have been sold, adding that the buildings must be raised and must be brought up to Code standards.

Mr. Finch stated that a company that sells Amish sheds is considering the lot owned by Ron Aton near the Sunoco station, adding that the office must have water and sewer. He stated that the Planning Board met on February 23, 2015, but still did not approve the site plan. Ms. Sacco stated that a long-form SEQR (State Environmental Quality Review) process may be required. Mr. Lake will research this project.

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Dumian. The meeting adjourned at 6:40 P.M.

Respectfully submitted,

Sherrie Jacobs
Town Clerk