

REGULAR TOWN BOARD MEETING

MARCH 8, 2016

CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from Thomas, Collison, and Meagher regarding ADEC Solutions USA, Inc., PILOT agreement.

PUBLIC COMMENTS:

None.

REPORT: TOWN CLERK

Refer to written report.

REPORT: HIGHWAY DEPARTMENT

In addition to his written report, Highway Superintendent Brian Coddington stated that his department has been replacing road signs, cold patching roads, and grooming the shoulders of the Town roads. He stated that his crew removed trees and filled in behind the guide rails on Ketchum Road. Mr. Francisco asked if Mr. Coddington had a stockpile of sand and salt because of the mild winter and Mr. Coddington replied that his supply is “back to what it was prior to last year.”

Mr. Coddington stated that no tires will be accepted by the Town during its annual clean-up days because Broome County will not waive the tipping fee to take tires to the County Landfill. He stated that May 4 will be Clean-up Day to take items to the County Landfill, adding that residents will be able to have the Highway Department pick up white goods prior to that by calling and requesting a pick-up. More information will be available at the March 22 meeting.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Public Works Superintendent Tom DeLamarter reported that the ice rink has been taken down and work has begun on getting the parks ready for spring. Mr. Dumian and Mr. Francisco both asked if the liner of the ice rink is in good shape and Mr. DeLamarter stated that the liner is in good shape.

Mr. DeLamarter stated that there is a problem with Well 6, but added that he is not sure if it is the pump or the motor. He stated that Well 5 was put on line and the pump quit, which resulted in the purchase of a new motor for that pump. He stated that the computer at Well 5 is also not working, adding that he is waiting for Scadatech to make repairs. Mr. DeLamarter stated that when these problems have been addressed, Well 6 will be repaired.

Mr. DeLamarter stated that his department fixed a water main break on Corporate Drive after the main broke, adding that they went through the correct protocol and procedure. He added, “You don’t dig up a County road unless you are sure there is a break.”

Mr. Boyle asked if there is lead present in the Town of Conklin water and Mr. DeLamarter replied that “15.0 is the maximum level; 1.1 is detectable; and Town of Conklin water has 0.6.”

REGULAR TOWN BOARD MEETING

MARCH 8, 2016

REPORT: CODE OFFICER

Refer to written report. Mr. Finch stated that Code Officer Ron Lake is writing a proposal regarding modular and manufactured homes. Ms. Sacco stated that the changes in the Code regarding this matter “were made on purpose,” adding that this Board “can change its mind” regarding decisions that were made in the past. She stated that some things are controlled by the New York State Building Code, to which Mr. Dumian replied, “I don’t care what New York State does.” Ms. Sacco stated, “We must use a process if we deviate from New York State.”

REPORT: SUPERVISOR’S OFFICE

Refer to written report.

OLD BUSINESS:

HIGHWAY GARAGE ELECTRICAL SUPPLY

Mr. Dumian addressed the issue of emergency preparedness, asking when the three generators which were purchased as Army surplus three years ago will be hooked up, adding that he has been told this would happen soon. Mr. DeLamarter stated that he is working on hooking up two of them for the Water and Sewer systems, and Mr. Coddington stated that he is “working on quotes,” adding that he is using an old generator that the Highway Department has had, rather than one of the newly purchased ones. Mr. Francisco stated that he needs more information regarding the changes to the original plan of hooking up the generators. There was discussion regarding three-phase vs. single phase and other aspects of the process. Mr. Bullock asked if all the hook-ups would be kept the same and Mr. Francisco replied, “It would be great if we could.” Mr. Coddington stated that he was told at a Board meeting that there would be no generator for the Highway Garage; therefore he proceeded with what the department already had. Mr. Francisco corrected him, stating that there would be “none dedicated for any one location.” Mr. Francisco is going to meet with Assistant Code Officer John Rudy, who is also an electrical inspector, to discuss the three Army surplus generators. Mr. DeLamarter stated that he wants a permanent generator at Sewer Station 5 at Julius Rogers Park. Mr. Francisco stated that the Town must “monitor funds.” Mr. Coddington stated, “It has been three years. I want to get things moving.”

BOARD ROOM SOUND SYSTEM

Town Clerk Sherrie Jacobs stated that she is still waiting for responses from ProCon and from Sweetwater regarding the Board room sound system. Mr. Finch stated that he has not heard from Terry Burke either regarding this project. Ms. Jacobs stated that she wants the Board to be able to “compare apples to apples.”

NEW BUSINESS:

ADEC SOLUTIONS USA, INC./PILOT AGREEMENT

A discussion was held regarding the PILOT (Payment In Lieu Of Taxes) Agreement with ADEC Solutions USA, Inc. Mr. Finch stated that he spoke with Kevin McLaughlin, Director of the Broome County Industrial Development Industry (BCIDA), which controls properties in the Corporate Park, and asked if the PILOT agreement offered to ADEC is the standard PILOT. Ms. Sacco explained that BCIDA policy does not require local municipalities to approve PILOT

REGULAR TOWN BOARD MEETING

MARCH 8, 2016

agreements, therefore the Town has no authority to change the PILOT agreement offered by the BCIDA. Mr. Finch stated that he explained to Mr. McLaughlin that the Town “needs financial help.” Further discussion will be held over until the March 22 meeting.

HEALTH INSURANCE/MEDICAL POOL/POLICY MANUAL

Mr. Dumian stated that he has looked at changes made to the Employee Policy Manual in 2010 and 2013 and has discussed it with some department heads, adding that the changes “had a negative impact on retirees and employees.” He stated that he has been told the Town “must grandfather in everyone,” and has been told that “the Town didn’t have the money” so changes were made. He stated that the Town Board “cannot create benefits for itself and take away from employees and retirees.” Mr. Finch replied that the Town was in a “financial crunch” in 2010.

Discussion ensued regarding whether to decrease employee contribution to health insurance, currently at 25%, to 15% or 20%, and whether to increase the medical pools back to \$1,000 and \$2,000. Mr. Bullock stated that he would like to see increases in increments, rather than in one large jump. He also stated that he would like to see something in place to protect benefits for retirees from being changed and/or taken away by future Boards. Ms. Sacco stated that these are policy decisions and that this Board “cannot take power away from future Boards.” She added that if it is a unilateral action it is policy-driven, but cited federal law, such as the “railroad law,” as being an overriding force. Mr. Dumian stated that he is “not in favor of taking benefits away from one and giving to the other.” Ms. Sacco suggested using hire dates. Mr. DeLamarter stated that he was hired prior to 1990, when there was no employee contribution to health insurance, adding that this has changed several times. Mr. Bullock stated that “good employees deserve good benefits.” Mr. Dumian stated that the Board should “correct what has been done” and make “good ethical and moral decisions.” The Board discussed reinstating the higher pool monies. It discussed the employee contribution to health insurance, noting that, at 25%, Town of Conklin employees pay the highest percentage in municipal government in Broome County. Assistant to the Supervisor Lisa Houston asked if changes to employee contribution would become effective January 1, 2017. It was decided that pool money increases would be for retirees and current employees. Ms. Houston explained that there are five retirees who fall under the “railroad law” and receive \$500 in pool money plus Medicare reimbursement at \$300 per quarter. Ms. Sacco asked if this is “double dipping” and Ms. Houston stated that it is not.

RESO 2016-38: AMEND EMPLOYEE POLICY MANUAL/MEDICAL POOLS

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin amends the Employee Policy Manual on pages 13 and 14 to affect those discussed in regard to Medical Benefits Pools and to amend page 13, number 2, to specify “retired elected officials.” This resolution will increase Medical Benefits Pool money from \$1,000 to \$1,500 for full-time employees and elected officials, and from \$500 to \$1,000 for retirees and current part-time employees.

Seconded by Mr. Dumian.

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

Discussion continued, turning to the issue of sick leave with pay. The current policy is only allowing three days out of 12 per year to be held over to the following year. Both Mr. Coddington and Mr. DeLamarter stated that this policy would make it very difficult to build up

REGULAR TOWN BOARD MEETING

MARCH 8, 2016

any significant sick time if the employee became very ill and/or needed surgery. The current maximum to accrue is 36 days. Both Mr. Dumian and Mr. Bullock stated that employees should be allowed to carry over all 12 days, if not used in the calendar year. Ms. Sacco spoke about the issue of “sick banks,” which she added are fed by employee contributions, noting that they are “difficult” to handle.

RESO 2016-39: AMEND EMPLOYEE POLICY MANUAL/SICK DAYS CARRYOVER

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin amends the Employee Policy Manual on page 10, paragraph 1b, to read “a maximum of 12 sick days,” with the change to be effective immediately.

Seconded by Mr. Dumian.

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

Discussion then turned to the issue of vacation days earned. After discussing various options, the Board decided to change the crediting of two weeks (10 days) paid vacation after two years worked, instead of the current four years worked.

RESO 2016-40: AMEND EMPLOYEE POLICY MANUAL/VACATION DAYS EARNED

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin amends the Employee Policy Manual on page 9, paragraph 5b, from “4 full years of service” to “2 full years of service,” effective immediately and not retroactive.

Seconded by Mr. Dumian.

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

RESO 2016-41: RATIFY PAYMENT/GREATER BNGHAMTON CHAMBER OF COMMERCE/REGISTRATION/MEETING WITH STATE LEADERS

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #10510 in the amount of \$36.00 to the Greater Binghamton Chamber of Commerce for registration for three people for a meeting with New York State officials.

Seconded by Mr. Dumian.

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

RESO 2016-42: AUTHORIZE PAYMENT/BILL LIST/\$99,760.88

Mr. Bullock moved for the following resolution:

REGULAR TOWN BOARD MEETING

MARCH 8, 2016

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Bill List in the total amount of \$99,760.88:

General	\$ 14,233.84
Highway	71,112.88
Sewer District #1	7,592.00
Water District	<u>6,822.16</u>
Total	\$ 99,760.88

Seconded by Mr. Francisco.

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

RESO 2016-43: APPROVE 2016 ANNUAL PARK PERMITS/TWO MOBILE HOMES

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following 2016 Annual Park Permits for Mobile Home Parks located in the Town of Conklin:

Blue Ridge Park Holdings LLC	(Blue Ridge Mobile Home Park)
Pride Park Holdings LLC	(Pride Manor Mobile Home Park)

Seconded by Mr. Dumian.

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

PUBLIC COMMENTS:

None.

MOBILE HOMES NOT IN MOBILE HOME PARKS

Ms. Sacco stated that the restrictions on mobile homes not located in mobile home parks were the result of policy decisions made at the time, adding that the Board would find information in the Board minutes from the November 13, 2007 meeting. Mr. Dumian asked if the Board will have Mr. Lake's proposal regarding this matter before the March 22 meeting and Mr. Finch stated that this will be the case.

Ms. Sacco commented that she is awaiting feedback regarding the proposed local law regarding swimming pools.

HISTORIAN/CASTLE

Mr. Bullock asked about the current Town Historian and whether she is still interested in the job. Town Clerk Sherrie Jacobs pointed out that the Historian and the Conklin Historical Society are two different things, as the discussion was becoming confused. Mr. Bullock stated that repairs to the Castle exterior need to be started, adding that the Board needs quotes for repairing the concrete and painting the exterior for the April 12 meeting. He also stated that he wants to know rules and regulations from the DEC (New York State Department of Environmental Conservation) regarding painting the exterior and dealing with the lead in the original paint. Mr.

REGULAR TOWN BOARD MEETING

MARCH 8, 2016

Finch asked about the requirement for paying prevailing rates for the work. Ms. Houston stated that the Town has \$51,000 available for capital improvements.

RESIDENTIAL SOLAR FARMS

Mr. Boyle inquired about residential solar farms. Ms. Sacco distributed copies of a Renewable Energy local law (Chapter 85) which allows for a permitting process. She reminded the Board that the Town already has a wind energy local law. Ms. Sacco stated that natural gas and oil extraction permitting processes could be added to the Town Code, and asked if the Board would want to require applicants to get a Special Permit from the Town Board. Mr. Boyle stated that the law should protect homeowners. Ms. Sacco stated that the purpose of the law would not be for lease provisions, but rather to protect the Town. Mr. Bullock suggested getting input from the Code Officer.

Mr. Francisco asked about the Broome County solar farm scheduled to be constructed in the Corporate Park, asking if the electrical system is capable of handling power surges. Ms. Sacco stated that NYSEG (New York State Electric and Gas Corporation) does the studies on applications, including residential applications). Mr. Francisco asked if the Town can force NYSEG to inform the Town of new business and residential solar applications. Ms. Sacco suggested that the Board review the local law she had distributed, starting with section 85-812 and forward.

Mr. DeLamarter asked about solar panels at the Town Landfill and Mr. Finch stated that he is working on this possibility and that he had a meeting regarding it last week.

CASTLE FRONT DOORS

Mr. Francisco stated that he sent pictures of the door on the front of the Castle, and the surrounding area of the building, to Steve Menz for use in drafting a proposal for new doors for the Castle. Information will also be sent to MDR Builders. Mr. Francisco stated that Mr. Menz will meet with him to look at the current door on March 9 at 2 P.M.

REVISE RENTAL RATE/COMMUNITY CENTER

Mr. Finch stated that he would like to see the Board revise the rental rate for the Maines Community Center. It is currently \$300 plus a \$200 security deposit. He would like to see \$300 plus a \$100 security deposit. Another change would be, instead of requiring the total amount at time of booking, to require \$200 at time of booking with the remaining \$200 due 10 days prior to the scheduled event. If the renter defaulted, he or she would forfeit \$100 deposit.

RESO 2016-44: SET NEW RENTAL RATE/COMMUNITY CENTER

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin sets a new rental rate for the Maines Community Center of \$300 rental plus \$100 security deposit, with \$200 due at time of booking and the remaining \$200 due ten days prior to the scheduled event. Default would cost the renter \$100 deposit.

REGULAR TOWN BOARD MEETING
MARCH 8, 2016

Seconded by Mr. Finch.

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

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Dumian. The meeting adjourned at 8:05 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk