

**REGULAR TOWN BOARD MEETING**  
**MARCH 10, 2015**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on March 10, 2015. Mr. Finch, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b>	Town Board Members	Bullock, Boyle, Dumian, Francisco, Finch
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Highway Superintendent	Brian Coddington
	Code Officer	Ron Lake
	Public Works Superintendent	Tom DeLamarter
<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein
	President, Conklin Fair Comm.	William Krasowsky
		Laurie Francisco
		John Colley
		Eric Naro
		Brenden Naro
		Broch Hadlick
		Peter J. Motsavage
		Judy Kelly

**MINUTES: FEBRUARY 24, 2015 WORK SESSION & REGULAR TOWN BOARD MEETING**

Mr. Bullock stated that the February 24, 2015 Work Session and Regular Town Board Meeting minutes should be corrected on page 2 of the Town Board meeting minutes, line one from the top, to read “protect” instead of “project.”

Mr. Bullock moved to approve the February 24, 2015 Work Session and Regular Town Board Meeting minutes as corrected.

Seconded by Mr. Dumian.

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

**CORRESPONDENCE:**

Mr. Finch acknowledged receipt of a schedule for the continued demolitions of Flood Buyout Program properties from Gorick Construction Company and ZMK Construction Company.

Mr. Finch acknowledged receipt of correspondence stating that Decker’s Quarry on State Line Road has applied to renew its permit with the DEC (New York State Department of Environmental Conservation). He stated that Bailey’s Mine on Route 29 has been sold and the new owners are applying to the Town and to the DEC for mining permits.

**PUBLIC COMMENTS:**

None.

**REGULAR TOWN BOARD MEETING**  
**MARCH 10, 2015**

**REPORT: CODE OFFICER**

In addition to his written report, Code Officer Ron Lake discussed the current and proposed schedule of fees for the Code Office. Town Attorney Cheryl Sacco stated that she needs to know if each fee is set by local law or by Town Board resolution. Mr. Dumian stated that the Board should be “careful not to set fees so high as to discourage business.” Mr. Lake explained that some municipalities require a permit with a deposit for political campaign signs.

Mr. Lake stated that the required annual fire and safety inspections of businesses in the Town have not been done recently. He stated that he is compiling a list to see how many inspections need to be done, estimating 50 to 75. Mr. Lake stated that a Code Officer from the Town of Binghamton, John Ruddy, would be available to conduct inspections beginning in April, at a cost of \$18 per hour, as opposed to Mr. Lake’s cost of \$30 per hour. He stated that a small business would require one to two hours for an inspection to be completed, whereas a large business such as Maines Paper and Food Supply Company might require one to two days to complete.

The Board discussed the possibility of charging a fee for fire and safety inspections, with Ms. Sacco reminding the Board that these inspections are mandated by Town Law. Mr. Finch asked if the Town should require a flat fee per inspection, or a fee per square footage. Ms. Sacco stated that any fees charged should not be revenue generating but should only cover the cost of administration. Mr. Lake stated that Mr. Ruddy is a New York State certified electrical inspector, adding that the Town of Binghamton has Mr. Ruddy conduct electrical inspections and charges a fee to recoup the cost. It was noted that he could also issue tickets for parking violations in the Town of Conklin and could conduct residential building inspections on new construction or on remodeled structures.

**RESO 2015-39: APPOINT JOHN RUDDY/DEPUTY CODE OFFICER/PAY RATE**  
**\$18.00 PER HOUR/NOT TO EXCEED 19 HOURS PER WEEK**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin appoints John Ruddy to the position of Deputy Code Officer, at a pay rate of \$18.00 per hour, not to exceed 19 hours per week.

Seconded by Mr. Finch.

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

It was noted that Mr. Ruddy will ask for no or minimal benefits. Mr. Dumian asked to table the question of whether to have Mr. Ruddy use his personal vehicle and pay him for mileage reimbursement for discussion at the March 24 meeting, stating, “I want to have all the facts before I vote.” It was noted that businesses will be sent a warning notice about upcoming inspections.

**REPORT: TOWN CLERK**

Refer to written report.

**REGULAR TOWN BOARD MEETING**  
**MARCH 10, 2015**

**REPORT: HIGHWAY DEPARTMENT**

In addition to his written report, Highway Superintendent Brian Coddington reported that his department has been gaining on salt supplies and will mix more salt/sand mix when the salt supplies have been replenished. He stated that his department has been repairing trucks and has helped the Water and Sewer and Parks Departments.

**RESO 2015-40: AUTHORIZE ADVERTISEMENT/COUNTRY COURIER/WHITE GOODS & BRUSH PICK-UP/MAY 4-15, 2015/MAY 6 – MUNICIPAL CLEAN-UP DAY**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes advertisement in the **Country Courier** for white goods and brush pick-up to run from May 4 through May 15, 2015, and for Municipal Clean-up Day, to be held May 6, 2015.

Seconded by Mr. Dumian.

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

Mr. Coddington stated that pick-up will be upon request.

**REPORT: WATER & SEWER DEPARTMENT**

In addition to his written report, Public Works Superintendent Tom DeLamarter reported that his department repaired 13 frozen water lines this month, as well as repairing water main breaks. He stated that Gary Dyer Excavating dug a pipe for his department on MacGeorge Street. Mr. DeLamarter commented that People's Security Bank had an extensive water main break which was very costly for them to repair. He stated that his department had been cleaning out fire hydrants. Mr. DeLamarter noted that the demolitions have started again, adding that 9 JR Boulevard is completed, and work on 4 Terrace Drive will begin on March 11. He added that Gorick Construction Company will begin demolition of 20 Woodcrest Way next week. Mr. Dumian asked about the use of an outside excavator for the dig on MacGeorge Street and Mr. DeLamarter explained that this is required for safety.

**RESO 2015-41: APPROVE T. DELAMARTER/ATTEND NYS RURAL WATER CONFERENCE/VERONA, NEW YORK**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Public Works Superintendent Tom DeLamarter to attend the annual New York State Rural Water Conference in Verona, New York, May 18 through May 21, 2015, with all necessary expenses.

Seconded by Mr. Dumian.

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

**REPORT: SUPERVISOR'S OFFICE**

Refer to written report.

## **REGULAR TOWN BOARD MEETING**

**MARCH 10, 2015**

### **NEW BUSINESS:**

#### **MOPED RALLY AT CONKLIN FAIR**

William Krasowsky, President of the Conklin Fair Committee, Inc., discussed a way to potentially increase revenue for the Conklin Fair, which he stated costs about \$20,000 to put on for the community. He stated that the Moped Club of Syracuse would like to host a moped rally at the 2015 Conklin Fair, utilizing the Town dog park, which would require permission from the Town Board. Mr. Krasowsky stated that there will be no racing involved, adding that moped is short for “motorized pedal bike,” with a top speed of 27 miles per hour. He stated that 20 moped clubs would attend the rally and pay vendor fees to set up at the Fair, bringing approximately \$1,000 more revenue to the Fair. Mr. Krasowsky stressed that this is a family-oriented activity, with participants ranging in age from children to age 77 years.

Each moped club carries its own insurance. The Syracuse Moped Club, which would sponsor the rally, has its own insurance. The Conklin Fair Committee carries its own insurance. This leaves the Town of Conklin, fourth in line for liability, very well protected. Mr. Krasowsky stated that the Moped Club has offered to put up a temporary guardrail on the bridge on the track, and then take it down after the Fair. Mr. Finch asked if the group might consider using the parking lot instead of the track in the dog park, but Mr. Krasowsky stated that the Moped Club wants to be able to use the track. He reminded Mr. Finch that the Town closed the dog park in 2014 during the hours of operation of the Fair.

Mr. Francisco asked if only the moped owners would be riding the mopeds and Mr. Krasowsky confirmed that this is the case. Attorney Sacco stated that the moped owners would be required to sign “hold harmless” waivers and added that the insurance provided would be required to list the Town of Conklin as “additional insured.” She stated that it would also need to be approved by legal counsel. The moped clubs would be required to agree to repair any damage they caused, and Code Officer Ron Lake would inspect. Mr. Francisco asked about the entrance and egress and Mr. Krasowsky stated that it would be through the existing entrance gates to the dog park. Mr. Finch stated that the Town would need to consult with its insurance company.

Mr. DeLamarter commented that the blacktop near the bridge in the dog park needs to be repaired. Mr. Boyle stated that this should be repaired, whether or not the moped rally is approved. He added that he sees no problem with approving the moped rally. It was reiterated that only the owners of the mopeds will be able to ride them. Mr. Francisco asked if mopeds are licensed to be ridden on the street and Mr. Krasowsky replied that he does not know, adding that he assumes this is not the case, since riders younger than 16 years of age operate them. He added that the Sheriff’s Department will be on site during the Fair. Mr. Francisco asked where the moped clubs will vend and Mr. Krasowsky stated that they will be on the fairgrounds with the other vendors. Mr. Francisco asked where the moped owners, who will be staying on the fairgrounds, will park their trailers, and Mr. Krasowsky replied that he was thinking they would park on the new lot acquired by the Town from the Flood Buyout Program, along with employees of the ride company. Mr. Bullock stated that he is in favor of allowing the moped rally to take place, and Mr. Francisco agreed that he, too, is in favor. Mr. Krasowsky remarked that this addition to the Fair will bring an additional 200-300 people to the Town of Conklin, which will be beneficial for the community groups which vend at the Fair and for the businesses in Conklin. Ms. Sacco asked how much insurance coverage the Fair Committee’s policy provides and Mr. Krasowsky replied that the Fair Committee’s policy provides \$2 million of coverage. Mr. Bullock commented that the Town should repair any damage to the pavement whether or not the rally is approved.

**REGULAR TOWN BOARD MEETING**  
**MARCH 10, 2015**

**RESO 2015-42: APPROVE MOPED RALLY AT CONKLIN FAIR/CONTINGENT  
UPON LEGAL APPROVAL AND MEETING OF INSURANCE AND WAIVER  
REQUIREMENTS**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves holding a moped rally at the Conklin Fair, on July 16, 17, and 18, 2015, contingent upon legal approval and meeting of insurance and waiver requirements.

Seconded by Mr. Bullock.

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

Ms. Sacco stated that she will create a release document by the March 24 Town Board meeting.

**OLD BUSINESS:**

**UPDATE/NEW YORK STATE RISING COMMUNITY GRANT**

Mr. Finch stated that the New York State Rising Community Grant Committee will meet at 4:00 P.M. on March 11, 2015. Ms. Sacco noted that 24 RFQ (Request For Quote) packets have been sent to bidders, with a deadline for submittal of a bid of 3:30 P.M. on April 2, 2015. The Selection Committee will review any bids received and will make a recommendation to the Rising Community Grant Committee. Ms. Sacco noted that the legal notice for the availability of the RFQ packets ran in the **Contract Reporter**, as required by the New York State Rising Community Grant Committee.

**NEW BUSINESS:**

**TAX CERTIORARI/878 CONKLIN ROAD**

Ms. Sacco stated that an agreement had been reached with the owners of 878 Conklin Road regarding the tax certiorari case on the property. A full market value of \$150,000 will be assessed for the building for the years 2013 and 2014, requiring a refund of taxes paid, and, going forward, for the years 2015, 2016, and 2017. Ms. Sacco explained that the reduction is due to the condition of the building and a number of other factors. She stated that this building was formerly owned by BAE and currently is owned by Brinks. She stated that the reduction is not based on the flood damage.

**RESO 2015-43: ACCEPT SETTLEMENT/TAX CERTIORARI/878 CONKLIN  
ROAD/AUTHORIZE TOWN ATTORNEY TO SIGN LEGAL RELEASE**

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the proposed settlement of the tax certiorari case regarding 878 Conklin Road, and authorizes the Town Attorney, Cheryl Sacco, to sign the legal release on behalf of the Town of Conklin.

Seconded by Mr. Bullock.

**REGULAR TOWN BOARD MEETING**  
**MARCH 10, 2015**

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

**RESO 2015-44: RATIFY APPROVAL/TOWN OF CONKLIN GOVERNMENT CRIME INSURANCE POLICY**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the approval of the Town of Conklin Government Crime Insurance Policy, in the amount of \$1,239.00.

Seconded by Mr. Dumian.

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

Mr. Finch stated that this policy includes liability coverage in the amounts of \$250,000 and \$500,000.

**RESO 2015-45: RATIFY PAYMENT/GREATER BINGHAMTON CHAMBER OF COMMERCE/EGGS & ISSUES MEETING/2-5-2015**

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #8929, account code A1620.4, in the amount of \$35.00 to the Greater Binghamton Chamber of Commerce for registration for the Eggs and Issues meeting held on February 5, 2015.

Seconded by Mr. Finch.

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

**RESO 2015-46: AUTHORIZE PAYMENT/BILL LIST/\$65,776.12**

Mr. Francisco 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 \$65,776.12:

General	\$30,924.11
Highway	9,517.52
Sewer District #1	17,978.05
Water District	<u>5,531.38</u>
<b>Total</b>	<b>\$65,776.12</b>

Seconded by Mr. Boyle.

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

**PUBLIC COMMENTS:**

**REGULAR TOWN BOARD MEETING**

**MARCH 10, 2015**

**PARKING VIOLATIONS/MILLBURN DRIVE**

John Colley of Millburn Drive stated that there is a resident on his street that parks their car on the road during snowstorms, in violation of Town Code, and which impedes snow plowing. Ms. Sacco stated that the newly appointed Deputy Code Officer, John Ruddy, would be able to issue tickets for parking violations.

**PORTABLE TOILET FOR PERSONS WITH DISABILITIES AT COMMUNITY CENTER**

Mr. Bullock commented that he does not believe the Town needs a portable toilet for persons with disabilities outside the Community Center, adding that it could be replaced with a standard sized portable toilet for half the cost. The current one costs \$180 per month, and a standard sized would cost \$90 per month. The portable toilets are pumped once per week. Mr. DeLamarter stated that this issue was discussed three years ago.

**NEW FLOOD PLAIN MAPS**

Mr. Bullock stated that he talked to his insurance agent about the new flood plain maps and learned that they will probably be approved within the next two to three years, at which time homeowners' flood insurance costs will increase two to three times the current cost. He stated that having an elevation certificate will not help if the property has already been flooded once. Mr. Dumian added that no one will be "grandfathered in."

\

**MUNICIPAL CLEAN-UP**

Mr. Boyle asked Mr. Coddington if there is a size limit on the white goods pick-up, and Mr. Coddington replied that there is nothing stated about it, although he added, and Mr. Bullock concurred, that the list of what is acceptable to take pick up is reduced each year. Mr. Dumian asked if the Highway Department can decline to accept and pick up a commercial load of refuse. Mr. Coddington stated that this decision is up to the Town. He stated that household garbage, construction materials, tires, and electronics are not permitted. Mr. Coddington stated that Broome County waives the tipping fees at the County Landfill for one day so that the material picked up by the Town can be brought to the Landfill.

**DOG CONTROL VAN**

Town Clerk Sherrie Jacobs asked when the van will be ready for use by the Dog Control Officer. Mr. Finch stated that he will call tomorrow (March 11) to see when the new truck will be ready for the Parks/Water & Sewer Department, so that the van can be used by the Dog Control Officer. Ms. Jacobs also thanked Mr. Boyle for moving file cabinets out of the basement of the Castle for use by the Dog Control Officer.

**OFFICE FOR THE AGING/SENIOR ACTIVITIES CENTER**

Mr. Finch stated that the Broome County Officer for the Aging is interested in establishing a place where senior citizens could meet and enjoy games and social activities three or four times per week. Mr. Francisco commented that the deed restrictions of the Castle prohibit charging for the use of that building. It was noted that the Bone Savers exercise group and a pinochle group already use the space in the Castle several days a month, so that would have to be taken into

**REGULAR TOWN BOARD MEETING**  
**MARCH 10, 2015**

consideration for any scheduling. Another issue is the parking at the Town Hall, which is limited.

**TIME WARNER CABLE FRANCHISE AGREEMENT**

Mr. Finch stated that the Town of Binghamton has approved its new franchise agreement with Time Warner Cable, and asked if Ms. Sacco had an update on the status of the Town of Conklin's new agreement. She stated that she will look into this situation.

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Dumian. The meeting adjourned at 7:19 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk