

**WORK SESSION**  
**MARCH 24, 2015**

The Town Board of the Town of Conklin held a Work Session at 5:30 P.M. on March 24, 2015, at the Conklin Town Hall. 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
	Assistant to Supervisor	Lisa Houston
	Code Officer	Ron Lake
	Highway Superintendent	Brian Coddington
	Public Works Superintendent	Tom DeLamarter
	Zoning Board of Appeals	Hal Cole

<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein
		Laurie Francisco
		Peter J. Motsavage
		Tom Kelly
		Ellen Osborne
		William Osborne, Jr.
		John Colley
		Chris Kehoe
		Gary E. Huntley
		David Wagstaff
		Bill Osborne

**CODE DEPARTMENT PERMIT PRICING**

Code Officer Ron Lake presented his recommendations for permit pricing for the Code Department. Some questions were raised regarding temporary pools, which have four foot high walls, including whether or not such a pool requires a permit, and, if it does, what should be the fee for the permit. Mr. Lake stated that these pools must be inspected for safety.

Questions were also raised regarding Special Use Permits – whether they are granted by the Town Board or by the Planning Board, and whether they are issued for a two, three, or five year cycle. Ms. Sacco commented that updating the Professional Fees Law would help solve some of the Board’s questions. The amount to charge for political signs was also discussed. Ms. Sacco stated that she will research some of the issues on the permit price structure for the April 14, 2015 Town Board meeting.

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

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk

**REGULAR TOWN BOARD MEETING**  
**MARCH 24, 2015**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on March 24, 2015. Mr. Finch, Supervisor, presided.

**PRESENT:** Town Board Members                      Bullock, Boyle, Dumian, Francisco, Finch

Town Counsel                      Cheryl Sacco  
Town Clerk                      Sherrie L. Jacobs  
Assistant to Supervisor                      Lisa Houston  
Code Officer                      Ron Lake  
Highway Superintendent                      Brian Coddington  
Public Works Superintendent                      Tom DeLamarter  
Zoning Board of Appeals                      Hal Cole

**GUESTS: Country Courier**

Elizabeth Einstein  
Laurie Francisco  
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Tom Kelly  
Ellen Osborne  
William Osborne, Jr.  
John Colley  
Chris Kehoe  
Gary E. Huntley  
David Wagstaff  
Bill Osborne



**PUBLIC HEARING**  
**TO RECEIVE INPUT REGARDING A PROPOSED LOCAL LAW**  
**CHANGING LANGUAGE IN THE TOWN CODE FROM “MANUFACTURED HOME”**  
**TO “MODULAR HOME”**

**PRESENT:** Same as page one.

Notice of Public Hearing having been duly advertised, Mr. Finch opened the Public Hearing at 6:05 P.M. and asked those present to speak either for, or in opposition to, the proposed local law changing the language in the Town Code from “manufactured home” to “modular home.” Town Counsel Cheryl Sacco explained that the change is to correct the language in the Town Code.

There being no further questions or public comments, Mr. Finch closed the Public Hearing at 6:06 P.M.



Ms. Sacco stated that the Planning Board recommends adoption of this local law and added that the Broome County Form 239 was received with no comments added. She added that this is a Non-Action under SEQRA (State Environmental Quality Review Act).

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**RESO 2015-47: APPROVE ADOPTION OF LOCAL LAW NO. 1-2015:**  
**AMENDING ARTICLE IV FROM**  
**“MANUFACTURED HOME” TO “MODULAR HOME”**

**PRESENT:** Supervisor James E. Finch  
Councilman Gary D. Bullock  
Councilman Charles Francisco  
Councilman Dell Boyle  
Councilman William Dumian, Jr.

**ABSENT:** None

**Offered By:** Councilman Bullock                      **Seconded By:** Councilman Francisco

The Town Board (hereinafter “Town Board”) of the Town of Conklin (hereinafter “Town”), duly convened in regular session, does hereby resolve as follows:

**WHEREAS**, the Conklin Town Board held a public hearing at the Conklin Town Hall, 1271 Conklin Road in said Town, on March 24, 2015, commencing at 6:05 P.M. to hear all interested parties on a proposed local law entitled A LOCAL LAW AMENDING ARTICLE IV FROM “MANUFACTURED HOME” TO “MODULAR HOME,” and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town, and posted on the Town Clerk’s sign board, and

**WHEREAS**, said public hearing was duly held at the Conklin Town Hall at 6:05 P.M. on March 24, 2015, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof, and

**WHEREAS**, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act)(“SEQRA”), it has been determined by the Conklin Town Board that adoption of the proposed Local Law does not constitute an action as defined and could be considered without further regard to SEQRA, and

**WHEREAS**, the Conklin Town Board, after due deliberation, finds it in the best interest of the Town to adopt said local law, and

**NOW, THEREFORE**, the Conklin Town Board hereby adopts said local law entitled “A LOCAL LAW AMENDING ARTICLE IV FROM ‘MANUFACTURED HOME’ TO ‘MODULAR HOME’.”

**THEREFORE**, the Town Clerk be and she hereby is directed to enter said local law in the minutes of this meeting and to give due notice of the adoption of said local law to the Secretary of State.

**RESOLVED**, that this resolution will take effect immediately.

**CERTIFICATION**

I, Sherrie L. Jacobs, do hereby certify that I am the Town Clerk of the Town of Conklin and that the foregoing constitutes a true, correct, and complete copy of a resolution duly adopted by the Town Board of the Town of Conklin at a meeting thereof held at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on March 24, 2015. Said resolution was adopted by the following roll call vote:

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Supervisor James E. Finch	YES
Councilman Gary D. Bullock	YES
Councilman Charles Francisco	YES
Councilman Dell Boyle	YES
Councilman William Dumian, Jr.	YES

Town of Conklin Seal

Dated: March 24, 2015

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Sherrie L. Jacobs  
Town Clerk of the Town of Conklin

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

Mr. Francisco stated that the March 10, 2015 Regular Town Board Meeting minutes should be amended on page 2, in the discussion at the bottom of the page regarding Mr. Rudy's use of his personal vehicle or a Town-supplied vehicle. After Mr. Dumian's statement, "I want to have all the facts before I vote," Mr. Francisco stated that the following should be added: "We can't table the mileage. The Town must pay the federal rate if he uses his personal vehicle." Mr. Dumian commented that he is aware of this requirement; his concern was that Mr. Rudy use a Town vehicle if one is available. If a Town vehicle is not available, Mr. Rudy would use his personal vehicle and be reimbursed for mileage according to the federal rate. Mr. Bullock clarified that a truck has been ordered for the Parks and Water and Sewer Department.

Town Clerk Sherrie Jacobs noted that the minutes should be amended on page 2 correcting John Rudy's name from "Ruddy" to "Rudy." Ms. Sacco stated that the minutes should be corrected on page 5, in the discussion regarding the tax certiorari, to reflect that the name of the owners who filed the tax certiorari is 878 Conklin Road Associates, however, the address in question is actually 876 Conklin Road.

The discussion returned to staffing of the Code Office. Mr. Dumian made the point that, although Ron (Lake) is "doing a great job," his pay rate is \$30 per hour, and now Mr. Rudy's (the Deputy Code Officer) will be \$18 per hour plus mileage, although neither will claim employee benefits, and that for this combined cost, the Town Board could hire a full-time Code Officer to meet the residents' needs. Mr. Francisco asked, "So you think we should eliminate fire inspections because of cost?" Mr. Dumian replied, "That's not what I said." Mr. Dumian explained that the current Code Office staffing situation is a part-time, temporary arrangement, adding that he feels the Town should keep looking for a full-time Code Officer. He stated that the Town does not know how long Mr. Lake will be available to work for the Town, as he is an engineer with other commitments. Mr. Boyle stated that he can see Mr. Dumian's point, but "thinks we have the best" person for the job. It was noted that John Rudy is a New York State certified electrical inspector. Mr. Dumian asked that it be noted in the minutes that he "agrees that fire inspections are necessary."

Town Clerk Sherrie Jacobs reminded the Board that all Town Law requires of the minutes is that they list actions taken, and votes, with any detailed discussions being additional information. She therefore does not include every comment made by a Board member, especially those said in a side conversation to another Board member.

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Mr. Bullock moved to approve the March 10, 2015 Regular Town Board Meeting minutes with the noted corrections and additions.

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 the Office of Homeland Security regarding the new flood maps. Discussion was tabled until the April 14, 2015 Town Board meeting.

**PUBLIC COMMENTS:**

None.

**OLD BUSINESS:**

**UPDATE/TUZZE SALT DISTRIBUTION FACILITY**

Mr. Finch stated that Mr. Joseph Tuzze, owner of the salt distribution facility located on Hardie Road, is attempting to purchase a parcel on the southern side of his property, so that he might build a road in from Progress Parkway, off Powers Road. This would eliminate the traffic issues on Hardie Road. However, Mr. Finch added, the business which owns the parcel in question is currently closed, so no progress has been made on this project.

**NEW BUSINESS:**

**SUSQUEHANNA VALLEY GIRLS BASKETBALL TEAM/NEW YORK STATE CHAMPIONS/PROCLAMATION**

Mr. Finch announced that the Susquehanna Valley Girls Basketball Team had won the New York State Championship and added that the Town will be presenting the team and coaches with a proclamation celebrating this historical achievement.

**TOWN CLEAN-UP**

Mr. Finch stated that the Susquehanna Valley Athletic Department will be holding a clean-up day on April 16 and will be available to help senior citizens with outside spring clean-up. The Town Highway Department will be holding a town-wide clean-up day on May 6. It was noted that Code Officer Ron Lake had a letter published in the **Country Courier** addressing “drastic clean-up” needed in the Town, listing 18 points that should be checked for Code violations.

**TIME WARNER CABLE**

Mr. Finch asked Ms. Sacco if she has an update on the Town’s franchise agreement with Time Warner Cable. She stated that she has had no responses to her inquiries from Time Warner Cable, adding that she engaged the assistance of a municipal assistance consultant, who contacted Time Warner Cable on three separate occasions and also received no response. They “won’t negotiate,” stated Ms. Sacco. It was noted that Comcast is in the process of purchasing

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Time Warner Cable, which may be part of the delay. Discussion was held over until the April 14 Town Board meeting.

**GRANT FOR SEWER STATION**

Mr. Finch stated that Town Engineer John Mastronardi and Code Officer Ron Lake are working on paperwork to submit to the DEC (New York State Department of Environmental Conservation) regarding a grant in the amount of \$15,000 which could be used to fund a sewer station.

**SEX OFFENDER LAWS**

Ms. Sacco stated that the New York State Court of Appeals recently ruled that local governments cannot set boundaries on where sex offenders can reside. She added that this means the local laws that are part of the Town Code regarding sex offenders are not enforceable. Ms. Sacco stated that there are several new bills in the New York State Senate and Assembly, and recommended that the Town Board adopt a resolution recommending that Senate bill S.3295 be adopted. She stated that this bill allows local municipalities to adopt local laws which place additional restrictions on sex offenders, as long as these restrictions are not less restrictive than state laws. Mr. Dumian asked if the notification requirements for schools has changed and Ms. Sacco stated that there is a bill in discussion to require schools to notify people of the presence of sex offenders living in their community.

**RESO 2015-48: RECOMMEND NYS SENATE ADOPT SENATE BILL S.3295**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin recommends that the New York State Senate adopt Senate bill S.3295, allowing local municipalities to adopt local laws which place additional restrictions on sex offenders.

Seconded by Mr. Dumian.

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

**RESO 2015-49: RATIFY PAYMENT/GEORGE OGORMAN/PURCHASE OF THREE DISPLAY CASES FOR TOWN HALL**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #8991, account code A1620-4, in the amount of \$400.00 to George Ogorman for the purchase of three display cases for the Town Hall.

Seconded by Mr. Finch.

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

**RESO 2015-50: AUTHORIZE PAYMENT/BILL LIST/\$122,058.85**

Mr. Francisco moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Bill List in the total amount of \$122,058.85:

General	\$ 23,865.98
Highway	13,372.04
Light District	428.96
Sewer District #1	46,845.98
Water District	6,316.33
Non-Budget	<u>31,229.56</u>
<b>Total</b>	<b>\$122,058.85</b>

Seconded by Mr. Dumian.

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

**PUBLIC COMMENTS:**

None.

**MOPED RALLY AT CONKLIN FAIR/RELEASE FORM**

Ms. Sacco distributed copies of a prototype release form to be required from participants of a moped rally to potentially be held at the Conklin Fair in July 2015. She asked if the Board had checked with the Town of Conklin's insurance carrier to see if there are any problems with allowing the moped rally to take place. It was determined that any additional cost for insurance associated with this event would be paid by the Moped Army, the sponsoring organization. Ms. Sacco suggested that the Town ask its insurance carrier what the suggested insurance requirements for participants should be.

**CREDIT CARDS/DEPOSITS ON COMMUNITY CENTER & PARK PAVILIONS**

Mr. Boyle asked if it would be easier to allow credit cards to be used for payment for rentals of the Maines Community Center and the park pavilions, in order to keep track of and return deposits. Assistant to the Supervisor Lisa Houston stated that it would actually be much more complicated, because she would have to set up separate accounts for the deposits, and the Town would be required to make sure the credit card account information was secure and protected from hackers. She also stated that municipalities have special regulations for monitoring that they must follow.

**POWER SAVING BACK-UP/VOLTAGE FLICKER/HIGHWAY GARAGE**

Mr. Francisco stated that the voltage flicker at the Highway Garage has the potential to damage the computer and the base radio equipment. He suggested purchasing a UPS System filter which would control brownouts and power surges. Mr. Francisco stated that this equipment creates one-half hour of useable power when a power outage occurs. He stated that such a unit costs approximately \$240 at Best Buy. Highway Superintendent Brian Coddington agreed that this purchase is a good idea, to keep the computer and radio working in an emergency situation, until the generator is hooked up. Mr. Boyle asked if this particular unit is large enough to handle the load and Mr. Francisco replied that it is sufficient.

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**RESO 2015-51: APPROVE PURCHASE/UPS SYSTEM 1500 VA/POWER BACK-  
UP/HIGHWAY GARAGE/AT BEST BUY/\$239**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase of a UPS System 1500 VA power back-up from Best Buy at a cost of \$239 to be used at the Highway Garage.

Seconded by Mr. Boyle.

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

**RISING COMMUNITY GRANT COMMITTEE RFQ DEADLINE**

Mr. Finch reminded Mr. Hal Cole, chairman of the Selection Committee for the Rising Community Grant, that the RFQ (Request For Quotations) submittals for architectural and engineering services are due in the office of the Town Clerk by 3:30 P.M. on April 2, 2015.

There being no further business to come before the Board, Mr. Dumian moved for adjournment, seconded by Mr. Finch. The meeting adjourned at 6:45 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk