

REGULAR TOWN BOARD MEETING
MAY 10, 2016

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on May 10, 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
	Town Assessor	John McDonald
	Highway Superintendent	Brian Coddington
	Secretary to Supervisor	Lisa Houston
	Code Officer	Ron Lake
	Public Works Superintendent	Tom DeLamarter
	Zoning Board of Appeals	Tom Kelly

GUESTS:	Country Courier	Elizabeth Einstein
	Vieira & Associates	Nikki Mayers
	Vieira & Associates	Cheryl DiStefano
		Laurie Francisco
		John Colley
		LeRoy Jenkins

MINUTES: APRIL 26, 2016 WORK SESSION & REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the April 26, 2016 Work Session and Regular Town Board Meeting minutes as presented.

Seconded by Mr. Bullock.

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

CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from the Broome County Industrial Development Agency (BCIDA), as well as correspondence from the Town of Kirkwood regarding the Summer Fun Program. He also acknowledged receipt of the following letter of gratitude written by the Conklin Veterans Memorial Committee, which he read into the minutes:

“Dear Conklin Town Board:

“On behalf of the Board of Directors of the Conklin Veterans Memorial, I would like to thank the Town Board of the Town of Conklin for so generously procuring and installing the monument’s lighting system. The new installation has exceeded our expectations and members of the community have praised the improvement of the flags’ visibility at night.

“I know the work involved in the approval process, and the work required to make those decisions a reality, are not small. Your efforts are greatly appreciated, and the monument glows each night as a tribute to the accomplishments of the citizenry of Conklin.

REGULAR TOWN BOARD MEETING

MAY 10, 2016

“Kind regards,
“Paul Deeley
“Board Member, Conklin Veterans Memorial”

NEW BUSINESS:

2015 AUDIT REPORT

Nikki Mayers of Vieira & Associates, CPAS, P.C., presented the 2015 Audit Report of the Town of Conklin’s finances. She stated that her firm completed a single audit for FEMA (Federal Emergency Management Agency) as well as the regular annual audit of the Town’s finances, adding that “Lisa (Houston, Secretary to the Supervisor) was a great help, as always.” Ms. Mayers stated that there were “no difficulties” and “no concerns,” adding that two letters are attached to the Audit Report – a one-page management letter and a three-page letter of comments to the Board.

Walking the Board through the Audit Report, Ms. Mayers explained that pages 3 and 4 show the Financial Statement, adding that it was a “clean opinion” (no problems). She stated that pages 6 through 12 provide a management analysis and summary of the Financial Statement, while pages 13 through 19 display various statements.

Cheryl DiStefano of Vieira & Associates explained that GASPE 68 changed reporting requirements, especially requiring the Town’s portion of retirement responsibility, listed on page 13 as \$68,750. Ms. Mayers explained that pages 13 and 14 are the government statements of income and activity, while pages 15 through 17 provide details on the fund balances, noting that all are positive except the Sewer BAN (Bond Anticipation Note) Fund. Ms. Mayers stated that pages 16 through 18 are reconciliations to pages 13 and 14, while pages 20 through 45 provides notes to basic financial statements. She stated that pages 26-32 provide notes on retirement respective to GASPE 68, with page 28 providing detail from the New York State Retirement System. Ms. Mayers stated that pages 29 and 30 provide details about actuarial assumptions, while page 31 details sensitivity to the discount rate. She stated that pages 46 through 50 provide required supplementary information, with page 46 comparing budget to actual expenses, with a variance of \$57,865. Ms. Mayers stated that page 47 lists special revenue funds, with pages 48 through 50 providing additional required supplemental information. She stated that pages 51 and 52 detail non-major funds, while page 53 shows the FEMA Audit, with page 54 including notes regarding that audit. Ms. Mayers stated that page 55 details the financial reporting of the FEMA Audit, which she added showed “no weaknesses.” She stated that page 56 details government audit standards and the single FEMA Audit, adding that it is “unmodified,” with “no negatives.” Mr. Finch thanked Ms. Mayers and Ms. DiStefano, adding that the firm did a “great job, as always.”

AGREEMENT WITH ASSESSMENT AND APPRAISAL ASSOCIATES, INC.

Assessor John McDonald stated that the proposed contract would be the third three-year contract between the Town and his company, Assessment and Appraisal Associates, Inc., to provide assessment services to the Town. He stated that he receives no benefits and there have been no changes to the contract in the past six years. The proposed contract contains a 3% increase the first year and no increases in years two and three of the contract period. Mr. McDonald noted that this is his 27th year serving the Town of Conklin as Assessor.

REGULAR TOWN BOARD MEETING
MAY 10, 2016

RESO 2016-71: AUTHORIZE TOWN SUPERVISOR/SIGN
AGREEMENT/ASSESSMENT AND APPRAISAL, INC.

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 sign an Agreement with Assessment and Appraisal, Inc.

Seconded by Mr. Dumian.

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

PUBLIC COMMENTS:

None.

RESO 2016-72: RECESS FOR LEGAL ADVICE

Mr. Francisco moved to close the Regular Town Board Meeting so that the Board could recess for legal advice at 6:25 P.M.

Seconded by Mr. Dumian.

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

RESO 2016 73: RE-OPEN REGULAR TOWN BOARD MEETING

Mr. Boyle moved to re-open the Regular Town Board Meeting at 7:08 P.M.

Seconded by Mr. Bullock.

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

REPORT: TOWN CLERK

Refer to written report.

REPORT: HIGHWAY SUPERINTENDENT

In addition to his written report, Highway Superintendent Brian Coddington stated that his department conducted its annual clean-up of the Town and took the debris to the County Landfill. He stated that fallen trees have been removed, compost taken to the CHOW garden, ditches cleaned and pipes installed and signs updated within the Town. Mr. Coddington stated that repairs have been made to equipment, roads have been swept and millings installed where needed, and that side roads have been cleaned.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Public Works Superintendent Tom DeLamararter stated that he had applied to New York Rural Water for a grant for equipment for leak detection in the Town water system.

REGULAR TOWN BOARD MEETING

MAY 10, 2016

EMERGENCY SITUATION/SEWER SYSTEM

Town Attorney Cheryl Sacco addressed the need for upgrades at all five sewer pump stations to provide alarms on the pumps to send a signal if there is a problem. If the pumps get clogged, they will overheat and be damaged. Ms. Sacco explained that this alarm system is an urgent need because, without it, the Town could not keep the Town equipment safe and it would need to be replaced. She stated that if the sewer system backs up and overflows, it would create a health risk in businesses and homes.

RESO 2016-74: DECLARE SEWER SITUATION AN EMERGENCY/HIRE SCADATEK, INC. & A.C. SPEAR ELECTRIC, INC./EQUIPMENT & INSTALLATION

Mr. Finch moved for the following resolution:

Be It Resolved: In accordance with the Town's procurement policy and in accordance with General Municipal Law Section 104 (4), the Town declares its current sewer situation an emergency. There is an urgent and unexpected situation and the health and public safety of its residents is at risk and the conservation/protection of public resources is at risk; and, as such, the Town Board hereby hires Scadatek, Inc., for engineering professional services in an amount not to exceed \$10,000 and hires Scadatek, Inc., for the purchase of necessary equipment in an amount not to exceed \$40,000; and hires A. C. Spear Electric, Inc., for the necessary installation of the equipment in an amount not to exceed \$12,000.

Seconded by Mr. Bullock.

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

RESO 2016-75: APPROVE HIRING/TYLER MILLER/2016 SEASONAL GENERAL LABORER/PAY RATE \$9.00 PER HOUR/EFFECTIVE 5-9-2016

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the hiring of Tyler Miller to the position of 2016 Seasonal General Laborer at a pay rate of \$9.00 per hour, effective May 9, 2016.

Seconded by Mr. Dumian.

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

RESO 2016-76: APPROVE HIRING/KEVIN COATES/2016 SEASONAL GENERAL LABORER/PAY RATE \$9.00 PER HOUR/EFFECTIVE 5-9-2016

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the hiring of Kevin Coates to the position of 2016 Seasonal General Laborer at a pay rate of \$9.00 per hour, effective May 9, 2016.

Seconded by Mr. Dumian.

REGULAR TOWN BOARD MEETING

MAY 10, 2016

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

Mr. Boyle asked if two seasonal helpers would be sufficient to keep the FEMA Buyout properties mowed and other seasonal tasks completed and Mr. DeLamarter stated that two would be enough to take care of everything.

REPORT: CODE OFFICER

In addition to his written report, Code Officer Ron Lake stated that he attended a workshop on the ADA (Americans with Disabilities Act) Transition Plan. He stated that this workshop addressed requirements of the ADA, including an inventory of barriers and a schedule and detailed plan for upgrading ADA elements on Town-owned property.

Mr. Lake recommended to the Board that it reject the sole bid received (from Marchuska Brothers Construction, LLC) on the painting of the Castle project because the amount bid exceeds the amount the Town has budgeted for the project. Mr. Finch stated that the Board would look at the New York Stated Bid List for a possible painter for the Castle.

RESO 2016-77: REJECT BID/MARCHUSKA BROTHERS CONSTRUCTION, LLC/PAINT EXTERIOR OF CASTLE

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin rejects the bid in the amount of \$38,950 received from Marchuska Brothers Construction, LLC, for the painting of the exterior of the Castle.

Seconded by Mr. Boyle.

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

Mr. Lake recommended to the Board that it hold on a decision regarding the sole bid received (from Poo Bear's Remodeling) on replacement of the roof on the Maines Community Center. He stated that the bid is in the amount of \$43,000 but added that it would be \$6,000 less with a different style of gutter. Mr. Lake stated that he would like to discuss this project more with the potential roofer. He noted that a bid of \$27,000 for a metal shingle roof for the Community Center was received from this same bidder in the fall of 2015. The Board at that time had decided to wait until 2016 to replace the roof. Ms. Sacco cautioned that the Board must take action on this bid within 45 days of the bid opening of May 10.

RESO 2016-78: POSTPONE DECISION REGARDING BID/POO BEAR'S REMODELING/REPLACEMENT OF ROOF/COMMUNITY CENTER

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin postpones making a decision on the bid in the amount of \$43,000 received from Poo Bear's Remodeling for replacement of the roof at the Floyd Maines Community Center.

Seconded by Mr. Francisco.

REGULAR TOWN BOARD MEETING

MAY 10, 2016

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

REPORT: SUPERVISOR'S OFFICE

Refer to written report.

OLD BUSINESS:

None.

NEW BUSINESS:

SHARED SERVICES/DOG CONTROL OFFICER/TOWN OF VESTAL

Mr. Finch stated that he is discussing the possibility of shared services for the Dog Control Officer with the Town of Vestal.

BOAT RAMP/STILLWATER ROAD/EMERGENCY EVACUATION

Mr. Finch stated that he has been approached by the Conklin Volunteer Fire Department regarding the possibility of installing a boat ramp on Stillwater Road to use for emergency evacuation in the event of a train derailment, which would trap residents on Stillwater Road.

Mr. Finch stated that there is lumber stored at the Community Center which he would like to donate to the fire department to use in training scenarios. He added that the wood was obtained through FEMA. Ms. Sacco added that the wood is surplus and has minimal value and can be used for life-saving training.

RESO 2016-79: DONATE WOOD OBTAINED FROM FEMA TO CONKLIN VOLUNTEER FIRE DEPARTMENT FOR TRAINING

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin donates surplus wood obtained through FEMA to the Conklin Volunteer Fire Department, Inc., for training purposes.

Seconded by Mr. Dumian.

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

SUMMER FUN PROGRAM

Mr. Finch stated that the Town of Kirkwood is not providing a Summer Fun Program this year. The Town of Conklin has partnered with the Town of Kirkwood for many years to provide this program. Ms. Sacco suggested that Mr. Finch check with the Town of Binghamton to see if they would be interested in partnering to provide this program to area children.

REGULAR TOWN BOARD MEETING
MAY 10, 2016

RESO 2016-80: APPROVE ACH WIRE PAYMENT/PITNEY BOWES/POSTAGE
METER REFILL

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves an ACH wire payment in the amount of \$500.00 to Pitney Bowes for payment for refill of the postage meter, with costs posted to various departments' usage.

Seconded by Mr. Dumian.

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

RESO 2016-81: CANCEL TOWN BOARD MEETINGS/JUNE 28, JULY 12,
& AUGUST 9, 2016

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin cancels the following Regular Town Board Meetings: June 28, July 12, and August 9, 2016.

Seconded by Mr. Dumian.

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

RESO 2016-82: AUTHORIZE PAYMENT/BILL LIST/\$99,888.62

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 \$99,888.62:

General	\$ 15,171.20
Highway	4,480.11
Sewer District #1	46,215.43
Sewer District #2	4,238.44
Sewer District #4	8,227.56
Sewer District #5	18,699.00
Water District	<u>2,856.88</u>
Total	\$ 99,888.62

Seconded by Mr. Boyle.

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

RESO 2016-83: APPROVE TOWN SUPERVISOR/SIGN 2016 TASK
ORDER #8/SHUMAKER ENGINEERING/ANNUAL LANDFILL SITE PRR &
MANAGEMENT REVIEW

Mr. Francisco moved for the following resolution:

REGULAR TOWN BOARD MEETING

MAY 10, 2016

Be It Resolved: that the Town Board of the Town of Conklin approves the Town Supervisor, James Finch, to sign the 2016 Task Order #8 with Shumaker Engineering. The Agreement is for the Annual Landfill Site PRR (Periodic Review Report) and Management Review in the amount of \$8,370.00.

Seconded by Mr. Dumian.

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

PUBLIC COMMENTS:

None.

CONCRETE FOR FRONT WALL OF CASTLE

Mr. Bullock asked for an update on the concrete repairs needed for the front wall of the Castle. Mr. Francisco stated that he spoke to mason Paul Supa who stated that the repairs would cost “less than \$500.” Mr. Bullock replied that the Board needs to “get moving on it,” noting that the Castle cannot be painted until the concrete is repaired.

BOARD ROOM SOUND SYSTEM

Mr. Boyle asked for an update on the sound system in the Board room. Town Clerk Sherrie Jacobs distributed copies of a quote received from AV Sound, adding that it is the only one the Town has received to date. Permission was given to contact BlueStorm, the Town’s computer services provider, to see if the recording software on the laptop can be repaired or if the laptop needs to be replaced.

TOWN CLERK SIGNBOARD

Mr. Boyle asked if the Town Clerk signboard could be moved to under the canopy at the entrance to the Town Hall, so that people would not have to stand in the inclement weather to read notices that are posted. Ms. Jacobs asked if another coat of paint is to be sprayed on the interior and Mr. Finch stated that this will need to be done.

NOTICE TO NEIGHBORS

Mr. Boyle asked for an update on the Notice to Neighbors issue for Planning Board and Zoning Board of Appeals cases and Ms. Sacco stated that the Board has not given her any feedback on its wishes for this issue, so “no solid decisions have been made.”

THANK YOU/OPENING DAY

Mr. Dumian thanked everyone who helped on Opening Day for baseball and softball in the Town, calling it “a great day for kids.” He stated that the Town will “build on this moving forward.”

REGULAR TOWN BOARD MEETING

MAY 10, 2016

SUBCOMMITTEE REPORT/MANUFACTURED HOMES

Mr. Dumian, a member of the subcommittee studying the question of manufactured homes in Conklin, stated that he is “not sure what he would recommend,” adding that there is “a lot of research needed.” He stated that single-wide, double-wide, and modular homes are all “manufactured homes,” adding that New York State law, according to the New York State Department of State, states that the Town “must allow all three types wherever one type is allowed.” He stated that the Town cannot differentiate between the three types as to what it allows in any particular zoning area. Mr. Lake added that the Town can only make a restriction regarding required square footage. It cannot require a permanent foundation.

Mr. Dumian stated he wants to “make sure things are done correctly,” adding that this could mean no single-wide or double-wide homes are allowed in Conklin unless they are in a mobile home park. Mr. Boyle stated that mobile homes built after 1976 are allowed in areas other than mobile home parks. Ms. Sacco advised that the Town “cannot zone them out of Town but it can limit where they are allowed.” She added that the Town is currently in compliance with the law.

Mr. Lake stated that he recommends that the Town Board allow manufactured homes in Agricultural Residential (AR) Districts. He stated that there is “a problem with the AR Code,” in that it is “the same as R-12” (Residential) in terms of square footage requirement. Mr. Dumian stated that maybe a different perspective is needed, such as looking at the ZBA (Zoning Board of Appeals) process. Ms. Sacco stated that it is a State-regulated process, with specific steps for granting a Use Variance. She suggested that the Board consider overlay districts and/or requiring site plan approval.

FIELD OF HONOR FLAGS

Ms. Jacobs reminded those present that there is still time to purchase a flag for the Field of Honor to be placed near the Conklin Veterans Memorial for Memorial Day. The cost is \$45 per flag and all profits will be donated to the Conklin Veterans Memorial Committee.

Ms. Jacobs also reminded the Town Board that there will be no Work Session on May 24 and that the Regular Town Board Meeting will begin at 5:30 P.M. rather than 6:00 P.M., so that Board members are free to attend the First to Say Thank You program honoring young men and women graduates who are enlisting in military service. The program will be held at Susquehanna Valley High School and begins at 7:00P.M.

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 8:03 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk