

WORK SESSION

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building is compliant with Town Code. Ms. Sacco stated that FEMA (Federal Emergency Management Agency) law states that buildings in the flood plain must be raised at least four feet, adding that this requirement was in the bidding documents for the building in question. Mr. Dumian asked if it has been verified that the requirement to raise the building was in the second set of bid specifications and Mr. Finch confirmed that it was. Mr. Dumian stated that Mr. Kasmarcik stated that the “assessment never dropped” after the 2006 Flood. Mr. Boyle asked if the Town will turn the water on if Mr. Kasmarcik gets a building permit. Ms. Sacco replied that he does not have a building permit. Mr. Dumian asked if the Town could issue a Stop Work Order. Mr. Francisco stated that Mr. Kasmarcik has a demolition permit only, not a building permit. Ms. Sacco stated that the Code Officer could issue a Stop Work Order if Mr. Kasmarcik operates outside the scope of the demolition permit. Mr. Finch stated that Code Officer Ron Lake and Building Inspector John Rudy are keeping track of the work being done on this building.

UPDATED DEMOLITION LIST/FLOOD BUYOUT PROGRAM

Mr. Finch stated that ZMK Construction has three more houses to demolish for the 2011 Flood Buyout Program, and will demolish these the first week of June. He stated that all work must be completed by June 30, adding that there will be no payment made until all of the work is completed. Mr. Finch stated that there is FEMA money available to use to make the properties level enough to mow, adding that all of the Buyout properties need to be rolled smooth so the Town can mow the grass. He reiterated that all demolition and remediation work must be completed by June 30. Mr. Finch stated that Public Works Superintendent Tom DeLamarter is in contact with both ZMK Construction and Gorick Construction regarding the Buyout properties and the impending deadline for completion. Mr. Bullock asked if there is money to complete the demolition process and Ms. Sacco replied that there is money from SEMO (State Emergency Management Office) to pay the two construction companies. She added that they must fix the properties to specifications on time before any payment will be paid. Mr. Dumian commented that “topsoil level” should be included in the contract.

Mr. Bullock asked if the Town is mowing grass in the Gee Street/Victory Avenue area. Mr. DeLamarter replied that it needs to be filled first, so the Town hasn't mowed it. Mr. Bullock stated that the neighbors in that area were questioning the lack of mowing. Mr. Bullock suggested that a letter be sent to Gorick Construction and to ZMK Construction reminding them of the deadline for demolition completion and remediation. Mr. DeLamarter stated that Gorick Construction has one house remaining to be demolished and has not set a date for the demolition, while ZMK Construction has three houses remaining, one each scheduled for June 1, June 3, and June 5.

Mr. Dumian asked if there is a liability to the Town if a resident mows Town-owned property, and Ms. Sacco replied that there is liability. Mr. Boyle asked if residents could sign a waiver that they would not sue the Town if they were hurt while mowing Town-owned property. Mr. Finch stated that the Buyout properties cannot be used at all. Mr. Bullock stated that the Town should re-examine what is and is not allowed on Buyout properties, adding that Town Counsel Mark Gorgos had offered SEMO's opinions on this matter after the 2006 Flood, but added that restrictions could have changed since then.

GRANT WRITER

Mr. Finch stated that he has a meeting with grant writer Leann West of Strategic Development Specialists and with John Mastronardi of Griffiths Engineering on May 28 at 1 P.M. to discuss

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obtaining a grant for an extension of the municipal sewer system. Ms. West charges approximately \$150 per hour for her grant writing.

Mr. Bullock asked Ms. Sacco if there is a possibility of the Town of Conklin connecting to the Town of Windsor and Town of Kirkwood municipal sewer systems. Mr. Finch stated that Mr. Lake and Mr. Mastronardi are researching this possibility.

BROOME COUNTY EFFICIENCY PLAN

Mr. Finch stated that the Town is participating in the Broome County Efficiency Plan (Tax Freeze System) in the following ways: shared services for Dog Control Officer; one less Laborer in the Highway Department; and use of a Broome County Work Force employee in the Parks Department.

The time for the Regular Town Board Meeting having 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
MAY 26, 2015

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on May 26, 2015, at the Conklin Town Hall. Mr. Finch, Supervisor, presided.

PRESENT:	Town Board	Bullock, Boyle, Dumian, Francisco, Finch
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Assistant to Supervisor	Lisa Houston
	Highway Superintendent	Brian Coddington
	Public Works Superintendent	Tom DeLamarter
GUESTS:	Country Courier	Elizabeth Einstein
		Laurie Francisco
		Judy Kelly
		Tom Kelly
		John Colley
		Rick Penny
		Gordon Doane
		Nita Leary
		Phil Leary

RESO 2015-91: DECLINE BROOME COUNTY DELTA ROAD USE AGREEMENT

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin declines to use the Broome County Road Use Agreement involving Delta Engineering.

Seconded by Mr. Dumian.

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

RESO 2015-92: PROCEED AS INDIVIDUAL EFFICIENCY PROGRAM/AUTHORIZE SUPERVISOR TO FILE NECESSARY PAPERWORK

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin will proceed with an individual Efficiency Program and authorizes the Supervisor to file the necessary paperwork.

Seconded by Mr. Boyle.

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

Mr. Finch stated that the paperwork for this program is due by June 1, 2015. He explained that the Town cannot be part of the Broome County Efficiency Plan because it did not meet the deadline for participation in the program. Mr. Dumian asked if there is any help available for the Town from Broome County and Mr. Finch stated that Assistant to the Supervisor Lisa Houston is waiting for the access code from New York State so that she can file documents electronically. Mr. Finch stated that Broome County pooled its resources with the participating municipalities to

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keep the tax increase under the tax cap. Mr. Dumian stated that if the Town could not meet the savings requirement, it could fall under Broome County's plan.

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PUBLIC HEARING

TO RECEIVE INPUT REGARDING PROPOSED LOCAL LAW 2, 2015/ "AMENDING THE TOWN CODE TO PROVIDE FOR SPECIAL FEES"

PRESENT: Same as on page one.

Notice of Public Hearing having been duly advertised, Mr. Finch declared the Public Hearing open at 6:05 P.M. and asked those present to speak either for, or in opposition to, proposed Local Law 2, 2015, "Amending the Town Code to Provide for Special Fees."

Attorney Cheryl Sacco explained that this local law will allow the Town Board to set fees by resolution rather than by specific local law. Mr. Phil Leary of Walter Avenue asked for an explanation of the proposed local law and Ms. Sacco explained that it provides a system for setting fees. Mr. Leary asked how these fees will be determined and Ms. Sacco explained that the fees will be set by the Town Board, in consultation with the Code Office and through comparison of fees for similar activities set by other municipalities.

There being no further public comments or questions, Mr. Finch declared the Public Hearing closed at 6:10 P.M.

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RESO 2015-93: ADOPT LOCAL LAW 2, 2015/

"AMENDING THE TOWN CODE TO PROVIDE FOR SPECIAL FEES"

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

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 Town Board held a public hearing at Conklin Town Hall, 1271 Conklin Road in said Town, on May 26, 2015, commencing at 6:05 P.M. to hear all interested parties on a proposed local law entitled "A LOCAL LAW AMENDING THE TOWN CODE TO PROVIDE FOR SPECIAL FEES"; 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 6:05 P.M. on May 26, 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

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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.

NOW, THEREFORE, the Conklin Town Board hereby adopts said local law entitled “A LOCAL LAW AMENDING THE TOWN CODE TO PROVIDE FOR SPECIAL FEES”; and

RESOLVED, 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; and

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 May 26, 2015. Said resolution was adopted by the following roll call vote:

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

Town of Conklin Seal

Dated: _____

Sherrie L. Jacobs
Town Clerk of the Town of Conklin

Ms. Sacco asked the Board to hold over the proposed resolution with the draft of fees until the June 9 Town Board meeting.

MINUTES: MAY 12, 2015 REGULAR TOWN BOARD MEETING

The Town Board decided to hold over approval of the May 12, 2015 Regular Town Board Meeting minutes until the June 9, 2015 Town Board meeting.

CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from the New York State Comptroller’s Office regarding the Efficiency Plan. He also acknowledged receipt of correspondence from the Binghamton University Archaeological Committee regarding archaeological digs.

PUBLIC COMMENTS:

None.

OLD BUSINESS:

REGULAR TOWN BOARD MEETING

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CREEK AT CORBETTSVILLE

Mr. Rick Penny of Corbettsville stated that the Town Highway Department had placed large rocks in the creek at Corbettsville, adding that this has raised the water level near the bridge, causing ground water to enter Mr. Penny's basement and cause damage to his home. He stated, "The Town should not have put rocks in the creek." Mr. Penny stated that debris keeps getting caught on these rocks, creating more problems. Highway Superintendent Brian Coddington stated that he has a meeting on May 27 at 10 A.M. with the DEC to discuss the situation at the creek. Mr. Penny stated that there was a formal agreement enacted between the Town and the DEC while Debra Preston was Town Supervisor which stated that the DEC would clean out the creek and stipulating that the Town was not allowed to put rocks in the creek.

NEW BUSINESS:

RESO 2015-94: HIRE LIFEGUARDS/2015 POOL SEASON

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves hiring of the following lifeguards for the 2015 pool season:

<u>LAST NAME</u>	<u>FIRST NAME</u>	<u>2014 RATE</u>	<u>2015 RATE</u>
Bieber	Rebekka	\$ 9.00	\$ 9.75
Blackman	Madelyn	\$ 10.00	\$10.75
Cooper	Vince	NEW 2015	\$ 8.75
Eldred	Melanie A.	\$ 8.00	\$ 8.75
Hanrahan	Maura	\$ 8.00	\$ 8.75
Micalizzi	Krista	\$ 8.00	\$ 8.75
Miller	Tyler	\$ 8.00	\$ 8.75
O'Dea	Madison	NEW 2015	\$ 8.75
Olsen	Abigal	NEW 2015	\$ 8.75
Olsen	Hope	\$ 8.00	\$ 8.75
Steinbrecher	Lindsey	\$ 8.00	\$ 8.75
Steinbrecher	Jessica	\$ 8.00	\$ 8.75
Storti	Amy	\$ 8.00	\$ 8.75
Yezzi	Sara	\$ 8.00	\$ 8.75
Zurn	Tori	\$ 8.00	\$ 8.75

Seconded by Mr. Boyle.

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

Mr. Finch commented that the increase in minimum wage is reflected in the higher pay rates for 2015.

Mr. DeLamarter reported that the grounding work will be completed this week, adding that he has been working with Mr. Francisco on this project. He explained that the stainless steel gutter is being tied to the system, which will increase grounding capacity for ladders, lifeguard stands, etc., and so protect swimmers and Town of Conklin employees from lightning. Mr. DeLamarter stated that the pool will be inspected on June 11 and is scheduled to open on June 13.

**RESO 2015-95: APPROVE TARAH TRIPP/PERMANENT DOG CONTROL OFFICER
FROM PROVISIONAL DOG CONTROL OFFICER/SUCCESSFUL COMPLETION OF
DCO CIVIL SERVICE EXAM**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves appointment of

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Tarah Tripp to the position of Permanent Dog Control Officer from Provisional Dog Control Officer, upon successful completion of the Dog Control Officer Civil Service exam.

Seconded by Mr. Francisco.

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

RESO 2015-96: APPROVE JEFF HAYES/DEPUTY HIGHWAY SUPERINTENDENT/PAY RATE INCREASE/\$.75 PER HOUR/EFFECTIVE MAY 25, 2015

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Jeff Hayes for the position of Deputy Highway Superintendent, with an increase in pay rate of \$.75 per hour, effective May 25, 2015.

Seconded by Mr. Francisco.

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

RESO 2015-97: APPROVE TITLE CHANGE/MIKE MOTT/FROM DEPUTY HIGHWAY SUPERINTENDENT TO LABORER/PAY RATE DECREASE/\$.75 PER HOUR/EFFECTIVE MAY 25, 2015

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the title change for Mike Mott from Deputy Highway Superintendent to Laborer, with a decrease in pay rate of \$.75 per hour, effective May 25, 2015.

Seconded by Mr. Boyle.

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

RESO 2015-98: RATIFY PAYMENT/U.S. POSTAL SERVICE/2ND QUARTER WATER & SEWER BILLING POSTAGE

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #9306, account code SW8310.4, in the amount of \$306.00 to the U.S. Postal Service for postage for the 2nd Quarter Water and Sewer billing.

Seconded by Mr. Dumian.

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

RESO 2015-99: RATIFY PAYMENT/LEROY JENKINS/REIMBURSEMENT/COST TO THAW FROZEN WATER LINE

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #9305, account code SW8320.4, in the amount of \$249.76 to LeRoy Jenkins for reimbursement of the cost to thaw a frozen water line.

Seconded by Mr. Dumian.

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

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passed unanimously.

RESO 2015-100: AUTHORIZE PAYMENT/BILL LIST/\$48,410.67

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 \$48,410.67:

General	\$24,044.24
Highway	880.66
Flood Emergency 2011	397.00
Light Districts	2,195.98
Sewer District	895.54
Water District	2,862.20
Water District 6	8,035.05
Non-Budget	<u>9,100.00</u>
Total	\$48,410.67

Seconded by Mr. Bullock.

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

PUBLIC COMMENTS:

None.

PEDDLER'S PERMIT/MATTHEW ARMSTRONG

Ms. Sacco stated that Matthew Armstrong has applied for a Peddler's Permit under Chapter 100 of the Town Code and has paid the required \$100.00 for a permit to sell educational books from May 19 through August 15, 2015, from 9 A.M. until 8 P.M. Monday through Saturday. He would only be at any one location for 15 minutes at a time. Mr. Armstrong would wear an I.D. badge around his neck. He has no convictions on his record. This would be door-to-door sales. Ms. Sacco stated that the Board has fourteen days to approve or disapprove the application. Mr. Finch stated that he wants to require written weekly reports to Code Office Ron Lake regarding the locations in which Mr. Armstrong is selling during that week. Mr. Bullock asked if the Board is interfering with freedom of speech, since Mr. Armstrong is selling educational materials, and Ms. Sacco replied that the Board is not doing this, adding that it cannot control what kind of material is sold.

RESO 2015-101: APPROVE PEDDLER'S PERMIT WITH CONDITIONS/MATTHEW ARMSTRONG

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the application for a Peddler's Permit, with conditions, for Matthew Armstrong to sell educational books from May 19 through August 15, 2015, from 9 A.M. until 8 P.M. Monday through Saturday.

Seconded by Mr. Dumian.

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

ZONING/MANUFACTURED HOMES

Mr. Boyle asked about zoning in the Town of Conklin for manufactured homes (mobile homes). The Town Code currently does not allow mobile homes in any area of the Town except in established mobile home parks, which must have three or more mobile homes and 10 or more

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acres. Ms. Sacco stated that the Town cannot change the requirement of the base, as it is part of the New York State and Town of Conklin Building Code. She added that the Town would have to get permission from New York State to make a stricter law.

PEDDLER'S PERMITS

Mr. Dumian stated that various traveling salespersons sell meat, etc., door to door, adding that if approached, Board members should try to obtain business cards and give them to Mr. Lake, so that he could contact the salespersons to come to his office and apply for a permit.

EMPLOYEE MEDICAL INSURANCE

Mr. Dumian stated that he spoke with Town insurance representative Tom Augustini regarding offering Town employees different options for their medical insurance, with no obligations. He suggested offering plan options, with cost/benefit analysis, for employees to examine and choose. He stated the Town could offer an incentive if an employee would choose to be covered under a spouse's insurance, adding that this would be strictly voluntary. He stated that employees could change their coverage plan each year during the open enrollment period, otherwise they are committed to that plan for twelve months. Flexible spending accounts were also suggested. Mr. Francisco stated that some large corporations will not allow a spouse to join its insurance program, if the spouse has insurance coverage available at his or her own job.

COMMUNITY DAY/VETERANS MEMORIAL DEDICATION

Town Clerk Sherrie Jacobs reminded those present that Community Day will take place on May 30 from 11 A.M. until 2 P.M., with the Veterans Memorial Annual Dedication of Names to take place at noon. Everyone is invited and encouraged to attend.

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

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk