

REGULAR TOWN BOARD MEETING
SEPTEMBER 8, 2015

COMMUNICATION WITH RESIDENTS REGARDING PROPOSED BUSINESS
EXPANSIONS

Mrs. Arlene Dubay of Corbettsville Road started by thanking the Highway Department for repaving Corbettsville Road, then moved on to express her disappointment over the lack of communication between the Town and residents who live near the Mirabito filling station that was recently installed in her neighborhood. She stated that she was unaware of the new filling station and the propane tank that was installed until after the project was completed at 1424 Conklin Road. She stated that the Planning Board minutes at which this project was discussed (June 30, 2015) were not available until the end of August. Mrs. Dubay stated that she showed a picture of the new propane tank to Code Officer Ron Lake and spoke also with a representative from Mirabito, who told her the site plan was filed with the Town. Mirabito wants to install a second tank. Mr. Finch stated that this is to be an industrial filling station. Mrs. Dubay questioned the wisdom of allowing a 30,000 gallon propane storage tank to be installed so near a community golf course (the Conklin Players Club). She added that a house in her neighborhood is being sold with an asking price of \$264,000, adding that she believes the new propane storage tank will negatively impact the seller's ability to get the asked price for the house.

Mrs. Dubay stated, "I am passionate about how that area looks," adding that "now the south end of Conklin looks like the north end." She stated that the Mirabito representative told her that the building will not be staffed, but added that there are two men who make cabinets in the back of the building. She stated that the site plan does not specify whether or not a canopy will be installed nor whether or not the parking area will be paved. She stated that it is also not specific about the need for more landscaping, adding that she wished that the Conklin Beautification Corps (of which she is a member) would be informed when a business like this is expanding or being opened. Mrs. Dubay stated, "It may be legal not to inform, but it is the right thing to do to inform nearby residents." Mr. Finch stated that notification was sent by the Code Office. Mr. John Dubay stated that he spoke with Theresa Rickard, owner of Conklin Players Club, and she stated that she received no notification about the project. Attorney Cheryl Sacco stated that the Town Board will check with the Code Office to see to whom notifications were sent.

THANK YOU/POOL/CONCERTS IN THE PARK/FINALE PICNIC

Mr. John Colley of Millburn Drive thanked the Town for the "fantastic swimming pool," which he stated he had enjoyed all summer, and for the Concerts in the Park and the Finale Picnic. He stated that he heard people asking where the pizza was purchased (by the Fair Committee and donated to the picnic), and when they learned it was from Tonarlo's stated that they would have to check out the restaurant. He added that bringing people into Conklin helped showcase this Town restaurant and may increase its business.

REPORT: TOWN CLERK

Refer to written report.

REPORT: HIGHWAY DEPARTMENT

In addition to his written report, Highway Superintendent Brian Coddington reported that his department has been patching roads and making repairs to equipment, as well as trimming and taking brush to Boland's and compost to the CHOW gardens. His department has also been working on ditches and raising two drainage basins on Woodcrest Way. Mr. Dumian asked that

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Mr. John Rudy, the Town's electrical inspector, perform a load test for the generator for the Highway Garage.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Public Works Superintendent Tom DeLamarter stated that soccer season is in full swing and that the pool is closed for the season. He stated that all is well with the sewer system and added that the water meters have been read and the billing mailed. Mr. DeLamarter stated that there was a water main break near Sullivan Park, which has been repaired, but added that part of the hold tried to collapse while the digging was being done, demonstrating the continuing need to hire a professional to dig when there is a break.

Mr. Dumian asked Mr. DeLamarter if there is a problem with transients at Schnurbusch Park and Mr. DeLamarter replied that this is not a problem, however, he has seen an increase in people from outside the Town "taking over the park" and playing inappropriate music. Mr. Finch stated that the Broome County Sheriff's Department is now patrolling the park routinely.

Mr. DeLamarter reported that the Sheriff's Department weekend prisoners mowed the Shawsville Cemetery and added that everything is good with the Town Landfill. Mr. Bullock asked if either Nick Platt and/or Colin Casey has completed training to be upgraded from their current "C" classification to "2B," which is Mr. DeLamarter's classification, so that one of them could assume Mr. DeLamarter's duties if he should be unable to fulfill them for any reason. Mr. DeLamarter stated that he will look into this issue.

REPORT: CODE OFFICE

Although not present at the meeting, Code Officer Ron Lake submitted a written report. Mr. Finch stated that Upstate Tower has filed an application to install a tower at 1159 Conklin Road, however, Ms. Sacco stated that the application is incomplete.

Mr. Francisco asked if there is a method of enforcing the Code requiring residents to obtain a building permit, asking if a penalty could be added, perhaps double the usual fees. Ms. Sacco stated that there are some fees built into the Code, adding that some are set by local law and some by vote of the Town Board.

Mr. Bullock asked about the status of 703 Conklin Road, the former Progressive Dental office. Mr. Finch stated that a letter has been sent by the Town Code office condemning the building and demanding that it be razed. Mr. Bullock also commented on the "junkyard" on the corner of Barbara Avenue and Mr. Finch stated that Justin Marchuska has a permit for the site. Mr. Bullock also stated that there are Code issues on Millburn Drive that need to be addressed.

Mr. Dumian asked if Mr. Rudy is now also performing Code duties, as well as electrical inspections and Mr. Finch stated that this is the case, with Mr. Lake's hours being decreased to approximately 15 hours per week.

Mr. Boyle suggested that residents need to be educated regarding what does and what does not need a permit. It was suggested that Mr. Lake's article outlining Code requirements be re-run in the **Country Courier** every six months.

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REPORT: SUPERVISOR'S OFFICE

Refer to written report.

OLD BUSINESS:

TIME WARNER CABLE AGREEMENT

Ms. Sacco stated that the Town is "starting over" with the agreement with Time Warner Cable. She stated that she sent a "red lined" copy of the agreement with the Town's proposals, adding that she is working on resolving this issue with Time Warner Cable. Ms. Sacco asked if the dropline at Gratsinger Road is no longer a top priority and Mr. Finch confirmed that this is the case. Ms. Sacco stated that other than the Gratsinger Road dropline, all of the Town's requests are the same as before.

Mr. Finch asked if the proposed merger between Time Warner Cable and Charter Communications would affect the agreement between the Town and Time Warner Cable and Ms. Sacco stated that legally it will have no effect. She stated that the Public Service Commission is seeking public comments regarding the proposed merger and Mr. Bullock suggested that Ms. Sacco write a statement regarding the Town Board's position on this proposed merger.

GRANTS/AUTUMN TOMPKINS

Mr. Finch stated that newly hired grant writer Autumn Tompkins is pursuing grants for renovations for the Castle.

WATER AGREEMENT WITH TOWN OF KIRKWOOD

Mr. Finch stated that the Towns of Conklin and Kirkwood are researching the best place to make a connection for the sale of water to the Town of Kirkwood, which needs more water in the area near the bridge by Frito-Lay, Inc. It was discussed that the cost could be split three ways between the Town of Kirkwood, the Town of Conklin, and Frito-Lay, Inc. Another possibility would be to run the line from River Boulevard to the Town of Kirkwood pump site on the other side of the Susquehanna River.

EMPLOYEE HEALTH INSURANCE

Mr. Finch stated that the Town Board is considering changes to the employee health insurance, which would involve FidelisCare.

UPDATE/RISING COMMUNITY GRANT/STILLWATER ROAD PROJECT

Mr. Finch stated that the Town is completing more paperwork for the Rising Community Grant Stillwater Road Project. The Rising Community Grant Committee is currently reviewing the bid packets for the construction part of the project. Mr. Finch stated that in conversation with project coordinator Tom Magee, Mr. Magee stated that a similar project in Louisiana took three years to complete the grant paperwork, then only two weeks for the actual construction. Ms. Sacco stated that RFPs (Request For Proposal) would be required for engineering and legal services on all Rising Community Grant projects.

NEW BUSINESS:

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DISCUSSION/TAX CAP/2016 TOWN BUDGET

Mr. Finch stated that the proposed 2016 Town Budget is under the state tax cap and has been approved by the New York State Comptroller.

DISCUSSION/POLLING LOCATIONS

Mr. Finch stated that the Town currently has four polling places, located only one mile apart. He estimates that the cost to the Town for the 2016 elections will be approximately \$17,500. Mr. Finch therefore suggested to the Broome County Board of Elections that the number of polling places in Conklin be reduced from four to three, eliminating Fire Station #1 at 1034 Conklin Road as a polling place. This would leave the Community Center, Town Hall, and Fire Station #2 on Conklin Forks Road as polling places and would save the Town money. Mr. Francisco stated that eliminating Station #1 as a polling place is a good idea because of the increased number of people that would be in the fire station in the event of an emergency as well as the parking issues it would cause with polling taking place in the building.

DISCUSSION/VERIZON TOWERS

Mr. Finch stated that Verizon Towers would like to install 140 foot phone towers, with possible locations being the two water towers and the old pumphouse in Schnurbusch Park. He stated that the Highway Garage is not a suitable location. Mr. Finch stated that this proposed project would have to be approved by the Planning Board and the Zoning Board of Appeals, adding that there is a four-step criteria the company must meet. He stated that the potential income to the Town would be \$1,000 per month or more. He stated that a different company has approached Mr. Louis Rosenberg about the possibility of installing a different type of tower on his property on Conklin Road.

DISCUSSION/SALE OF SPORTS PARK TO 1805 MARCHUSKA, LLC

Mr. Finch stated that 1805 Marchuska, LLC, purchased the former Sports Park from M & T Bank for \$75,000, with the intention of installing a solar farm on the site. He stated that the new owners plan to finish the building that was started and abandoned on the property and install a road. Mr. Bullock asked if the property is now being mowed and Mr. Finch stated that it is being mowed.

DISCUSSION/DOG CONTROL OFFICER AGREEMENT/TOWN OF BINGHAMTON

Mr. Finch stated that the Town of Binghamton is reconfiguring its personnel assignments and does not want to continue its agreement with the Town of Conklin for the Dog Control Officer. This means the current Dog Control Officer would work for only the Town of Conklin, as a part-time employee. Mr. Bullock asked if she would still use the DCO van and Mr. Finch confirmed that this would be the case.

DISCUSSION/ZONING & PLANNING BOARDS

Mr. Finch stated that the members of both the Planning Board and the Zoning Board of Appeals are all paid a flat rate per year, regardless of the number of meetings held by either Board. He stated that in 2014, the Planning Board held six meetings and the Zoning Board of Appeals held only three meetings. Mr. Finch suggested changing the pay rate for both boards from a flat annual rate to an amount per meeting.

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RESO 2015-144: ACCEPT DONATION/DALE COOK/FIELD USE/GIRLS' SOFTBALL
CAMP

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts a donation, account code A2705, in the amount of \$200.00 from Dale Cook for field use for a girls' softball camp.

Seconded by Mr. Bullock.

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

RESO 2015-145: RATIFY PAYMENT/ZMK CONSTRUCTION/DEMOLITION/FLOOD
BUYOUT/772 & 776 CONKLIN ROAD

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #9724, account code HA8760.4, in the amount of \$23,200.00 to ZMK Construction for payment for demolition of structures on Flood Buyout properties located at 772 and 776 Conklin Road.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – No, Francisco – Yes, Finch – Yes. Motion carried: 4 – Yes, 1 – No.

Mr. Finch explained that this was demolition of the remaining structures on property formerly owned by William Slater.

RESO 2015-146: RATIFY PAYMENT/CONKLIN SENIOR CITIZENS/BUDGETED
TRIP ASSISTANCE

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #9672, account code A7620.4, in the amount of \$500.00 to the Conklin Senior Citizens for payment for budgeted trip assistance.

Seconded by Mr. Boyle.

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

RESO 2015-147: RATIFY PAYMENT/U.S. POSTAL SERVICE/POSTAGE/WATER &
SEWER 3RD QUARTER BILLING

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #9725, account code SW8310.4, in the amount of \$315.00 to the U.S. Postal Service for postage for Water and Sewer 3rd Quarter billing.

Seconded by Mr. Francisco.

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

RESO 2015-148: RATIFY
PAYMENT/L.HOUSTON/REIMBURSEMENT/COMMUNITY PICNIC/SODA
PURCHASE & MILEAGE

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #9785, account code A7110.401, in the amount of \$87.33 to Lisa Houston for reimbursement for mileage and purchase of soda for the Community Picnic.

Seconded by Mr. Finch.

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

RESO 2015-149: RATIFY PAYMENT/M.PLONSKI/MILEAGE
REIMBURSEMENT/COMMUNITY PICNIC & CODE DEPARTMENT PICKUPS

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #9786, account codes A7110.401 and A3620.4, in the amount of \$25.54 to Mary Plonski for mileage reimbursement for Community Picnic and Code Department pickups.

Seconded by Mr. Finch.

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

RESO 2015-150: RATIFY PAYMENTS/2015 CONCERT IN THE PARK
ENTERTAINMENT

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of the following checks for 2015 Concert in the Park entertainment:

Tom Cox	check #9516	\$350.00
Nick Putrino	check #9588	\$350.00
Darrell Dennison	check #9610	\$350.00
Ryan Wilson	check #9664	\$350.00
Rich Wilson	check #9671	\$ 75.00
Ralph Pomeroy	check #9669	\$350.00
Carl Petro	check #9743	\$350.00

Seconded by Mr. Francisco.

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

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RESO 2015-151: APPROVE PAYMENT/PRE-AUTHORIZED BILL LIST/\$61,027.47

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following pre-authorized Bill List in the total amount of \$61,027.47:

General	\$18,801.45
Highway	11,928.20
2011 Flood Emergency	388.00
Light District	1,786.63
Sewer District	1,123.48
Water District	2,699.21
Non-Budget	<u>24,300.00</u>
Total	\$61,027.47

Seconded by Mr. Bullock.

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

RESO 2015-152: APPROVE PAYMENT/BILL LIST/\$168,000.80

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Bill List in the total amount of \$168,000.80:

General	\$ 15,145.62
Highway	4,804.68
Sewer District	2.05
Water District	1,513.07
Non-Budget	<u>145,535.38</u>
Total	\$168,000.80

Seconded by Mr. Dumian.

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

PUBLIC COMMENTS:

PROGRESS/CASTLE RENOVATIONS

Mrs. Arlene Dubay asked about the status of the renovations to the Castle. Mr. Finch stated that the Town Board is working on the issue of prevailing wages for the work that needs to be done. He stated that the Town will be putting carpeting back in the big meeting room and replacing the ceiling tiles. Mrs. Dubay asked if there is a timeline for this work and Mr. Boyle stated that it will take four to six weeks. He added that the old plaster should be removed. Mr. Bullock commented that the Town should have a plan before it proceeds with any work. Mr. Boyle stated that historically the ceiling was plastered. A committee comprised of Mr. Francisco, Mr. Boyle, and Town Clerk Sherrie Jacobs (a member of the Conklin Historical Society) is tasked with making suggestions regarding the work to be done. Mr. Francisco stated that the new lights

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and ceiling tile grids should not be removed. Mr. Finch stated that the Town Board will look at the Castle and come to an agreement regarding work to be done.

TOWN NEWSLETTER

Mr. Tom Kelly of Carol Court asked if the Code Officer would be coming to meetings to help educate the public regarding Code requirements and Mr. Finch stated that he will be attending some meetings. Mr. Kelly suggested that the Town resume printing a quarterly newsletter, as it has done in the past, to educate and inform the public, adding that he thinks it is “worth the expense.” The Board decided to resume publishing a quarterly newsletter, which Town Clerk Sherrie Jacobs will collate.

Mr. Kelly also thanked the Town for the pool and for the Concerts in the Park and Community Picnic.

RESO 2015-153: RECESS TOWN BOARD MEETING/10 MINUTES/TOWN BOARD
TO LOOK AT CASTLE

Mr. Bullock moved for a ten minute recess at 7:00 P.M. so that the Board could look at the meeting room in the Castle and come to some agreement as to how to proceed with renovations.

Seconded by Mr. Finch.

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

RESO 2015-154: RE-OPEN REGULAR TOWN BOARD MEETING

After a short recess to examine the meeting room in the Castle, Mr. Boyle moved to re-open the Regular Town Board Meeting at 7:05 P.M.

Seconded by Mr. Dumian.

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

CASTLE RENOVATIONS

Mr. Bullock stated that the musty smell is back in the Castle. He stated that he feels the Town should install carpeting and put the ceiling tiles back in the ceiling. Mr. Dumian asked what the plans are and asked about taking the ceiling out and re-plastering the ceiling and leaving the existing tin ceiling areas. It was stated that there is \$13,000 to \$15,000 left in the \$50,000 set aside for Castle renovations. The repairs to the Community Center roof will also be taken out of this money, at an estimated cost of \$27,000, leaving around \$13,000. Mr. Francisco asked why 15 new ceiling tiles had been removed and thrown away. Mr. Bullock asked about the possibility of finding grant money for renovations. It was stated that outside concrete repairs and painting the exterior need to be addressed. Lead in the paint escalates the cost of having the building repainted. Mr. Dumian asked if there is an estimate for replacing the carpeting and Mr. Boyle stated that there are none presently. It was mentioned that perhaps the Town could use Broome County Workforce personnel to do the work. Mr. Boyle asked about grants because the building is on the national and state registries of historical buildings. Ms. Sacco stated that the Town would need to look at grant requirements. The Board decided to replace the carpeting and put the dropped ceiling back as it was before renovations began.

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PROPOSED 2016 BUDGET

Copies of the proposed 2016 Town Budget were distributed.

MORE CASTLE QUESTIONS

Mr. Bullock stated that the dumpster outside the Castle is taking up parking spaces and should be returned as soon as possible. He asked about PVC pipe he had purchased to drain the sump pump water into the yard, noting that it is missing from the basement. Mr. Boyle stated that he didn't see it when he was cleaning the basement. Mr. Bullock asked about the air conditioning issues in the new building (Town Hall) and Mr. Finch stated that a new compressor has been ordered. Mr. Finch stated that the system has been tested and everything else is working correctly.

NEW HYDROFRACTURING (“FRACKING”) TECHNIQUE

Mr. Boyle stated that there is a new hydrofracturing (“fracking”) technique available for extracting natural gas and asked if the Comprehensive Plan had included zoning designations where safe extraction could be done if it becomes legal in New York State. Ms. Sacco stated that the Board hasn't looked at zoning or drill pad requirements. She suggested asking the Code Officer about allowed uses. Ms. Sacco explained that an Agricultural District designation is an economic designation and not a land use designation, meaning that it is not necessarily zoned agricultural.

STREET LIGHTS

Mr. Francisco asked the public to let the Town know if they notice any street lights that are out or that stay on all day, so that he can contact NYSEG (New York State Electric and Gas Corporation) to ask them to remedy the situation. He stated that either a pole number or nearby address are needed.

Mr. Francisco also asked Mr. Coddington about the electrical load at the Highway Garage, asking if new priorities have been set. He asked if John Hudy, Electrical Inspector for the Town, will be conducting a load study.

NEWSLETTER DEADLINE

Ms. Jacobs asked that newsletter articles be submitted by October 15.

SPORTS PARK SOLAR FARM

Mr. Finch asked if there would be repercussions from the potential solar farm planned for the former sports park property. Ms. Sacco stated that the Code Officer would determine permitted uses for the property, adding that Mr. Lake would need special training regarding solar farms. She added that there could be fire and safety issues, as well as security and electrical issues. Mr. Finch asked if the solar farm would need to be fenced in and Ms. Sacco stated that the site plan could require that, but added that Mr. Finch should consult Mr. Lake.

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CODE OFFICE INSPECTIONS

Mr. Boyle asked if the Town Code Office could conduct inspections and keep the fees. Mr. Finch and Ms. Sacco commented that the Town already does this. Ms. Sacco added that the Town cannot “create a business” by inspecting anything “above what the Code requires to be inspected.”

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Boyle. The meeting adjourned at 7:30 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk