

REGULAR TOWN BOARD MEETING
OCTOBER 13, 2015

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on October 13, 2015, 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
	Highway Superintendent	Brian Coddington
	Town Justice	J. Marshall Ayres
	Code Officer	Ronald Lake
	Public Works Superintendent	Tom DeLamarter
	Assistant to Supervisor	Lisa Houston
	Administrative Assistant	Mary Plonski

GUESTS:	Broome County Executive	Debra A. Preston
	Deputy County Executive	John Bernardo
	Public Works Commissioner	Dan Schofield
	County Highway Superintendent	Pat Latting
	County GIS Programmer	Doug English
	Country Courier	Darla Klinko
		John Colley
		Angelo Tolomei
		Bonnie Tolomei
		Judy Kelly
		Tom Kelly
		William Osborne
		Patti Balles
		Josh Devine
		Peter J. Motsavage

MINUTES: SEPTEMBER 8, 2015 REGULAR TOWN BOARD MEETING

Mr. Boyle moved to approve the September 8, 2015 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Dumian.

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

MINUTES: SEPTEMBER 22, 2015 WORK SESSION & REGULAR TOWN BOARD MEETING

Code Officer Ronald Lake stated that the September 22, 2015 Work Session and Regular Town Board Meeting minutes should be corrected on page 1 of the Work Session, line 15 from the bottom, to change “three feet” to “thirty feet.” Mr. Finch stated that these minutes should be corrected on page 6 of the Regular Town Board Meeting, line 11 from the bottom, to change “Ellis Brothers” to “Nelson Ellis.”

Mr. Bullock moved to approve the September 22, 2015 Work Session and Regular Town Board Meeting minutes as corrected.

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Seconded by Mr. Francisco.

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

UPDATE/BROOME COUNTY EXECUTIVE DEBRA A. PRESTON

Broome County Executive Debra A. Preston provided an update on important issues in the County. She began with an update on the Airport Extension, citing the need for “shovel ready” sites, and thus the need to extend the water and sewer system and gas lines up the Airport Road corridor. She stated that it would have cost taxpayers between \$7 million and \$8 million to replace the aging septic system at the Broome County Airport, so the County opted instead to extend the water and sewer system to the Airport, as well as to the County Landfill. Ms. Preston stated that the systems in the Town of Union and in the Village of Endicott are being upgraded, adding that the sewage from the Airport extension will be sent to Endicott. She stated that this project should be completed by the spring of 2016.

Ms. Preston stated that she had been in contact with Kevin McLaughlin, Director of the Broome County Industrial Development Agency, regarding property in the Broome Corporate Park which the Town is considering purchasing for the affordable housing project. She stated that she is working with the DEC (New York State Department of Environmental Conservation) to remediate the wetlands behind Nealon Trucking, adding that the “DEC has been very cooperative.”

Ms. Preston next addressed the issue of the split of sales tax revenue between the County and municipalities. She explained that the split is returning to the original 50-50 split, but is doing so in 10% increments as part of a seven-year plan. She stated that \$30,000 extra revenue will be returned to municipalities in 2016. Ms. Preston stated that Broome County is in “fiscal stress,” noting a decrease of \$4.7 million in sales tax revenue, as well as a decrease of \$1 million in mortgage tax and fees. She stated that the sales tax revenue is “holding its own” so far in 2015, adding that she expects to end the year on “a positive note.” Ms. Preston stated that the tax cap will remain in effect until 2020, noting that this year it is 0.73%, and adding “I commend all of you” for staying under the tax cap. She stated that the County’s Efficiency Plan has been approved by New York State, adding that the eligible residents will receive rebate checks from Albany. Ms. Preston stated that Broome County is under the tax cap.

Ms. Preston stated that unfunded and underfunded mandates from New York State comprise 68% of Broome County’s budget, leaving only 32% to use to provide services for the County’s residents. She explained that this has led to the County having to make some “tough choices.” She stated that the toughest choice was the decision to privatize Central Foods, which was costing the County \$6.5 million annually. She stated that the County set out an RFP (Request For Proposal) to vendors and will save \$1.4 million by privatizing the food service. She stated that the 75 people who previously worked at Central Foods were comprised of 41 full-time, 28 part-time, and 6 temporary part-time employees. Ms. Preston stated that of these people who had been laid off, most have been reassigned within Broome County or have obtained other positions of employment. She stated that the quality of the food at County-owned Willow Point Nursing Home will be “as good or better” than it has been with Central Foods.

Ms. Preston stated that consultants were hired to work with Broome County Transit to make the operation more efficient, resulting in a savings of more than \$400,000 annually. She added that there will be no increase in fees or rates to residents. Ms. Preston stated that the consultants have also been working with the Broome County Clerk’s office to increase efficiency, with a resulting

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savings of \$150,000 annually. Ms. Preston stated that the cost of elections was cut by more than \$350,000 from the amount that had been requested for 2016. She stated that there may be three Primary Elections in 2016: Presidential, Congressional, and regular September Primary. Ms. Preston stated that she has been in conversation with the New York State Secretary of State regarding shared services between municipalities.

Deputy County Executive John Bernardo spoke about the serious drug issue, which, he stated, impacts not only Broome County, but also New York State and the entire country. He focused on the heroin epidemic and the steps the County is taking to combat it, including classes and the creation of BOAC (Broome Opioid Abuse Council). Mr. Bernardo stated, "You can't arrest your way out" of the drug issue, adding that doctors must be educated about the dangers of prescribing too many painkillers, which can lead to addiction. He stated that there is a shortage of beds for drug rehabilitation in Broome County, and added that the County seeks to provide a facility on some of its property obtained through the Flood Buyout Program. Mr. Bernardo also spoke about the efforts of law enforcement in combatting the drug problem. He stated that the County spends approximately \$4 million per year on treatment programs. He stated that the Broome County Drug Treatment Court received an award for \$500,000 to help provide resources for recovering drug addicts. Ms. Preston stated that she often attends graduations from this program, adding that there are very moving success stories that come from this program. Ms. Preston stated that a medical marijuana dispensary will open in January 2016 in the County, with product being supplied from Syracuse, adding that there will be no manufacturing of medical marijuana in Broome County.

Broome County Highway Superintendent Pat Latting stated that the County Highway Department is working with the Town of Conklin Highway Department on tree removal, adding that his department has "good relationships" with all of the municipalities. He stated that the County has 343 miles of road to maintain, adding that, like so many others, his department is expected to "do more with less."

John Colley asked if there will be any more NARCAN training classes and Ms. Preston stated that more classes will be held. Ms. Preston thanked the Board for allowing her to speak to the residents, and thanked her friends who have supported her through her recent illness and the death of her husband, Paul. She added that she plans to maintain her residence in the Town of Conklin.

PUBLIC COMMENTS:

None.

CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from Thomas Donnelly, Jr. regarding the Zoning Board of Appeals, from the New York State Department of Agriculture and Market regarding inspection of the Dog Control Officer's records, and from MEGA (Municipal Electric and Gas Alliance) regarding options for obtaining electric and gas services.

REPORT: TOWN CLERK

Refer to written report.

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REPORT: HIGHWAY DEPARTMENT

In addition to his written report, Highway Superintendent Brian Coddington stated that the blacktopping is completed and leaf pickup has begun. He stated that the first payment from CHIPs (Consolidated Highway Improvement Program) has been received.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Public Works Superintendent Tom DeLamarter reported that repairs had been made to the lights on the soccer field at Schnurbusch Park, adding that he is hoping to mediate the cost of the repairs by installing a sign for A.C. Spears, who did the repairs, in the Little League field. He stated that his department is flushing hydrants and stated that the Broome County Health Department inspected the Town's water system and everything passed inspection. Mr. DeLamarter stated that some of the fund balance will be used to offset the cost of camera inspection of the sewer lines and for maintenance of the sewer station pumps and generators. He stated that he had one burial at Shawsville Cemetery.

REPORT: CODE OFFICE

In addition to his written report, Code Officer Ronald Lake stated that his office has issued 97 permits to date for 2015. He stated that the former dentist's office that was damaged in the 2011 Flood will either be sold this week or next or will be demolished.

Mr. Lake gave a presentation on the potential rezoning of the section of Conklin Road from 1019 Conklin Road to 1023 Conklin Road from the current R12 (Residential) to Neighborhood Commercial, which would bring the actual zoning designation into alignment with the current use of the area and eliminate the need for obtaining special use or zoning variances. Town Attorney Cheryl Sacco stated that the potential rezoning would need to be referred to the Planning Board. She stated that she also has the proposed local law regarding vehicles. Mr. Francisco asked if this rezoning would allow for an increase in the parking lot for Nirchi's Pizza and Mr. Lake confirmed that it will allow that expansion. Mr. Francisco stated that this will make that area safer.

RESO 2015-162: RE-SCHEDULE REGULAR TOWN BOARD MEETING

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin re-schedules the Regular Town Board Meeting scheduled for November 24, 2015, to November 19, 2015, with a Work Session at 5:30 P.M. and the Regular Meeting at 6:00 P.M.

Seconded by Mr. Francisco.

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

RESO 2015-163: SCHEDULE PUBLIC HEARING/PROPOSED LOCAL LAW
REZONING CERTAIN PROPERTIES

Mr. Boyle moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:05 P.M. on November 19, 2015, to receive input regarding a proposed local law, "Rezoning Certain Properties."

Seconded by Mr. Finch.

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

RESO 2015-164: REFER PROPOSED LOCAL REZONING LAW TO PLANNING BOARD

Mr. Francisco moved for the following resolution:

Be It Resolved: upon a request by the Town Board, and with consent of the existing owners of the subject properties, the Town Board of the Town of Conklin hereby resolves to refer a request for a rezoning to the Town of Conklin Planning Board for its advisory opinion as to the rezoning from an R-12 classification to a C-N classification. See the attached draft local law.

Seconded by Mr. Dumian.

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

ROOF REPLACEMENT/COMMUNITY CENTER

Mr. Finch stated that the Town received one bid for replacement of the roof at the Community Center. The bid was from Poo Bear's Remodeling for \$26,700. Mr. Bullock asked about the comparison of metal vs. shingles for roofing, adding that he thought the Town should hold the project over until spring and rebid it to include a bid for shingles as well as metal. Mr. Lake stated that shingles would cost less for material but would probably cost more for labor, as they take longer to install. He stated that the metal roof has a 40 year warranty. Mr. Boyle and Mr. Dumian added that waiting until spring and re-bidding would possibly attract more bids and give the Town more options. "We need more bids," stated Mr. Dumian. Ms. Sacco stated that this means the Town will "rebid in the alternative." Mr. Lake stated that a metal roof will last longer than shingles.

RESO 2015-165: REJECT BID/ROOF REPLACEMENT/COMMUNITY CENTER

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin rejects the bid from Poo Bear's Remodeling for replacement of the roof at the Community Center.

Seconded by Mr. Boyle.

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

RESO 2015-166: SCHEDULE PUBLIC HEARING/PROPOSED LOCAL LAW/JUNK VEHICLES

Mr. Boyle moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:15 P.M. on November 19, 2015, to receive input regarding a proposed local law regarding junk vehicles.

Seconded by Mr. Finch.

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

NUMBER OF MEMBERS/ZONING BOARD OF APPEALS

Mr. Finch stated that the Town Board is considering not replacing Thomas Donnelly, Jr., as a member of the Zoning Board of Appeals, and leaving the ZBA at five members. Mr. Lake recommended decreasing the number from the current six (which would include Mr. Donnelly's position) to five, and naming an alternative. Ms. Sacco stated that if the Town Board wishes to do this, it should enact a local law to legally reduce the number from seven to five, so that quorum is possible if a member is unable to attend a meeting. She also stated that she believes that if the Board reduces the number to five, it cannot go back to a seven-person board at a later date. She will bring more information to the October 27 meeting.

BIDS/TELEVISIONING AND CLEANING OF SANITARY SEWER SYSTEM

Town Clerk Sherrie Jacobs reminded the Board that the opening of bids for televising and cleaning of the Sanitary Sewer System would take place at 2:00 P.M. on October 14, 2015. Mr. Lake stated that this project is being bid in conjunction with the Village of Port Dickinson.

REPORT: SUPERVISOR'S OFFICE

Refer to written report.

OLD BUSINESS:

COMMUNITY CENTER LIGHTING

Mr. Francisco stated that the Town received three bids for replacement of lighting at the Maines Community Center, adding that no bond will be required, but instead the Town will use a "release of lien." He stated that he applied to NYSERDA (New York State Energy Research and Development Authority) only to find that it has dropped all of its rebate programs effective September 30, 2015. However, he has learned that NYSEG (New York State Electric and Gas Corporation) will honor these rebate programs through December 31, 2015. Mr. Francisco stated that the low bid is \$1,580 and the rebate will be \$1,900. A certificate of insurance and release of lien will be required from the successful bidder.

RESO 2015-167: ACCEPT BID/LIGHTING REPLACEMENT/COMMUNITY CENTER/ALL PHASE ELECTRICAL AND MAINTENANCE

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the bid of \$1,580 from All Phase Electrical and Maintenance for replacement of lighting at the Maines Community Center.

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Seconded by Mr. Dumian.

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

Mr. Francisco stated that the rebate is \$50 for each light that is changed. He stated that he will send the rebate application to NYSEG. Ms. Sacco stated that there is no conflict of interest for Mr. Francisco, who works for Dunn Electric, to do so.

EMPLOYEE HEALTH INSURANCE

Mr. Finch stated that a FidelisCare representative spoke to the employees at the Highway Garage, adding that some workers were interested in the alternative plan and some were not interested. Employees must decide by December 1. Mr. Dumian asked if a minimum number of participants is required to maintain the current Excellus plan and Mr. Finch stated that Mr. Tom Augustini, the Town's Excellus representative, stated that there is no minimum number required.

UPDATE/RISING COMMUNITY GRANT

Mr. Finch stated that three meetings have been held recently regarding the Rising Community Grant. He stated that \$600,000 has been set aside for the Stillwater Road Drainage Project, which he stated has a time frame of one to two years, adding that the Rising Community Grant Committee requires 30% WBE (Woman Business Enterprise) participation.

Mr. Finch stated that the Evacuation Route Project will be funded through a different grant. He added that this will leave more money available for the Affordable Housing Project in the Corporate Park. Mr. Finch stated that the Town is in conversation with the BCIDA regarding ten acres in the Corporate Park, with the long-term goal of moving the Town Hall, Community Center, and Highway Garage to that site, out of the flood zone, along with the affordable housing. He stated that the Dormitory Association of New York will do all of the paperwork on the grant and thus speed up the process.

GRANTS FOR CASTLE

Mr. Finch stated that the Town is eligible for two grants for repair work on the Castle. He stated that the Town's grant writer, Autumn Tompkins, has a connection at Binghamton University that would provide volunteers to come and paint the inside of the Castle and sand the floors. He stated that the plan is to prepare the grants for the Castle for the June deadline, and to prepare grants for water and sewer extension for the March deadline. Mr. Dumian asked if the water and sewer extension was to connect to the Town of Kirkwood and Mr. Finch confirmed that it is, adding that perhaps construction of a sewage plant could also be considered.

RIVERBANK RESTORATION

Mr. Francisco stated that the Syracuse University Forestry School is working with the NYS DEC on riverbank restoration, adding that volunteers are willing to plant trees and vegetation up to 300 feet from rivers, ponds, etc. He stated that the cost for the first two years, while the vegetation is growing, would be the cost to mow around the area. Mr. Francisco stated that there are 10,000 plants, adding that he is checking with the DEC to determine how much planting can be done in Conklin and where it can be done. Tree guards will be installed to protect the growing trees. Mr. Francisco reiterated that there will be no cost to the Town except for

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mowing. He added that plantings could also be done on private property if so desired by the property owner.

UPDATE/FLOOD BUYOUT PROGRAM

Mr. Finch stated that the Flood Buyout work is complete, adding that Assistant to the Supervisor Lisa Houston is finishing the final paperwork, as the Town owes some money to FEMA (Federal Emergency Management Agency) for overpayment. Ms. Houston added that there may be a second repayment required because some property owners withdrew from the program.

CARPETING FOR CASTLE

Mr. Finch stated that the Town received three bids to provide carpeting for the Castle, with Nelson Ellis, Warehouse Carpet, and Rug Fair Commercial and Industrial Co., Inc., (Endwell Rug division) all bidding. He stated that Nelson Ellis had the low bid at \$1,573.

RESO 2015-168: ACCEPT LOW BID/NELSON ELLIS/PROVIDE CARPETING FOR CASTLE/\$1,573

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the low bid of \$1,573 from Nelson Ellis to provide carpeting for the Castle.

Seconded by Mr. Dumian.

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

Mr. Bullock asked when the volunteers will paint the walls in the Castle and Mr. Finch replied that it will be after November 1. Mr. Dumian asked about getting bids to scrape and paint the outside of the Castle and Mr. Finch stated that he spoke with A.C. Coat about sealing the exterior of the Castle and then painting it, but stated that the Town will try to get a grant for the painting and the needed concrete work.

NEW BUSINESS:

RESO 2015-169: HIRE/JOHN RUDY/PERMANENT PART-TIME BUILDING INSPECTOR/EFFECTIVE OCTOBER 12, 2015

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the hiring of John Rudy to the position of Permanent Part-Time Building Inspector, effective October 12, 2015, at a pay rate of \$18.00 per hour.

Seconded by Mr. Finch.

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

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RESO 2015-170: ACCEPT RESIGNATION/THOMAS F. DONNELLY, JR./ZONING
BOARD OF APPEALS

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of Thomas F. Donnelly, Jr., from the Zoning Board of Appeals.

Seconded by Mr. Francisco.

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

RESO 2015-171: SCHEDULE PUBLIC HEARING/PROPOSED 2016 MUNICIPAL
WATER & SEWER BILLING RATES/OCTOBER 27, 2015/6:05 P.M.

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:05 P.M. on October 27, 2015, to receive input regarding proposed 2016 Municipal Water and Sewer billing rates.

Seconded by Mr. Dumian.

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

RESO 2015-172: SCHEDULE PUBLIC HEARING/PROPOSED 2016 FIRE
PROTECTION CONTRACT/CONKLIN VOLUNTEER FIRE DEPARTMENT,
INC./OCTOBER 27, 2015/6:15 P.M.

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:15 P.M. on October 27, 2015, to receive input regarding the proposed 2016 Fire Protection Contract with the Conklin Volunteer Fire Department, Inc.

Seconded by Mr. Boyle.

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

RESO 2015-173: SCHEDULE PUBLIC HEARING/PROPOSED 2016 GENERAL &
HIGHWAY BUDGET/OCTOBER 27, 2015/6:35 P.M.

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:35 P.M. on October 27, 2015, to receive input regarding the proposed 2016 General and Highway Budget for the Town of Conklin.

Seconded by Mr. Dumian.

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

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**RESO 2015-174: RATIFY PAYMENT/CORE BUILDING MATERIALS/CEILING
TILES FOR TOWN HALL**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #9905, account code A1620.4, in the amount of \$390.00 to Core Building Materials for ceiling tiles for the Town Hall.

Seconded by Mr. Finch.

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

**RESO 2015-175: RATIFY PAYMENT/STATE OF NEW YORK HOMELAND
SECURITY/PREPAID REVENUE DUE BACK FOR FLOOD BUYOUT PROGRAM**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #9910 in the amount of \$2,448.25 to the State of New York Homeland Security for return of prepaid revenue due back for the Flood Buyout Program.

Seconded by Mr. Francisco.

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

RESO 2015-176: AUTHORIZE PAYMENT/BILL LIST/\$48,305.34

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 \$48,305.34:

General	\$ 13,012.87
Highway	17,533.71
Light Districts	687.40
Sewer District	2,634.59
Water District 6	1,310.74
Water District	3,431.03
Non-Budget	<u>9,695.00</u>
Total	\$48,305.34

Seconded by Mr. Dumian.

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

**RESO 2015-177: APPROVE RECLASSIFICATION/2009 VAN PRINCIPAL &
INTEREST PAYMENT**

Mr. Bullock moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin approves the reclassification of 50% of the 2009 Van principal and interest payment from Water (SW) fund to General (A) fund. Van use was changed from Water Department to Dog Control in late June 2015. The amount to reclassify totals \$1,846.00.

Seconded by Mr. Francisco.

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

PENDING LEGISLATION/TOWN ATTORNEY

Ms. Sacco stated that she has several proposed local laws that the Board has discussed and asked in which area the Board would like her to focus her efforts. The pending local laws include fees for lease of property obtained through the Flood Buyout Program, planned use for such property, fines for Code violations, amount of notice to give neighbors in Zoning and Planning cases, and filling in the flood plain. She stated that all of these would require a Public Hearing. The Town Board asked Ms. Sacco to concentrate her efforts on the proposed local laws involving the notices for pending Planning and ZBA cases and involving filling in the flood plain.

PRIVATE PROPERTY RESTRICTIONS

Referencing a letter received by the Board from Mrs. Bailey stating that she did not want Town officials on her property without permission, Mr. Bullock asked exactly who is allowed on private property. Ms. Sacco stated that it is legally specific to the situation and in general, it is trespassing to go on someone's private property without permission and is "not recommended."

EMPLOYEE HEALTH INSURANCE OPTIONS

Mr. Dumian asked if all Town employees had a chance to discuss options with the FidelisCare representative and Mr. Finch stated that this was true. Mr. Dumian also asked if a third option (a second option from current carrier Excellus) could be made available.

SAFETY ISSUES/SCHOOL CROSSING GUARD

Mr. Francisco stated that he was disturbed to see a car pass on the lane right of the School Crossing Guard while the Guard was still in the middle of the road holding a stop sign. He stated that the car came close to hitting the Guard. Mr. Finch suggested putting a notice in the **Country Courier** that there should be no traffic moving while the Guards are in the road. It was suggested that the Guard get the license number of an offending vehicle and contact the Sheriff's Department. Mr. Boyle asked if there is a New York State law that specifically protects Crossing Guards.

SULLIVAN PARK WISHING WELL

On behalf of the Town, Sherrie Jacobs thanked John Kosick for his work repairing the wishing well at Sullivan Park.

TOWN NEWSLETTER

Ms. Jacobs reported that the quarterly Town Newsletter is at the printers and should be available soon.

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VERIZON WIRELESS TOWERS

Mr. Finch stated that Verizon is interested in installing three wireless towers, one on each water tower and one at the Town Landfill.

RESO 2015-178: EXECUTIVE SESSION/LITIGATION & PERSONNEL DISCUSSION

Mr. Boyle moved to close the Regular Town Board Meeting and move into Executive Session at 7:43 P.M. to discuss possible litigation and the employment conditions of a particular individual.

Seconded by Mr. Francisco.

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

An Executive Session of the Town Board of the Town of Conklin was held at the Conklin Town Hall at 7:43 P.M. with Supervisor James Finch presiding. Present were: Supervisor Finch, Mr. Bullock, Mr. Boyle, Mr. Dumian, Mr. Francisco, Town Justice J. Marshall Ayres, and Town Attorney Cheryl Sacco. Attorney Sacco assumed duties of secretary of the meeting.

A discussion was held pursuant to Public Officers Law section 100 of the State of New York regarding proposed, pending, or current litigation, and regarding the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.

RESO 2015-179: RE-OPEN REGULAR TOWN BOARD MEETING

After this discussion, Mr. Dumian moved to close the Executive Session and re-open the Regular Town Board Meeting, with no action taken.

Seconded by Mr. Francisco.

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

Back in regular open meeting, the Board had a discussion on salaries. The Highway Superintendent was in the audience. There was a discussion to notice the Highway Superintendent's salary at a higher number of \$51,000, which would give the Board the option to increase his salary up to that number. The salary could be less than the published number, but just not higher. A lower number was in the budget and the lower number was noticed. An amended public notice should be prepared and published/posted, so that the Board can consider the Highway Superintendent's request for a higher salary. This allows the Board time to consider the request and time to take appropriate action at the Public Hearing.

RESO 2015-180: AMEND, PUBLISH, & POST NOTICE WITH A SALARY (NOT TO EXCEED) OF \$51,000/HIGHWAY SUPERINTENDENT

Mr. Dumian moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin approves amending, publishing, and posting a Notice with a salary (not to exceed) of \$51,000 for the Highway Superintendent.

Seconded by Mr. Bullock.

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

A general discussion occurred regarding raises and how they are distributed, as well as a discussion regarding health insurance.

There being no further business to come before the Board, Mr. Finch moved for adjournment, seconded by Mr. Dumian. The meeting adjourned at 9:00 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk