

REGULAR TOWN BOARD MEETING
DECEMBER 13, 2016

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on December 13, 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
	Secretary to the Supervisor	Lisa Houston
	Public Works Superintendent	Tom DeLamarter
	Administrative Assistant	Mary Plonski
	Zoning Board of Appeals	Art Boyle
	Town Councilman-Elect	Will Platt

GUESTS:	Country Courier	Elizabeth Einstein
		John Colley
		Laurie Francisco
		LeRoy Jenkins

MINUTES: NOVEMBER 22, 2016 WORK SESSION & REGULAR TOWN BOARD MEETING

Mr. Boyle asked for clarifications on page 1, line 3 from the bottom, stating that “second trailer” should read “second manufactured home.” He stated that on page 2, after line 6 from the top, he had meant to add that “one small section on Powers Road is still zoned Agricultural.” Mr. Boyle stated that he misspoke on page 5, line 14 from the top, when he stated “forecast a population of 50,000,” adding that it should have been 10,000.

Mr. Bullock moved to approve the November 22, 2016 Work Session and Regular Town Board Meeting minutes with the above clarifications.

Seconded by Mr. Francisco.

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

CORRESPONDENCE:

Mr. Finch acknowledged receipt of a letter from Verizon requesting permission from the Town to install a small, 40 foot telephone pole on Cherry Drive near the Susquehanna Valley High School property “to shore up service.” Town Attorney Cheryl Sacco stated that Verizon should seek an easement from either the Town or a private owner, depending upon who owns the property in question. She will research this further.

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PUBLIC HEARING
TO RECEIVE INPUT REGARDING PROPOSED LOCAL LAW 3, 2016
AMENDING CHAPTER 5 OF THE TOWN CODE, SPECIFICALLY SECTION 5-2,
“SERVICE OF TICKET”

PRESENT: Same as above.

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Notice of Public Hearing having been duly given, Mr. Finch declared the Public Hearing open at 6:05 P.M. and invited those present to speak either for, or in opposition to, proposed Local Law 3, 2016, amending Chapter 5 of the Town Code, specifically Section 5-2, "Service of Ticket."

Ms. Sacco explained that this proposed local law is a Type 2 Action under SEQR (State Environmental Quality Review), so no environmental review is required. She stated that the amendment involves "one small word change" regarding the manner in which appearance tickets may be served.

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

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RESO 2016-179: APPROVE THE ADOPTION OF
LOCAL LAW NO. 3-2016 AMENDING CHAPTER 5 OF
THE TOWN CODE ENTITLED "APPEARANCE TICKETS"

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 December 13, 2016, commencing at 6:05 P.M. to hear all interested parties on a proposed local law amending Chapter 5 the Town of Conklin Town Code, specifically Section 5-2 "Service of ticket" regarding the manner of service; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town, and posted on the Town Clerk's signboard; and

WHEREAS, said public hearing was duly held at 6:05 P.M. on December 13, 2016, and all parties in attendance were permitted an opportunity to speak on behalf of, or in opposition to, said proposed local law, or any part thereof; and

WHEREAS, pursuant Part 617 of the implementing regulations of the State Environmental Quality Review Act ("SEQRA"), it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II 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.

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NOW, THEREFORE, BE IT RESOVED, that the Conklin Town Board hereby adopts said local law entitled “A Local Law Amending Chapter 5 of the Town of Conklin Code entitled ‘Appearance Tickets’”; and

RESOLVED, the Town Clerk be and 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 December 13, 2016. 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: December 13, 2016

Sherrie L. Jacobs
Town Clerk of the Town of Conklin

PUBLIC COMMENTS:

None.

REPORT: SUPERVISOR’S OFFICE

In addition to his written report, Supervisor Finch stated that the Town received a refund check in the amount of \$77,208.98 from the Binghamton-Johnson City Joint Sewage Board.

REPORT: TOWN CLERK

Refer to written report.

REPORT: CODE OFFICER

Refer to written report.

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REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Public Works Superintendent Tom DeLamarter stated that the motor has been re-installed in Well 6, adding that A.C. Spear could find no evidence of a power surge that might have damaged the pump. There was no charge to pull the pump to repair it.

Mr. DeLamarter stated that he is purchasing two more solar bees for Sewer Stations 2 and 5 to help prevent blockage. He stated that he is requesting cost estimates from Gary Dyer Excavating and from Suburban Septic to remove the sewer tanks and install above ground tanks.

Mr. DeLamarter reported that the leachate at the Town Landfill has been tested and approved for release. He reported that FEMA (Federal Emergency Management Agency) inspected all of the properties obtained by the Town through the 2011 Flood Buyout Program and found everything to be satisfactory.

REPORT: HIGHWAY DEPARTMENT

Refer to written report.

OLD BUSINESS:

UPDATE/RISING COMMUNITY GRANT

Mr. Finch stated that he met with Mr. Hobart and Town Engineer John Mastronardi to consider the proposed evacuation route, which would be built in part across property currently owned by Mr. Hobart. Mr. Finch stated that the Rising Community Grant Committee requires more research into possible wetlands in the area in question and also requested an alternate route proposal for the evacuation route. Mr. Finch stated that he suggested as an alternate route tying the evacuation route into the end of Roxbury Road.

RESO 2016-180: ADOPT A REVISED PROCUREMENT POLICY AND PROCEDURE
FOR THE TOWN OF CONKLIN

At a meeting of the Town Board of the Town of Conklin, Broome County, New York, held at the Town Hall on the 13th day of December, 2016, the following resolution was offered:

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt internal policies and procedures governing all procurement of goods and services which are not required by law to be competitively bid; and

WHEREAS, comments have been solicited from all officers in the Town of Conklin involved in the procurement process; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Conklin, in regular session duly convened, that the Town of Conklin does hereby adopt the procurement policy attached hereto which is intended to apply to all goods and services purchased by the Town.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

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CERTIFICATION

I, Sherrie L. Jacobs, Town Clerk, 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 in a meeting thereof held at the Town Hall on the 13th day of December, 2016. Said resolution was adopted by the following roll call vote:

OFFERED BY: Mr. Francisco

SECONDED BY: Mr. Dumian.

Supervisor Finch	YES
Councilman Boyle	NO
Councilman Bullock	YES
Councilman Dumian	YES
Councilman Francisco	YES

The resolution was thereupon declared duly adopted by a vote of 4-1.

Dated: December 13, 2016

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk of the Town of Conklin

Ms. Sacco stated that the change on page 6 of the Procurement Policy brings it into compliance with the Community Development Block Grant (CDBG) requirements of the Rising Community Committee.

Ms. Sacco also stated that New York State may push forward in 2017 with the requirement to pay salaried employees overtime for hours worked in excess of 40 hours per week.

RESO 2016-181: ACCEPT RESIGNATION/RONALD B. LAKE/CODE
ENFORCEMENT OFFICER

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of Ronald B. Lake from the position of Code Enforcement Officer, effective December 29, 2016.

Seconded by Mr. Boyle.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Abstain. Motion carried: 4 – Yes, 1 – Abstain.

RESO 2016-182: ACCEPT RESIGNATION/JOHN RUDY/FIRE & SAFETY
INSPECTOR

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of John Rudy from the position of Fire and Safety Inspector, effective December 27, 2016.

Seconded by Mr. Dumian.

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

RESO 2016-183: APPROVE 2017 HOLIDAY SCHEDULE

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following 2017 Holiday Schedule for Town of Conklin employees:

January 2, 2017 (Monday)	New Year's Day observed
January 16, 2017 (Monday)	Martin Luther King, Jr. Day
February 20, 2017 (Monday)	Presidents' Day
April 14, 2017 (Friday)	Good Friday
May 29, 2017 (Monday)	Memorial Day
July 4, 2017 (Tuesday)	Independence Day
September 4, 2017 (Monday)	Labor Day
November 10, 2017 (Friday)	Veterans' Day observed
November 23, 2017 (Thursday)	Thanksgiving
November 24, 2017 (Friday)	Day after Thanksgiving
December 25, 2017 (Monday)	Christmas Day

Seconded by Mr. Bullock.

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

RESO 2016-184: AUTHORIZE SUPERVISOR/MAINTAIN CHECKING & SAVINGS ACCOUNTS/NBT BANK/ GENERAL ACCOUNT/PAYROLL/TRUST & AGENCY ACCOUNT/WATER & SEWER ACCOUNT/2017

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Supervisor to maintain checking and savings accounts at NBT Bank for the General Account, Payroll/Trust & Agency Account, and for the Water & Sewer Account for the year 2017.

Seconded by Mr. Dumian.

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

RESO 2016-185: AUTHORIZE SECRETARY TO THE SUPERVISOR & ACCOUNT CLERK/TRANSFER FROM VARIOUS TOWN CHECKING ACCOUNTS TO PAYROLL/TRUST & AGENCY ACCOUNT/COVER 2017 BI-WEEKLY ACCOUNTS

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Lisa Houston, Secretary to the Supervisor, and Mary Plonski, Account Clerk, to transfer funds from various Town of Conklin checking accounts to the Payroll/Trust & Agency Account to cover 2017 bi-weekly amounts only by approval.

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Seconded by Mr. Finch.

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

RESO 2016-186: SET BI-WEEKLY PAY PERIODS/RUN CONCURRENTLY FROM SATURDAY THROUGH FRIDAY/DISTRIBUTION THE FOLLOWING THURSDAY

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin sets bi-weekly pay periods to run concurrently from Saturday through Friday, with check and direct deposit to be distributed the following Thursday after the end of the pay cycle in 2017.

Seconded by Mr. Dumian.

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

RESO 2016-187: CANCEL DECEMBER 27, 2016 WORK SESSION & REGULAR TOWN BOARD MEETING

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin cancels the December 27, 2016 Work Session and Regular Town Board Meeting.

Seconded by Mr. Dumian.

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

RESO 2016-188: AUTHORIZE PAYMENT/BILL LIST/12-13-2016/\$66,786.60

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 dated December 13, 2016, in the total amount of \$66,786.60:

General	\$ 31,756.39
Highway	14,841.23
Light Districts	1,974.60
Sewer Districts	12,176.45
Water Districts	1,837.93
Non-Budget	<u>4,200.00</u>
Total	\$ 66,786.60

Seconded by Mr. Dumian.

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

PUBLIC COMMENTS:

None.

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EXECUTIVE SESSION

Mr. Bullock stated that he would want an Executive Session to discuss a matter relating to an employee of the Town. Mr. Dumian asked which employee, adding that the person in question will be invited to attend the Executive Session, adding that this is a practice he has followed since becoming a member of the Town Board. "Cancel it then," stated Mr. Bullock, "I'll handle it a different way."

LEGAL & FINANCIAL CONCERNS

Mr. Francisco asked if the Town needs an easement from Dennis States for the portion of Boyle Boulevard not owned by Mr. Boyle. Ms. Sacco stated that this is not necessary because Boyle Boulevard is an active road by use, which she added is common practice in Broome County.

Mr. Francisco stated that he spoke with Mr. Lake regarding Hobart Stone and the slag runoff that is running into the nearby creek and then into the Susquehanna River, adding that residents have expressed concern to him about this situation. Mr. Finch stated that the DEC (New York State Department of Environmental Conservation) is aware of this situation.

Mr. Dumian stated that he has been given an estimated cost of \$1.3 million to extend the municipal water lines down Route 7 and 7A and Stillwater Road. He asked if there is a limit set by the New York State Comptroller's Office regarding the amount of increase to taxes that can be added to pay the bond on the water extension. Ms. Sacco will research this issue. She stated that the Town needs a Map Plan Report, with the average cost for a total of 72 lots.

CHILDREN'S CHRISTMAS PARTY

Town Clerk Sherrie Jacobs reminded those present that the Conklin Children's Christmas Party will be held on December 17, 2016, from 1-3 P.M. at the Community Center and that the Conklin Business Association is seeking donations of new toys and non-perishable food items for families in need in our community.

THANK-YOUS AND HOLIDAY WISHES

Mr. Boyle wished everyone a Merry Christmas and a Happy New Year. Mr. Dumian expressed similar wishes and thanked the volunteers and employees who organize events in the Town, calling it a "good team." Mr. Francisco thanked Mr. Bullock and Mr. Finch for their years of service on the Town Board and for "taking care of the Town of Conklin." Mr. Finch thanked the "people who work here," adding "we are very fortunate to have them." He concluded by wishing everyone a Merry Christmas and a Happy New Year.

There being no further business to come before the Board, Mr. Bullock moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 6:25 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk

