

**REGULAR TOWN BOARD MEETING**  
**MARCH 17, 2017**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 10:00 A.M. on March 17, 2017, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting, which had been postponed from its original March 14 date due to Blizzard Stella and the resulting travel ban, opened with the Pledge of Allegiance.

**PRESENT:** Town Board Members Boyle, Farley, Platt, Francisco, Dumian  
Town Counsel Cheryl Sacco  
Town Clerk Sherrie L. Jacobs  
Town Justice J. Marshall Ayres  
Secretary to the Supervisor Lisa Houston  
Code Officer/Dog Control Officer Nick Vascello  
Water Department Laborer Nick Platt

**GUESTS:** Peter Motsavage

**MINUTES: FEBRUARY 28, 2017 WORK SESSION & REGULAR TOWN BOARD MEETING**

Mr. Platt moved to approve the February 28, 2017 Work Session and Regular Town Board Meeting minutes as presented.

Seconded by Mr. Francisco.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**CORRESPONDENCE:**

Code Enforcement Officer Nick Vascello acknowledged receipt of the annual Mobile Home Park Permit fee from the owner of Fountain Bleau Mobile Home Park.

**PUBLIC COMMENTS:**

**HIGHWAY RESPONSE TO BLIZZARD**

Town Justice J. Marshall Ayres thanked the Highway Department and commended them for their snow removal on town roads in response to Blizzard Stella, a sentiment that was shared around the Board. Mr. Francisco stated that the Conklin Seniors were happy with the response to the storm also.

**REPORT: TOWN CLERK**

Refer to written report.

**REPORT: HIGHWAY DEPARTMENT**

Refer to written report.

**REPORT: WATER & SEWER DEPARTMENT**

Refer to written report.

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**REPORT: CODE ENFORCEMENT**

Refer to written report.

**REPORT: SUPERVISOR'S OFFICE**

The December 2016 Report is filed with the Town Clerk's Office.

**OLD BUSINESS:**

**HANDICAPPED ACCESSIBLE PLAYGROUND EQUIPMENT/SCHNURBUSCH PARK**

Mr. Dumian stated that he had been approached by a third grade student at Donnelly Elementary School who was concerned that there is no accessible playground equipment for her two friends who are in wheelchairs. He stated that he pursued this possible project with Jen O'Brien, who spearheaded the program to implement the Magic Paintbrush Handicapped Accessible Playground at Recreation Park in Binghamton. Ms. O'Brien stated that it took a lot of time to bring that project to fruition and warned that the location at Schnurbusch Park could be an obstacle to gaining funding because of potential flooding of the park, adding that not only the equipment but the surrounding surface area must be considered. Mr. Dumian stated that a community volunteer, Courtney Whalen, has agreed to form a small community committee to continue pursuit of this project, with the potential location changed to Donnelly Elementary School, out of the flood zone. He stated that he looked at a handicapped accessible swing, which is priced at approximately \$4,000, plus another \$4,000 for the surface. Mr. Dumian added that this project needs "a full-time dedicated person" to help get it implemented. Mr. Platt stated that he thought the school grounds are more suitable because they do not flood and the equipment would be more readily accessible to the children who need it.

**WATER & SEWER RADIO SYSTEM**

Water & Sewer Department Laborer Nick Platt stated that the Town's plan is to replace old radios with new ones as the old ones wear out, after the 25 initial new ones included with the updated radio package are distributed. The cost of the old style radio is \$158.81 each, while the cost of the new updated model is \$144.29 each. Mr. Platt stated that with more than 900 meters to be replaced, the Town will save \$13,000 with this upgrade package. He explained that the meter reading process will remain the same, with the old and new systems linked together so that all of the meters can be read. The system is backwards compatible. Mr. Platt stated that the new system has greater capability, adding that the Town could use wi-fi and construct a tower, with readings occurring every two hours and alerts of abnormal usage being sent to the Town. This could allow the Town to warn a resident in the event of a broken pipe or other situation which could cause abnormal water usage. Mr. Platt stated that purchase options were investigated and this is a sole source provider and it is therefore exempt from the requirement for bidding.

**RESO 2017-63: PROCEED WITH SOLE SOURCE PROCUREMENT OF NEW WATER METER READERS FROM HD SUPPLY/AMOUNT NOT TO EXCEED \$20,000**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves proceeding with the sole source procurement of new water meter readers from HD Supply for an amount not to exceed \$20,000.00.

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Seconded by Mr. Boyle.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**EMPLOYEE POLICY & BENEFITS MANUAL**

Mr. Dumian stated that he removed the stipulation that current elected officials would have to choose between health insurance coverage and medical pool coverage, but is presenting the revised Town of Conklin Employee Policy and Benefits Manual to the Board for approval with all of the other modifications and additions that were previously discussed. The effective date will be June 1, 2017, with health insurance coverage for retired Part-Time Elected Officials ending on June 30, 2017.

**RESO 2017-64: ADOPT AMENDED TOWN OF CONKLIN EMPLOYEE POLICY AND BENEFITS MANUAL, EFFECTIVE JUNE 1, 2017**

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin adopts the amended Town of Conklin Employee Policy and Benefits Manual, effective June 1, 2017.

Seconded by Mr. Farley.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**NEW BUSINESS:**

**YOUTH SUMMER FUN PROGRAM**

Mr. Dumian provided an update on the Youth Summer Fun Program, a program sponsored jointly by the Towns of Conklin and Kirkwood. The program was not held in 2016, and Mr. Dumian would like to see it brought back for the 2017 summer season. He stated that Courtney Whalen from the Donnelly PTA stated that it would be possible to hold the program at the Donnelly Elementary School in 2017, but in 2018, the elementary school will be under renovation. In the past, the Town of Kirkwood has coordinated the program, with the Town of Conklin paying approximately \$600 each for two instructors. The Board agreed to move forward with the program, with Mr. Platt and Mr. Francisco concurring that it is a good program. Mr. Dumian will contact the Town of Kirkwood to see what the next steps will be in rejuvenating the Summer Fun Program.

**RESO 2017-65: APPROVE RECEIPT/2017 ANNUAL MOBILE HOME PARK PERMIT/MASCIARELLI REAL ESTATE/FOUNTAIN BLEAU MOBILE HOME PARK**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the receipt of the 2017 Annual Mobile Home Park Permit fee in the amount of \$200 from Masciarelli Real Estate for Fountain Bleu Mobile Home Park.

Seconded by Mr. Boyle.

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**RESO 2017-66: APPROVE ESTABLISHMENT OF NEW PERMANENT FULL-TIME  
NON-COMPETITIVE CLASSIFICATION/AT LEAST 20 HOURS BUT LESS THAN 30  
HOURS PER WEEK**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the establishment of a new Permanent Full-Time Non-Competitive classification with set hours of at least 20 hours but less than 30 hours per week.

Seconded by Mr. Platt.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**RESO 2017-67: RATIFY PAYMENT/U.S. POSTAL SERVICE/ “TOWN REQUEST”  
INFORMATION POSTCARD/TOWN-WIDE DISTRIBUTION**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #12051, account code A 1670-4, in the amount of \$532.44 to the U.S. Postal Service for postage for the town-wide distribution of the “Town Request” information postcard.

Seconded by Mr. Boyle.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**RESO 2017-68: APPOINT KAREN KRAUSE/CROSSING GUARD/  
EFFECTIVE 4-1-2017/\$35 PER DAY**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin appoints Karen Krause to the position of Crossing Guard, effective April 1, 2017, at the pay rate of \$35 per day.

Seconded by Mr. Platt.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

The Board noted that Roger Conklin will continue to be the Substitute Crossing Guard.

**RESO 2017-69: AUTHORIZE FINANCING/PRE-APPROVED PURCHASE/2017  
INTERNATIONAL 4300 4X2 TRUCK & VIKING-CIVES BODY/PLOW**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the financing of the pre-approved purchase of a 2017 International 4300 4x2 Truck and Viking-Cives Body/Plow

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for \$147,598.90 (Resolution 2016-124) with NBT Bank five-year Non-callable SIB rate of 2.93%.

Seconded by Mr. Boyle.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

The Board noted that it had received two quotes on the bond and NBT Bank had the lower quote.

**RESO 2017-70: AUTHORIZE PAYMENT/BILL LIST/\$52,132.42**

Mr. Boyle 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 \$52,132.42:

General	\$ 15,073.19
Highway	14,201.69
Sewer District	4,365.23
Water District	13,883.81
Non-Budget	<u>4,608.50</u>
<b>Total</b>	<b>\$ 52,132.42</b>

Seconded by Mr. Farley.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

**RESO 2017-71: APPROVE CODE DEPARTMENT TO SUBMIT APPLICATION TO FEMA/SEEKING APPROVAL FOR LEASES/BUYOUT PROPERTIES**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the Code Department to submit application to FEMA (Federal Emergency Management Agency) seeking approval for leases on the following Buyout properties by the following individuals for Mowing and Maintaining, with each lease being a five-year term for a total cost of \$25.00 per property:

1247 Conklin Road	194.12-1-32	Christopher Ostrowsky
9 Cherry Drive	178.11-1-21	Frank Plonski
23 Shipman Road	162.09-1-4	LeRoy Jenkins
20 Woodcrest Way	178.07-3-7	Stacey Rudock
18 Woodcrest Way	178.07-3-6	Stacey Rudock
25 Woodcrest Way	178.07-1-44	Stacey Rudock
62 Stillwater Road	228.11-2-26	Jeremy & Lori Rosenberry
11 JR Boulevard	161.12-2-9	Willis Platt
147 Stillwater Road	228.11-1-1.1	Carl Paugh

Seconded by Mr. Francisco.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

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### **MICRODISH/CHERRY DRIVE**

Ms. Sacco stated that her office had been contacted by another law firm representing an entity that wishes to install a telephone pole and microdish on property owned by the Town on Cherry Drive. The inquiry asked if the Town would consider giving an easement for access to the property. Mr. Dumian stated that he would want to discuss plowing and road maintenance with Highway Superintendent Brian Coddington. He also stated that the Town would not “give” an easement, adding that he wants to see the plan for potential placement of the telephone pole. Ms. Sacco replied that the property in question is the last lot before the fence at the border of Susquehanna Valley School District’s property. She added that she will get details about the potential project. The Board is interested in pursuing this but would like more information. It is believed the purpose of the microdish is to boost Internet access. Ms. Sacco suggested that the Town reach out to the residents in the area. The Board will consider a lease but no free easement.

### **GRANTS FOR BROADBAND ACCESS**

Mr. Boyle stated that he and Mr. Farley attended a recent Upstate Association of Towns meeting where grants from New York State to help small municipalities obtain broadband access were discussed. He stated that the deadline by which to apply for this grant funding is approaching, noting that the Governor set aside \$500 million, of which \$268 million has already been spent in Phases 1 and 2. It was noted that the agreement between the Town and Time Warner Cable/Spectrum still has not been renewed. Mr. Dumian suggested contacting other municipalities that have successfully received grant funding to discuss the process and any available contacts. Mr. Farley stated that the Town would have to partner with Time Warner Cable/Spectrum, as the grant requires the number of users and the cable infrastructure as part of the application. He added that the Town must document this information. Mr. Francisco stated that there is no agreement between the Town and Time Warner Cable/Spectrum yet. Ms. Sacco stated that there is no agreement and no benefits to the Town offered with the takeover of Time Warner Cable by Spectrum. Mr. Dumian stated that this grant application is separate from the Town’s agreement with the cable company. He will contact the New York State Rural Broadband Access Office for more information.

### **UPDATE/ZONING BOARD OF APPEALS MEETING**

Mr. Platt, liaison to the Zoning Board of Appeals, stated that sign ordinances were discussed at the last ZBA meeting, adding that the ZBA has a “good focus” and will discuss the issues more at its April meeting. Mr. Dumian stated that this is good, adding that “small businesses need help.”

### **ALARM AT COMMUNITY CENTER**

Mr. Francisco stated that the alarm system at the Community Center was tripped and there was an issue with access codes for the building. Mr. Dumian stated that he will check into this matter, so that “nothing is open to chance.”

### **RESO 2017-72: APPROVE BUDGET OF \$600/CONKLIN BEAUTIFICATION CORPS**

Mr. Francisco moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin approves a budget of \$600 for the Conklin Beautification Corps for the 2017 season, to be used for purchase of flowers and shrubs, etc., for the Town properties.

Seconded by Mr. Platt.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

Mr. Francisco stated that he contacted the contractor who will finish the stucco on the Castle this spring at no extra charge.

### **COMMUNITY CENTER RENTAL FEES**

The Town Board discussed possible revisions to the Community Center rental fees, including a reduced rate for Town of Conklin employees and current elected officials, as well as a reduction or waiver of fees for volunteer groups. It was noted that the Conklin Fire Department does not pay a fee when it uses the building for its annual Awards Dinner, as the fire department in turn uses its equipment to help the Town with changing light bulbs on its buildings and filling the ice rink. The Conklin Seniors Club also is not charged for its twice monthly use of the building for its meetings. Mr. Dumian commented that the building stands vacant much of the time, adding that the Town already has to pay for heat and lights anyway, and it might better be used. Mr. Francisco stated that the Fair Committee already pays for utilities during the annual Conklin Fair, adding that he is uncomfortable charging the Fair Committee an additional fee for use of the building. He added that the Fair helps all of the community volunteer groups raise funds for their ongoing projects. The Board will discuss the fee structure more at the March 28 Work Session.

### **SNOW REMOVAL**

Mr. Dumian thanked Highway Superintendent Brian Coddington for the “good job” the Highway Department did of removing snow during and after Blizzard Stella. He stated that vehicles parked on the street, in violation of the Town Code “No Parking” law, created a problem and asked about issuing tickets. He suggested that the Town tow vehicles that are illegally parked, on Town of Conklin roads only. Ms. Sacco will research this possibility. Code Officer Nick Vascello is able to issue tickets for cars parked on Town roadways between the hours of midnight (12 A.M.) and 7 A.M. or if more than two inches of snow has fallen, between October 15 and April 30. Town Justice J. Marshall Ayres commented that the problem with issuing parking tickets is that his office has no legal authority to impact the driver’s driving ability, since this offense does not allow scoffing the driver’s license, but only allows imposition of a \$25 fine. Mr. Dumian stated that the process needs to be changed.

### **GENERATORS AT TOWN HALL**

Mr. Dumian stated that generators are critically needed at the Town Hall in the event of a power outage. He stated that the previous weekend the louver doors in the boiler room stuck open again and the temperature in the boiler room was dropping when Water and Sewer Department worker Colin Casey stopped to check on the building. Mr. Dumian stated that even the new alarms being installed for that building would not help if there is no power for the alarms. He stressed the need for a back-up generator, calling it a “critical situation.” It was noted that the old Army generators previously purchased by the Town are still at the Highway Garage, but added that he wants to discuss the Town’s needs with A. C. Spears. Mr. Francisco asked if the

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Town will have to disable the building to pull wire and conduit for the generator, adding that he will research this aspect of the project. Mr. Dumian stated that he will get some estimates, adding that the Town faces a number of building issues, including the roof at the Town Hall, which needs to be reconditioned, and the roof at the Community Center, which needs to be replaced.

**FAIR COMMITTEE PERFORMANCE PLATFORM**

Town Clerk Sherrie Jacobs reported that the Fair Committee will pursue, in partnership with the Town of Conklin, funding from grants and from 84 Lumber toward the construction of its performance platform and possibly a pavilion.

**LONG-TERM DOG CONTROL SERVICES AGREEMENT WITH TOWN OF BINGHAMTON**

Mr. Dumian stated that he has been discussing the potential Long-Term Shared Services Agreement with the Town of Binghamton for Dog Control Services with Town of Binghamton Councilperson Elizabeth Rounds. The Town of Binghamton has agreed to pay the Town of Conklin \$500 per month plus mileage for the Town of Conklin Dog Control vehicle when it is used in the Town of Binghamton, beginning April 1, 2017. Town of Conklin Code Officer/Dog Control Officer Nick Vascello will provide Dog Control Services to both Towns.

**RESO 2017-73: EXECUTIVE SESSION/DISCUSSION OF PERSONNEL & CONTRACTUAL ISSUES FOR A PARTICULAR EMPLOYEE**

Mr. Francisco moved to close the Regular Town Board Meeting and move into Executive Session at 11:22 A.M. to discuss contractual issues for a particular individual.

Seconded by Mr. Platt.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

An Executive Session of the Town Board of the Town of Conklin was held at the Conklin Town Hall at 11:22 A.M. with Supervisor William Dumian, Jr., presiding. Present were: Supervisor Dumian, Mr. Boyle, Mr. Farley, Mr. Platt, Mr. Francisco, Town Justice J. Marshall Ayres, and Attorney Cheryl Sacco. MS. 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 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 2017-74: RE-OPEN REGULAR TOWN BOARD MEETING**

Mr. Dumian moved to close the Executive Session and re-open the Regular Town Board Meeting at 12:00 P.M. No actions were taken.

Seconded by Mr. Francisco.

VOTE: Boyle – Yes, Farley – Yes, Platt – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

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There being no further business to come before the Board, Mr. Dumian moved for adjournment, seconded by Mr. Platt. The meeting adjourned at 12:00 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk