

WORK SESSION
MARCH 28, 2017

The Town Board of the Town of Conklin held a Work Session at 5:30 P.M. on March 28, 2017, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT: Town Board Members Boyle, Farley, Platt, Francisco, Dumian

Town Counsel	Cheryl Sacco
Town Clerk	Sherrie L. Jacobs
Secretary to the Supervisor	Lisa Houston
Highway Superintendent	Brian Coddington
Code Officer/Dog Control Officer	Nick Vascello
Water/Sewer Department Laborer	Nick Platt

GUESTS: Country Courier Elizabeth Einstein
Laurie Francisco
Donald Clapper
Alberta Clapper
Bev Collins
Peter Motsavage
LeRoy Jenkins
Todd Jenkins
John Colley

WATER LINE EXTENSION/ROUTE 7A

Mr. Dumian stated that this discussion is a follow up to the petition submitted in September of 2016 requesting that the Town extend the municipal water line south down Route 7A to the Pennsylvania border. He added that this project has been studied by engineers on two other occasions.

Mr. Dumian stated that approximately 7,620 lineal feet of water main would be required, assuming 8-inch diameter PVC water line, including required hydrants, gate valves, and one booster station. He stated that there are 120 parcels or 120 potential new users in the proposed new water district, with one credit or vote given to each parcel. Mr. Dumian stated that the cost of this water line extension would be approximately \$1,524,000, with an average annual cost per unit of \$643 per year for the bond only, not including usage. The bond would be for a period of 30 years. Any parcels within the district would be required to tie-in to the municipal water system within twelve months. Mr. Dumian stated that the average annual water usage fee is \$150 per year. This would mean that the total cost, for bond and usage, would be 4793 per year, which is below the threshold of \$902 per year which is allowed by New York State. Cost to the resident above that threshold must be approved by the New York State Comptroller.

A foreseeable problem is the fact that 32 possible parcel consolidations exist within the proposed new district. If these consolidations occur, the cost per unit would increase above the \$902 per year threshold and the Town would have to seek permission from the New York State Comptroller. The one-time cost for the new user hook-up from curb to house would be approximately \$2,000 to \$5,000 and is borne by the house owner.

Alberta Clapper asked if the payment would be on the water bill and Mr. Dumian explained that the cost of the bond would be added to the property owner's tax bill, while the usage would be billed quarterly by the Town.

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Mr. Dumian stated that he wants to get feedback from the residents in the area of the proposed water district, adding that the Town will send a letter to those residents. He stated that 61 parcels out of 69 owners need to approve the petition.

Ms. Clapper stated that the Town “ran water to the trailer park, which pays no taxes except for the park owner, but we can’t get water?” Mr. Dumian replied that this Town Board “cannot change the past.” Ms. Clapper stated that the wells in the area are going dry and water filters show contaminants in the well water. Bev Collins asked which side of Route 7 the water line would run down and Mr. Dumian replied that he is not sure. Ms. Collins asked about combining properties and Mr. Dumian stated that if properties are combined before the vote on the water district, one property equals one vote. Town Attorney Cheryl Sacco stated that she is worried about the possibility of combined properties because it could increase the annual cost of the bond to approximately \$1,200 per year per unit, which would require approval from the New York State Comptroller and would be too expensive for the residents. She added that the increased costs would be dispersed among other property owners in the district. Ms. Collins stated, “I wish this had been addressed in 2013, when it was first requested.” Mr. Dumian replied that there was “no follow through,” adding that “all areas of the Town are important.” He stated that he needs a list of properties and will have a letter sent to the property owners to get feedback, adding that 51% is required to progress with this project. Ms. Sacco added that it is inexpensive to combine properties.

COMMUNITY CENTER RENTAL FEES

Mr. Dumian stated that the Community Center is available much of the time, with not enough rentals to offset the needed repairs, such as the roof that will need repair or replacement within the next year. He stated that the bid specifications for this project developed in 2016 were “labor and warranty extensive” and added that new specifications would need to be developed.

Mr. Dumian stated that he thinks Conklin residents should receive a discount. Mr. Francisco confirmed that all money is received prior to a rental event occurring. Mr. Dumian stated that the building is “sitting empty,” but the Town still has to pay for heat and lights. He suggested that if the rental rates are lowered, it might make the Center more attractive to rent. After discussion, it was decided to keep the current \$300 rental and \$100 security deposit for non-residents, but only charge Conklin residents \$200 rental plus the \$100 security deposit. It will still cost any renter an extra \$50 to gain early access the day before the rental date. The Board decided to offer a Monday through Thursday rental rate in the evening from 5 to 11 P.M. for \$150 plus a \$50 security deposit. Town Clerk Sherrie Jacobs stated that this may prove attractive to businesses and other groups, since there are no meeting rooms available to rent in Conklin. Rentals are on a first come, first served basis.

Ms. Jacobs asked about cleaning before a rental event, and Mr. Dumian stated that the responsibility rests with the users of the building, whether paying renters, or groups like the Conklin Seniors Club and Meals on Wheels. He stated that there will also be employee accountability logs for oversight of the facility. Discussion was held regarding fees for volunteer organizations, with Mr. Francisco stating that if the facility is used for a fundraiser a fee should be charged. Mr. Dumian stated that if it is not a fundraising event, the fee should be waived for these groups. Mr. Francisco stated that he believes the building rental fee should be waived for the Conklin Fair Committee, with the Committee responsible only for the cost of utilities for the three days of the Fair, since the Fair “is a great help to the community.” The Board agreed to move forward with the changed rates, with no refunds for previously booked events, even if they have not yet occurred.

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RE-ZONING TO AGRICULTURAL

Mr. Boyle presented a petition to Ms. Sacco of property owners requesting re-zoning of their properties from Residential to Agricultural. She will research these properties and draft a local law to present at the April 11 Town Board meeting.

SECURITY CAMERAS AT COMMUNITY CENTER

Mr. Dumian stated that he spoke with Randy Bidwell about getting the four cameras purchased last year mounted at the Community Center. A portable monitor will be part of the system, with a view of the dog park. Two cameras will be mounted in the front of the Community Center and two in the back, with one near the gazebo, and one near the maintenance garage. These two will cover the front of the building and the parking lot. Mr. Dumian stated that the cameras have already been purchased, adding that the Town just needs to pay for the installation. Mr. Francisco stated that the DVR for the system should be stored in the maintenance garage for security reasons.

REGULAR TOWN BOARD MEETING

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The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on March 28, 2017. Mr. Dumian, Supervisor, presided. The Pledge of Allegiance was recited at the opening of the Work Session.

PRESENT:	Town Board Members	Boyle, Farley, Platt, Francisco, Dumian
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Secretary to the Supervisor	Lisa Houston
	Highway Superintendent	Brian Coddington
	Code Officer/Dog Control Officer	Nick Vascello
	Water/Sewer Department Laborer	Nick Platt

GUESTS:	Country Courier	Elizabeth Einstein
		Laurie Francisco
		Donald Clapper
		Alberta Clapper
		Bev Collins
		Peter Motsavage
		LeRoy Jenkins
		Todd Jenkins
		John Colley

MINUTES: MARCH 17, 2017 REGULAR TOWN BOARD MEETING

Mr. Farley moved to approve the March 17, 2017 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Platt.

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

CORRESPONDENCE:

Mr. Dumian acknowledged receipt of correspondence from Verizon regarding a potential site for a cell phone tower. He stated that he has received several calls from residents who are displeased with the idea of constructing a cell tower near Schnurbusch Park.

PUBLIC COMMENTS:

COMPLETION OF FACADE OF CASTLE

Mr. John Colley asked when the remaining stucco and paint work would be completed on the front of the Castle and Mr. Francisco stated that it will be completed as soon as the weather allows.

REPORT: SUPERVISOR'S OFFICE

The Supervisor's January 2017 report is on file in the office of the Town Clerk.

OLD BUSINESS:

REGULAR TOWN BOARD MEETING

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UPDATE/NEW YORK STATE BROADBAND PROGRAM

Town Attorney Cheryl Sacco stated that she e-mailed Governor Cuomo's office regarding the New York State Broadband Program and received no response. Mr. Boyle stated that TDS/Frontier is working in Windsor, however, the Town of Conklin's broadband provider is Time Warner Cable/Spectrum. He stated that he will talk to his contact person and research this further. Ms. Sacco stated that the Town's agreement is with Charter, not Spectrum, adding that the company "has not provided much help in pursuing this project." Mr. Dumian commented that Windsor's population is much more widely dispersed and the Town has less service currently than Conklin does. Mr. Boyle stated that maps held by the cable company show the Town of Conklin not including the areas of Conklin Forks and Corbettsville, which are inaccurate. Mr. Dumian reiterated that there has been no response from the Governor's office. The deadline to close Phase III is today, March 28. Mr. Dumian stated that even if a grant is awarded, "the money is not guaranteed," citing the \$2.7 million of Rising Community Grant money which has not yet been received by the Town. Ms. Sacco stated that Charter is non-committal regarding applying for Phase III, adding that partnering with Charter may be a requirement. Mr. Boyle reiterated that the maps are not accurate, which may impact the Town's ability to receive any grant assistance. Ms. Sacco stated that Charter had applied in Phase II and had been denied. Mr. Dumian commented that Charter "doesn't seem willing to work with the Town." Ms. Sacco stated that she had contacted the Public Service Commission's municipal outreach contact and asked that the recent merger not be allowed if Time Warner Cable had unsettled or open contracts, as it has had with the Town of Conklin for several years, and added that she received no response.

UPDATE/YOUTH SUMMER FUN PROGRAM

Mr. Dumian stated that he has received two phone calls regarding the Youth Summer Fun Program, one from Pat from Broome-Tioga BOCES Meals Program and one from Mary from Catholic Charities. He stated that studies have shown that Conklin is #2 on the list of municipalities with children living in poverty, second only to the City of Binghamton. Mr. Dumian stated that the Town can partner with Broome-Tioga BOCES and Catholic Charities to provide breakfast and lunch to children who participate in the Summer Fun Program or who just need to come for a meal. Broome-Tioga BOCES would provide the food and Catholic Charities volunteers would aid in distribution at the site of the Summer Fun Program, which is tentatively Donnelly Elementary School. There would be no charge to the children.

Mr. Dumian stated that in the past, the Town of Kirkwood paid most of the cost of the Summer Fun Program, but 80% of the participants were children from the Town of Conklin. In 2015, the Town of Conklin paid \$1190 out of the \$5700 cost for the four-week program. The program was not held in 2016. Mr. Platt asked what the timeline for implementation of the program would be and Mr. Dumian replied that training for counselors for the program is required in June. Ms. Sacco stated that the program would need a nurse to be on site. Mr. Dumian stated that he believes the Town of Kirkwood would still contribute some money toward the program and added that he will contact the Supervisor to discuss this. He also asked Town Clerk Sherrie Jacobs, who is involved in several volunteer groups in the Town, to reach out to these groups for financial support, with commitments hopefully by the April 11 meeting. Mr. Dumian stated that he estimates the cost to the Town will be \$4,000-\$4,500. Mr. Francisco stated that he is in favor of moving ahead with this program and feels financial commitment is needed by April 11. Mr. Dumian stated that the volunteer who will run the program ran the PAL Camp for 60-90 children, and thus has experience with this type of program. Mr. Dumian stated that as the Town tries to support its senior citizens, it should also support its youth because "every age group is

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important.” Mr. Boyle asked how the children find out about the program and Mr. Dumian replied that it is publicized through the Susquehanna Valley School District.

NEW BUSINESS:

INSURANCE AGENCY AT TOWN HALL

Mr. Dumian stated that the Department of Motor Vehicles (DMV) mobile unit, with the authorization of Broome County Clerk Rick Blythe, had brought a company offering low-cost/no cost health insurance with them to the Conklin Town Hall. Ms. Sacco contacted the Broome County Attorney, who stated that this is not allowable, since it raises legal issues with providing space for one particular insurance company to do business, and could be considered endorsement of one particular insurance company. The DMV immediately discontinued the practice. Ms. Sacco stated that this would apply to any and all insurance providers, even if they are not-for-profit.

DOG CONTROL SERVICES AGREEMENT/TOWN OF BINGHAMTON

The Town Board approved moving ahead with the long-term shared services agreement between the Town of Conklin and the Town of Binghamton for Dog Control Services with the following amendments to the agreement:

- Section 5b should read “on a monthly (not annual) basis” (page 2)
- Section 5b should read “mileage on Conklin’s vehicle at the IRS rate per mile” (page 2)
- Section 6 should read “sixty (60) days written notice” (rather than 30 days) (page 3)

Mr. Dumian stated that he has also been considering the options between the Humane Society and the Front Street Dog Shelter as the location to take dogs that are picked up by the Dog Control Officer. The Humane Society charges the Town a per dog amount, while the Front Street Dog Shelter has a monthly fee schedule, regardless of the number of dogs taken to its facility. Dog Control Officer Nick Vascello stated that in the last six years, 20-30 dogs were taken to the Shelter, and added that so far in 2017, he has taken seven dogs there. Mr. Dumian stated that it will be more cost effective for the Town to continue utilizing the Front Street Dog Shelter, who he added has provided “great service” in caring for the dogs taken there. Ms. Sacco is reviewing the contract with the Shelter. Mr. Dumian stated that this is an example of the Town of Conklin pursuing the use of shared services.

**RESO 2017-75: APPROVE INTERMUNICIPAL AGREEMENT AS AMENDED FOR
DOG CONTROL SERVICES WITH TOWN OF BINGHAMTON**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the Intermunicipal Agreement, as amended, with the Town of Binghamton for Dog Control Services.

Seconded by Mr. Boyle.

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

RESO 2017-76: AUTHORIZE PAYMENT/BILL LIST/\$20,933.72

Mr. Boyle moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Bill List in the total amount of \$20,933.72:

General	\$ 8,172.98
Highway	4,238.74
Light District	2,276.12
Sewer District	2,315.76
Water District	3,048.12
Water District 6	<u>882.00</u>
Total	\$20,933.72

Seconded by Mr. Francisco.

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

RESO 2017-77: APPROVE PAYMENT/HD SUPPLY/INVOICE #G333245/\$12,186.60

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment in the amount of \$12,186.60, account code SS1-8130-2, to HD Supply for invoice #G333245, Purchase Order #17-00182, for sewer hatches.

Seconded by Mr. Boyle.

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

2nd PUBLIC COMMENTS OPPORTUNITY

Mr. Boyle requested that the Board again provide a second opportunity for public comments at the close of the Town Board meetings.

AVIAN INFLUENZA

Mr. Boyle stated that there has been an outbreak of avian influenza and stated that owners of poultry need to be made aware of this issue. He stated that good husbandry in taking care of the animals and containment of the poultry will help cut down the spread of this disease. Mr. Boyle stated that more information is available on the CDC (Center for Disease Control) website under “Avian Influenza.”

RE-ZONING FROM RESIDENTIAL TO AGRICULTURAL

Ms. Sacco stated that she received a petition, via Mr. Boyle, from ten property owners who wish to have their properties re-zoned from Residential to Agricultural. She stated that she will research these properties to make sure there is no spot zoning and that they are in proximity to an Agriculturally zoned area, and will prepare a local law to introduce at the April 11 meeting. Mr. Dumian stated that the Town could approve these ten properties as one group, rather than individually.

Mr. Farley stated that the Planning Board recommends that the Town Board approve the re-zoning of 1941 Coleman Road from Residential to Agricultural, and that it consider re-zoning

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that entire area. He stated that the Planning Board held a Public Hearing on the proposed Dollar General store in the southern part of Town and no residents attended the Public Hearing.

GENERATOR AT TOWN HALL

Mr. Francisco stated that the plan for installation of the generator at the Town Hall indicates that it should be installed in the back corner of the building. He stated that he is awaiting information from the electrical contractor. Mr. Dumian stated that he has been in contact with A.C. Spears and believes it will be possible to put the three Army surplus generators obtained by the Town several years ago on their intended sites and make it their permanent location, rather than making them movable as originally planned. He stated that these generators have been sitting at the Highway Garage for six years. Mr. Francisco stated that a fence will be constructed as a sound barrier around the Town Hall generator, and added that it will have a manual switch. He stated that it would cost \$20,000 to \$30,000 for an automatic transfer switch. Mr. Dumian stated that he will further research a manual vs. automatic switch.

Mr. Francisco stated that he has also been researching controls for the heating system at the Community Center.

TOWN & BUSINESS ASSOCIATION EASTER EXTRAVAGANZA

Ms. Jacobs reminded those present that the Town of Conklin and the Conklin Business Association will host the annual Easter Extravaganza at the Maines Community Center on April 8, from 11 A.M. until 1 P.M., with help from many different volunteer organizations.

**RESO 2017-78: ADOPT REVISED RENTAL FEE STRUCTURE/MAINES
COMMUNITY CENTER**

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin adopts the following revised rental fee structure for the Maines Community Center, effective March 28, 2017:

<u>Rental Category</u>	<u>Rental Fee</u>	<u>Security Deposit</u>	<u>Total Due</u>
Non-resident	\$300	\$100	\$400
Conklin Resident	\$200	\$100	\$300
Evening Rental (5-11 P.M.) (Monday-Thursday)	\$150	\$50	\$200
Celebration of Life Events	\$200	\$100	\$300
Town Not-For-Profits (Charge is for Fundraisers Only – Not for Meetings)	\$125	\$50	\$174
Other Not-For Profits	\$225	\$75	\$300

Fee for Early Access the day before the rental date is \$50 for any full day rental. The Conklin Fair Committee will be charged only for the utilities used the three days of the Fair, with the building use fee waived. The Town Supervisor reserves the right to waive or amend fees in other circumstances at his discretion.

Seconded by Mr. Boyle.

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

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RESO 2017-79: DECLARE SURPLUS EQUIPMENT/2004 GMC 7500 PLOW TRUCK
WITH FRONT & WING PLOWS

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin declares surplus equipment a 2004 GMC 7500 Plow Truck with Front and Wing Plows.

Seconded by Mr. Francisco.

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

RESO 2017-80: ADVERTISE IN LOCAL MEDIA/SURPLUS 2004 GMC PLOW TRUCK
& PLOWS/NO MINIMUM BID/AS IS/BID DUE 4-25-2017 BY 3 P.M.

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes advertisement in the **Country Courier** and in the **Press & Sun Bulletin** for invitation to bid on the surplus 2004 GMC Plow Truck and Wing and Front Plows, with no minimum bid required, “as is” with no warranties, with bids due in the office of the Town Clerk by 3:00 P.M. on April 25, 2017, with bid opening to take place at 6:35 P.M. on April 25, 2017, during the Town Board meeting.

Seconded by Mr. Farley.

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

PURCHASE OF 2017 INTERNATIONAL 7500 WITH PLOW PACKAGE FOR
HIGHWAY DEPARTMENT

Highway Superintendent Brian Coddington stated that he needs to replace the 2000 Volvo Plow Truck and wants to purchase a 2017 International 7500 SFA 4x2 Plow Truck with Plow Package and Stainless Steel Box. The truck would be purchased by “piggybacking” on the Onondaga County contract for \$176,174 (\$92,837 for the truck and \$83,337 for the plow and box). Ms. Sacco stated that the Highway Budget can pay the payments, adding that a Notice of Estoppel and a Permissive Referendum are required. Mr. Coddington stated that it will take eight months for the company to build the truck. Ms. Sacco stated that she will get quotes for the bonding and set up a bond closing. There is unanimous consensus from the Town Board to move forward with this purchase. A plan for scheduled replacement of Highway vehicles is being developed.

FOIL REQUEST/DICK’S WAREHOUSE DISTRIBUTION CENTER

Mr. Dumian stated that the Town received a FOIL (Freedom Of Information Law) request for all documents and communication regarding the Dick’s Warehouse Distribution Center project, adding that he talked to the requestor to try to narrow the focus of the request. The requestor has already spoken with Code Officer Nick Vascello. Ms. Sacco will research this further.

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BOARD ROOM SOUND SYSTEM

Mr. Dumian stated that sound system expert Bob Dengler has worked with the Board Room sound system and has stated that it is a “good sound system,” but the Town has an issue with batteries for the microphones. Mr. Dumian stated that he will talk to Mr. Dengler for suggestions for improving the sound in the Board Room, since members of the audience often say they cannot hear what the Board members are saying.

ALLOWING CAMPERS/BOATS ON PROPERTY

Mr. Dumian stated that he was contacted by a person who wants to buy property in Conklin and wants to be able to put a camper on the property. He stated that he wants to discuss the issue at the April 11 Town Board meeting of whether or not Conklin would allow campers and/or boats on property, adding that the decision should “make sense for the majority of residents” of the Town.

RESO 2017-81: RECESS FOR LEGAL ADVICE

Mr. Dumian moved to close the Regular Town Board Meeting at 7:40 P.M. to recess for legal advice.

Seconded by Mr. Francisco.

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

RESO 2017-82: RE-OPEN REGULAR TOWN BOARD MEETING

After the recess for legal advice, Mr. Boyle moved to re-open the Regular Town Board Meeting at 8:15 P.M.

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Platt. The meeting adjourned at 8:17 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk