

REGULAR TOWN BOARD MEETING
OCTOBER 10, 2017

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on October 10, 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
	Highway Superintendent	Brian Coddington
	Secretary to the Supervisor	Lisa Houston
	Crew Leader	Tom DeLamarter
	Code Officer/Dog Control Officer	Nick Vascello
	Administrative Assistant	Mary Plonski
	Zoning Board of Appeals	Tom Kelly

GUESTS:	Country Courier	Elizabeth Einstein
		John Colley
		Laurie Francisco
		Evelyn Deeley

MINUTES: SEPTEMBER 26, 2017 WORK SESSION & REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the September 26, 2017 Work Session and Regular Town Board Meeting minutes as presented.

Seconded by Mr. Farley.

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

CORRESPONDENCE:

Mr. Dumian acknowledged receipt of correspondence from New York State Senator Fred Akshar. He stated that he is working with Senator Akshar on two projects. The first project is the issue with drainage on Banta Road, which sustained flooding during the July 24, 2017 heavy rain event. Mr. Dumian stated that the pipes are inspected each year and are in good condition; however, there is a water flow issue when it rains heavily. He stated that it would cost \$350,000 to \$400,000 to rebuild the culvert and drainage area, adding that the application window for the CDBG (Community Development Block Grant) being utilized for the Stillwater Road Drainage Project has closed. Therefore Mr. Dumian is asking Senator Akshar for assistance in finding funding for the Banta Road project. Mr. Dumian stated that the second project for which he has asked Senator Akshar for assistance in funding is the water line extension down Route 7A. He stated that Senator Akshar will be holding a public meeting at the Community Center on October 14 from 11 to 12:30 and encouraged those present to come out and speak with the Senator.

Mr. Dumian stated that he wanted his personal opinion stated for the record, stating that, in light of recent behavior by members of the National Football League, he wanted it know that he will “always stand behind our flag and our country.”

PUBLIC COMMENTS:

None.

SUPERVISOR’S REPORT:

On file with the Town Clerk.

OLD BUSINESS:

REGULAR OWN BOARD MEETING
OCTOBER 10, 2017

2018 PRELIMINARY BUDGET

The Town Board discussed the 2018 Preliminary Budget. Mr. Francisco opened the discussion by asking if the Board could take the stance that members of the Zoning Board of Appeals (ZBA) should resign if they cannot attend meetings. This is a follow-up to the prior discussion regarding decreasing the number of members of the ZBA from seven to five members. Mr. Dumian stated that he will discuss it with ZBA Chairperson William Northwood.

Mr. Dumian stated that he feels the Preliminary Budget is a “good Budget,” adding that he thinks the Board should “leave it alone” at this point. Mr. Farley asked if the Town of Binghamton has confirmed that it wishes to continue the shared services agreement for Dog Control services into 2018. Mr. Dumian stated that he has not heard yet from Town of Binghamton Supervisor Tim Whitesell, but added that Nick Vascello, Dog Control Officer for both Conklin and Town of Binghamton, is of the understanding that the shared services agreement is to continue.

Mr. Francisco asked about the proposed increase in salary for the chairpersons of the Planning Board and ZBA, and Mr. Dumian replied that this will be discussed. Mr. DeLamarter asked if the Board had any questions regarding his department’s Budget request, and Mr. Dumian replied that there were no changes made to the request from the Water and Sewer and Parks Department.

CHANGES TO EMPLOYEE POLICY MANUAL

Regarding the proposed changes to the Employee Policy Manual, discussed at the September 26, meeting, Mr. Dumian stated that the Town will leave the overtime reimbursement wording as it is, which reflects the policy set by New York State for defining overtime. He stated that he would like to increase the amount in the medical pool to \$3,000 for full-time employees and elected officials who are eligible for Town-provided health insurance coverage but who choose not to participate. Mr. Dumian stated that the sick day allotment now allows for carryover up to 60 days, but it is a “use it or lose it” scenario. He would like the Board to allow employees to buy back six of the twelve sick days allotted annually.

REPORT: CODE OFFICER

Code Officer Nick Vascello stated that he has scheduled his second set of fire inspections and anticipates having them completed by the end of November.

REPORT: HIGHWAY SUPERINTENDENT

Highway Superintendent Brian Coddington stated that leaf pick-up has begun. He stated that his department has a 2012 48-inch H & H ditching bucket, worth approximately \$2,000, which he would like the Board to declare surplus equipment.

**RESO 2017-178: DECLARE SURPLUS EQUIPMENT/2012 48-INCH
H & H DITCHING BUCKET**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin declares as surplus equipment a 2012 48-inch H & H ditching bucket.

Seconded by Mr. Platt.

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

Mr. Coddington stated that the John Deere Company is willing to take the ditching bucket in “fair trade” for a plow blade, which Mr. Coddington stated he needs.

REGULAR TOWN BOARD MEETING
OCTOBER 10, 2017

RESO 2017-179: AUTHORIZE HIGHWAY SUPERINTENDENT/ TRADE DITCHING
BUCKET TO JOHN DEERE/\$2,000 VALUE

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Highway Superintendent to trade the 2012 48-inch H & H ditching bucket to the John Deere Company for a value of \$2,000.

Seconded by Mr. Farley.

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

REPORT: WATER & SEWER/PARKS

Crew Leader Tom DeLamarter, who has oversight of the Water and Sewer/Parks Department, stated that his department wants to purchase a 2018 Ford F-350 truck on New York State bid pricing.

RESO 2017-180: AUTHORIZE PURCHASE/2018 FORD F-350 XL
SUPERCAB/PIGGYBACK ONONDAGA COUNTY BID PRICING/
NOT TO EXCEED \$39,682.15

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the purchase of a 2018 Ford F-350 Supercab and accessories, piggybacked on the Onondaga County Bid #7974-2018 pricing, per quote #25754, in an amount not to exceed \$39,682.15.

Seconded by Mr. Boyle.

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

Continuing his report, Mr. DeLamarter stated that the grinder pumps have been installed at the sewer station and are working well. He stated that the tanks in the ground at Sewer Stations #1, 2, 3, and 4 need to be replaced.

NEW BUSINESS:

HALLOWEEN CURFEW

The Halloween curfew, established by local law, runs from 8 P.M. until 6 A.M. on October 30, 31, and November 1. Mr. Dumian stated that the Broome County Sheriff's Department will provide patrols at no charge to the Town.

RESO 2017-181: SCHEDULE PUBLIC HEARING/OCTOBER 24, 2017 AT 6:40 P.M./TO
RECEIVE INPUT REGARDING PROPOSED 2018 MUNICIPAL WATER AND SEWER
BILLING RATES

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:40 P.M. on October 24, 2017, to receive input regarding the proposed 2018 Municipal Water and Sewer billing rates.

Seconded by Mr. Farley.

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

REGULAR TOWN BOARD MEETING
OCTOBER 10, 2017

RESO 2017-182: SCHEDULE PUBLIC HEARING/OCTOBER 24, 2017 AT 6:45 P.M./TO
RECEIVE INPUT REGARDING PROPOSED 2018 FIRE PROTECTION CONTRACT
WITH CONKLIN VOLUNTEER FIRE DEPARTMENT, INC.

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:45 P.M. on October 24, 2017, to receive input regarding the proposed 2018 Fire Protection Contract with the Conklin Volunteer Fire Department, Inc.

Seconded by Mr. Farley.

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

RESO 2017-183: SCHEDULE PUBLIC HEARING/OCTOBER 24, 2017 AT 6:50 P.M./TO
RECEIVE INPUT REGARDING PROPOSED 2018 GENERAL AND HIGHWAY
BUDGET OF TOWN OF CONKLIN

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:50 P.M. on October 24, 2017, to receive input regarding the proposed 2018 General and Highway Budget for the Town of Conklin.

Seconded by Mr. Francisco.

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

RESO 2017-184: APPROVE CODE DEPARTMENT/SUBMIT APPLICATION TO
FEMA SEEKING APPROVAL/LEASES ON 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 an 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:

26 Shipman Road	162.09-1-32	Edward Renwick, Jr.
51 Alta Road	162.14-2-29	Charles Backus, Jr.
798 Conklin Road	162.09-1-58	Albert Young, Jr.
45 Alta Road	162.14-2-31	Brian McPeek
8 Shipman Road	162.09-1-38	Peter Camarda
16 Shipman Road	162.09-1-35	Peter Camarda
18 Shipman Road	162.09-1-34	Peter Camarda
4 Lilac Place	194.12-1-30.1	Christopher Ostrowsky *

*(Property was approved for lease to prior owner Galazyn but she withdrew request to lease.)

Seconded by Mr. Platt.

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

Mr. Dumian stated that there have been some minor issues with the properties currently being leased. He stated that the Town can terminate any of the leases within 30 days, citing issues with people bringing in campers to the leased properties, which is not currently allowed by Town Code. Mr. Francisco stated that the Town “must enforce the Code now,” adding that it will be harder to do so later if the practice of bringing in campers is overlooked now. Mr. Platt stated that the Town should “enforce the law or get rid of the lease program.” Mr. Dumian stated that

REGULAR TOWN BOARD MEETING
OCTOBER 10, 2017

the Town should “enforce the law.” Mr. Farley stated that leaseholders should be notified that they are in violation of the lease agreement.

Mr. Dumian stated that the lease agreements have provided “a good cost savings on mowing.” He added that the Town has spent money on removal of trees that have fallen on the Buyout properties, and noted that the Town “could allow these properties to return to ‘green space’ if they are not near residences.” Mr. Dumian stated that the Town owns 141 properties through the FEMA Buyout Program. He stated that “if you lease, you must take care of fallen trees as part of ‘maintenance.’” Mr. Platt, noting that the Town is the landlord, asked if the Town has a responsibility to remove the fallen trees. Ms. Sacco stated that the leaseholders are “leasing the property to mow and maintain, not to ‘enjoy quietly.’” She suggested increasing the cost to lease the properties.

Administrative Assistant Mary Plonski stated that 14 properties have been approved to date, with 51 more pending approval by FEMA, whom she stated has informed the Town that approving its lease applications “is not a top priority.” She stated that leaseholders are informed as to the terms of the lease.

It was noted that if a tree falls close to the roadway, in either New York State or Town of Conklin right-of-way, the state or municipality must remove it. Mr. DeLamarter commented that the Town Code has a grass ordinance but trees that fall on private property do not have to be removed. Evelyn Deeley commented that a person whose property is near her place of business has grass overrunning the property. Code Officer Nick Vascello stated that he is now issuing the third Order to Remedy to this particular property. He added that the brush and grass law is only applicable “when it poses a threat to public welfare or safety.” The Code states that grass cannot be allowed to grow over six inches high. Mr. Boyle stated that removal of trees “is part of the maintenance of a leased property.”

RESO 2017-185: ACCEPT DONATION/RICHARD KOBER/FIELD USE

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts a donation in the amount of \$50.00 from Richard Kober for use of Town sports fields.

Seconded by Mr. Farley.

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

RESO 2017-186: APPROVE CHANGES TO EMPLOYEE MANUAL/INCREASE MEDICAL POOL FOR FULL-TIME EMPLOYEES/ELECTED OFFICIALS WHO DO NOT PARTICIPATE IN TOWN HEALTH INSURANCE COVERAGE

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following change to the Policy and Benefit Standards Manual on page 14, Article 16, “Health Care Benefit Pools,” paragraph three: Add “Full Time employees and Full and Part Time Elected Officials who do not participate in the Town’s health insurance coverage but are eligible - \$3,000,” effective date January 1, 2018.

Seconded by Mr. Platt.

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

REGULAR TOWN BOARD MEETING
OCTOBER 10, 2017

RESO 2017-187: AUTHORIZE TOWN SUPERVISOR/PUBLISH PUBLIC NOTICE
SEEKING PUBLIC INPUT/EXECUTE APPLICATION/WELLNESS AND
COMMUNITY CENTER PROJECT

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Town Supervisor to publish a public notice seeking public input, and thereafter execute the application, submit it, and take any other action necessary for the Wellness and Community Center project; such application and actions are a Type II under SEQRA (State Environmental Quality Review Act).

Seconded by Mr. Farley.

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

RESO 2017-188: AUTHORIZE ADVERTISEMENT & PUBLICATION OF
RFQ/CONSTRUCTION MANAGER & ENGINEERING SERVICES/
WELLNESS AND COMMUNITY CENTER PROJECT

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes advertisement and publication of a Request For Quotes (RFQ) for construction manager and architectural and engineering services for the Wellness and Community Center Project.

Seconded by Mr. Francisco.

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

The question was asked as to whether or not the grant covers the cost of advertising and Ms. Sacco stated that she will research that issue.

RESO 2017-189: AUTHORIZE PAYMENT/BILL LIST/\$35,219.50

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 \$35,219.50:

General	\$ 14,493.76
Highway	4,181.45
Sewer District	6,441.69
Water District	<u>10,102.60</u>
Total	\$ 35,219.50

Seconded by Mr. Platt.

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

PUBLIC COMMENTS:

WELLNESS & COMMUNITY CENTER PROJECT

Evelyn Deeley asked if more information is available on the proposed Wellness and Community Center. Mr. Dumian stated that there is a change to the current application in that the size of the Community Center portion is supposed to be larger than 5,000 square feet. He stated that a copy of the application will be available once it is completed.

REGULAR TOWN BOARD MEETING
OCTOBER 10, 2017

MOWING REQUIREMENTS

Returning to the topic of mowing and property maintenance, Ms. Deeley asked if she needed to send letters of complaint regarding her neighbor's "burned out building and mowing." She asked how far back from the property line the Code requires the lawn to be mowed. Mr. Vascello stated that there is "no defined area," adding that he would not make someone brush hog their entire property, for example. Ms. Deeley asked what exactly constitutes a hazard from wildlife, rodents, etc., and Mr. Vascello stated that he will investigate the situation in question.

**RESO 2017-190: APPROVE CHANGES TO EMPLOYEE MANUAL/ALLOW
EMPLOYEES TO BUY BACK UP TO SIX SICK DAYS PER YEAR**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following change to the Policy and Benefit Standards Manual on page 10, Article 11, "Sick Leave with Pay,": Add paragraph 1-d: An employee may elect to be paid ("buy back") for up to six unused sick days per year.

Seconded by Mr. Platt.

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

FREE TICKETS/GARDEN BROTHERS CIRCUS

Mr. Boyle stated that he received 30 free tickets to the Garden Brothers Circus at the Floyd Maines Arena in Binghamton. The tickets will be available in the Town Clerk's office to anyone who would like them.

TOWN OF CONKLIN ZIP CODES

Mr. Boyle stated that he had contacted the Town of Conklin Postmasters regarding changing the zip codes in Conklin to all be 13748, noting that state level analysis for grants and other programs does not include the portion of Conklin with the 13903 zip code as being part of the Town but instead links it to the Town of Binghamton. He stated he was told that he needs to send a written request to the local Postmaster. Mr. Dumian stated that Mr. Boyle should "hold off" on pursuing this project, stating that the Board "needs more details." Ms. Sacco stated that the Town should "not change its zip codes" but rather look for a different way to obtain better representation.

UPSTATE ASSOCIATION OF TOWNS

Mr. Boyle stated that the next meeting of the Upstate Association of Towns will be held on October 12 at 11:00 A.M. Mr. Dumian commented that he is unable to make daytime meetings of the Association due to his work schedule.

Mr. Boyle stated that he gave information which he had obtained from the Association regarding abandoned municipal cemeteries to Mr. Francisco, who is President of the Conklin Cemetery Association. Mr. Francisco replied that the only cemetery owned by the Town of Conklin is Shawsville Cemetery.

GENERATOR AT TOWN HALL

Mr. Platt asked for an update on the generator that is to be installed at the Town Hall. Mr. DeLamarter stated that he spoke to a representative from A. C. Spears who stated that he will get back to Mr. DeLamarter this week about a timeline for installation. Mr. Platt asked if the generator will be installed by the end of 2017 and Mr. Dumian replied that the project has already been approved by the Board and will be completed by the end of the year.

REGULAR TOWN BOARD MEETING
OCTOBER 10, 2017

STREET LIGHT SURVEY

Mr. Francisco stated that the street light survey has been completed and seven lights are in need of repair.

CONFUSION REGARDING ADDRESS/COMMUNITY CENTER

Town Clerk Sherrie Jacobs stated that a fire call came in listing the address of the Community Center as 942 Conklin Road, which is the nearby mini-golf course and restaurant building. The correct address of the Community Center is 956 Conklin Road. Discussion occurred regarding signage and numbers for the building. Mr. Platt stated that Fire Code requires numbers at least four inches high on every building.

RESO 2017-191: RECESS FOR LEGAL ADVICE

Mr. Boyle moved to close the Regular Town Board Meeting and recess for legal advice at 8:48 P.M.

Seconded by Mr. Farley.

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

RESO 2017-192: RE-OPEN REGULAR TOWN BOARD MEETING

After the recess for legal advice, Mr. Francisco moved to re-open the Regular Town Board Meeting at 8:07 P.M.

Seconded by Mr. Platt.

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

There being no further business to come before the Board, Mr. Boyle moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 8:07 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk