

REGULAR TOWN BOARD MEETING
NOVEMBER 13, 2018

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on November 13, 2018, 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
Crew Leader	Tom DeLamarter

GUESTS: **Country Courier** Elizabeth Einstein
Armstrong Telecom Daniel M. Armstrong
Jody Starchok
Rob Slezak
Laurie Francisco
Bill Dumian, Sr.
John Colley
LeRoy Jenkins

MINUTES: OCTOBER 23, 2018 WORK SESSION AND REGULAR TOWN BOARD MEETING

Mr. Farley moved to approve the October 23, 2018 Work Session and 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:

ARMSTRONG TELECOM

Daniel Armstrong of Armstrong Telecom addressed the Board regarding Spectrum/Armstrong Telecom phones compared to the current Verizon phone service which the Town utilizes. He stated that the Verizon phone lines have been flooded twice and that the underground cables have rotted, adding that Spectrum uses coated lines and so does not have this problem. Mr. Armstrong stated that the Town would see a savings of 35% on its telephone costs by replacing the current sixteen year old system with a new system. He added that an optional 60 month lease plus \$1.00 buyout is also available at a cost of \$105.28 per month. Mr. Armstrong stated that Spectrum operates with a month to month contract. Mr. Dumian stated that payback would take two years with an equal exchange, asking if the Town would gain by purchasing new equipment. Mr. Armstrong stated that the Town's current phones are "past prime" and the Town could save money by purchasing them now, and avoid an emergency situation by having the phones fail and need immediate replacement.

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When asked if the Town Hall alarm system would tie in to the new lines, Mr. Armstrong replied that there would be two lines installed, one for fax machines and one for standard phone lines. Mr. Dumian asked if the system has battery backup and Mr. Armstrong confirmed that it does. Mr. Francisco asked if it is self-powered and Mr. Armstrong stated that if a power outage was prolonged, the Town would have no phone service without a generator.

Mr. Armstrong stated that he is seeing more Verizon systems failing, sometimes being inoperable for two weeks. He also stated that for an extra \$35 per month, the Town could have an Emergency Response Line to provide for disaster recovery. Mr. Francisco asked if this would be an upgrade and Mr. Dumian replied that the Town would probably go with the lease option. Mr. Armstrong stated that the equipment is good for 15 years. Mr. Dumian asked how soon the project could be completed, and Mr. Armstrong replied that Spectrum could install the new lines in two to three weeks and the new phones could be installed in one day as soon as the phone lines are complete. He added that it would be a standard monthly lease with no money due up front. Mr. Farley asked about technical support and Mr. Armstrong replied that he can teach the staff administrative processes. Mr. Armstrong stated that the equipment warranty is good for two years, which can be extended to five years for another \$500. Mr. Dumian stated that he will call Spectrum in the next day or two to move ahead on the replacement of lines.

STARCHOK/OUTDOOR FURNACE PERMIT

Jody Starchok asked the Board to consider her new application for a permit to have an outdoor furnace on her property. She stated that she had spoken to Code Officer Nick Vascello, who informed her that the Town Board issues permits for Outdoor Furnaces, as it is a Special Operations Permit. Mr. Dumian stated that the purpose of the Town Law governing outdoor furnaces was to keep them out of highly populated areas, adding that he sees no problem with Ms. Starchok's request. Mr. Francisco stated that he would like to see the furnace moved farther from the property line. Ms. Starchok replied that if it is moved, it would be either in her pool or in the way of the logging trucks used in her business. She added that the lines from the furnace to the house must be straight and as close to the house as possible. Mr. Francisco asked about the stack height and Ms. Starchok stated that it would be 10 feet above ground and two feet above the neighbor's eave line. Town Attorney Cheryl Sacco stated that Ms. Starchok cannot meet the setback requirement listed in Section 81-5 of the Town Code, therefore the Board must grant her a variance to approve the permit. Mr. Boyle asked if the outdoor furnace will heat water for her home and Ms. Starchok replied that it will not be used for that purpose but for winter heating only. Mr. Francisco stated that the stack height requirement should be 12 feet.

RESO 2018=151: AUTHORIZE SPECIAL OPERATIONS PERMIT/OUTDOOR FURNACE/277 WOODSIDE AVENUE/CONDITION STACK HEIGHT MINIMUM OF 12 FEET

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes issuance of a Special Operations Permit for an Outdoor Furnace to be located at 277 Woodside Avenue with a condition that the stack height must be a minimum of twelve feet.

Seconded by Mr. Farley.

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

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FOIL/GEARCOR/DICK'S WAREHOUSE RETENTION POND

Mr. Dumian informed the Board that the Town received a FOIL (Freedom Of Information Law) request from representatives of Gearcor regarding the retention pond at the Dick's Warehouse facility.

PUBLIC COMMENTS:

None.

SUPERVISOR'S REPORT:

The Supervisor's Report is on file in the office of the Town Clerk.

REPORT: HIGHWAY DEPARTMENT

Highway Superintendent Brian Coddington stated that his crew is still busy with leaf pickup, which will continue, weather permitting, until the end of the month. He stated that he is preparing to sell some of the surplus vehicles from his department and reported that the FEMA (Federal Emergency Management Agency) emergency road repairs have been completed.

REPORT: CODE OFFICE

Code Officer Nick Vascello stated that fire inspection notices have been sent to Conklin businesses, giving them 30 days in which to schedule an inspection before he starts doing "drop in" inspections. He stated that both the Planning Board and Zoning Board of Appeals have been busy with cases, adding that Mr. Tuzze of JVA De-Icing will be at the November 19 Planning Board meeting.

REPORT: PARKS/WATER & SEWER

Crew Leader Tom DeLamarter, who has oversight of both Parks Department and the Water and Sewer Department, stated that the hydrant on Walter Avenue has been repaired, a leak on Corporate Drive has been repaired, and the elbows at Sewer Station 3 have been installed. He stated that a valve at Schnurbusch Park was repaired, adding that the Parks are officially closed for the winter. Mr. DeLamarter stated that half of the water meter readings have been completed. He stated that A.C. Spear representatives will be at the Town Hall on November 14 to show the Parks Department personnel how to hook up the generator cables. Representatives from A. C. Spear and from BlueStorm Technologies will discuss how to protect the server if the generator must be activated in a power outage.

OLD BUSINESS:

STILLWATER ROAD DRAINAGE PROJECT

Mr. Dumian stated that the contractors are waiting for delivery of a flapper valve for the drainage project on Stillwater Road and that ZMK Construction, Inc., the contractors who will be doing the project, have indicated that they will have no problem if the project extends into December. Mr. Dumian stated that work on this project will start soon.

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CONKLIN DAY CARE/COMMUNITY CENTER PROJECT

Mr. Dumian stated that he met with the Broome County Industrial Development Agency (IDA) and with Ascension Health to discuss the Day Care/Community Center Project. He stated that a lease agreement is needed and added that a sample agreement is being sent to him. Mr. Dumian stated that the Community Center kitchen and the Day Care facility will share space, with a keyed door between them. He explained that Lourdes Health Care (Ascension) will run the day care facility, with Lourdes employees and Town of Conklin residents having preference for use of the facility. Mr. Dumian stated that the pricing for day care will be set to help families in need. Mr. Dumian explained that the lease would be for 5 to 7 years, adding that, as a not-for-profit entity, the Town cannot show a profit from this facility. He added that a lease agreement must be in place before GOSR (Governor's Office of Storm Recovery) will release any funding for that portion of the project. Mr. Dumian stated that the Town saved approximately \$200,000 on the Stillwater Drainage Project, which hopefully can be applied to this project. He added that it is grant money that is allocated to the Community Center Project and GOSR will not pay any more than the original allocation.

AUGUST 2018 FLASH FLOODING

Mr. Dumian stated that the Governor issued a press release two weeks ago stating that grant money is now available for residents who experienced damage during the August 2018 flash flooding, in an amount of up to \$50,000 for homeowners. He stated that this information is available on the Town's website. Mr. Dumian stated that his secretary, Lisa Houston, is point person for entering claims in the FEMA portal.

PURCHASE OF TWO PROPERTIES/BEROTA COURT

Mr. Dumian stated that the Town closed on the purchase of two properties on Berota Court, adding that these will be used for a project to improve drainage in Schnurbusch Park by relieving water behind the berm, similar to the Stillwater Road plan. He stated that a forty foot pipe will be run from old Well 4 to the Susquehanna River. Mr. Dumian stated that the design will include expansion possibilities.

NEW BUSINESS:

NEW CODE TRUCK

Code Officer Nick Vascello distributed a spreadsheet with various options for the purchase of a new truck for the Code/Dog Control Office, adding that he thinks an SUV is the best option, with either all-wheel drive or four-wheel drive. Mr. Dumian stated that there has been an increase in dog calls for the Town of Binghamton and the usual high number for the Town of Conklin, and added that Mr. Vascello is also very busy with Code issues, so a new truck is a necessity. The current 2009 van has 40,000 miles on it. Mr. Dumian stated that the Board will look at specifications on the vehicles, all available on New York State Bid, and will decide at the November 27 meeting. Mr. Vascello will call to make sure all vehicles on the list are still available.

BUILDING REPAIRS

Mr. Dumian stated that he has a quote from Chris Ostrowsky to repair seams and flashing on the roof of the Town Hall for a cost of \$12,000. He stated that he has been told the roof itself is 'In

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good shape.” Mr. Dumian stated that contractors have been impeded by the weather in finishing their existing projects and are not available to do repair work on the Town Hall, therefore Kevin Coates, the Town’s General Laborer, will repair the roof in order to get through the winter.

SEXUAL HARASSMENT POLICY CHANGES

Mr. Dumian distributed copies of the New York State model of updates to the Town’s Sexual Harassment Policy, which would include annual training and acknowledgement of receipt of the policy from employees. The Board will look at the update and discuss it at the November 27 meeting.

SHREDDING EVENT

Mr. Dumian stated that he has received requests from residents that the Town host a Shredding Event, at which any interested resident could bring up to five boxes of documents in need of shredding to the Town, where Confidata would shred the documents at a cost of \$100 per hour, with the Town covering the cost. The Board agreed that the Town does not need to assume this financial burden.

RESO 2018-152: APPROVE 2019 HOLIDAY SCHEDULE

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following Holiday Schedule for 2019:

January 1, 2019 (Tuesday)	New Year’s Day
January 21, 2019 (Monday)	Martin Luther King Day
February 18, 2019 (Monday)	Presidents’ Day
April 19, 2019 (Friday)	Good Friday
May 27, 2019 (Monday)	Memorial Day
July 4, 2019 (Thursday)	Independence Day
September 2, 2019 (Monday)	Labor Day
November 11, 2019 (Monday)	Veterans’ Day Observed
November 28, 2019 (Thursday)	Thanksgiving
November 29, 2019 (Friday)	Day After Thanksgiving
December 25, 2019 (Wednesday)	Christmas Day

Seconded by Mr. Farley.

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

RESO 2018-153: RATIFY PAYMENT/NORFOLK SOUTHERN RAILWAY COMPANY/STILLWATER ROAD STORMWATER IMPROVEMENT PROJECT

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #115, account code HS8597-2, in the amount of \$6,000.00 to Norfolk Southern Railway Company for services for the Stillwater Road Stormwater Improvement Project.

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Seconded by Mr. Platt.

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

RESO 2018-154: RATIFY PAYMENT/DELTA ENGINEERS PC/CONKLIN DAY CARE & COMMUNITY CENTER PROJECT

Mr. Platt moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #116, account code HS1620-2, in the amount of \$31,793.60 to Delta Engineers, PC, for design work for the Conklin Day Care/Community Center Project.

Seconded by Mr. Francisco.

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

Mr. Dumian stated that 30% of the design is now completed.

RESO 2018-155: RATIFY PAYMENT/GRIFFITHS ENGINEERING LLC/& TOWN OF CONKLIN/STILLWATER ROAD STORMWATER IMPROVEMENT PROJECT

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #117, account code HS8597-2, in the amount of \$4,077.37 to Griffiths Engineering, LLC, and ratifies check #118, account code HS8597-2, in the amount of \$123.91 to the Town of Conklin (for bid advertising reimbursement), with both payments for services for the Stillwater Road Stormwater Improvement Project.

Seconded by Mr. Platt.

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

RESO 2018-156: RATIFY PAYMENT/BROOME COUNTY CLERK/DEED EXPENSE/PURCHASE OF 15 & 21 BEROTA COURT

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #14567, account code A7110.2, in the amount of \$327.50 to the Broome County Clerk for deed expenses due to Broome County for the Town's purchase of 15 & 21 Berota Court.

Seconded by Mr. Boyle.

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

RESO 2018-157: RATIFY PAYMENT/JOHN R. COREY & MARIA COREY/PURCHASE OF 15 & 21 BEROTA COURT

Mr. Boyle moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #14568, account code A7110.2, in the amount of \$1,315.95 to John R. Corey and Maria Corey for the purchase of 15 and 21 Berota Court.

Seconded by Mr. Farley.

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

RESO 2018-158: RATIFY PAYMENT/PITNEY BOWES/POSTAGE METER REFILL

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of an ACH wire, account codes to various departments, in the amount of \$500.00 to Pitney Bowes for a postage meter refill.

Seconded by Mr. Francisco.

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

RESO 2018-159: APPROVE PAYMENT/BILL LIST/\$103,126.83

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Bill List in the total amount of \$103,126.83:

General	\$ 17,312.12
Highway	25,463.65
Sewer District	59,268.94
Water District	<u>1,082.12</u>
Total	\$103,126.83

Seconded by Mr. Platt.

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

PUBLIC COMMENTS:

None.

STILLWATER ROAD PROJECT

Mr. Boyle stated that materials will be delivered next week for the Stillwater Road Stormwater Improvement Project. He stated that the tree that needed to be removed from the site of the new boat launch has been removed, so that project can proceed. Mr. Boyle stated that the tree was removed by the tree service with the lowest bid, which was \$100 per hour.

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STREET LIGHT SURVEY

Mr. Francisco stated that he has given the list of needed street light repairs to NYSEG (New York State Electric and Gas Corporation) and the company is not making repairs nor is it responding to Mr. Francisco. He suggested setting a 30-day time limit, by which time NYSEG, if it has not made repairs, should reimburse the Town for non-functioning equipment (street lights). Ms. Sacco stated that this strategy “probably won’t work but it’s worth a try.” Mr. Francisco stated that this is a safety issue. Ms. Sacco stated that Mr. Francisco could approach the discussion by stating that NYSEG wants the Town to participate in its swap out program, but won’t change light bulbs, in spite of concerns and complaints from residents. Mr. Francisco stated that the Town is “paying for something we aren’t getting.”

“FILL THE SLEIGH”

Town Clerk Sherrie Jacobs reminded those present that the Conklin Business Association’s “Fill the Sleigh” program is underway, with the sleigh in the Town Hall foyer as a drop off point for new unwrapped toys and non-perishable food items for families in need in our community.

HUNTERS’ BRUNCH

Mr. Dumian reminded those present that the Conklin Fair Committee will be holding a Hunters’ Brunch on November 17, 2018, from 9:30 until 12:30, to raise money for the 2019 Conklin Fair.

FRAN BEALO TO RETIRE AS YOUTH COMMISSIONER

Mr. Dumian stated that Fran Bealo has expressed a desire to retire from his position of Youth Commissioner effective January 1, 2019, although he has not yet submitted a formal letter of resignation. Mr. Bealo has held this position for the past thirteen years and the Town appreciates his service. Justin Parker, newly appointed Assistant Youth Commissioner, is already working with a committee of parent volunteers.

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Farley. The meeting adjourned at 8:08 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk