

REGULAR TOWN BOARD MEETING
MARCH 10, 2020

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on March 10, 2020, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT: Town Board Members	Boyle, Platt, Francisco, Dumian (Farley – Absent)
Town Counsel	Cheryl Sacco
Town Clerk	Sherrie L. Jacobs
Highway Superintendent	Brian Coddington
Secretary to the Supervisor	Laurie Gregory
Code Officer	Nick Pappas
Administrative Assistant	Mary Plonski
Parks/Water/Sewer Superintendent	Tom DeLamarter

GUESTS: Country Courier	Elizabeth Einstein John Colley Laurie Francisco
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MINUTES: FEBRUARY 25, 2020 WORK SESSION AND REGULAR TOWN BOARD MEETING

Mr. Francisco stated that the February 25, 2020 Work Session and Regular Town Board Meeting minutes should be corrected on page 1 of the Work Session minutes, under “Street Lights,” to state that he did not know whether repair of the floodlight on Corporate Drive was the responsibility of the Town or of Broome County, although Corporate Drive is a County road. He also stated that the Regular Town Board Meeting minutes should be corrected on page 7, under “Maines Community Center,” to state that he met with Mr. Pappas at the *Pierce Creek Community Center*, not the Maines Community Center.

Mr. Platt moved to approve the February 25, 2020 Work Session and Regular Town Board Meeting minutes with the above noted corrections.

Seconded by Mr. Francisco.

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

CORRESPONDENCE:

NYS DOT

Mr. Dumian acknowledged receipt of a letter from the New York State Department of Transportation (NYS DOT) in regard to the Town’s request that the NYS DOT do more to prevent drivers from passing stopped vehicles on the shoulder of Route 7 in the Susquehanna Valley School District school zone. Mr. Dumian read the first two paragraphs of the letter, as follows, and then summarized the remainder of the letter:

“This is the follow-up to our October 16, 2019 letter. The Region 9 Traffic Safety and Mobility Office (TSMO) has completed the review of your request, as enclosed. You requested improvements and enforcement of NYS Route 7, Conklin Road, near the Susquehanna Valley Middle and High Schools in Conklin. However, you didn’t copy law enforcement on your

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concerns. Therefore, your request is enclosed and Law Enforcement has been copied on this letter. You indicated concern about northbound drivers illegally using the east shoulder to pass a stopped left turning vehicle and the potential conflict with a pedestrian. You asked for enforcement, signs, and other action.

“The study revealed that ‘State Law: No driving on shoulder’ signs are currently posted at all the most appropriate locations where drivers might be tempted to illegally use the shoulder to pass a left turning vehicle. There are six such signs in this area. Further, two of the ‘Do Not Pass’ signs have beacon assemblies, one in each direction. This type beacon assembly is considered a high-level safety device that is not typically used for ‘Do Not Pass’ signs.”

Mr. Dumian stated that he has seen more law enforcement presence in the area in question since the Town made the request to the NYS DOT. He summarized the remainder of the letter, which included the statement that the “accident rate for this portion of Route 7 was well below the statewide average for similar roadways,” according to the study of “the most currently available three years of accidents.” “One injury is too many,” stated Mr. Dumian. The last paragraph of the letter stated that the NYS DOT plans to install rumble strips on both sides of Route 7 between Shaw Road and Eva Court, which it states will be completed during the 2020 construction season. Mr. Platt, a member of the Conklin Volunteer Fire Department, stated that there has only been one car accident in that area “going back as far as 2011.” Town Attorney Cheryl Sacco stated that her take-away from the letter is that the Town should copy Law Enforcement agencies on any requests such as this made to the NYS DOT.

SEWER BILLINGS

Mr. Dumian reported that he has been receiving some phone calls regarding the new sewer billing rates. He reminded the Board that the basic quarterly rate increased by \$5.00 per quarter and the usage rate increased \$1.75 per 1,000 gallons of water used.

PUBLIC COMMENTS: None.

REPORT: SUPERVISOR’S OFFICE

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

OLD BUSINESS:

CARLIN ROAD CULVERT PROJECT

Mr. Dumian reported that the Carlin Road Culvert Project has been completed except for the blacktopping, which he stated will be completed after the blacktop companies open in the spring.

1539 CONKLIN ROAD

Mr. Dumian, in response to communication from Douglas Ritter, owner of 1539 Conklin Road, emphasized that the Town had sent a clarification letter listing immediate and safety concerns regarding the property, as Mr. Ritter had requested. These concerns would need to be addressed before the Town will lift the “Condemned” status from the structure, added Mr. Dumian. He added that a timeline needs to be established for the remainder of the repairs to the building. One of these concerns is the siding on the outside of the structure. Mr. Ritter wants a deadline of

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July 1 to get that part of the repairs completed, but Mr. Dumian stated that the Town has not yet decided if this should have an earlier deadline.

Mr. Dumian stated that Mr. Boyle and Code Officer Nick Pappas inspected the structure on March 6, adding that they have concerns regarding the electrical work, noting that it had already been covered over before the Town could inspect it. The Town wants a letter from Mr. Ritter's electrical inspector, Charles Joslyn, stating that all of the electrical issues "have been addressed and fixed." Mr. Ritter stated that he can't get this certification because it is "old work." Mr. Boyle stated that there was a miscommunication between the Town and Mr. Ritter and Mr. Joslyn, adding that the Town requires a final inspection with a written report sent to the Town Code Office. Mr. Dumian stated that the timeline needs to be set for the remainder of the repair work to be completed. He added that the Board will discuss this further at the March 24 meeting.

PARK DRAIN PIPE REMOVAL/DEC

Mr. Dumian stated that the DEC (New York State Department of Environmental Conservation) and the Army Corps of Engineers have both given approval to remove the pipe at Schnurbusch Park. He added that now the Town needs approval from the property owners. Mr. Dumian stated that the DEC needs an extra access to the area and added that a swath could be cut near the pavilion to create extra access.

DRAINAGE AREAS

Mr. Boyle stated that there is currently no DEC representative covering Broome County from whom he can get permits for the Town to address drainage issues. Mr. Dumian stated that the Board needs a project checklist and a plan. One such project, he stated, could be the islands in the Susquehanna River, which Boland's Excavating could remove, adding that there are regulations governing the use of excavating equipment in the river. Mr. Dumian stated that companies that remove gravel and other materials blocking the river could sell the gravel. He stated that there is a limitation to resources available for this work, suggesting the possibility of more shared services. The Board also questioned the possibility of buying new or surplus equipment, noting that either the Water/Sewer van or the Dog Control van could be sold and the money used to buy new excavating equipment.

Mr. Dumian spoke about the success of the Town's combined resources, noting that two of the Parks/Water/Sewer Department workers have been cross-training with the Highway Department and now have their CDL (Commercial Drivers' License) licenses. He noted that the drainage work completed in Schnurbusch Park is working well, allowing use of another field for sports that was previously too wet to use. Mr. Boyle stated that Parks Superintendent Tom DeLamarter might consider looking at an area for a walking path.

COMMUNITY CENTER/DAY CARE CENTER

Mr. Dumian stated that progress on the Community Center/Day Care Center is "on track," adding that the kickoff meeting with the construction agencies will be held next week. He stated that he has been discussing with Broome County Executive Jason Garnar the possibility of Broome County renting space in either the Maines Community Center or the new Community Center for its Yesteryears Program for older adults.

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CONKLIN STREAM REPAIR PROJECT

Highway Superintendent Brian Coddington stated that Boland's Excavating has begun working on the Conklin Stream Repair Project.

He also reported that May 11 will be Spring Clean-up Day.

CODE OFFICE:

Mr. Dumian stated that the area of Shipman Road that was the subject of recent complaints has been cleaned up and "looks pretty good."

WATER/SEWER/PARKS DEPARTMENT:

Water/Sewer/Parks Superintendent Tom DeLamarter reported that there was a recent break in a 12 inch water main near Laing Industries on Corporate Drive, adding that his crew worked from 7 A.M. until 4:30 or 5 P.M. to repair the break.

NEW WEBSITE

Mr. Dumian reported that the new Town of Conklin website is now live, adding that he wants to speak to the web designer about some modifications he would like to see.

2020 CONCERTS IN THE PARK

Mr. DeLamarter stated that the bands are all booked for the 2020 Concerts in the Park, which he noted will be held at the new pavilion near the Maines Community Center this year, not at Schnurbusch Park. Town Clerk Sherrie Jacobs stated that she typed the program and sent it to the printer.

NEW BUSINESS:

MAINES WATER AGREEMENT

Mr. Dumian stated that he is having Town Attorney Cheryl Sacco research the Water Agreement between the Town of Conklin and Maines Paper and Food Services, Inc., to see if it can be re-negotiated. He questioned whether it is reasonable that Maines has had \$220,000 worth of water credited to its company in exchange for conveyance of one acre of property in the area of Wells 5 and 6.

BUSINESS GROWTH AND PROPERTY

Mr. Dumian stated that he met with Stacey Duncan, Executive Director of The Agency, and discussed the lack of commercial building space in Broome County. One area that was discussed was the former Nelson Wright property on Carlin Road, which The Agency now owns and may potentially develop. Mr. Dumian stated that the Town would want to make sure that a "buffer zone" is left between any new commercial development and the existing residential area.

Mr. Dumian stated that there is some property available on Route 7, cautioning that the Town does not permit "spot zoning" (rezoning one parcel from Residential to Commercial). He emphasized that the Board needs to think long term, with "forward growth thinking." Mr. Boyle

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commented that the former Ocean Steel property is for sale and Mr. Dumian replied that that is a “niche market.” Mr. Dumian stated that there is some buildable property off Progress Parkway, but cautioned that he would not want to see any more PILOT (Payment In Lieu Of Taxes) programs. He added that, in addition to commercial growth, he would like to see residential growth in Conklin.

RESO 2020-44: RATIFY ACH WIRE PAYMENT/PITNEY BOWES

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 payment, various department codes, in the amount of \$500.00 to Pitney Bowes for purchase of a postage meter refill.

Seconded by Mr. Platt.

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

RESO 2020-45: AUTHORIZE PAYMENT/BILL LIST/\$91,719.18

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 March 5, 2020, in the total amount of \$91,719.18:

General	\$ 7,145.39
Highway	\$71,212.03
Water Districts	\$ 7,397.30
Sewer Districts	<u>\$ 5,964.46</u>
Total	\$91,719.18

Seconded by Mr. Boyle.

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

PUBLIC COMMENTS: None.

SALE OF 29 JR BOULEVARD

Ms. Sacco stated that today is the last day of the required Permissive Referendum on the sale of 29 JR Boulevard, which means the Town can move forward with the sale and set a closing date. She added that the time period of the Permissive Referendum on the Town issuance of bonds for the new Community Center will also be coming to a close soon.

STREET LIGHTS

Mr. Francisco stated that the flood light at the intersection of Conklin Road and Broome Corporate Parkway is the responsibility of the Town of Conklin, according to NYSEG (New York State Electric and Gas Corporation). NYSEG stated that this light was part of the SC-1 account in the early 1980’s. He added that the Town will have the light repaired.

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Mr. Francisco stated that NYSEG has work orders in place for the two LED (Light Emitting Diode) lights that are not functioning. He added that NYSEG is researching the lights that have not yet been converted to LED to see if they were included in the SC1 program.

Mr. Francisco stated that NYSEG leases the dusk to dawn lights on its telephone poles and residents who have these lights pay NYSEG as part of their electric bill.

Mr. Dumian asked what the cost of the new light at the Corporate Park intersection will be and Mr. Francisco stated that he purchased one for his home at the cost of approximately \$200.

ASSOCIATION OF TOWNS

Mr. Boyle reported that he learned at the recent meeting of the New York State Association of Towns that the DOT and Highway Departments will be included on cell towers in the new County-wide emergency communications system. He stated that Broome County will keep the towers.

Mr. Boyle stated that John Shafer, President of the Association of Towns, is seeking more participation from the group to address issues with the Binghamton-Johnson City Joint Sewage Board. Mr. Dumian replied that “process and professional persistence” are required, adding that “participation is important.”

DECALS

Town Clerk Sherrie Jacobs reported that the newly installed DECALS system is up and working.

COMPREHENSIVE PLAN

Mr. Dumian stated that he wanted the Board to have copies of the Comprehensive Plan for the second meeting in April to review and “take stock” of where the Town is and where it is going in regard to the Comprehensive Plan, adding that the Plan is the Town’s “road map.” He stated that it will figure into Budget discussions for next year.

Mr. DeLamarther thanked Administrative Assistant Mary Plonski for the help given to the Water and Sewer Department in fielding phone calls and sending notices. Mr. Dumian noted that both Ms. Plonski and his secretary, Laurie Gregory, are “doing very well.” “We have a good team of people,” stated Mr. Dumian.

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Boyle. The meeting adjourned at 7:34 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk

