

WORK SESSION

MAY 12, 2020

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on May 12, 2020, via Zoom. Mr. Dumian, Supervisor, presided.

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	Laurie Gregory
Administrative Assistant	Mary Plonski

GUESTS: Country Courier Elizabeth Einstein

RE-OPENING PER GOVERNOR'S ORDERS

Mr. Dumian explained that although the Town government is considered essential, it is not included in Phase 1 of Governor Cuomo's four phase plan to UNPAUSE-NY. The local governments are part of Phase 2, and will remain closed until the end of May. Mr. Dumian stated that windows have been cut in the doors of the offices that deal with the public, and glass windows with a pass-through will be added. He stated that the changes look very professional. Board meetings can continue to be held via Zoom. Mr. Platt stated that this "makes sense" and Mr. Farley stated that it "sounds good."

Mr. Dumian stated that the Town of Binghamton will have a person stationed at the front door, and if the employee the person is seeking is not in his or her office at that time, the person will not be admitted into the building.

Safe distancing practices will be followed. The Town Board approved re-opening the Dog Park. Mr. Dumian stated that he believes cases will increase with more testing and more interaction as the State re-opens, but added that the economy is suffering badly and domestic abuse and mental illness numbers are also increasing during the shutdown.

The Town Attorney, Cheryl Sacco, stated that gatherings must remain at less than ten people, with social distancing guidelines, at least until June 6, when the Governor's Executive Order expires.

Highway Superintendent Brian Coddington stated that the Highway Department is back at full staff.

REGULAR TOWN BOARD MEETING
MAY 12, 2020

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on May 12, 2020, via Zoom. 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 Laurie Gregory
Administrative Assistant Mary Plonski

GUESTS: Country Courier Elizabeth Einstein

MINUTES: APRIL 28, 2020 REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the April 28, 2020 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 stated that he received an e-mail from Christopher Ostrowsky resigning as both member and chairperson of the Town Planning Board.

PUBLIC COMMENTS: None.

REPORT: SUPERVISOR’S OFFICE

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

OLD BUSINESS:

PARK DRAINAGE

Mr. Dumian stated that he worked with the property owner to provide details on the scope of work to be done on the Schnurbusch Park Drainage Project and now has signatures for right-of-way from all three property owners. He stated that he will call the DEC (New York State Department of Environmental Conservation) to see when that agency will be able to assist with the drainage project. A representative from the DEC will supervise the Town Highway Department in clearing the drainage area and removing the pipe. Mr. Dumian stated that the DEC also wants a second access point to the Susquehanna River. Mr. Francisco stated that he is “glad to see this being done,” and Mr. Boyle stated that he will help with the project if needed.

REGULAR TOWN BOARD MEETING

MAY 12, 2020

WELLNESS & COMMUNITY CENTER/DAYCARE CENTER

Mr. Dumian stated that he has been working with GOSR (Governor's Office for Storm Recovery) to get the amounts corrected on the funding remaining for the Wellness and Community Center Project, adding that the corrections have been made and the Town has between \$370,000 and \$380,000 left in the grant, not the \$300,000 originally stated by GOSR. He stated that he is still working on a CFA (Community Fund) grant and has taken "a hard stance with the Engineering Company" regarding no Change Orders being allowed. Mr. Dumian stated that the Code Officer and the Town Engineer will be involved in the construction process, which he added will follow the original design.

PROPERTY AT 650 CONKLIN ROAD

Mr. Dumian stated that "a lot of work has been done on this situation," adding that the process was detailed in an email sent to the Town Board. Mr. Platt, Mr. Farley, and Mr. Francisco all concurred that everything was done correctly regarding the structure built without a building permit. Mr. Boyle asked about the Planning Board. Mr. Dumian stated that the Town has several options for what it could do in this situation, including fines, fees, and/or professional fees to be charged. He stated that the Town wants to recoup the extra legal fees, \$1600, in addition to the purchase of the building permit, which would cost \$1,481. Mr. Platt stated that the Town would not have incurred the \$1600 in extra legal fees if the property owner had not gone outside the Town's process. Town Attorney Cheryl Sacco stated that there is precedent for this action from earlier cases in the Town. She stated that there is also an additional fee of \$200 because the building is over 75 feet high. She suggested that the Board not set a maximum of fees, which will allow the Town to recoup any additional legal fees, adding that it should be "equitable and fair." Ms. Sacco stated that it is a modification of the original site plan and must be sent to the Planning Board. Mr. Francisco asked if the site plan will be sent to the DOT (New York State Department of Transportation) and to BMTS (Binghamton Metropolitan Transportation Study) for comment, and Ms. Sacco stated that these agencies would be able to comment through the Form 239 application to Broome County, which has received the original approval and modification. Mr. Dumian stated that the Town is willing to work with a small business owner like this.

MAINES PAPER & FOOD SERVICE

Mr. Dumian stated that the news station called asking for information about the rumor that Maines Paper and Food Service is closing all or part of its operation in Conklin. While he was unsure of the validity of this story, Mr. Dumian stated that he did receive a letter from Maines recently looking for funding sources, adding that without additional funding, the facility may close. Mr. Dumian stated that he thinks part of the problem is that restaurants are closed to eat-in service, or closed completely, and so are not using Maines' services.

FIELD OF HONOR FLAGS

Mr. Platt stated that the flags for the Field of Honor near the Conklin Veterans Memorial will be put up on May 20, by a group of 10 people or less. The Dedication of Names Ceremony will not be held this year due to restrictions on large gatherings due to the pandemic.

NEW BUSINESS:

REGULAR TOWN BOARD MEETING
MAY 12, 2020

**RESO 2020-64: ACCEPT RESIGNATION/CHRISTOPHER OSTROWSKY/
PLANNING BOARD MEMBER & CHAIRPERSON**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of Christopher Ostrowsky from the positions of both member and chairperson of the Town of Conklin Planning Board, effective May 5, 2020.

Seconded by Mr. Francisco.

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

Before voting, Mr. Boyle questioned the time frame of the situation and asked if Mr. Ostrowsky should resign as chairperson but not as a member of the Planning Board, adding that he and Mr. Ostrowsky are neighbors and sometimes co-workers. He asked if he should therefore abstain on the vote. Ms. Sacco stated that there is only a conflict of interest if there is the potential for financial gain. Mr. Boyle stated that his “Yes” vote was made “with reservations.” Mr. Platt stated that Mr. Ostrowsky’s resignation (from both positions) “reads as it reads.” “Rules are rules,” stated Mr. Francisco. “He understood the process,” added Mr. Farley. Mr. Dumian stated that the situation put the Board in “a tough position,” but stressed the importance of consistency to all residents.

DISCUSSION/NEW PLANNING BOARD CHAIRPERSON & MEMBER

A discussion ensued regarding a replacement for Christopher Ostrowsky as Chairperson of the Planning Board and the addition of a fifth member. Mr. Platt stated that George Frailey is interested in serving on the Planning Board so it was decided that each Board member will talk with Mr. Frailey and a decision will be made in either June or July. The remaining Planning Board members are Sharon Platt, Paul Deeley, Dawn Shafer, and Dan Smith. Sharon Platt has expressed interest in being the Chairperson of the Planning Board. Mr. Farley commented that Ms. Platt is “the most experienced one left.” Mr. Francisco stated that he thought Ms. Platt was still in Georgia helping her family and Mr. Platt (her husband) stated that she has been home for two months and has no plans to return south, as the family situation has changed. Mr. Francisco stated that he has no problem with her appointment to the position of Chairperson. Ms. Sacco reminded the Board that there are training requirements for Planning Board members.

RESO 2020-65: APPOINT SHARON PLATT/CHAIRPERSON/PLANNING BOARD

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin appoints Sharon Platt to the position of Chairperson of the Town of Conklin Planning Board, effective immediately.

Seconded by Mr. Boyle.

VOTE: Boyle – Yes, Farley – Yes, Platt – Abstain, Francisco – Yes, Dumian – Yes. Motion carried: 4 – Yes, 1 – Abstain.

RESO 2020-66: APPROVE PAYMENT/BILL LIST/05-08-2020/\$22,019.18

Mr. Francisco moved for the following resolution:

REGULAR TOWN BOARD MEETING

MAY 12, 2020

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Bill List dated May 8, 2020, in the total amount of \$22,019.18:

General	\$ 4,099.41
Highway	943.83
Water Districts	9,932.94
Non-Budgeted	<u>7,043.00</u>
Total	\$22,019.18

Seconded by Mr. Farley.

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

PUBLIC COMMENTS: None.

REPORT: HIGHWAY DEPARTMENT

Highway Superintendent Brian Coddington stated that he has a new contract from Hybrid Builders for the salt barn, adding that it has been approved by legal counsel and that Mr. Dumian will sign it. Mr. Coddington stated that work will begin three weeks after the company receives the signed contract.

Mr. Coddington stated that he has compost and sand from the roads, which he will mix to make topsoil which will be available to the residents.

Mr. Boyle asked if the stone near the Carlin Road culvert, which he had described at the April 28 meeting as being in danger of breaking and hurting someone, had been removed. Mr. Coddington stated that ZMK Construction removed the stone and finished the blacktop, adding that all of the FEMA (Federal Emergency Management Agency) flood projects have been completed.

RAILROAD “QUIET ZONE”

Mr. Farley reported that he has received no feedback on his request to the railroad company to have the closed Carlin Road crossing designated a “quiet zone” or “no whistle” zone. He added that it is a private crossing and it would cost \$5400 just to start the paperwork for a local ordinance to have the crossing declared a “quiet zone.” Mr. Coddington stated that the gates on the crossing arms have been repaired and new locks installed.

IMPACT OF MAINES POTENTIAL CLOSING ON TAX ROLLS

Mr. Platt stated that he understood that two potential buyers for Maines Paper and Food Service backed out of the deal and wondered what impact it will have on the tax rolls if the facility closes. “Not good,” stated Mr. Dumian, “their assessment will drop to next to nothing.” He stated that the space could be promoted as available commercial space. Mr. Francisco stated that he heard that the Maines family might discontinue its sponsorship of signage and lighting on the Arena.

REGULAR TOWN BOARD MEETING

MAY 12, 2020

STREET LIGHTS

Mr. Francisco stated that he signed a document authorizing three more street lights to be converted to LED lighting. He added that he is researching to make sure lights are assigned to the correct light district.

VOLUNTEER/BEAUTIFY SIGN

Town Clerk Sherrie Jacobs stated that she was contacted by a resident who wants to volunteer to beautify the “Welcome to Conklin” sign at the entrance to Broome Corporate Park. Mr. Dumian stated that the volunteer should contact Parks Superintendent Tom DeLamarter directly, adding that Mr. Coddington has topsoil that could be used.

SCHNURBUSCH PARK DRAINAGE PROJECT

Mr. Boyle stated that the pipe that will be removed from Schnurbusch Park could be recycled in the Town’s scrap bin. Mr. Coddington stated that he already planned to do just that. Mr. Boyle asked Mr. Coddington to get prices for a 5 foot diameter pipe, 40 feet long, to install in the park.

Mr. Dumian stated that the Town is in compliance with all of the shelter in place mandates and urged everyone to stay safe, adding that he “appreciates everybody” keeping Town functions running.

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Farley. The meeting adjourned at 7:25 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk