

**WORK SESSION**

**JULY 14, 2020**

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on July 14, 2020, at the Conklin Town Hall. 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
Parks Superintendent	Tom DeLamarter
Secretary to the Supervisor	Laurie Gregory
Code Officer	Nick Pappas

**GUESTS:** Country Courier Elizabeth Einstein  
Laurie Francisco

**CODE OFFICE ENFORCEMENT SITUATIONS**

Mr. Dumian stated that the site of Code violations on Conklin Road has crews working to address the issues and a deadline has been set. He stated that in most Code violation cases, the first letter sent by the Code Office only receives a response in 10% of the cases. Mr. Dumian suggested skipping this first letter and moving directly to the second notification letter, a friendly reminder letter sent via certified mail, giving the property owner ten days in which to respond to the Town's communication. He asked the Board, in situations outside of safety and health concerns, what approach is best for property owners in violation of the Town Code? Mr. Dumian added that if the situation is "outside of the normal permit process, the Town Board should have input." He added that the Town "has a job to do but wants to be fair to everyone," adding that if the Town Board is involved, "everyone is accountable" for the decision that was made. Mr. Dumian stated that the Town Code is "open to interpretation," but noting that the Board "cannot discriminate." The Town Board agreed with Mr. Dumian's viewpoints.

Code Officer Nick Pappas stated that sometimes residents pay for expensive professional plans before speaking with his office to find out requirements for building on a particular parcel. Mr. Dumian stated that residents need to talk to the Code Office before having plans drawn up and other procedures, adding that "variances are very difficult to obtain." He stated that the Town wants to be "resident and business friendly."

**TOWN RIGHT OF WAY**

Mr. Dumian stated that a camper and boat were parked in the Town's right of way on Cuddyback Drive, with no response obtained from the owner until a second attempt to contact the owner was made by the Town. The vehicles have since been removed, but Mr. Dumian stated that the Town could have had them towed.

**YOUTH SPORTS UPDATE**

Mr. Dumian stated that the Town will follow the school district with regard to fall sports, but added that "no one knows what September will bring." He stated that the Town parks are open and people are using the fields.

**WORK SESSION**

**JULY 14, 2020**

**CONKLIN MOBILE DMV UNIT TO RE-OPEN**

Mr. Dumian stated that the Conklin Mobile DMV (Department of Motor Vehicles) Unit will re-open on July 21. Masks and social distancing will be required. He added that the hallway door leading to his office will be re-engineered with a window and pass-through similar to the other doors that have been re-engineered, to allow water payments and other transactions to occur without people accessing the offices in that hallway.

**COMMUNITY CENTER & PARK PAVILION RENTALS**

The Town Board held a discussion about whether or not to rent the Maines Community Center and/or the Park Pavilions to the public. Mr. Dumian stated that for the one rental that is scheduled for July 18 and 19 at that Community Center has required that the renter sign a document stating that no more than 50 people will be in attendance, in compliance with New York State and CDC mandates. He suggested that this process be used with Park Pavilion rentals, along with signage that says "Use at Your Own Risk." Town Attorney Cheryl Sacco questioned whether the public bathrooms at the parks could be cleaned and sanitized to NYS/CDC standards. It was agreed to continue renting the Community Center.

**REGULAR TOWN BOARD MEETING**

**JULY 14, 2020**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on July 14, 2020, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b>	Town Board Members	Boyle, Farley, Platt, Francisco, Dumian
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Highway Superintendent	Brian Coddington
	Parks Superintendent	Tom DeLamarter
	Secretary to the Supervisor	Laurie Gregory
	Code Officer	Nick Pappas
	Administrative Assistant	Mary Plonski
<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein Laurie Francisco

**COMMUNITY CENTER & PARKS PAVILIONS RENTALS**

The discussion continued from the Work Session regarding the rental of the Maines Community Center and/or Park Pavilions. Mr. Boyle and Mr. Francisco stated that the park pavilions should be available to rent, as people are using them anyway, without payment. Mr. Dumian, Mr. Farley, and Mr. Platt stated that they did not think the Town should rent the pavilions, as this would be the Town sanctioning their use and the number of people gathered cannot be controlled. Town Attorney Cheryl Sacco stated that people who are using the pavilions without authorization from the Town could be considered “uninvited guests,” and so are using them at their own risk. She advised putting signage on the public bathrooms at the park stating that they are to be used “At Your Own Risk.”

The Board decided not to rent the Park Pavilions, although they will revisit the topic at the August 11 Town Board meeting. The Community Center remains available for rentals, with the stipulation that the renter sign the document agreeing to comply with NYS/CDC mandates as to group gatherings. The Board decided that the Concerts in the Park series is “on hold” because the Town cannot control the number of people who might attend the concerts and the mandate still limits gatherings to 50 people or less.

**MINUTES: JUNE 9, 2020 WORK SESSION AND REGULAR TOWN BOARD MEETING**

Mr. Francisco moved to approve the June 9, 2020 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.

**PUBLIC COMMENTS:** None.

**REPORT: SUPERVISOR’S OFFICE**

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

**REGULAR TOWN BOARD MEETING**

**JULY 14, 2020**

**OLD BUSINESS:**

**COMMUNITY CENTER/DAY CARE CENTER PROJECT**

Mr. Dumian stated that the project is moving forward, with the current question being whether the contracts are being written by the legal team or by Delta Engineering. When the contracts are written, they will be sent back to GOSR (Governor's Office for Storm Recovery) for review.

**ASSESSOR'S ASSISTANT**

Mr. Dumian stated that the Assessor's Assistant is currently on leave through the FFCRA (Families First Coronavirus Response Act) paid leave, which he stated ends in August, unless there are changes to the Governor's Executive Order. He stated that it is not yet known what will happen with this situation because no one knows yet whether or not schools will re-open in September.

**AED TRAINING**

Mr. Dumian stated that the new AEDs (Automatic External Defibrillators) have been delivered and training is required. Training has been scheduled for August 6, 2020, from 9 A.M. until 12 P.M. at the Town Hall, at a cost of \$50 per person. Mr. Dumian stated that the Town purchased the AEDs, instead of leasing them as it has done in the past, at a cost savings of approximately \$7,500. The AEDs cost \$3,225 to purchase and have clear instructions for use. Employees who attend the AED class will receive their certification cards.

**NEW BUSINESS:**

**PURCHASE OF BUCKET TRUCK**

Highway Superintendent Brian Coddington stated that ash borers have damaged 120 trees throughout the Town, which are in danger of impacting Town roadways and so must be removed. He stated that the cost of removal would be \$500 to \$800 per tree. Mr. Dumian stated that it will be more cost effective for the Town to purchase a bucket truck and have the Town employees remove the trees. Mr. Coddington has found a 2007 International bucket truck with accessories, including a 1,000 pound lift and utility boxes, and with a 60 foot reach. Jason Tyler of Utica is selling the truck at a cost not to exceed \$15,000, although Mr. Coddington stated that the truck is worth \$28,000. He looked at two comparable trucks which are older and much more expensive. Mr. Dumian stated that the Town can use either the restricted "Reserved for Equipment" account or the General Account to pay for the truck. It was noted that property owners will have first rights to the wood from the removed trees. Mr. Dumian commented that this piece of equipment can also be used for shared services with neighboring municipalities.

**RESO 2020-75: APPROVE PURCHASE/2007 INTERNATIONAL BUCKET TRUCK  
AND ACCESSORIES**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin, after seeking quotes, moved to purchase from Jason Tyler a 2007 International bucket truck with 1,000 pound lift and utility box at an amount not to exceed \$15,000, which is a purchase that is well below fair sale

**REGULAR TOWN BOARD MEETING**

**JULY 14, 2020**

value, and the money to come from the restricted account, unless Highway Account DA-889-0015 is to be journaled during Budget Modifications at a later date.

Seconded by Mr. Platt.

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

**BOAT RAMP**

Mr. Boyle asked Mr. Coddington to have his crew smooth the area around the Town Boat Ramp on Stillwater Road, so that fire personnel can access it safely, should the need arise.

**SALES TAX REVENUE**

Mr. Dumian stated that the initial reports for sales tax revenue are “not great,” adding that it is helpful that the Board was conservative with the Budget during the planning stage and used a number less than the projected revenue amount when creating the 2020 Budget. He stated that the Town “will be okay,” adding that there is no unnecessary spending and the Town is saving money where it can. Mr. Dumian stated that several projects are on hold, and shared services are being utilized as much as possible. He stated that the Town may hire an individual to work on projects in the Town with payment via a voucher system.

**ROADWAY TO WETLANDS ACROSS FROM TOWN HALL**

Mr. Boyle asked if Mr. Coddington’s crew could use the Town Skidsteer to clear a roadway to the wetlands on the Town-owned property across Route 7 from the Town Hall, adding that it is needed for future maintenance of waterways in the Town. Mr. Dumian commented that the Town is helping to build a pool of equipment with neighboring municipalities.

**RESO 2020-76: APPROVE EXTENSION/TEMPORARY APPOINTMENT/  
ELMER MURRAY/DOG CONTROL OFFICER**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the extension of the Temporary Appointment of Elmer (Rick) Murray as Dog Control Officer at a salary of \$10,400.00 per year from December 11, 2019, until June 23, 2020.

Seconded by Mr. Francisco.

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

**RESO 2020-77: APPROVE PROVISIONAL APPOINTMENT/ELMER MURRAY/  
DOG CONTROL OFFICER**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approved the Provisional Appointment of Elmer (Rick) Murray to the position of Dog Control Officer at a salary of \$10,400.00 per year, effective June 24, 2020.

**REGULAR TOWN BOARD MEETING**  
**JULY 14, 2020**

Seconded by Mr. Platt.

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

Secretary to the Supervisor Laurie Gregory explained that the reason for the need for the above two resolutions was because Dog Control Officer Rick Murray missed the civil service test for his position, due to the timing of the date he was hired and the date the test was offered. This meant that the Town had to canvass the top three scorers on the civil service test, but only one person responded, making the civil service list “dead.” Mr. Murray will take the next available civil service test for his position.

**RESO 2020-78: RATIFY ACH WIRE PAYMENT/PITNEY BOWES**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of an ACH wire payment, account code A-1670.4, in the amount of \$500.00 to Pitney Bowes for purchase of a refill of the postage meter.

Seconded by Mr. Boyle.

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

**RESO 2020-79: RATIFY PAYMENT/AMERICAN EAD/AED WORKPLACE PACKAGES**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment, various account codes, in the amount of \$3,225.00 to American EAD for the purchase of three AED Workplace Packages, Emergency Requisitions R0-00013 and R0-00014.

Seconded by Mr. Francisco.

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

**RESO 2020-80: APPROVE REQUISITION/VESTAL ASPHALT/PUG MILL AND OIL/COLD PATCH**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Requisition #R0-00016, account code DA-5110.4, in the amount of \$23,269.00 to Vestal Asphalt for 700 tons of pug mill and oil, cold patch.

Seconded by Mr. Platt.

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

**REGULAR TOWN BOARD MEETING**

**JULY 14, 2020**

**RESO 2020-81: APPROVE REQUISITION/W2 OPERATOR TRAINING GROUP,  
LLC/EMERGENCY REPAIR/AHERN WATER TANK**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Requisition # R0-00017, account code SW-8320.4, in the amount of \$6,100.00 to W2 Operator Training Group, LLC, for emergency repair on Ahern Water Tank.

Seconded by Mr. Platt.

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

**RESO 2020-82: RATIFY PAYMENT/BILL LIST/\$79,188.79**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of the following Bill List dated June 22, 2020, in the total amount of \$79,188.79:

General	\$ 71,781.01
Highway	434.76
Water Districts	3,844.74
Sewer Districts	2,004.67
Light Districts	<u>1,123.61</u>
<b>Total</b>	<b>\$ 79,188.79</b>

Seconded by Mr. Boyle.

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

**RESO 2020-83: APPROVE PAYMENT/BILL LIST/\$100,852.00**

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 dated July 10, 2020, in the total amount of \$100,852.00:

General	\$ 6,601.44
Highway	1,938.03
Water Districts	6,453.22
Sewer Districts	<u>85,859.31</u>
<b>Total</b>	<b>\$100,852.00</b>

Seconded by Mr. Platt.

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

**PUBLIC COMMENTS:** None.

**REGULAR TOWN BOARD MEETING**

**JULY 14, 2020**

**1954 NYS FLOOD CONTROL AGREEMENT**

Mr. Boyle stated that his recent research on the Town's agreement to participate in the 1954 New York State Flood Control Program indicates that it may be easier to get permits for stream and wetlands maintenance from the DEC (New York State Department of Environmental Conservation) because the Town agreed to participate in this program. He stated that property owners can begin cleaning out islands in the Susquehanna River or in streams. Mr. Boyle asked if a budget for drainage maintenance could be included in the Town Budget.

One example of drainage issues Mr. Boyle is addressing is a site on Route 7 where beavers have been building dams and impeding drainage. Mr. Boyle has a Town-wide permit to trap beavers and has trapped a few, but there are more beavers present. He stated that he met with Keith Travis from the Kirkwood DEC office and was told that the local DEC office cannot do anything to help. Mr. Travis is sending a requisition to New York State to allow Mr. Boyle to write the scope of work for that particular site, with the possibility that in the fall the DEC would provide manpower and equipment and the Town would provide fuel to address this situation.

**SUSPICIOUS ACTIVITY**

Mr. Boyle stated that he has noticed a vehicle driving back and forth slowly multiple times in front of his residence, and is aware of a report stating that some activists are targeting dairy farms. He urged those present to be aware of their surroundings.

**WHISTLE/RAILROAD CROSSING AT CARLIN ROAD**

Mr. Farley stated that he is still working on having the railroad company declare the closed railroad crossing at Carlin Road a "no whistle zone."

**KNOX BOXES/FIRE DEPARTMENT**

Mr. Platt stated that the Conklin Volunteer Fire Department would like a list of businesses in the Town that have or want to have Knox boxes installed to allow the fire department entrance to the buildings in the event of an emergency. Code Officer Nick Pappas will research this as he does annual fire inspections. Mr. Platt stated that the Town can ask businesses to install the Knox boxes but cannot require them to do so.

**PLACARD ABANDONED HOUSES**

Mr. Pappas stated that abandoned houses should be placarded to warn emergency services and utility workers that the building is abandoned, citing a recent incident in which a utility worker fell through a porch of an abandoned building.

**NEW BUSINESS/CORPORATE PARK**

Mr. Dumian stated that he received correspondence stated that a new truck distribution business is planning to open in the Broome Corporate Park next to LexisNexis. Ms. Sacco reminded the Board of the required process of submitting the application to the Planning Board for recommendations, and to Broome County and the IDA, completing a SEQR, and finally approval by the Town Board.



**REGULAR TOWN BOARD MEETING**  
**JULY 14, 2020**

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Boyle. The meeting adjourned at 7:52 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk