

WORK SESSION
OCTOBER 13, 2020

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on October 13, 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/Water/Sewer Superintendent	Tom DeLamarter
Administrative Assistant	Mary Plonski

GUESTS: Country Courier Elizabeth Einstein
Laurie Francisco
John Colley

COVID-19 CONFERENCE CALL WITH BROOME COUNTY

Mr. Dumian spoke about the conference call he had with Broome County Executive Jason Garnar and other municipal leaders. He stated that the Governor’s “yellow zone,” which includes parts of Broome County, but not Conklin, is designated by zip code but includes school districts that have buildings inside and outside the zone and students coming in and going home from outside the yellow zone. Mr. Dumian stated that New York State is ramping up enforcement of restrictions, with the Governor’s team working with local law enforcement and conducting head counts at restaurants and bars. In the yellow zone, only four people can be seated at a table in restaurants, even if they are family members. Mr. Dumian explained that the “yellow zone” designation is for fourteen days, adding that the State has not publicized any plans for what will happen once the fourteen days have elapsed.

Mr. Dumian expressed concern for small businesses, which are impacted drastically by all of the COVID restrictions, adding that many small business owners have “worked their whole lives, often 80 hours a week” for their businesses, only to lose everything when the business fails due to the restrictions. He added, “The cure is worse than the disease.” Mr. Farley concurred, adding, “The World Health Organization also stated recently that lockdowns are a bad response to the pandemic.” Mr. Dumian stated that the Governor took away the Broome County Executive’s power to create any Executive Order regarding COVID-19. He expressed concern over the rising issues with mental health, suicide, alcoholism, drugs, and abuse. Mr. Dumian stated, “There is no end to this. Whatever you do, it’s not going to work.” He stated that the tax base and tax revenue have shrunk while costs have risen, adding that fines to municipalities for violations of the COVID restrictions are \$10,000 per day. “They are counting heads in churches,” stated Mr. Dumian.

On a brighter note, stated Mr. Dumian, the Conklin Soccer Club will not shut down. He stated that the Club is following CDC guidelines. Mr. Platt stated that people should follow “reasonable precautions.” Mr. Dumian stated that “slowing the spread” has now become “shutdown.” He added, “We are just spinning our wheels with this. Life has to go on.”

In an effort to prepare for possible disruptions to the Highway Department operations due to COVID, Mr. Dumian wants to ramp up the process for Parks workers Vinny Malandra and Colin Casey to get their CDL licenses so that they can plow snow if necessary. “Tom (DeLamarter) and Brian (Coddington) need to work together to get it done,” stated Mr. Dumian. He closed his

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discussion regarding the COVID situation by asking, “When does it become a Constitutional issue and personal choice?”

COMMUNITY AND WELLNESS CENTER

Mr. Dumian stated that the Board will be voting later in the Regular Meeting to withdraw the awards for the Community and Wellness Center, adding that there is not enough time nor money to complete the project. If the project is not completed and paperwork filed by the deadline, the Town could be required to pay the State back the grant money. He added that perhaps the Town will put money toward expanding Fire Station 2 on Conklin Forks Road as an emergency Red Cross ready site. Mr. Dumian stated that if the Town cancels the Community and Wellness Center Project, it cannot use that grant money for anything else. Mr. Platt asked if GOSR (Governor’s Office for Storm Recovery) will pay for the engineering costs already accrued on the project and Mr. Dumian replied that GOSR should pay for engineering but he is waiting for a response.

SCHNURBUSCH PARK DUGOUTS

Mr. Dumian stated that the concrete pads for the new dugouts at Schnurbusch Park have been poured and the cinder blocks have been ordered. The work will be done in house.

(Break 6:25 P.M. – 6:30 P.M.)

REGULAR TOWN BOARD MEETING
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The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on October 13, 2020, 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
Parks/Water/Sewer Superintendent	Tom DeLamarter
Administrative Assistant	Mary Plonski
Zoning Board of Appeals	William Northwood

GUESTS: Country Courier Elizabeth Einstein
Laurie Francisco
John Colley
Barbara Northwood

RECOGNITION/WILLIAM NORTHWOOD/50 YEARS OF SERVICE ON ZONING BOARD OF APPEALS

The Town Board presented William Northwood with a certificate of appreciation for his 50 years of service on the Zoning Board of Appeals. Mr. Northwood presented the Board with his original letter of appointment, emphasizing how much he appreciates the Town Board and his fellow members of the ZBA. The presentation was greeted with a round of applause.

MINUTES: SEPTEMBER 22, 2020 REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the September 22, 2020 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 recapped his discussion of his conference call with Broome County Executive Jason Garnar regarding Governor Cuomo’s Executive Orders regarding COVID-19 (expanded discussion in Work Session minutes above). Mr. Dumian reiterated that the Conklin Soccer Club will be continuing, adhering to CDC guidelines. He stated that the County needs to “make good choices.”

Mr. Dumian stated that he has contacted the Southern Tier Regional 8 Broadband Study, since the Town has had no response from Spectrum regarding its request to extend broadband service on Gratsinger Road. This is a critical issue, especially in light of virtual learning occurring in the Susquehanna Valley School District.

Mr. Dumian stated that he received an inquiry from a corporation interested in opening a medical marijuana growth facility in the Corporate Park, asking the Board’s feelings about such a facility. Mr. Dumian stated that he has no issue with it as long as the facility follows New York State

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guidelines. Town Attorney Cheryl Sacco reminded the Board that the Town Board grants approval to businesses in the Corporate Park, and that the process is to send the application to the Planning Board for recommendations, send Form 239 to Broome County for review and to send the application to the BCIDA (Broome County Industrial Development Agency) for review to ensure that the facility would meet BCIDA standards. The Town Board would then make the final decision.

OLD BUSINESS:

COMMUNITY & WELLNESS CENTER

As explained further in the Work Session, the Town cannot move forward with the planned Community and Wellness Center, as there is not enough time or money to complete the project. Mr. Dumian suggested that, instead, the Town could work with the Conklin Fire Department to expand Station 2 on Conklin Forks Road to be a Red Cross ready emergency site.

2021 BUDGET

Mr. Dumian discussed the proposed 2021 Water and Sewer billing rates, stating that the Town will “hold the line” since these are “tough times” economically. The 2021 rates will remain the same as the 2020 rates were.

CARLIN ROAD RAILROAD CROSSING

Mr. Farley, who has been working with the railroad company to make the closed Carlin Road railroad crossing a “No Whistle” zone, stated that a problem he has encountered is that the crossing was not officially closed by the railroad company but by the Town of Conklin. He stated that he is currently working with the operating side of the railroad company rather than the governmental side. Mr. Farley stated that the process to have the crossing declared a quiet zone is too expensive, starting with \$5,000 just to have the railroad company look at the site. The Town would be responsible to pay for anything the railroad company had to put on the site to make it a “No Whistle” zone, which could cost up to \$300,000.

TOWN HALL UPGRADE REPAIRS

Mr. Dumian stated that the bond for the construction of the Town Hall will be paid off in 2021 and the money that will be available once the bond is paid will go toward needed repairs to the Town Hall. These repairs include the heating system and putting a peaked roof of some sort over the existing roof to prevent leaks, keeping the original architecture in mind. He stated that the lighting upgrades have saved money for the Town and the digital phones are a great improvement.

NEW BUSINESS:

HALLOWEEN 2020

Mr. Dumian stated that Broome County would like to see the policy on trick-or-treating consistent in all municipalities in the County, so that people don't go from a restricted municipality to one with fewer restrictions. He stated that the Broome County Trunk or Treat will be cancelled. Mr. Dumian stated that there have been no definite directions from either

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Broome County or New York State regarding this issue, adding that the Town cannot control the situation if parents decide to take their children trick or treating.

COVID-19 NEW YORK STATE REGULATIONS

Reiterating his earlier remarks, Mr. Dumian stated that the residents and the government need to “be smart but don’t shackle the community.”

BLUE CROSS/BLUE SHIELD RATE CHANGES

Mr. Dumian stated that the rate for Town health insurance from Blue Cross/Blue Shield will only increase .64%, or an additional \$1927, for 2021, a much lower increase than that which had been anticipated.

REDUCTION IN ANNUAL DUES/UPSTATE ASSOCIATION OF TOWNS

Mr. Dumian stated that the Upstate Association of Towns reduced its annual dues from \$400 to \$200 for 2021, in an effort to help municipalities that may be lacking funds.

RESO 2020-105: APPROVE WITHDRAWAL OF AWARDS/CONKLIN WELLNESS & COMMUNITY CENTER

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the withdrawal of the awards for the Conklin Wellness Center and Community Center bids for General Construction (F.E. Jones), Plumbing Construction (Evans Mechanical), Mechanical Construction (J & K Plumbing and Heating), and Electrical Construction (Schuler Haas) because of unexpected increases in budget and lack of funding.

Seconded by Mr. Platt.

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

RESO 2020-106: SCHEDULE PUBLIC HEARING/PROPOSED FIRE PROTECTION CONTRACT 2021/OCTOBER 27, 2020/6:35 P.M.

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves scheduling a Public Hearing on October 27, 2020, at 6:35 P.M. to receive input regarding the proposed 2021 Fire Protection Contract with the Conklin Volunteer Fire Department, Inc.

Seconded by Mr. Francisco.

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

RESO 2020-107: SCHEDULE PUBLIC HEARING/PROPOSED 2021 MUNICIPAL WATER & SEWER RATES/OCTOBER 27, 2020/6:38 P.M.

Mr. Francisco moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin approves scheduling a Public Hearing on October 27, 2020, at 6:38 P.M. to receive input regarding proposed 2021 Municipal Water and Sewer billing rates.

Seconded by Mr. Platt.

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

RESO 2020-108: SCHEDULE PUBLIC HEARING/PROPOSED 2021 GENERAL & HIGHWAY BUDGET/OCTOBER 27, 2020/6:41 P.M.

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves scheduling a Public Hearing on October 27, 2020, at 6:41 P.M. to receive input regarding the proposed 2021 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 2020-109: RATIFY PAYMENT/NYSEG/SEPTEMBER BILLING

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #17334, various account codes, to NYSEG in the amount of \$5,892.34 for payment for the September 2020 billing.

Seconded by Mr. Platt.

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

RESO 2020-110: RATIFY PAYMENT/THE HARTFORD/3RD QUARTER DISABILITY INSURANCE

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #17388, various account codes, in the amount of \$187.32 to The Hartford for payment for 3rd Quarter Disability Insurance.

Seconded by Mr. Francisco.

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

RESO 2020-111: RATIFY PAYMENT/DEPOSITORY TRUST COMPANY/INTEREST PAYMENT/TOWN HALL BOND

Mr. Francisco moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin ratifies payment via wire transfer, account code A9710.7, the amount of \$892.50 to Depository Trust Company for interest payment for the Town Hall Bond.

Seconded by Mr. Platt.

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

RESO 2020-112: APPROVE PAYMENT/BILL LIST/\$146,440.80

Mr. Francisco 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 October 8, 2020, in the total amount of \$146,440.80:

General	\$ 13,625.49
Highway	32,745.64
Water Districts	905.83
Non-Budgeted	5,496.00
Sewer Districts	<u>93,667.84</u>
Total	<u>\$146,440.80</u>

Seconded by Mr. Platt.

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

RESO 2020-113: AUTHORIZE MODIFICATION OF STATED FROM AND TO BUDGET LINES

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes modification of the stated From and To Budget lines as follows (see attached).

Seconded by Mr. Farley.

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

RESO 2020-114: AUTHORIZE MODIFICATION OF BUDGET/BUCKET TRUCK & SALT BARN

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the following modification of the Budget regarding the 2005 International Bucket Truck and the Salt Barn (see attached).

Seconded by Mr. Francisco.

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

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RESO 2020-115: RATIFY PAYMENT/ONEONTA BLOCK COMPANY/MATERIALS
FOR PARK DUGOUTS

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #17444, account code A 7110.4, in the amount of \$789.30 to Oneonta Block Company for payment of materials for dugouts in Schnurbusch Park.

Seconded by Mr. Platt.

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

REPORT: HIGHWAY DEPARTMENT

Highway Superintendent Brian Coddington stated that the old broom for sweeping the streets broke and he is purchasing a new broom for the Skidsteer, at a cost of \$6,046.64.

Mr. Coddington stated that the Town Highway Department has removed 45 to 50 ash trees that were killed by the Emerald Ash Borer, adding that they have more than 50 more to remove. Mr. Boyle stated that an Oak Borer has been found in central Pennsylvania, and he hopes it does not migrate north.

Mr. Coddington stated that his department has blacktop work to do at Schnurbusch Park, adding that it will be completed before winter.

REPORT: PARKS/WATER/SEWER

Parks/Water/Sewer Superintendent Tom DeLamarter spoke of the successful use of shared services with two water main digs that required assistance from the Highway Department. However, the Town of Conklin backhoe was out of service, so John Finch, Public Works Commissioner for the Town of Kirkwood, loaned the Town of Conklin Kirkwood's backhoe to finish the digs.

PUBLIC COMMENTS:

HALLOWEEN

John Colley of Millburn Drive asked how residents will know what decision the Board makes regarding trick or treating and how the restrictions will be enforced. Mr. Dumian stated that the Town "will get the word out," adding that the Town cannot enforce restrictions.

DRAINAGE ISSUES

Mr. Boyle stated that the water has dropped four feet near the dry bridge on Conklin Road since he removed a five foot dam in the area.

Mr. Boyle stated that there are two galvanized pipes under the railroad tracks that are rotting and need to be replaced. Mr. Farley stated that he will contact the railroad company regarding this issue.

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Mr. DeLamarter suggested creating a retention pond on the land across from the Town Hall, which is owned by the Town. Ms. Sacco stated that the Town may need to have an engineer design the retention pond. Mr. Dumian stated that there are agencies in Broome County to handle drainage issues, adding that “they should be responsible and use their own resources.” He added that the Town cannot control river levels. Mr. Dumian stated that he is not opposed to the idea of a retention pond but questioned whether it is necessary if the drainage area is kept cleaned out.

COMMUNITY CENTER RENTALS

Mr. Dumian stated that even though renters are required to sign a document stating that they will limit the number of people at their gathering to 50 or less, the Town cannot enforce the limit. He questioned the Board as to whether or not the Town should currently continue renting the Community Center. Mr. Boyle was the dissenting vote, believing the Town should continue to rent the building, but the other four Board members voted to not rent at this time. Two reservations are already set for November. Mr. Dumian stated that those two gatherings could be held but advised Town Clerk Sherrie Jacobs not to take any more rental reservations. He stated that the Board will re-evaluate this issue at the October 27 Board meeting.

DEPOSIT ON LIQUOR BOTTLES

Mr. Boyle stated that a legislator is proposing that a deposit be placed on liquor bottles, so that the bottles are returned and recycled rather than thrown away.

There being no further business to come before the Board, Mr. Farley moved for adjournment, seconded by Mr. Platt. The meeting adjourned at 7:35 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk