

WORK SESSION

JUNE 8, 2021

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on June 8, 2021, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided.

PRESENT: Town Board Members Finch, Boyle, Farley, Francisco, Dumian

Town Counsel	Cheryl Sacco
Town Clerk	Sherrie L. Jacobs
Highway Superintendent	Brian Coddington
Code Officer	Nick Pappas
Water/Sewer/Parks Superintendent	Tom DeLamarter

GUESTS: Country Courier Elizabeth Einstein
John Colley
Laurie Francisco

HIGHWAY GARAGE FIRE

Mr. Dumian stated that the insurance company agreed to pay the Town \$440,232 cash value for the Highway Garage building, adding that the Town does not yet have numbers back from roofing contractors to either repair or replace the damaged roof. He stated that the insurance is willing to pay \$90,000 for contents, the depreciated value for contents of the building. Total replacement cost would be \$120,000. The insurance company also agreed to replace all 10 doors, at a cost of \$65,000. Mr. Dumian stated that he should have more information next week, adding that the Town is “on the right track but it’s a slow process.”

Mr. Dumian stated that he asked the insurance company why it is taking so long to get information on the damaged vehicles. He stated that the following amounts have been proposed for the remaining four vehicles:

Unit 44 – 2010 Volvo VHD	\$56,250.00
Unit 42 – 2019 International HV507	\$37,500.00
Unit 43 – 2007 Volvo VHD	\$37,500.00
Unit 48 – 2010 Volvo VHD	\$75,000.00

Mr. Dumian stated that the insurance company would write a check for the total \$206,250 and the Town keeps the vehicles to do with as they see fit. Highway Superintendent Brian Coddington is in favor of ordering one new vehicle and repairing the others, which Mr. Dumian supported. Mr. Dumian stated maybe in September or October the Town would be able to order a 2nd truck. Mr. Francisco asked how much repair would be required for the 2019 International and Mr. Coddington replied, “Very little; we can do the work cheaper in house.” Mr. Francisco asked if the trade-in value for that truck in a couple of years will be more than the current cost of repairs and Mr. Coddington affirmed that the trade-in value will be greater. Mr. Dumian stated that the bonds for two of the trucks will be paid completely in 2022. Mr. Boyle stated that Mr. Coddington should check on the availability of chassis before ordering a new truck. Mr. Coddington stated that the timeline for getting the new truck would be ten to twelve months.

SUMMER FUN PROGRAM

Mr. Dumian reported that the Summer Fun Program will run at 50% capacity this year, with two two-week sessions of 60 children each instead of four weeks for 120 children. He stated that the program will be able to serve breakfast and lunch to the other 50 to 60 children that are not in the program. He stated that the Town budgeted the full 2019 amount for this year’s program.

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REPAIRS TO THE TOWN HALL

Mr. Dumian stated that with Trucks 47 and 49 being paid off in 2022 and the bond on the Town Hall paid off in 2021, the Board can think about need repairs to the Town Hall. These include roof repairs, with the possibility of installing a pitched roof of some kind; replacing the outdated furnace and cooling systems, which are twenty years old; and perhaps installing wall-mounted heating units.

REGULAR TOWN BOARD MEETING
JUNE 8, 2021

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on June 8, 2021, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided.

PRESENT: Town Board Members Finch, Boyle, Farley, Francisco, Dumian

Town Counsel Cheryl Sacco
Town Clerk Sherrie L. Jacobs
Highway Superintendent Brian Coddington
Code Officer Nick Pappas
Water/Sewer/Parks Superintendent Tom DeLamarter

GUESTS: **Country Courier** Elizabeth Einstein
 John Colley
 Laurie Francisco
 Sandi Beam

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PUBLIC HEARING
TO RECEIVE INPUT REGARDING PROPOSED LOCAL LAW 1, 2021/
“A LOCAL LAW DELETING SECTION 140-76 OF THE TOWN CODE
ENTITLED, “SPECIAL PERMIT PROCEDURES”

PRESENT: Same as above.

Notice of Public Hearing having been duly advertised, Mr. Dumian declared the Public Hearing open at 6:30 P.M. and asked those present to speak either for, or in opposition to, proposed Local Law 1, 2021, “A Local Law Deleting Section 140-76 of the Town Code entitled, “Special Permit Procedures.”

Town Attorney Cheryl Sacco explained that this Local Law removes the need for submittal to the Broome County Industrial Development Agency (BCIDA) for review site plans for new businesses in the Broome Corporate Park. She explained that this makes processing an application faster for applicants.

There being no questions or public comments, Mr. Dumian declared the Public Hearing closed at 6:33 P.M.

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Ms. Sacco then walked the Board through the EAF (Environmental Assessment Form) for SEQRA (State Environmental Quality Review Act). The Board answered questions 1-16, regarding environmental impact of the proposed local law, as “No,” and answered questions 17 and 18, confirming that the proposed law complies with Community Plans and Character, as “Yes.” This denotes a Negative Declaration of environmental impact.

RESO 2021-69: APPROVE LOCAL LAW 1, 2021/
“A LOCAL LAW DELETING SECTION 140-76 OF THE TOWN CODE
ENTITLED, “SPECIAL PERMIT PROCEDURES”

At a regular meeting of the Town Board of the Town of Conklin, held at Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on the 8th day of June, 2021, the following resolution was offered by Mr. Finch and seconded by Mr. Farley:

WHEREAS, the Town Board scheduled a public hearing for June 8, 2021, at 6:30 P.M. for Local Law No. 1 of the Year 2021 entitled “A LOCAL LAW AMENDING CHAPTER 140 ENTITLED ‘ZONING’”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk’s signboard; and

REGULAR TOWN BOARD MEETING
JUNE 8, 2021

WHEREAS, the Local Law was referred to the Town Planning Board and the Planning Board recommended approval of the same; and

WHEREAS, the Broome County Planning Department reviewed the Local Law pursuant to GML § 239-m, and found no county-wide impacts; and

WHEREAS, said public hearing was duly held on the 8th day of June, 2021 at 6:30 P.M. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type I Action, as defined under said regulations. The Town Board has considered the possible environmental impacts of the Local Law. The adoption of said Local Law will not have a significant adverse impact on the environment, and the Town Board adopts a negative declaration with respect to the Local Law; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Conklin hereby adopts said Local Law as Law No. 1 of the Year 2021 entitled "A LOCAL LAW AMENDING CHAPTER 140 ENTITLED 'ZONING'", a copy of which is attached hereto and made a part hereof; and further

RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and further

RESOLVED that this resolution will take effect immediately.

CERTIFICATION

I, Sherrie L. Jacobs, do hereby certify that I am the Town Clerk of the Town of Conklin and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Conklin at a meeting thereof held on the 8th day of June, 2021. Said resolution was adopted by the following roll call vote:

Supervisor William Dumian, Jr.	YES
Councilman Dell Boyle	<u>YES</u>
Councilman William Farley	YES
Councilman Charles Francisco	YES
Councilman James Finch	YES

Dated: June 8, 2021

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk
Town of Conklin

MINUTES: MAY 11, 2021 WORK SESSION AND REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the May 11, 2021 Work Session and Regular Town Board Meeting minutes as presented.

Seconded by Mr. Farley.

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

REGULAR TOWN BOARD MEETING
JUNE 8, 2021

PUBLIC COMMENTS: None.

CORRESPONDENCE:

CARLIN ROAD RAILROAD CROSSING

Mr. Farley reported that he was informed by the railroad company that the only way the trains can be allowed to stop blowing their horns at the Carlin Road railroad crossing is if the crossing is removed. This is not a possibility for the Town as the crossing is needed as an escape route if the Town floods.

REPORT: SUPERVISOR'S OFFICE

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

OLD BUSINESS:

PROPERTY AT CORNER OF POWERS ROAD & CONKLIN ROAD

Mr. Dumian stated that he has contacted the Hobart family, who own the property at the corner of Powers Road and Conklin Road, to see if they will donate the land to the Town for park usage. He wondered whether the family's bank will allow the donation and is awaiting an answer.

CODE VIOLATIONS

The Board discussed Code violations that remain unresolved and become Court cases. Code Officer Nick Pappas stated that the owner of the former Progressive Dental building has been given 30 days to replace windows and siding. The owner has paid the \$500 deposit as the building is registered as vacant property, stating that he wants to turn the building into an apartment building.

Mr. Pappas stated that if a defendant is a "no show" in Court two or three times, the Town can follow a different process, asking the Court to issue a warrant for the person's arrest, but the Board must approve this action. He cited the example of Matt Voorhees, owner of the former Dino's on the Susquehanna building, who has not signed for the certified letters sent to him by the Code Office, asking if the Board would want a bench warrant issued for this property owner.

Mr. Dumian stated that the "blight is spreading," adding that the Town's FEMA (Federal Emergency Management Agency) flood insurance cost has increased. Sandi Beam asked if the names of property owners with Code violations could be put in the local paper or fees assessed, and Mr. Dumian replied that the Town can only work within the existing laws and there must be actual Code violations.

Ms. Sacco stated that the Town already has the ability to ask the Court for a bench warrant, explaining that the person would not be picked up by the police, but if they were stopped for any other reason, they would go to jail. The Town discussed using a personal server to serve notice, with the property owner responsible to reimburse the Town for the cost of the server.

Mr. Pappas discussed an abandoned house on Millburn Drive, and it was suggested that maybe the Town could contact the Broome County Land Bank to see if there was interest in the building. A neighbor of the abandoned house is interested in purchasing it so the Town might be able to facilitate the sale. Mr. Pappas stated that of the three recent Court cases, one was a "No Show," but the other two had good resolutions, with the Town and the property owners reaching agreements to remedy.

NEW BUSINESS;

MUNICIPAL STIMULUS MONEY

Mr. Dumian stated that he is looking at what the Town will be allowed to spend the municipal stimulus money on, although there is no definite timeline by which the Town might receive this money. He added that he is not interested in multi-residence buildings or complexes being built in the Town. Mr. Boyle stated that he is aware of conversation to change control of zoning from local to the State or federal level.

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POTENTIAL SOLAR FARM/CARLIN ROAD

Mr. Dumian stated that he will attend a meeting in two weeks regarding a potential solar farm for electricity production which would tentatively be built on the former Wright property on Carlin Road. He stated that if this occurs, the company would have to maintain the natural buffer between its construction and neighboring residences.

2022 CHEVY SILVERADO

Highway Superintendent Brian Coddington is interested in purchasing a 2022 Chevy Silverado for his department and stated that he will get more information on the truck. The Board will look at the specifications for the truck and discuss it at the July 13 meeting. Mr. Coddington would also need to purchase a plow package for the truck.

RESO 2021-70: AUTHORIZE ORDER/2023 HV507 4x2 CHASSIS & VIKING PLOW PACKAGE

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the ordering of a 2023 HV507 4x2 Chassis and Viking Plow Package per Onondaga County contract #8996 from Stadium International Trucks for a total amount not to exceed \$171,427.00.

Seconded by Mr. Finch.

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

RESO 2021-71: RATIFY PAYMENT/US POSTAL SERVICE/2ND QUARTER WATER & SEWER BILLING

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #18232 in the amount of \$302.40 to the United States Postal Service for postage for the 2nd Quarter Water and Sewer billing.

Seconded by Mr. Finch.

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

RESO 2021-72: RATIFY ACH WIRE PAYMENT/PITNEY BOWES/POSTAGE METER REFILL PURCHASE

Mr. Finch 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 postage meter refill.

Seconded by Mr. Francisco.

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

RESO 2021-73: RATIFY APPROVAL/LAURIE GREGORY TO ATTEND ASSOCIATION OF TOWNS VIRTUAL FINANCE TRAINING/MAY 19 & 20, 2021/AND APPROVAL OF REGISTRATION FEE OF \$65.00

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies approval of Laurie Gregory to attend the Association of Towns Virtual Finance Training on May 19 and 20, 2021, and further approves the registration fee of \$65.00, account code A 1220.4.

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Seconded by Mr. Finch.

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

RESO 2021-74: APPROVE TOM DELAMARTER/ATTEND NYS AMERICAN WATER WORKS ASSOCIATION SANITARY SURVEYS TRAINING/OWEGO, NY/OCTOBER 27, 2021/REGISTRATION FEE & MEAL ALLOWANCE & MILEAGE

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Tom DeLamarter to attend the New York State American Water Works Association Sanitary Surveys Training in Owego, New York, on October 27, 2021, and further approves the registration fee of \$80.00 plus per diem meal allowance and mileage, account code SW 8310.4.

Seconded by Mr. Farley.

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

RESO 2021-75: RATIFY PAYMENT/BILL LIST/05-24-2021/\$30,127.46

Mr. Farley 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 May 24, 2021, in the total amount of \$30,127.46:

General	\$ 18,100.21
Highway	932.46
Water Districts	8,136.07
Sewer Districts	1,202.12
Light Districts	1,198.60
Non-Budgeted	<u>558.00</u>
Total	\$ 30,127.46

Seconded by Mr. Finch.

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

RESO 2021-76: APPROVE PAYMENT/BILL LIST/06-03-2021/\$29,909.96

Mr. Farley 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 June 3, 2021, in the total amount of \$29,909.96:

General	\$ 25,828.10
Highway	2,962.76
Water Districts	81.57
Sewer Districts	<u>1,037.53</u>
Total	\$ 29,909.96

Seconded by Mr. Finch.

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

RESO 2021-77: AUTHORIZE BUDGET MODIFICATIONS

Mr. Farley moved for the following resolution:

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

Seconded by Mr. Francisco.

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

RESO 2021-78: RATIFY PAYMENT/CONKLIN VOLUNTEER FIRE DEPARTMENT, INC./EMERGENCY HOURS COMPLETED BY FIRE DEPARTMENT

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #18331 in the amount of \$8,581.86 to the Conklin Volunteer Fire Department, Inc., for payment of FEMA PW #96447 for emergency hours completed by the fire department. The Town acted as a pass through agent set up by FEMA on behalf of the fire company.

Seconded by Mr. Francisco.

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

PUBLIC COMMENTS: None.

LEGAL RESEARCH

Ms. Sacco stated that she looked at sample laws she received from Mr. Boyle regarding installation of ponds and uses of flood property under Zoning.

SMOKING IN TOWN PARKS

Mr. Finch asked what could be done to enforce the prohibition of smoking in Town Parks. Mr. Dumian stated that the Town could install more signs, put notification on the lighted marquee, or perhaps think about creating the position of Town Constable.

(The Board took a recess from 7:40 to 7:45 for Mr. Boyle to consult with Ms. Sacco about a legal question.)

RAILROAD CROSSING BLOCKED

Mr. Farley reported that Mr. Francisco registered a complaint with the railroad company about the crossing being blocked for an excessive amount of time.

BASEBALL/SOFTBALL

Mr. Farley stated that Baseball and Softball season is going well, adding that the Kiwanis Pitch, Hit, and Run competition will be held at 11 A.M. on June 27, 2021, at the Little League Field.

REMAINING EIGHT LIGHTS TO BE CONVERTED TO LED

Mr. Francisco stated that the Work Order has been submitted to convert the remaining eight street lights to LED lights.

CONKLIN FAIR & PARADE

Mr. Dumian stated that the Conklin Fair and Parade will happen this year.

There being no further business to come before the Board, Mr. Finch moved for adjournment, seconded by Mr. Farley. The meeting adjourned at 7:50 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk

