

WORK SESSION
AUGUST 10, 2021

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on August 10, 2021, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided.

PRESENT:	Town Board Members	Finch, Boyle, Farley, Dumian (Francisco – Excused)
	Town Counsel	Keegan Coughlin
	Town Clerk	Sherrie L. Jacobs
	Highway Superintendent	Brian Coddington
	Code Officer	Nick Pappas
	Water/Sewer/Parks Superintendent	Tom DeLamarter

GUESTS:	Country Courier	Elizabeth Einstein Jody Starchok Jeff Starchok John Colley Barby Jo Badger Timothy Price
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YOUTH SPORTS

Mr. Dumian reported that soccer sign-ups are completed, with multiple teams at each age level. Mr. Farley stated that the teams are even with regard to skill level.

CONKLIN POOL

The last day for the Conklin Pool to be open will be August 22. Parks Superintendent Tom DeLamarter stated that it has been a challenge to get and keep lifeguards this summer, adding that most of them are new hires and need training.

CARES ACT MUNICIPAL STIMULUS MONEY

Mr. Dumian stated that the original amount of Cares Act Municipal Stimulus money that was promised was \$562,000, adding that it could only be used for very specific purposes, such as water and sewer infrastructure. He added that the application form is huge, with many layers. Mr. Dumian stated that this money cannot be used to offset budget deficits. He stated that the Town needs generators at the sewer stations, a total of three, which Mr. DeLamarter stated cost about \$25,000 each the last time he priced them. Mr. DeLamarter stated that the new outside meter readers would cost approximately \$100,000. The Board also discussed replacing old valves in the water mains in the Broome Corporate Park. Mr. Dumian stated that so far the Town has received a little more than \$260,000. The Board discussed using some for preventative maintenance but Town Attorney Keegan Coughlin stated that this is a “gray area.” Mr. Coughlin stated that the Town should receive the second stimulus payment August 1, 2022.

COVID DELTA VARIANT

Mr. Dumian stated that he took part in a conference call with Broome County Executive Jason Garnar and other municipal leaders during which it was “suggested,” not mandated,” that masks be worn indoors in all municipal buildings, and even that if two vaccinated people are in a car together, they should wear masks, citing a small spike in numbers in Broome County. Mr. Dumian, disagreeing with these suggestions, stated that at Susquehanna Valley School District, the students are in school full time and have had very few cases, adding that they have all been playing sports together, with maybe 10 out of 200 needing to be quarantined. He stated that the Town buildings will adhere to the policy that if you are fully vaccinated, you do not need a

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mask; if you are not vaccinated, a mask is required. He added that this is following common sense.

DEDICATION OF SOFTBALL/BASEBALL FIELD/LORETTA TREVARTHAN

Mr. Dumian stated that Loretta Trevarthan, better known as Lettie, passed away recently. He is sending a letter to her daughter, Lora Gardner, asking for the dates of when Mrs. Trevarthan coached girls' softball, as the Board would like to dedicate the big softball/baseball field at Schnurbusch Park in her honor. Mrs. Trevarthan was extremely instrumental in building the girls' softball program in Conklin into what it is today. A message honoring her will also be put on the marquee at Schnurbusch Park.

FLOOD REMEDIATION ASSISTANCE/CLAUDIA TENNEY

Mr. Dumian stated that he e-mailed Congresswoman Claudia Tenney's office asking for assistance for flood remediation for damage done during the 2018 flash flooding, noting that FEMA (Federal Emergency Management Agency) has only paid for one out of twelve projects submitted from that flash flooding. He stated that the response from Ms. Tenney's office was a "canned" response with suggestions that the Town fill out federal forms asking for assistance. Mr. Dumian stated that the Town would need to hire a professional grant writer to attempt this. He stated that FEMA is "broke," adding that some residents cannot afford to pay for expensive flood insurance.

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 August 10, 2021, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT: Town Board Members Finch, Boyle, Farley, Dumian
(Francisco – Excused)

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

GUESTS: Country Courier Elizabeth Einstein
Jody Starchok
Jeff Starchok
John Colley
Barby Jo Badger
Timothy Price

MINUTES: JULY 13, 2021 WORK SESSION AND REGULAR TOWN BOARD MEETING

Mr. Finch moved to approve the July 13, 2021 Work Session and Regular Town Board Meeting minutes as presented.

Seconded by Mr. Farley.

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

PUBLIC COMMENTS:

CODE VIOLATIONS/WOODSIDE AVENUE

Jody Starchok of Woodside Avenue stated that there is a condemned property in her neighborhood on which the house burned but the property owner is turning the property into a junkyard. She stated that he brings in appliances, furniture, pallets, vehicles, campers, etc., and is burning much of it, creating a smoke hazard in the neighborhood. She stated that most of the activity takes place during the middle of the night. Ms. Starchok stated that this property owner is also digging a foundation for a house, adding that she has called the Town Code Office “with no response.” Barby Jo Badger, also of Woodside Avenue, adding that the burning is “ruining our neighborhood.”

Code Officer Nick Pappas stated that he has been to the site several times and told the property owner to get a building permit, which he has not yet done. Mr. Dumian stated that it is time for the Town to issue a Stop Work Order, then send him to Court if he doesn't comply, adding that the Town can fine him if he violates the Stop Work Order. Mr. Pappas told Ms. Starchok and Ms. Badger that they should call the DEC (New York State Department of Environmental Conservation) if this person is burning copper, adding that the DEC will send representatives even in the middle of the night.

REPORT: SUPERVISOR'S OFFICE

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

CORRESPONDENCE:

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LETTER OF RESIGNATION/SHARON PLATT/PLANNING BOARD

Mr. Dumian stated that he received a letter of resignation from Sharon Platt, resigning her position as Chairperson/Member of the Town Planning Board. In speaking with the Board over the phone, Mr. Francisco suggested advertising for vacancies on the Planning Board and on the Zoning Board of Appeals. Mr. Dumian stated that the Board is also in favor of re-appointing Chris Ostrowsky to the Planning Board, and Mr. Ostrowsky has indicated that he is willing to serve.

BROOME COUNTY PURCHASING ALLIANCE

Mr. Dumian stated that he received an email from the Broome County Purchasing Alliance stating that United Healthcare has been selected as a provider, adding that this is the only information available so far.

BROOME COUNTY DOG SHELTER SERVICES CONTRACT

Mr. Dumian stated that he received correspondence from Broome County Security informing the Board that it is time to renew the service contract with the Broome County Dog Shelter. He added that Dog Control Officer Rick Murray is doing an excellent job.

CARES ACT MUNICIPAL STIMULUS MONEY

Mr. Dumian stated that he received an e-mail from the New York State Comptroller's Office regarding the Cares Act Municipal Stimulus money.

OLD BUSINESS:

POND SETBACK – ZONING

Mr. Dumian stated that zoning restrictions regarding pond setbacks are needed to protect property owners, adding that setbacks would ensure that the ponds are not build too close to property lines, where damage to neighboring properties could occur. Highway Superintendent Brian Coddington added that breach of heavy overflow from ponds could also damage Town roads and ditches. Mr. Boyle stated that property owners must be able to maintain their land, adding that the Town needs a liability provision. Mr. Dumian stated that the DEC has regulations for ponds over one acres and guidelines for ponds less than one acre. Mr. Finch suggested having Mr. Pappas review plans for ponds but Mr. Dumian stated that he thinks setbacks are a better way to go, since it would mean less liability for the Town. Mr. Coughlin suggested making pond builders put up a bond, adding that the Town cannot zone so that no one can ever build a pond. Mr. Pappas stated that he will ask the DEC for clarification. He also asked, "What happens if someone installs a pond on the weekend?" Mr. Dumian stated that potentially the property owner would have to fill it in, adding that the Town "needs to help people be safe." The Board discussed possible setback requirements, with Mr. Dumian suggesting 1500 feet and Mr. Finch suggesting 1000 feet.

GENERATORS

Mr. Dumian stated that Mr. Francisco is working with NYSEG (New York State Electric and Gas Company) to make sure the Town of Conklin is in compliance with its generators.

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MARIJUANA DISTRIBUTION OPT-IN/OPT-OUT

Mr. Dumian stated that if the Town does not allow sale of marijuana at designated stores or places of consumption, it will not be eligible for sales tax from the sale of marijuana. He asked the Town Board to think about this issue for discussion at the September 14 meeting.

NEW BUSINESS:

PAY RATES

Mr. Dumian stated that since minimum wage has increased and incentives have been given to stay home, the Town must look at being competitive in pay to get and keep good workers. He stated that he learned that there are 3.9 million jobs open in the United States for CDL drivers. He stated that the Town has good benefits, which helps attract workers. Mr. Dumian stated that it is a challenge, because the Town has to stay below the tax cap. He stated that Blue Cross/Blue Shield will be increasing the cost for medical benefits next year. Mr. Dumian stated that the Town “runs lean,” with three shared services positions, a change from full-time to part-time for some employees, and loss of personnel by attrition. He stated that the Town must think about increasing the pay rate for members of the Planning Board and Zoning Board of Appeals to make those hard-to-fill positions more attractive.

RESO 2021-94: ACCEPT RESIGNATION/SHARON PLATT/PLANNING BOARD

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of Sharon Platt from the position of Chairperson/Member of the Planning Board, effective July 10, 2021.

Seconded by Mr. Finch.

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

RESO 2021-95: APPOINT CHRIS OSTROWSKY/MEMBER/PLANNING BOARD

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin appoints Chris Ostrowsky as a member of the Planning Board, effective August 11, 2021, to fill the unexpired term of Sharon Platt. The position of Chairperson remains open.

Seconded by Mr. Farley.

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

TOWN JUSTICE RESIGNATION

Mr. Dumian informed the Board that Town Justice Beth Marshall is resigning effective December 31, 2021. He suggested that the Board advertise for a replacement for the remainder of her term, which ends December 31, 2022. Mr. Boyle agreed, stating that the Board needs to get potential candidates for the job. Mr. Dumian stated that he is still looking for a merger with the Town of Binghamton Court but added that this possibility is still somewhere in the future.

RESO 2021-96: ADVERTISE/COUNTRY COURIER/CANDIDATES FOR POSITION OF TOWN JUSTICE TO FILL OUT REMAINDER OF TERM

Mr. Finch moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin approves advertising in the **Country Courier** for candidates to fill the position of Town Justice for the remainder of Beth Marshall's term, which ends December 31, 2022.

Seconded by Mr. Farley.

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

RESO 2021-97: ADVERTISE/COUNTRY COURIER/VACANT
POSITIONS/PLANNING BOARD & ZONING BOARD OF APPEALS

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves advertising in the **Country Courier** for candidates to fill the vacant positions on the Planning Board and the Zoning Board of Appeals.

Seconded by Mr. Boyle.

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

RESO 2021-98: APPROVE PAY CHANGE/LOGAN STETTINIUS/LIFEGUARD
ASSISTANT MANAGER

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the pay change for Logan Stettinius to \$13.00 as the Lifeguard Assistant Manager, retroactive to the beginning of the 2021 season.

Seconded by Mr. Finch.

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

RESO 2021-99: RATIFY PAYMENT/PETTY CASH FOR POOL

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #18450 in the amount of \$50.00 for petty cash at the pool.

Seconded by Mr. Farley.

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

RESO 2021-100: RATIFY PAYMENT/BILL LIST/07-22-2021/\$113,558.18

Mr. Boyle 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 July 22, 2021, in the total amount of \$113,558.18:

General	\$ 12,704.80
Highway	1,454.45
Sewer District	87,144.82
Water Districts	3,285.83
Light Districts	1,196.28
Non-Budgeted	<u>7,772.00</u>
Total	\$113,558.18

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Seconded by Mr. Finch.

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

RESO 2021-101: APPROVE PAYMENT/BILL LIST/08-05-2021/\$24,623.80

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 August 5, 2021, in the total amount of \$24,623.80:

General	\$ 23,043.96
Highway	213.57
Water Districts	1,337.71
Sewer Districts	<u>28.56</u>
Total	\$ 24,623.80

Seconded by Mr. Finch.

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

RESO 2021-102: APPROVE HIRING/OLIVIA SANTA CROCE/LIFEGUARD

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the hiring of Olivia Santa Croce to the position of Lifeguard for the Town Pool for the 2021 season at a pay rate of \$12.50 per hour, effective August 10, 2021.

Seconded by Mr. Boyle.

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

REPORT: HIGHWAY DEPARTMENT

Mr. Coddington reported that the flood damage from the recent rain has been repaired and his crew is working on blacktopping roads.

REPORT: CODE OFFICE

Mr. Pappas reported that he has a case going to trial on Friday.

REPORT: PARKS/WATER/SEWER

Mr. DeLamarter reported that the Jacobson tractor, used for mowing, is broken and Susquehanna Valley School District and the Town of Kirkwood are helping with the mowing. He stated that the tractor is six years old and he cannot budget for a new one at this time.

Mr. Finch asked if there is a rain date for the Concerts in the Park finale, scheduled for August 11, and Mr. DeLamarter stated that there is no rain date. Officials should be there at 5:00 to start grilling.

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YOUTH PROGRAM GRANTS

Mr. Farley stated that he talked to Claudia Tenney's staff at a meeting at the Town of Union about the Youth Program and her staff is supposed to e-mail Mr. Farley information regarding possible grants for the program.

RESO 2021-103: EXECUTIVE SESSION/SPECIFIC PERSONNEL ISSUE

Mr. Finch moved to close the Regular Town Board Meeting and move into Executive Session at 7:50 P.M. to discuss a specific personnel issue.

Seconded by Mr. Boyle.

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

An Executive Session of the Town Board of the Town of Conklin was held at the Conklin Town Hall at 7:50 P.M. with Supervisor William Dumian, Jr., presiding. Present were: Supervisor Dumian, Mr. Finch, Mr. Boyle, Mr. Farley, and Attorney Keegan Coughlin. Mr. Coughlin assumed duties of secretary of the meeting.

A discussion was held pursuant to Public Officers Law section 100 of the State of New York regarding the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.

RESO 2021-104: RE-OPEN REGULAR TOWN BOARD MEETING

Mr. Boyle moved to close the Executive Session and re-open the Regular Town Board Meeting at 8:04 P.M.

Seconded by Mr. Finch.

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

There being no further business to come before the Board, Mr. Farley moved for adjournment, seconded by Mr. Finch. The meeting adjourned at 8:05 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk