

**WORK SESSION**  
**SEPTEMBER 14, 2021**

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on September 14, 2021, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided.

<b>PRESENT:</b>	Town Board Members	Finch, Boyle, Francisco, Dumian (Mr. Farley – Excused)
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Highway Superintendent	Brian Coddington
	Code Officer	Nick Pappas
	Parks/Water/Sewer Superintendent	Tom DeLamarter
	Board of Assessment Review	William Brodsky
<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein John Colley Laurie Francisco Lisa Houston Ike Sturgeon

**UHC HEALTH PLAN**

Mr. Dumian opened the discussion regarding UHC Health Plan for Medicare PPO insurance offered through the Broome County Purchasing Alliance. He stated that the coverage is better and the cost is less than the current BlueCross/BlueShield insurance that the Town provides for its retirees. Mr. Dumian noted that this change in insurance carriers will only affect retirees of the Town; current employees will retain the current insurance provided by Excellus BlueCross/BlueShield.

Mr. Dumian stated that the cost with the UHC insurance would be the same whether in or out of network, reiterating that the coverage provided by UHC is better than that currently provided by BlueCross/BlueShield. He added that the prescription cost is a tiered plan, adding that wherever Medicare is accepted, UHC is also accepted. Mr. Dumian stated that the Town will save \$35,000 annually with the new plan, adding that the price has been guaranteed for three years. In comparison, BlueCross/BlueShield is anticipating an increase in cost to the Town of 7.3% next year for both current employees and retirees. “This is as good or better than BlueCross/BlueShield,” stated Mr. Dumian.

Lisa Houston, a retiree from the Town, asked if the retirees would be required to pay less to the Town, since so much money is being saved with the new plan, and was promised in an old agreement made by the Town Board years ago. Mr. Dumian stated that the Town cannot do that, adding that revenue must offset costs and the Town “can’t go back to old agreements.” Town of Conklin employees currently pay 23% of the cost of their health insurance.

**CARES ACT STIMULUS MONEY**

Mr. Dumian stated that if the Town’s revenue did not grow 4.1% or more in the 2020 calendar year, which it did not, then the Town does not have to meet the strict spending requirements of the CARES Act as to how the stimulus money is spent. He explained that this means the Town will have more options in ways to repair infrastructure in the Town.

**GRANT WRITING**

Mr. Dumian stated that he has contacted other municipalities to obtain information about grant writers, noting that a lot of work is being done, particularly with flood remediation, that is being

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funded by grant money. He has received several names that he will pursue. “The Town is asking for a lot of money because the Town has a lot of big projects,” stated Mr. Dumian.

**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 September 14, 2021, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

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

Town Counsel	Cheryl Sacco
Town Clerk	Sherrie L. Jacobs
Highway Superintendent	Brian Coddington
Code Officer	Nick Pappas
Parks/Water/Sewer Superintendent	Tom DeLamarter
Board of Assessment Review	William Brodsky

**GUESTS: Country Courier** Elizabeth Einstein  
John Colley  
Laurie Francisco  
Lisa Houston  
Ike Sturgeon  
Timothy R. Price  
Barby Jo Badger  
Dan Slezak  
Dan Parker II  
Sandi Beam  
John Donnelly  
Jessenia Mendez

**MINUTES: AUGUST 10, 2021 WORK SESSION & REGULAR TOWN BOARD MEETING**

Mr. Finch moved to approve the August 10, 2021 Work Session and Regular Town Board Meeting minutes as presented.

Seconded by Mr. Boyle.

VOTE: Finch – Yes, Boyle – Yes, Francisco – Abstain, Dumian – Yes. Motion carried: 3 – Yes, 1 – Abstain.

**PUBLIC COMMENTS:**

**TREE REMOVAL/ROSS HILL ROAD**

William Brodsky, who owns property on Ross Hill Road, stated that the Town removed trees on his property, without his knowledge, and added that he would have liked to have had the wood from the trees, but he didn't know about the removal of the trees until it was too late. Highway Superintendent Brian Coddington stated that the trees had fallen in a wind storm and were blocking the creek and had to be removed. Mr. Brodsky stated that the Town keeps putting riprap in the creek and it is pushing water toward his property. He added that he will be willing to work with the Town to remedy the problem. Mr. Dumian agreed that communication is key, but added that if it is an emergency situation, the Town must act quickly.

**POND ORDINANCE**

Mr. Brodsky stated that he read about the proposed setback requirements for ponds in the minutes of the August 10 Town Board meeting and stated that the “numbers proposed don't allow many parcels to build a pond in the Town of Conklin.” Mr. Dumian stated that the Board

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is working on some guidelines because there are no workable guidelines for ponds under one acre offered by the DEC (New York State Department of Environmental Conservation).

**MUNICIPAL WATER FOR STILLWATER ROAD**

John Donnelly stated that he owns property located at 29-30 Stillwater Road and would like to build a residence there but the lack of municipal water supply to that area is a drawback. He asked if the Town would consider using some of the federal grant money available to expand the municipal water infrastructure and provide Town water to Stillwater Road and areas of Conklin Road in the southern part of Town. He also asked if the Town could create a partial water district if all of the residents were not in favor of municipal water.

Mr. Dumian asked Water Superintendent Tom DeLamarter why Stillwater Road wasn't included when the Town piped water from the Town of Kirkwood for the mobile home parks in that area. Mr. DeLamarter stated that he was not sure what the reasoning was at the time, but the water from the Town of Kirkwood is only piped to the two mobile home parks on Conklin Road. Mr. Donnelly stated that the wells on Stillwater Road and that portion of Conklin Road are contaminated by runoff from the mobile home parks and those residents in that area that have wells are forced to use bottled water. Dan Parker, of 2017 Conklin Road, produced an example of the contaminated water and added that he has had to purchase bottled water for years.

Mr. Dumian agreed that the Town cannot grow the residential tax base without infrastructure. Mr. Donnelly offered to assist with writing any grants that could be used toward the water project.

**REPORT: SUPERVISOR'S OFFICE**

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

**CORRESPONDENCE:**

**RETIREMENT/MICHAEL PLATT/HIGHWAY LABORER**

Mr. Dumian stated that he received notice of retirement from Michael Platt from his position as Highway Laborer, adding that September 30 will be Mr. Platt's last day to work. He added that Mr. Coddington will be looking for two workers to add to his staff for the Highway Department.

**RESUME/TOWN JUSTICE**

Mr. Dumian stated that he received one resume for the position of Town Justice, to finish out the term of Beth Marshall, who is retiring December 31, 2021. The appointment would run from January 1 through December 31, 2022, and the appointee would have to run in the 2022 Election for the position, if interested.

**LETTERS OF INTEREST/PLANNING & ZONING BOARDS**

Mr. Dumian stated that he received letters of interest from Sandi Beam and from William Brodsky for vacancies on the Planning Board and Zoning Board of Appeals. Mr. Brodsky is specifically interested in serving on the Planning Board. Mr. Dumian suggested that the Board members reach out to the interested parties with any questions, adding that the Board will make a decision at the September 28 meeting.

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**CODE ISSUES/1368 MILLBURN DRIVE**

Dan Slezak, of 1370 Millburn Drive, stated that his next door neighbor at 1368 Millburn Drive has a junkyard at his home, with noise at all hours, including a race car and unlicensed/unregistered cars that he parks on Millburn Drive. There are also issues with a number of dogs on the property that are not well controlled, and fluids from the vehicles on the ground. Mr. Dumian stated that the DEC had been called to inspect the site. Code Officer Nick Pappas stated that the DEC reported only a minor spillage but added that the bigger issue is that this property owner is running a junkyard, which is not allowed by Code in an R15 residential neighborhood. Mr. Pappas has already issued a Stop Work Order. Mr. Dumian stated that the Town needs a timeline for completion of cleanup of the property. He added that there are civil issues, such as speeding, that must be addressed by law enforcement, and Town Code issues, which can be addressed by the Code Officer. He stated that the process to remedy the situation is longer than he would like it to be. Mr. Pappas added that the DEC sent the property owner to get permits. Mr. Dumian stated that the Board should look at the wording in the Code regarding the way in which Court papers can be served for violations.

**CODE ISSUES/WOODSIDE AVENUE**

Mr. Pappas reported that the property owner of the location on Woodside Avenue that has been cited for Code violations stopped by the Town Hall yesterday to stated that they were working on the problem, but Mr. Pappas added that the junk has just been covered up by a fence, not removed. The property also is running a junkyard in a residential neighborhood and a Stop Work Order is in place. The property owners have been given one week to clean up the property. Barby Jo Badger, who lives near the property in question on Woodside Avenue, added that the property owner has installed a pipe from the basement of the house and directed water so that it now floods her garage. Timothy Price of Woodside Avenue added that much of the activity takes place in the middle of the night, with the property owner “dragging stuff into the woods.” Mr. Francisco, who also lives on Woodside Avenue, stated that the property owner in question has been throwing dirt into the ditch alongside the road, in the Town right-of-way. Mr. Coddington will look into this situation.

**CODE ISSUE/CONKLIN ROAD**

Mr. Pappas addressed the Code violations at a property on Conklin Road and stated that he spoke with the owner about cleaning up the property.

**CARLIN ROAD RAILROAD CROSSING**

Mr. Dumian reported that the railroad company is trying to permanently close the Carlin Road crossing, which is currently gated to keep the public from accessing it. The Town does not want a permanent closure, as this crossing is an important access point in case of evacuation required by flooding or other disasters. Mr. Boyle asked if the crossing could be reopened and Mr. Dumian stated he was told there would be “significant cost” to the Town to do so. Mr. Farley, who is retired from the railroad company, is working on the situation.

Mr. Dumian stated that the Town will continue to push back against trains blocking tracks on multiple crossings for extended periods of time, stating that human safety is at risk.

**COMMERCIAL PROPERTY/CORPORATE PARK**

Mr. Dumian was once again contacted by a developer interested in putting a solar farm in the Corporate Park on the property accessed from Carlin Road. He stated that tax-wise, solar developments are not as beneficial as commercial buildings and the County is in need of more commercial space.

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**OLD BUSINESS:**

**COVID-19**

Mr. Dumian stated that COVID-19 “is not going away any time soon,” adding that he is not suggesting any changes to the Town requirements regarding masks, which is the CDC based recommendation that if you are fully vaccinated you do not need a mask, and if you are not vaccinated, you should wear one. He stated that he does not agree with forced vaccinations. Mr. Dumian stated that the youth have been playing soccer without masks, with very few situations requiring quarantine. In the Town Hall, both of the hallway doors are closed and locked to keep people from wandering through the building, for COVID prevention but also for safety.

**CARES ACT MUNICIPAL STIMULUS MONEY/PROPOSED PROJECTS**

Parks/Water/Sewer Superintendent Tom DeLamarter listed several proposed projects that could be funded by the CARES Act Municipal Stimulus money. These included: Remove tanks from ground at sewer stations (four of them, approximately \$30,000 - \$40,000); purchase three generators (\$25,000 each); electrical work to hook up generators; replace outside water meters (\$126,000); and preventative maintenance work on sewer pumps (\$9,000). Mr. Dumian stated that this is more than the allotted 2021 stimulus money, adding that he does not want to see an increase in water and/or sewer rates for 2022.

**REPORT: PARKS/WATER/SEWER DEPARTMENT**

Mr. DeLamarter reported that the flow meter at Station 1 had to be replaced, and added that the Town needs to replace the pump at the well house. Mr. Dumian commented that businesses with PILOT (Payment In Lieu Of Taxes) programs still pay 100 percent on Special Districts, including water and sewer districts.

Mr. DeLamarter stated that the Town will move the backstop in the pool field to create two ball fields, in the hopes of bringing back tournaments to the Town. Mr. Dumian commented that local businesses benefit from the presence of tournaments in Town.

**APPOINTMENT TO TOWN JUSTICE POSITION**

Mr. Dumian requested that Town Board members contact the candidate for the position of Town Justice with any questions they may have.

**NEW BUSINESS:**

**HIGHWAY DEPARTMENT/NEW HIRES**

Mr. Dumian stated that the Highway Department will be looking for two new hires to replace one Highway Laborer who is retiring this month and another who is making a lateral move to another Town department. He stated that the Town needs to consider offering \$19 to \$20 per hour pay rate to be competitive with other municipalities who are also hiring. He added that if the potential employee already has a CDL-A or CDL-B, the pay rate could be as much as \$23 or \$24 per hour. Mr. Dumian stated that total compensation for employees includes not only their wages but also insurance benefits.

**BROOME COUNTY PURCHASING ALLIANCE/UHC HEALTH PLAN**

As discussed in the Work Session, the UHC Medicare Health Plan is equal to or better coverage for less cost than the current insurance plan for retirees.

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**RESO 2021-105: APPROVE TOWN TO PARTICIPATE/MEDICARE ADVANTAGE**  
**WITH PRESCRIPTION DRUG PLAN 1**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the Town to participate in the Medicare Advantage with Prescription Drug (MAPD) Plan 1 offered by the Broome County Purchasing Alliance (BCPA), with coverage to begin January 1, 2022, and enrollment period effective immediately.

Seconded by Mr. Francisco.

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

**2022 TENTATIVE BUDGET**

Mr. Dumian stated that the 2022 Tentative Budget reflects a small decrease in the tax rate, adding that the Town has created efficiency and “runs lean” with good employees. He added that the Board has worked to offset expenditures. Mr. Dumian stated that the Board will address repairs to the Town Hall in 2022, including issues with the leaking roof, adding that this project will probably need to be put out to bid.

**2021 AUDIT**

Auditor Mike Wolyniak is currently working on the 2020 Audit and has agreed to perform the 2021 Audit next year. Mr. Dumian stated that the Town saves approximately \$13,000 by hiring Mr. Wolyniak, who is retired from the New York State Comptroller’s Office, rather than an auditing firm.

**PROPERTY ASSESSMENTS**

Mr. Dumian stated that he met with Town Assessor Joe Cook and agreed that there will be no Town-wide revaluation, only some changes in assessment to houses that are sold.

**YOUTH SPORTS**

Mr. Dumian stated that Youth Soccer started last week with a large number of teams. He stated that games are usually Saturday morning and urged those present to stop down to encourage the young athletes.

Mr. Francisco stated that he received a quote from Musco Lighting for new lights for the large ball field but the quote was “huge numbers,” adding that the cost is “not worth it.” He will continue researching this project with a different supplier.

**VACANCIES ON PLANNING BOARD & ZBA**

Mr. Dumian asked Board members to call the candidates for the vacancies on the Planning Board and Zoning Board of Appeals directly with any questions they might have, adding that the Board will make decisions regarding appointments at the September 28 meeting, as well as renewing some appointments that are expiring.

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**RESO 2021-106: ACCEPT RETIREMENT/MICHAEL PLATT/HIGHWAY LABORER**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the retirement of Michael Platt from the position of Highway Laborer, effective October 1, 2021.

Seconded by Mr. Finch.

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

**RESO 2021-107: RATIFY PAYMENT/ US POSTAL SERVICE/WATER & SEWER BILLING POSTAGE/3<sup>RD</sup> QUARTER**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #18558, account codes SW 8310.4 and SS1 8310.4, in the amount of \$306.25 to the U.S. Postal Service for payment for postage for 3<sup>rd</sup> Quarter Water and Sewer billing.

Seconded by Mr. Boyle.

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

**RESO 2021-108: APPROVE COLIN CASEY/ATTEND GRADE B WATER TREATMENT PLAN OPERATOR CERTIFICATION COURSE**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Colin Casey to attend the Grade B Water Treatment Plant Operator Certification Course in Cortland, New York, on September 13 – 17, 2021, and approves registration fee of \$575.00 plus per diem meal allowance and mileage, account code SW 8310.4.

Seconded by Mr. Finch.

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

**RESO 2021-109: APPROVE NICK PLATT/ATTEND GRADE B WATER DISTRIBUTION OPERATOR CERTIFICATION COURSE**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Nick Platt to attend the Grade B Water Distribution Operator Certification Course in Cortland, New York, on October 18 – 22, 2021, and approves registration fee of \$550.00 plus per diem meal allowance and mileage, account code SW 8310.4.

Seconded by Mr. Francisco.

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

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**RESO 2021-110: RATIFY PAYMENT/W2 OPERATOR TRAINING GROUP,  
LLC/WATER CERTIFICATION COURSES**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of checks #118595, in the amount of \$575.00, and #18296, in the amount of \$550.00, both to W2 Operator Training Group, LLC, for the above referenced certification courses, account code SW 8310.4.

Seconded by Mr. Finch.

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

**RESO 2021-111: RATIFY PAYMENT/BILL LIST/08-23-2021/\$231,988.60**

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 August 23, 2021, in the total amount of \$231,988.60:

General	\$ 105,604.45
Highway	116,531.97
Sewer District	1,546.98
Water Districts	2,544.31
Light Districts	1,182.89
Non-Budgeted	<u>4,578.00</u>
<b>Total</b>	<b>\$ 231,988.60</b>

Seconded by Mr. Finch.

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

**RESO 2021-112: APPROVE PAYMENT/BILL LIST/09-09-2021/\$48,951.80**

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 September 9, 2021, in the total amount of \$48,951.80:

General	\$ 13,498.32
Highway	23,144.38
Water Districts	7,556.30
Sewer Districts	<u>4,752.80</u>
<b>Total</b>	<b>\$ 48,951.80</b>

Seconded by Mr. Finch.

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

**PUBLIC COMMENTS:**

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**80 STILLWATER ROAD**

Jessenia Mendez of Stillwater Road asked about the mobile homes at 80 Stillwater Road, stating that she understood that they had been condemned, yet there are people still living in them. She added that the location “looks horrible,” with garbage all over and tarps on the roofs. Ms. Mendez added, “Maybe the people who live there feel they have no choice, but the landlord should be responsible.” Mr. Dumian replied that the Town Code Officer will address Code violations, while health issues must be addressed by the Broome County Health Department. John Donnelly, also of Stillwater Road, stated that there are also public safety issues at the location, citing grass growing up around junk cars, which provides a home for vermin.

**PARKING ON ROAD ON WOODSIDE AVENUE**

Barby Jo Badger of Woodside Avenue stated that there is an issue of cars parking on the road on Woodside Avenue and asked if a “No Parking” sign could be installed.

**FLOOD INSURANCE**

Mr. Boyle asked if there might be a way for municipalities to pool together for FEMA (Federal Emergency Management Agency) money for flood insurance, as the County just did for health insurance for retirees. He added that “people will walk away if the cost of flood insurance is too high.”

**FILL ISSUES**

Mr. Boyle stated that when repairing the recent water main break near the Big Dipper 2, the Town crew found that a large piece of concrete had been put on top of the pipe when it was laid. He stated that this creates an issue and fill must be clean fill, without concrete or other substances.

**CARLIN ROAD RAILROAD CROSSING**

Mr. Boyle stated that the federal law states that a train can only be blocking tracks for 15 minutes if it is stationary. He added that if the Carlin Road crossing were to be re-opened, the Town could take fill and make the road less steep.

**RESO 2021-113: EXECUTIVE SESSION/PERSONNEL ISSUE**

Mr. Francisco moved to close the Regular Town Board Meeting at 8:08 P.M. and move into Executive Session to discuss a specific personnel issue.

Seconded by Mr. Finch.

VOTE: Finch – Yes, Boyle – Yes, Francisco – 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 8:08 P.M. with Supervisor William Dumian, Jr., presiding. Present were: Supervisor Dumian, Mr. Finch, Mr. Boyle, Mr. Francisco, Highway Superintendent Brian Coddington, and Attorney Cheryl Sacco. Ms. Sacco 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.

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**RESO 2021-114: RE-OPEN REGULAR TOWN BOARD MEETING**

Mr. Dumian moved to close the Executive Session and re-open the Regular Town Board Meeting at 8:26 P.M.

Seconded by Mr. Francisco.

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

**RESO 2021-115: RATIFY TERMINATION/VINCENT MALANDRA/FULL-TIME**  
**PARKS LABORER/EFFECTIVE 09-04-2021**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the termination of Vincent Malandra from the position of Full-Time Parks Laborer for failure to obtain the appropriate level Commercial Driver's License and his continued failure to competently complete job obligations, etc., effective September 4, 2021.

Seconded by Mr. Dumian.

VOTE: Finch – Yes, Boyle – No, Francisco – Yes, Dumian – Yes. Motion carried: 3 – Yes, 1 – No.

There being no further business to come before the Board, Mr. Dumian moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 8:26 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk