

REGULAR TOWN BOARD MEETING
SEPTEMBER 28, 2021

REPORT: PARKS/WATER/SEWER

Parks/Water/Sewer Superintendent Tom DeLamarter stated that his department had to repair a water main break last week, adding that there was also an issue at the well house. He stated that his crew flushed out the clear well, adding that the Town needs to purchase a chlorinator alarm, which would cost approximately \$3,500. Mr. DeLamarter stated that both water tanks have been inspected. He stated that preventative maintenance will be performed on the sewer pumps on October 11.

Mr. DeLamarter reported that he is getting firm pricing on the various projects suggested for using the money from the CARES Act, as well as getting firm pricing on creating two ball fields at the pool field.

CONDEMNED HOUSE/MILLBURN DRIVE

Code Officer Nick Pappas stated that the house at 1363 Millburn Drive has been deemed uninhabitable and unsafe and has been condemned by the Town. He added that the bank, which owns the house, has had it thoroughly cleaned and it is placarded "Unsafe – No Entry." Town Attorney Cheryl Sacco stated that she will need a detailed report from Mr. Pappas as to why the building is unsafe and then the Board will need to set a Public Hearing before the building can be demolished.

OTHER CODE ISSUES

Mr. Pappas stated that the owners of the property on Woodside Avenue that has been the site of numerous complaints of Code violations have been issued three violation tickets and are scheduled to appear in Court.

Mr. Pappas stated that the owner of the other property on Millburn Drive that has been a site of numerous complaints of Code violations has been give an Order to Remedy, with the next step being sent to Court, if there is no compliance with the Order to Remedy. Mr. Dumian stated that he would like to see property owners responsible for payment of legal costs in cases where they are in Court because of non-compliance with Town Code.

OLD BUSINESS:

CARES ACT MONEY

As was mentioned earlier, Mr. DeLamarter is obtaining firm pricing on the various projects discussed for use of the CARES Act funding.

PLANNING BOARD/ZONING BOARD OF APPEALS APPLICANTS

Mr. Dumian stated that William Brodsky, who is an engineer, and Sandi Beam have both submitted applications and shown interest in either the Planning Board and/or the Zoning Board of Appeals. He stated that this will be discussed further in Executive Session later in the meeting.

RESO 2021-116: APPOINT COREY STANTON/HIGHWAY LABORER/EFFECTIVE
OCTOBER 12, 2021

Mr. Farley moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin appoints Corey Stanton to the probationary position of Highway Laborer, effective October 12, 2021, at a pay rate of \$19.50 per hour, with the obligation to obtain a CDL permit within 30 days.

Seconded by Mr. Finch.

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

GRANT WRITING/FLOOD REMEDIATION & WATER INFRASTRUCTURE
EXPANSION

Mr. Dumian stated that he has been in contact with Shumaker regarding grant writing, adding that there are two options: a fee payment upfront or pro bono work. He stated that the Town has two areas of interest for obtaining grants: flood remediation, particularly in the Banta Road area, and water infrastructure expansion along Stillwater Road and the southern part of Conklin Road, from the Corporate Park/Kirkwood Bridge/Conklin Road intersection to the Pennsylvania border. Mr. Dumian stated that he is concerned with median income level in the Town being too high for the Town to obtain grants, adding that the two mobile home parks on Conklin Road cannot be counted as they already obtain water through an agreement with the Town of Kirkwood.

NEW BUSINESS:

SHARED SERVICES CONTRACTS

Mr. Dumian stated that there will be no changes to the shared services contracts between the Town of Conklin and the Town of Binghamton for 2022, adding that he did include an increase for the Dog Control Officer in the 2022 Budget, to be shared by both Towns, adding that DCO Rick Murray is “doing a great job and he cares.”

2022 TENTATIVE BUDGET

Mr. Dumian asked if there are any questions regarding the 2022 Budget, adding that it reflects a decrease in the tax rate.

CEMETERIES

Mr. Dumian stated that the Conklin Cemetery, located on Carlin Road and currently run by the Conklin Cemetery Association, held a meeting of the Association and no one attended except Chuck Francisco, who is President of the Association. He is the only person left on the Board of Directors for the Cemetery Association and New York State requires a minimum of four people on the Board. This makes Conklin Cemetery officially an “abandoned cemetery” and the Town will assume oversight of the cemetery. Mr. Francisco stated that the Public Hearing Notice for the meeting was published for three weeks in the local newspaper but there was no response. He added that all funds accrued by the Association will be turned over to the Town. Mr. Francisco stated that once the Cemetery is turned over to the Town, the Town can sell plots but the Association no longer can sell them. He added that the current cost is \$800 per plot.

Mr. Francisco stated that he would be willing to help sell plots, do the layout of plots and help care for the cemetery. He added that the only restrictions on funds are the Certificates of Deposit designated for perpetual care, which can only be used for care of the cemetery. Mr. Francisco stated that it currently costs the Association \$750 per month from April through October to have the cemetery mowed. He added that there are currently 400 plots available for purchase plus one and one-half acres that need to be surveyed which will be additional plots.

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Mr. Dumian stated that he has some questions for New York State regarding the cemetery oversight. He stated that the Town could consider some things that would make maintenance of the cemetery easier, including a new shed at the Highway Garage to store mowers and equipment, a zero-turn mower, and a landscaping trailer to move equipment, since the Town is also responsible for Shawsville Cemetery on Shaw Road. Mr. Farley asked what happens with stones that are in need of repair. Mr. Francisco stated that once the Town assumes oversight of the cemetery, it cannot ever turn it back over to a not-for-profit such as the Cemetery Association. Mr. Boyle stated that New York State in the past has provided one-time funding for municipalities that have to take over administration of abandoned cemeteries.

RESO 2021-117: RE-APPOINT HAROLD COLE/BOARD OF ASSESSMENT REVIEW

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin re-appoints Harold Cole to the position of Member of the Board of Assessment Review for a five-year term running from October 1, 2021, through September 30, 2026.

Seconded by Mr. Finch.

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

**RESO 2021-118: RATIFY ACH WIRE PAYMENT/PITNEY BOWES/POSTAGE
METER REFILL**

Mr. Francisco 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. Finch.

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

RESO 2021-119: RATIFY PAYMENT/TOWN CLERK/BANK CHECKS

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #18685, account code A 1410.4, in the amount of \$84.66 to the Town Clerk Account for reimbursement for the purchase of bank checks.

Seconded by Mr. Farley.

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

RESO 2021-120: APPROVE PAYMENT/BILL LIST/09-23-2021/\$44,192.86

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 23, 2021, in the total amount of \$44,192.86:

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General	\$ 22,364.86
Highway	8,292.85
Sewer District	2,782.26
Water Districts	6,579.75
Light Districts	1,273.14
Non-Budgeted	<u>2,900.00</u>
Total	\$ 44,192.86

Seconded by Mr. Francisco.

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

CONKLIN VOLUNTEER FIRE DEPARTMENT 2022 BUDGET

Mr. Dumian stated that he received a breakdown of the 2022 Budget for the Conklin Volunteer Fire Department, Inc., which includes an increase of \$8,000 or approximately 3.7% for future vehicles for the fire department.

RESO 2021-121: ACCEPT RESIGNATION/MARK DEDRICK/BOARD OF ASSESSMENT REVIEW/EFFECTIVE 09-30-2021

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of Mark Dedrick from the position of Chairman/Member of the Board of Assessment Review, effective September 30, 2021.

Seconded by Mr. Francisco.

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

The Board will place an ad in the **Country Courier** seeking applicants for a new member of the Board of Assessment Review.

MOWER FOR PARKS DEPARTMENT

Mr. Finch asked if the Jacobsen mower for the Parks Department has been repaired yet, and Mr. DeLamarter stated that the mower has been down six or seven weeks and they are still waiting for parts for the repair. Mr. Dumian stated that the global supply chain is in shambles and it is difficult getting parts for many things. The Town discussed authorizing the lease purchase of a John Deere mower.

RESO 2021-122: AUTHORIZE LEASE PURCHASE/JOHN DEERE 1600 TURBO SERIES WIDE AREA MOWER

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the lease purchase of a John Deere 1600 Turbo Series III Commercial Wide Area Mower for an amount not to exceed \$60,522.63 under New York State bid.

Seconded by Mr. Finch.

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

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BURIAL IN SHAWSVILLE CEMETERY

Mr. DeLamarter reported that there was a burial recently at Shawsville Cemetery for Roberta Loveria.

PUBLIC COMMENTS: None.

RAILROAD ISSUES

Mr. Boyle expressed his concern with the lack of response from the railroad company headquarters regarding the trains blocking all three railroad crossings at once, at Terrace Drive, Shaw Road, and Powers Road, stating that it is a safety issue with emergency vehicles not being able to get through to residents and businesses on the other side of the tracks. Mr. Dumian asked about the possibility of re-opening the Carlin Road crossing and Mr. Farley, who is retired from the railroad, stated that there is no point to doing that because, with the longer lengths of the trains, if Powers Road is blocked, Carlin Road will be also. Mr. Farley stated that the law states that a train can only block the tracks for five minutes *without moving*, adding that if there is a violation, the police should be called. He stated that he will talk to the railroad superintendent again.

PLANNING BOARD MEETING/Pritchard Development

Mr. Farley stated that he and Mr. Boyle attended the Planning Board meeting on September 27 regarding Pritchard Development, adding that the meeting went well. Mr. Farley stated that the Public Hearing on the project was left open and no decision made yet, as there are drainage issues with the property in question and some necessary studies have not yet been filed.

YOUTH SPORTS

Mr. Farley stated that the soccer program is going strong. He stated that there is a possibility that the Susquehanna Valley School District will let the Town Wrestling program use its facilities but he has not yet gotten confirmation of this fact.

RESO 2021-123: EXECUTIVE SESSION/SPECIFIC PERSONNEL ISSUE

Mr. Boyle moved to close the Regular Town Board Meeting at 7:47 P.M. and move into Executive Session to discuss a specific personnel issue.

Seconded by Mr. Francisco.

VOTE: Finch – Yes, Boyle – Yes, Farley – 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 7:47 P.M. with Supervisor William Dumian, Jr., presiding. Present were: Supervisor Dumian, Mr. Finch, Mr. Boyle, Mr. Farley, Mr. Francisco, 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 2021-124: RE-OPEN REGULAR TOWN BOARD MEETING

Mr. Dumian moved to close the Executive Session and re-open the Regular Town Board Meeting at 8:24 P.M.

Seconded by Mr. Finch.

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

There was a continuation of discussion of the Conklin Cemetery from earlier in the meeting.

RESO 2021-125: APPOINT SANDRA BEAM/MEMBER/PLANNING BOARD

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin appoints Sandra Beam to the position of Member of the Planning Board, effective immediately, to fill the unexpired term of Lyle Fassett, which ends December 31, 2023.

Seconded by Mr. Francisco.

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

There being no further business to come before the Board, Mr. Dumian moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 8:25 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk