

REGULAR TOWN BOARD MEETING
OCTOBER 26, 2021

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PUBLIC HEARING
TO RECEIVE INPUT REGARDING PROPOSED 2022 WATER & SEWER BILLING
RATES

PRESENT: Same as on page one.

Notice of Public Hearing having been duly advertised, Mr. Dumian declared the Public Hearing open at 6:35 P.M. and asked those present to speak either for, or in opposition to, the proposed 2022 Municipal Water and Sewer Billing Rates. He noted that there will be no increase in either water or sewer billing rates for 2022.

There being no questions or public comments, Mr. Dumian closed the Public Hearing at 6:36 P.M.

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NEW DEPUTY BROOME COUNTY EXECUTIVE

Mr. Dumian stated that he met via Zoom with Broome County Executive Jason Garnar and was informed that Kevin McManus has retired as Deputy Broome County Executive and Michael Ponticello has been appointed to fill Mr. McManus' s position.

CORRESPONDENCE:

Mr. Dumian stated that he received a letter of interest from Carol Armstrong expressing interest in appointment to either the Zoning Board of Appeals or to the Planning Board.

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PUBLIC HEARING
TO RECEIVE INPUT REGARDING PROPOSED 2022 GENERAL & HIGHWAY
BUDGET FOR THE TOWN OF CONKLIN

PRESENT: Same as on page one.

Notice of Public Hearing having been duly advertised, Mr. Dumian declared the Public Hearing open at 6:38 P.M. and asked those present to speak either for, or in opposition to, the proposed 2022 General and Highway Budget of the Town of Conklin.

Mr. Boyle immediately asked to go into Executive Session to discuss a specific personnel issue.

RESO 2021-139: EXECUTIVE SESSION/PERSONNEL ISSUE

Mr. Boyle moved to close the Regular Town Board Meeting and move into Executive Session at 6:39 P.M. to discuss a specific personnel issue.

Seconded by Mr. Dumian.

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 6:39 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.

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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 2021-140: RE-OPEN REGULAR TOWN BOARD MEETING

Mr. Dumian moved to close the Executive Session and re-open the Regular Town Board Meeting at 6:48 P.M.

Seconded by Mr. Boyle.

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

There being no questions or public comments, Mr. Dumian closed the Public Hearing at 6:48 P.M.

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REPORT: CODE OFFICER

Code Officer Nick Pappas stated that in the last case heard by the Planning Board, the Stop Work Order has been lifted and the project can move forward. He stated that one property owner on Millburn Drive has been served and is scheduled to appear in Court on November 3 for Code violations.

REPORT: WATER/SEWER/PARKS

Water/Sewer/Parks Superintendent Tom DeLamarter thanked the volunteers from Bridgewater Church who worked at cleaning up the community on October 17. Town Clerk Sherrie Jacobs stated she sent a letter on behalf of the Town and the Board thanking the church for its work.

PUBLIC COMMENTS:

NOTIFICATION OF EARLY SCHOOL DISMISSAL

Peter Motsavage, who is a Crossing Guard for Susquehanna Valley School District, asked if a request could be made to the school district to call the Town and advise them when the school has an unexpected early dismissal, so that a Substitute Crossing Guard can be provided, if needed. The Crossing Guards are employees of the Town of Conklin. Mr. Dumian stated that this is a good idea and he will ask his secretary, Laurie Gregory, to follow up on it.

REPORT: SUPERVISOR'S OFFICE

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

OLD BUSINESS:

CODE ISSUES

Mr. Pappas reported that the Code issue on Woodside Avenue has been resolved, with the owner appearing in Court and cleaning up the property in question. Mr. Boyle asked about the Hobart Stone facility on Conklin Road, which has a large amount of stone and fill on site. Mr. Pappas and Mr. Boyle will talk with the new owner about removing some of the excess fill.

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ZONING BOARD OF APPEALS & PLANNING BOARD VACANCIES

Mr. Dumian noted that there is one vacancy each on the Zoning Board of Appeals, the Planning Board, and the Board of Assessment Review. He stated that two candidates have expressed interest in the Zoning Board of Appeals and the Planning Board, and another expressed interest in the Board of Assessment Review.

GRANT WRITING PROCESS

Mr. Dumian stated that he has been in contact with Lisa at Shumaker Engineering regarding two projects: flood remediation of Banta Creek and expansion of the municipal water infrastructure. He stated that he is looking at the two bridges on Banta Creek, adding that New York State has this area on a priority list for FEMA (Federal Emergency Management Agency) to take preventative measures. Lisa will bring a detailed plan and action steps for this project to the November 9 Board meeting. Mr. Dumian stated that the Town is not eligible for 2021 funding.

Mr. Dumian stated that Lisa is also creating a plan for the potential expansion of municipal water infrastructure, and is looking at the target area for the possibility of an income-based grant, since a non-income based grant would only cover 60% of the project.

William Brodsky stated that Broome County has installed a culvert in front of the Conklin Forks Church to mediate flash flooding in the area. Mr. Dumian stated that he is also reaching out to Broome County for possible financial assistance.

SULLIVAN PARK PAVILION

Mr. DeLamarter stated that Mr. Robert Sullivan, who was present at the meeting, has agreed to donate up to another \$5,000 for construction of a pavilion at Sullivan Park. Mr. Sullivan has already donated \$20,000 to the Town for the pavilion. Mr. DeLamarter stated that he has three quotes for materials, adding that the low bid was for \$13,258. Mr. DeLamarter stated that he has two quotes for labor, one for \$9,800 and one for \$10,500, adding that he contacted two additional resources for quotes and received no response from either. It was noted that the materials and labor are being bid by two separate entities. The plan is to build the pavilion this fall and install the concrete in the spring of 2022, which is estimated to cost \$4,500 and will be done in house. Mr. Finch asked if Bridgewater Church would consider building picnic tables for the new pavilion.

**RESO 2021-141: AWARD BID/SUPPLY MATERIAL/PAVILION AT SULLIVAN
PARK/SUNRISE TRUST**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin awards the bid to supply materials for a 24-foot by 48-foot pavilion to be constructed at Sullivan Park to Sunrise Trust for an amount not to exceed \$13,258.

Seconded by Mr. Finch.

VOTE: Finch – Yes, Boyle – No, Farley – Yes, Francisco – Yes, Dumian – Yes. Motion carried: 4 – Yes, 1 – No.

**RESO 2021-142: AWARD BID/LABOR TO BUILD PAVILION AT SULLIVAN PARK/
P & D HOME IMPROVEMENT**

Mr. Francisco moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin awards the bid to provide labor to construct a 24-foot by 48-foot pavilion at Sullivan Park to P & D Home Improvement for an amount not to exceed \$9,800.

Seconded by Mr. Dumian.

VOTE: Finch – Yes, Boyle – No, Farley – Yes, Francisco – Yes, Dumian – Yes. Motion carried: 4 – Yes, 1 – No.

RESO 2021-143: AUTHORIZE PARKS DEPARTMENT/SEEK APPROPRIATE BIDS/CONCRETE & ASSORTED INCIDENTALS/SULLIVAN PARK PAVILION

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Parks Department to seek appropriate bids for concrete and assorted incidentals for the pavilion at Sullivan Park and to encumber an amount not to exceed \$5,000.

Seconded by Mr. Francisco.

VOTE: Finch – Yes, Boyle – No, Farley – Yes, Francisco – Yes, Dumian – Yes. Motion passed unanimously.

CEMETERY EQUIPMENT AND MAINTENANCE

Nick Platt from the Parks Department stated that the department would like to order two new mowers to use to maintain the newly acquired Conklin Cemetery. These mowers would be a John Deere 19 HP Stand-On Mower and a John Deere Ztrack Zero-turn Mower. Mr. Platt stated that delivery “could be a while,” given the current state of the supply chain. He added that the department is looking into a trailer to haul the equipment. Mr. Dumian stated that Parks equipment currently housed in the shed behind the Highway Garage will be moved somewhere else so that the new equipment for the cemetery can be stored in that shed.

Mr. Francisco commented that he brought the funds from the Cemetery Association to the Town, with Mr. Dumian noting that these funds will be kept separate from other Town funds and from Shawsville Cemetery funds.

NEW BUSINESS:

TAX RATES

Mr. Dumian stated that the tax rate is decreasing in the Town for 2022. He stated that there will be no extended PILOT (Payment In Lieu Of Taxes) programs for commercial businesses, adding that good locations for new businesses are scarce in Broome County and Conklin is fortunate to have some available. Mr. Dumian stated that sales tax revenue is increasing “considerably.”

RESO 2021-144: AUTHORIZE SUPERVISOR/SIGN 2022 FIRE PROTECTION CONTRACT/CONKLIN VOLUNTEER FIRE DEPARTMENT, INC.

PRESENT: Supervisor William Dumian, Jr.
Councilman Dell Boyle
Councilman Bill Farley
Councilman Jim Finch
Councilman Charles Francisco

ABSENT: None.

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Offered By: Mr. Francisco

Seconded By: Mr. Finch

The Town Board (hereinafter “Town Board”) of the Town of Conklin (hereinafter “Town”), duly convened in regular session, does hereby resolve as follows:

Whereas, the Town Board of the Town, on the 26th day of October 2021, commencing at 6:32 P.M. at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, duly held a public hearing on the Town year 2022 Fire Protection District costs; and

Whereas, the Town Board heard all persons desiring to be heard in the matter, and the matter of the said costs for the Town for such fiscal year was fully discussed and considered by the Town Board.

NOW, THEREFORE, the Town Board of the Town, duly convened in regular session, does hereby resolve as follows:

Section 1. The Supervisor of the Town of Conklin is hereby authorized and empowered to sign and deliver on behalf of the Town of Conklin the Fire Protection Contract for Fire Protection District for the year 2022 between Town of Conklin and Conklin Volunteer Fire Department, Inc.

Section 2. Said contract shall be substantially in accordance with the version thereof which is now on file in the offices of the Town Clerk of the Town of Conklin, and shall be subject to the approval of the Town Attorney of the Town of Conklin.

Section 3. This resolution shall 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 at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on October 26, 2021. Said resolution was adopted by the following roll call vote:

Supervisor William Dumian, Jr.	YES
Councilman Dell Boyle	YES
Councilman Bill Farley	YES
Councilman Jim Finch	YES
Councilman Charles Francisco	YES

Dated: October 26, 2021

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk of the Town of Conklin

RESO 2021-145: ADOPT 2022 MUNICIPAL WATER AND SEWER BILLING RATES

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin adopts the proposed 2022 Municipal Water and Sewer Rates as follows:

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SEWER RESIDENTIAL

Quarterly Basic Fee:	\$15.00
Unit Charge not to exceed	\$9.75 per Thousand Gallons

SEWER SMALL BUSINESS (Non-Mfg.)

Quarterly Basic Fee:	\$15.00
Unit Charge not to exceed	\$11.70 per Thousand Gallons

SEWER CORP PARK and MFG Companies

Quarterly Basic Fee:	\$35.00
Unit Charge not to exceed	\$16.00 per Thousand Gallons

UNMETERED \$132.00/Qtr

WATER RESIDENTIAL

Quarterly Basic Fee:	\$15.00
Unit Charge not to exceed	\$3.25 per Thousand Gallons

WATER SMALL BUSINESS Non-Mfg.

Quarterly Basic Fee:	\$15.00
Unit Charge not to exceed	\$3.50 per Thousand Gallons

WATER CORP PARK and MFG Companies

Quarterly Basic Fee	\$35.00
Unit charge not to exceed	\$ 3.75 per Thousand Gallons

This billing change becomes effective November 1, 2021, and will be billed starting the first billing cycle in 2022; February 2022.

Seconded by Mr. Francisco.

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

RESO 2021-146: ADOPT 2022 GENERAL AND HIGHWAY BUDGET

Mr. Finch moved for the following resolution:

Whereas, the Town Board (hereinafter “Town Board”) of the Town of Conklin (hereinafter “Town”), on the 26th day of October, 2021, commencing at 6:38 P.M. at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, duly held a public hearing on the Town year 2022 preliminary budget submitted and approved by the Town Board and filed with the Town Clerk of the Town for the fiscal year commencing January 1, 2022, with Schedule A amended to reduce the salary of the Highway Superintendent by \$500, with the corresponding changes to the Budget with the \$500 going into the Contingency Fund, and

Whereas, the Town Board heard all persons desiring to be heard in the matter, and the matter of the said budget for the Town for such fiscal year was fully discussed and considered by the Town Board,

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NOW, THEREFORE, the Town Board of the Town, duly convened in regular session, does hereby resolve as follows:

Section 1. The said Town year 2022 preliminary budget submitted, approved, and filed, as aforesaid, be and the same is hereby adopted and established as the year 2022 annual budget for the Town for the fiscal year beginning January 1, 2022. Said annual budget as so adopted and established shall be entered in detail in the minutes of the proceedings of the Town Board.

Section 2. The Town Clerk is hereby directed to attach to said budget an exemption report in compliance with the requirements of Chapter 258 of the Laws of 2008. Said report shall show how much of the total assessed value on the final assessment roll of the Town of Conklin used in the Town's budgetary process is exempt from taxation.

Section 3. The Town Clerk of the Town shall prepare and certify, as provided by law, duplicate copies of the said Town annual budget hereby adopted and established, and shall deliver one of such copies to the Supervisor of the Town; and the said Supervisor of the Town shall present such copy to the Board of Legislators of the County of Broome as required by law.

Section 4. This resolution shall 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 at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on October 26, 2021. Said resolution was seconded by Mr. Francisco and adopted by the following roll call vote:

Supervisor William Dumian, Jr.	YES
Councilman Dell Boyle	YES
Councilman Bill Farley	YES
Councilman Jim Finch	YES
Councilman Charles Francisco	YES

Dated: October 26, 2021

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk of the Town of Conklin

RESO 2021-147: APPROVE PURCHASE/JOHN DEERE 636M 19HP STAND-ON MOWER

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase of a John Deere 636M 19HP Stand-On Mower for an amount not to exceed \$7,357.17, under New York State Landscaping Grounds PC68131 (PG XN CG 22) Contract.

Seconded by Mr. Farley.

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

RESO 2021-148: APPROVE PURCHASE/JOHN DEERE Z930M ZTRACK ZERO-TURN MOWER

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase of a John Deere Z930M Ztrack Zero-Turn Mower for an amount not to exceed \$9,620.38, under New

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York State Landscaping Grounds PC68131 (PG XN CG 22) Contract.

Seconded by Mr. Farley.

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

Mr. Dumian noted that both mowers will be purchased utilizing funds from the Conklin Cemetery.

RESO 2021-149: RATIFY ACCEPTANCE/\$200 FROM HIGHWAY DEPARTMENT
PETTY CASH/RATIFY DISSOLUTION OF FUND

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the acceptance of \$200 from the Highway Department Petty Cash and ratifies dissolution of Petty Cash in the Highway Department, effective October 14, 2021.

Seconded by Mr. Finch.

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

RESO 2021-150: APPROVE SUPERVISOR/ENTER AND SIGN 2022 SHARED
SERVICE AGREEMENT/CODE OFFICER/TOWN OF BINGHAMTON

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the Supervisor, William Dumian, to enter into and sign the 2022 Shared Service Agreement with the Town of Binghamton for the Code Officer position.

Seconded by Mr. Francisco.

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

RESO 2021-151: APPROVE SUPERVISOR/ENTER AND SIGN 2022 SHARED
SERVICE AGREEMENT/DOG CONTROL OFFICER/TOWN OF BINGHAMTON

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the Supervisor, William Dumian, to enter into and sign the 2022 Shared Service Agreement with the Town of Binghamton for the Dog Control Officer position.

Seconded by Mr. Boyle.

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

Mr. Dumian added that Rick Murray, the Dog Control Officer, is doing an “excellent job.”

RESO 2021-152: 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 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.

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Seconded by Mr. Boyle.

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

RESO 2021-153: APPROVE PAYMENT/BILL LIST/10-21-2021/\$61,383.18

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 21, 2021, in the total amount of \$61,383.18:

General	\$ 27,149.58
Highway	22,131.16
Light Districts	1,279.03
Sewer District	1,309.47
Water Districts	6,951.94
Non-Budgeted	<u>2,562.00</u>
Total	\$ 61,383.18

Seconded by Mr. Farley.

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

PUBLIC COMMENTS: None.

MEMORIAL STONE/LETTIE TREVARTHAN DEDICATION/SOFTBALL FIELD

Mr. Finch stated that Roberts Quarry will donate a stone for the Memorial dedicating the softball field in Schnurbusch Park to the memory of Loretta “Lettie” Trevarthan, who was very instrumental in developing the Town softball program.

UPSTATE ASSOCIATION OF TOWNS MEETING

Mr. Boyle stated that the Upstate Association of Towns will meet at 12:30 P.M. on November 11 at A Tavolo Italian Restaurant in Chenango Bridge.

CARLIN ROAD RAILROAD CROSSING

Mr. Farley reported that he met with the Superintendent of the Norfolk Southern railroad company regarding the whistle-blowing at the closed Carlin Road crossing and the pipe that needs to be installed under the tracks and was referred to the Executive Director of Government Affairs for the Railroad. Mr. Farley will forward needed correspondence and history to the Executive Director.

YOUTH BASKETBALL & WRESTLING

Mr. Farley reported that Susquehanna Valley School District will allow only practice and drills for basketball and wrestling in its buildings, but will not allow games with teams from other schools. He stated it will at least give the youth a chance to learn skills, but added that other options are being considered.

SHARED SERVICES/BROOME COUNTY/SNOWPLOWING

Mr. Dumian stated that he is pursuing a return to the Shared Services Agreement with Broome County in which the Town would snowplow all roads in the Town, including those owned by Broome County, with the County reimbursing the Town for the cost. He stated that Broome County plowing County-owned roads in Conklin is not efficient, adding that sometimes Town trucks have to cross County roads to get to other Town roads. Mr. Dumian stated that this plan would provide better coverage for Town roads, noting that labor is a challenge right now for

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everyone and this would also make it easier for the County to keep up with its plowing.

RESO 2021-154: EXECUTIVE SESSION/PERSONNEL ISSUE

Mr. Dumian moved to close the Regular Town Board Meeting and move into Executive Session at 7:40 P.M. to discuss a particular 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 7:40 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.

RESO 2021-155: 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.

RESO 2021-156: APPOINT CAROL ARMSTRONG/ZONING BOARD OF APPEALS
VACANCY

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin appoint Carol Armstrong to the position of Member of the Zoning Board of Appeals, to fill the vacancy.

Seconded by Mr. Boyle.

VOTE: Finch – Abstain, 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. Finch. The meeting adjourned at 8:25 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk

