

WORK SESSION
NOVEMBER 9, 2021

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on November 9, 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
	Code Officer	Nick Pappas
	Parks/Water/Sewer Department	Nick Platt
	Board of Assessment Review	Bill Brodsky
GUESTS:	Country Courier	Elizabeth Einstein
		Jack Bell
		Laurie Francisco
		John Colley

SHUMAKER ENGINEERING/GRANT FUNDING OPPORTUNITIES/PROPOSAL

Mr. Dumian stated he has been in discussion with Shumaker Engineering about the possibility of working with them to secure a grant for expansion of the municipal water infrastructure. He reported that Shumaker Engineering offered an agreement for a fee of \$2,500 to research whether the Town is eligible for income-based grants for the water infrastructure expansion, with the research work being completed by December 31, 2021. Mr. Dumian stated that he is in favor of this agreement, citing the fact that the company is local and does a lot of work in the community.

TOWN MAINTENANCE OF COUNTY ROADS/PLOWING & SANDING

Mr. Dumian stated that he is still in discussion with Broome County to return to the agreement in which the Town plowed and sanded roads in the Town belonging to Broome County and is then reimbursed by the County. He stated that the County is willing to consider this possibility, as it is more efficient for both parties. It was noted that the Town would need a higher rate per mile, as fuel costs have increased. Mr. Dumian stated that the agreement would need to be financially sound for both Town and County.

TOWN YOUTH WINTER SPORTS

Mr. Farley reported that Susquehanna Valley School District changed its stance toward scrimmages being allowed in its facilities for basketball and wrestling. Practices and scrimmages, with all participants wearing masks, will be allowed, but no games with other schools. Mr. Farley stated that sign-ups for both sports are ongoing currently.

NEW ROOF /TOWN HALL

Discussion continued regarding placing a peaked roof over the existing roof in the new part of the Town Hall, which would be over the existing heating and cooling equipment. Mr. Dumian stated he would like to see the Town also purchase new heating and cooling equipment, but added the changes may need to be done in two phases. A peaked roof would eliminate the ponding on the roof that creates leaks.

STONE FOR MEMORIAL/LETTIE TREVARTHAN

Mr. Finch stated that Roberts Quarry will have the memorial stone for Loretta "Lettie" Trevarthan ready next week for placement at Schnurbusch Park. Deputy Town Clerk Elizabeth Einstein will write the wording for the plaque. The dedication of the memorial commemorating

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Mrs. Trevarthan's work in developing the Town softball program will be held on Opening Day for Softball and Baseball next year. Nick Platt and Tom DeLamarter of the Parks Department will map out placement of the stone.

UPSTATE ASSOCIATION OF TOWNS MEETING

Mr. Finch, Mr. Boyle, Mr. Farley, and Mr. Francisco will all be attending the Upstate Association of Towns meeting to be held November 11 in Chenango Bridge.

SPEED LIMIT/GREGORY HILL ROAD

Mr. Dumian stated that he received correspondence asking for a reduction of speed on Gregory Hill Road. Currently the speed limit is 55, which the writer of the correspondence stated is "becoming dangerous." The road has a very steep grade. Per the process, a resolution must be sent to the New York State Department of Transportation for a study and a determination. The Board intends to pass such a resolution asking that the speed limit be reduced to 40 miles per hour during the regular meeting later this evening.

COMMUNITY CENTER RENTALS/REMOVE PARTIAL PAYMENT CLAUSE

Discussion was held regarding rentals of the Community Center and the issues created by allowing partial payments. The Board agreed to remove the "Partial Payment" clause from the contract. Moving forward, full payment will be required for all rentals.

FLOOD MITIGATION/INCOME-BASED GRANT

Mr. Dumian stated he is also pursuing possible FEMA (Federal Emergency Management Agency) grants or income-based grants to work on flood mitigation projects on Town creeks. He warned that even if a grant is approved, it can take years to actually receive the grant money for projects.

PARKS EQUIPMENT DELIVERY

Nick Platt stated that the timeline for delivery of the new equipment for the Parks Department includes the Zero-Turn mower, which will be delivered soon after January 1, 2022, and the larger mower, which is scheduled to be delivered between March and May of 2022.

LETTERS OF INTEREST/B.A.R./ZBA/PLANNING BOARD

Mr. Dumian stated that he has received letters of interest for positions on the Board of Assessment Review, the Zoning Board of Appeals, and the Planning Board.

ROOF REPLACEMENT/HIGHWAY GARAGE

Mr. Dumian stated that work on the roof of the Highway Garage, which was damaged in the fire in December 2020, will begin next week.

(Recess 6:23 – 6:30 P.M.)

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build a garage on property without also having a house on that property. He stated that Mr. Rossi has three options: Talk to the Code Officer about allowed uses; apply to the Zoning Board of Appeals for a Use Variance; or request rezoning from the Town Board. Mr. Dumian suggested that Mr. Rossi start by talking to Code Officer Nick Pappas about approved uses.

REPORT: SUPERVISOR'S OFFICE

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

OLD BUSINESS:

CODE ENFORCEMENT ISSUES

Mr. Pappas stated that progress is being made on several sites of Code violations. He stated that the owners of the site on Woodside Avenue have cleaned up a lot of the debris, so he will postpone their Court date, originally scheduled for December 1. He stated that the owner of the site on Millburn Drive is due back in Court next week but added that he has removed a lot of the vehicles in question. Mr. Dumian stated that he has received some correspondence regarding domestic animals, specifically pigs, on Millburn Drive, along with some other Code issues.

Mr. Pappas reported that he issued a Temporary Certificate of Occupancy to the new Amazon facility in the Broome Corporate Park, which is scheduled to open and begin working on November 15.

REPORT: PARKS/WATER/SEWER

Mr. Platt reported that the Parks are being winterized for the upcoming season.

NEW BUSINESS:

EMPLOYEE HOLIDAY PARTY

The Board discussed the possibility of hosting its annual Employee Holiday Party, with all of the Board members agreeing to allow it if employees are interested. Town Clerk Sherrie Jacobs will poll other employees to see the level of interest/comfort (regarding COVID-19) and, if there is enough interest, will organize the event.

**RESO 2021-157: CANCEL TOWN BOARD MEETINGS/NOVEMBER 23 &
DECEMBER 28, 2021**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin cancels the Town Board meetings scheduled for November 23, 2021, and December 28, 2021.

Seconded by Mr. Finch.

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

RESO 2021-158: APPROVE 2022 HOLIDAY SCHEDULE

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following Holiday Schedule for 2022:

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Monday, January 3, 2022	New Year's Day
Monday, January 17, 2022	Martin Luther King Day
Monday, February 21, 2022	Presidents' Day
Friday, April 15, 2022	Good Friday
Monday, May 30, 2022	Memorial Day
Monday, July 4, 2022	Independence Day
Monday, September 5, 2022	Labor Day
Friday, November 11, 2022	Veterans' Day
Thursday, November 24, 2022	Thanksgiving
Friday, November 25, 2022	Day after Thanksgiving
Monday, December 26, 2022	Christmas

Seconded by Mr. Boyle.

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

RESO 2021-159: APPROVE SALE/29 JR BOULEVARD

At a meeting of the Town Board of the Town of Conklin, held at the Town Offices, 1271 Conklin Road, Conklin, New York on the 9th day of November 2021, the following resolution was offered by Mr. Francisco and seconded by Mr. Farley:

WHEREAS, the Town of Conklin, New York, desires to sell the property consisting of .15 acres located at 29 JR Boulevard, Tax Map # 161.08-1-39; and

WHEREAS, pursuant to Town Law § 64(2) a town board may, by resolution subject to permissive referendum, sell real property; and

WHEREAS, the value of said property has been assessed at a value of \$300.00; and

WHEREAS, the Town Board has received an offer of \$300.00 from George McKay to purchase said property; and

WHEREAS, the Town Board, after due deliberation finds it in the best interest of the Town to accept the offer of \$300.00 and sell said property to George McKay.

NOW THEREFORE, BE IT RESOLVED, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act ("SEQRA"), it has been determined by the Town Board that the sale said property is a Type II Action as defined under the SEQRA regulations.

RESOLVED, that the Town Board hereby declares said property to be surplus property and no longer needed for municipal purposes; and further

RESOLVED, that the Town Board hereby determines that the above-referenced property located at 29 JR Boulevard shall be sold to George McKay for the amount of \$300.00; and further

RESOLVED, that the Town Board hereby authorizes the Conklin Town Supervisor to execute any and all documents that are necessary and proper to sell said real property; and further

RESOLVED, that, pursuant to Town Law § 64(2), this resolution is subject to a permissive referendum; and further

RESOLVED, that pursuant to Town Law § 91, this Resolution shall not take effect until 30 days after its adoption or until approved by the affirmative vote of the majority of the qualified electors of the Town of Conklin voting on a proposition for its approval if a petition in accordance

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with Town Law § 91 is filed with the Town Clerk within 30 days after the adoption of this resolution calling for a referendum on this resolution, and further

RESOLVED, that the Town Clerk be and hereby is directed to cause notice of the adoption of this Resolution, and that it is subject to permissive referendum, to be published within 10 days as required by Town Law §§ 90 and 64(2).

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 November 9, 2021. Said resolution was adopted by the following roll call vote:

Supervisor William Dumian, Jr.	YES
Councilman James E. Finch	YES
Councilman Charles Francisco	YES
Councilman Dell Boyle	YES
Councilman William Farley	YES

Dated: November 9, 2021

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk
Town of Conklin, New York

**RESO 2021-160: RATIFY APPROVAL/TOWN SUPERVISOR/ACCEPT & SIGN
PROPOSAL/AUTOMATIC GARAGE DOOR COMPANY/EMERGENCY PURCHASE
& INSTALLATION/HIGHWAY GARAGE DOORS**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies approval for the Town Supervisor, William Dumian, Jr., to accept and sign a proposal from Automatic Garage Door Company for the emergency purchase and installation of garage doors at the Highway Garage (Fire Replacement at Highway Garage) for a cost of \$44,250, effective June 22, 2021.

Seconded by Mr. Finch.

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

**RESO 2021-161: RATIFY PAYMENT/AUTOMATIC GARAGE DOOR
COMPANY/DOWN PAYMENT/PURCHASE OF GARAGE DOORS**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #18814, account code A 5132.2, in the amount of \$25,000 to Automatic Garage Door Company for payment of Claim #21-01207 for down payment to purchase garage doors, with installation to follow (Fire Replacement at Highway Garage).

Seconded by Mr. Boyle.

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

RESO 2021-162: APPROVE RE-APPOINTMENT/ZBA & PLANNING BOARD

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the re-appointment of the following individuals to the following boards for a five-year term to run January 1, 2022, through December 31, 2026.

<u>Zoning Board of Appeals:</u>	Harold Cole Carol Armstrong
<u>Planning Board:</u>	Sandra Beam Daniel Smith Christopher Ostrowsky

Seconded by Mr. Farley.

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

RESO 2021-163: APPROVE PAYMENT/CLAIMS LIST/\$48,098.98

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of Claims #21-1209 through #21-1247, in the total amount of \$48,098.98, with these claims having been audited and approved for payment:

General	\$ 21,211.03
Highway	6,090.85
Water Districts	28.54
Sewer Districts	<u>20,768.56</u>
Total	\$ 48,098.98

Seconded by Mr. Farley.

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

RESO 2021-164: AUTHORIZE SUPERVISOR/EXECUTE AGREEMENT/SHUMAKER/GRANTS RESEARCH

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Supervisor or his designee to execute the professional services agreement with Shumaker Consulting, Engineering, and Land Surveying, D. P. C., pursuant to the Flood Mitigation and Water Infrastructure Expansion Support Phase I proposal dated October 22, 2021.

Seconded by Mr. Farley.

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

RESO 2021-165: REQUEST SPEED REDUCTION/GREGORY ROAD

Mr. Francisco moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes submittal of the email request to reduce the speed limit on Gregory Road, from beginning to end, from 55 miles per hour to 40 miles per hour and requests the same and authorizes the Supervisor or his designee to submit the request and other necessary documents.

Seconded by Mr. Farley.

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

RESO 2021-166: MODIFY CONTRACT/COMMUNITY CENTER RENTALS

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin modifies any future Community Center Agreements and any relevant policies to require 100% of the applicable rent for payment in advance (Page 1, paragraph “Payment In Advance”).

Seconded by Mr. Farley.

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

PUBLIC COMMENTS: None.

RESO 2021-167: EXECUTIVE SESSION/PERSONNEL ISSUE

Mr. Boyle moved to close the Regular Town Board Meeting and move into Executive Session at 6:57 P.M. to discuss a specific personnel issue.

Seconded by Mr. Farley.

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 6:57 P.M. with Supervisor William Dumian, Jr., presiding. Present were: Supervisor Dumian, Mr. Finch, Mr. Boyle, Mr. Farley, Mr. Francisco, William Brodsky, 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 2021-168: RE-OPEN REGULAR TOWN BOARD MEETING

Mr. Dumian moved to close the Executive Session and re-open the Regular Town Board Meeting at 7:42 P.M.

Seconded by Mr. Francisco.

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

RESO 2021-169: APPOINT JOHN SARNICOLA/BOARD OF ASSESSMENT REVIEW

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin appoints John Sarnicola to the position of member of the Board of Assessment Review, effective immediately, to fulfill the unexpired term of Mark Dedrick, which ends September 30, 2025.

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Seconded by Mr. Farley.

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. Finch. The meeting adjourned at 7:43 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk