

**REGULAR TOWN BOARD MEETING**  
**MARCH 22, 2022**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on March 22, 2022, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

**PRESENT:** Town Board Members    Finch, Boyle, Farley, Francisco, Dumian  
  
Town Counsel    Cheryl Sacco  
Town Clerk    Sherrie L. Jacobs  
Highway Superintendent    Brian Coddington  
Parks/Water/Sewer Team Leader    Nick Platt

**GUESTS: Country Courier**    Elizabeth Einstein  
Laurie Francisco  
Sandi Beam  
Peter J. Motsavage  
Jalee-Ann Velazquez

**MINUTES: MARCH 8, 2022 WORK SESSION & REGULAR TOWN BOARD MEETING**

Mr. Francisco stated that the March 8, 2022 Work Session and Regular Town Board Meeting minutes should be clarified in the portions dealing with the Conklin Cemetery to read as follows: "Besides the cost of purchasing the grave, the family also pays the costs of opening and closing the grave from a private person. An additional cost of \$300 on weekdays and \$350 on weekends would be charged for town personnel to be present and repair the ground after burial, etc., which could take four to five hours. This cost would be for a full burial. For a cremation interment, the cost would be \$150 on a weekend or \$100 on a weekday, not including the opening of the grave."

Mr. Francisco moved to approve the March 8, 2022 Work Session and Regular Town Board Meeting minutes with the above clarification.

Seconded by Mr. Finch.

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

.....

**PUBLIC HEARING**  
**TO RECEIVE INPUT REGARDING PROPOSED LOCAL LAW 2, 2022/**  
**A LOCAL LAW AMENDING THE COLD WAR VETERANS TAX EXEMPTION**  
**TO REMOVE THE 10 YEAR LIMITATION**

**PRESENT:** Same as above.

Notice of Public Hearing having been duly advertised, Mr. Dumian declared the Public Hearing open at 6:33 P.M. and asked those present to speak either for, or in opposition to, proposed Local Law 2, 2022, "A Local Law Amending the Cold War Veterans Tax Exemption to Remove the 10 Year Limitation."

There being no public comments or questions, Mr. Dumian declared the Public Hearing closed at 6:34 P.M.

.....

**REGULAR TOWN BOARD MEETING**  
**MARCH 22, 2022**

**RESO 2022-46: ADOPT LOCAL LAW 2, 2022/"A LOCAL LAW AMENDING THE**  
**COLD WAR VETERANS TAX EXEMPTION TO REMOVE THE 10 YEAR**  
**LIMITATION**

At a regular meeting of the Town Board of the Town of Conklin, held at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on the 22nd day of March, 2022, the following resolution was offered by Mr. Francisco and seconded by Mr. Finch:

**WHEREAS**, the Town Board scheduled a public hearing for March 22, 2022 at 6:30 P.M. for Local Law No. 2 of the Year 2022 entitled "A LOCAL LAW AMENDING THE COLD WAR VETERANS TAX EXEMPTION TO REMOVE THE 10 YEAR TERM LIMITATION"; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town Clerk's signboard; and

**WHEREAS**, the Local Law was referred to the Town Planning Board and the Planning Board recommended approval of the same; and

**WHEREAS**, said public hearing was duly held on the 22nd day of March, 2022 at 6:30 P.M. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act, it has been determined by the Town Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(26) and (33); and

**WHEREAS**, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of Conklin hereby adopts said Local Law as Law No. 2 of the Year 2022 entitled "A LOCAL LAW AMENDING THE COLD WAR VETERANS TAX EXEMPTION TO REMOVE THE 10 YEAR TERM LIMITATION", a copy of which is attached hereto and made a part hereof; and further

**RESOLVED** that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and further

**RESOLVED** that this resolution will 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 on the 22nd day of March, 2022. Said resolution was adopted by the following roll call vote:

Supervisor William Dumian, Jr      YES

Councilman Dell Boyle              YES

**REGULAR TOWN BOARD MEETING**  
**MARCH 22, 2022**

Councilman William Farley	YES
Councilman Charles Francisco	YES
Councilman James E. Finch	YES

Dated: March 22, 2022

Town of Conklin Seal

---

Sherrie L. Jacobs, Town Clerk  
Town of Conklin

**PUBLIC COMMENTS:** None.

**REPORT: HIGHWAY DEPARTMENT**

Highway Superintendent Brian Coddington reported that his department is still removing dead ash trees around town and is preparing the Highway equipment for paving roads, adding that the bucket truck was recently inspected.

**REPORT: PARKS/WATER/SEWER**

Parks/Water/Sewer Team Leader Nick Platt talked about the recent water main break, with Mr. Dumian adding that Mr. Platt and his department did a “good job” handling the break and repair and the required publicity for the boil water advisory. Mr. Platt stated that his crew is working on getting the ball fields and parks ready for opening and use.

**REPORT: SUPERVISOR’S OFFICE**

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

**OLD BUSINESS:**

**TOWN HALL ROOF AND HVAC REPAIR/REPLACEMENT**

Mr. Dumian stated that he has no new estimates for repairing/replacing the roof on the Town Hall. He stated that a new quote was received by the Town today (March 22) for the slim unit heating system, which would have separate thermostats. The Town would use one boiler instead of two, and the cost would be approximately \$33,000, not including any labor costs. Mr. Dumian stated that the Town needs to replace the air handling equipment. Mr. Boyle stated that he met with Lyle Fassett, who owned an HVAC company for many years, to get his advice on how best to proceed. Mr. Dumian stated that decisions must be made about the HVAC before a decision about what type of roof repair/replacement could be made. Mr. Boyle will talk with Town Engineer John Mastronardi to get his input regarding this project.

**CONKLIN/KIRKWOOD WATERLINE EXPANSION**

Mr. Dumian stated that he met with Town Attorney Cheryl Sacco and Mr. Mastronardi to discuss the potential waterline expansion between the Towns of Conklin and Kirkwood. He stated that a geological study is needed, as the river bed has a lot of gravel, which sometimes collapses during the boring process to put the pipe under the Susquehanna River. Mr. Dumian stated that he also met with Broome County Legislator Kelly Wildoner regarding possible funding from the County. Mr. Wildoner had stated that 1) the Town would be responsible for part of the cost; and

**REGULAR TOWN BOARD MEETING**  
**MARCH 22, 2022**

2) he will need details to seek County funding for the project. Mr. Dumian stated that an alternative would be to tie into the City of Binghamton waterline.

**NEW BUSINESS:**

**COMMUNICATION DURING EMERGENCY SITUATIONS**

Mr. Dumian stated that Town Clerk Sherrie Jacobs updates the Town website during regular business hours, but Nick Platt and Colin Casey from the Water/Parks/Sewer Department have been granted login credentials so that they can update the website after hours in the event of an emergency. He stated that the Town is also researching the ability to put a phone message on the Town phone system in the event of an emergency, like the recent water main break.

**RESO 2022-47: RATIFY PAY RATE INCREASE/COLIN CASEY/CDL**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies a pay rate increase of \$1.00 per hour for Colin Casey, Water/Sewer/Parks Laborer, effective March 5, 2022, for attaining his CDL (Commercial Driver's License).

Seconded by Mr. Francisco.

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

**RESO 2022-48: APPROVE PAYMENT/CLAIMS #22-00207 - #22-00239/\$91,860.93**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Claims #22-00207 through #22-00239, which have been audited and approved for payment, in the total amount of \$91,860.93:

General	\$ 85,087.17
Highway	4,893.50
Water Districts	576.46
Non-Budgeted	<u>1,303.80</u>
<b>Total</b>	<b>\$ 91,860.93</b>

Seconded by Mr. Farley.

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

**CONKLIN CEMETERY**

The Town Board discussed the change in oversight to the Town of the Conklin Cemetery, but, after discussion, decided to hold over vote on the resolution formally accepting oversight of the cemetery until the April 12 meeting.

**RESO 2022-49: APPROVE PURCHASE/2022 SURE-TRAC UTILITY TRAILER**

Mr. Finch moved for the following resolution:

## **REGULAR TOWN BOARD MEETING**

**MARCH 22, 2022**

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase of a 2022 Sure-Trac Utility Trailer from Ashley Enterprises, LLC, for a price not to exceed \$4,650.00, expense account A 8810-2-201.

Seconded by Mr. Farley.

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

Mr. Dumian stated that the trailer will be used to transport the mowers for the cemeteries, adding that Mr. Platt had gotten three quotes and this is the lowest quote.

### **PUBLIC COMMENTS:**

#### **COMPLAINTS & CONCERNS/VELAZQUEZ**

Jalee-Ann Velazquez, who owns property at 100 Stillwater Road, voiced a number of complaints and concerns regarding the Town. Ms. Velazquez started by asked about the “trailer park” across from her property, asking if the landlord is accountable for the condition of the trailers, and adding that they do not provide “fit living conditions.” Mr. Dumian explained that the Code Department has been dealing with the issue for a long time and is limited in the scope of what the Town can actually do to remedy the situation.

Ms. Velazquez asked about Town Board meeting minutes and was told where she can find them online on the Town website, with the explanation that they are not verbatim minutes and reflect a summary of the important discussions. Ms. Velazquez then asked about the rezoning on Woodside Avenue, which was approved by both the Planning Board and the Town Board, and asked if the Town has a maximum commercial space that it will allow. Mr. Dumian stated that there is no limitation on commercial space.

Ms. Velazquez asked if areas could be designated out of the flood zone to lower the cost of flood insurance and asked about the re-mapping project. Mr. Dumian explained that improving drainage and/or flood remediation does not change the flood plain designation, adding that it is the responsibility of the federal government and the State DEC (Department of Environmental Conservation) to re-map the flood plains in Conklin. Ms. Velazquez then asked if there is a way to lower the cost of flood insurance, adding that many homeowners cannot afford to live in or fix their homes or pay flood insurance. Sandi Beam, a member of the Planning Board, stated that many people in the Town of Conklin have been through this situation. Mr. Dumian stated that the Town lost approximately 120 homes between the 2006 and 2011 floods. Ms. Sacco stated that re-mapping is “not going to happen. There was a lot of pushback. Re-mapping is not a positive thing for homeowners.”

Ms. Velazquez then asked about the “sticker/artwork” store, which allegedly gifts purchasers with marijuana with a purchase of artwork or stickers, stating that there are not enough employees at the store to meet the requirement for the amount of marijuana on premise. Mr. Dumian explained that this is a law enforcement issue, adding that the Town has contacted local law enforcement agencies. She then asked how many cars a residence can have, and Mr. Dumian replied that a residence can have any number of registered cars and two unregistered cars.

Ms. Velazquez then circled back to the “trailer park” property on Stillwater Road, asking about Court proceedings against the owner. Ms. Sacco stated that the Town has taken the owner to

## **REGULAR TOWN BOARD MEETING**

**MARCH 22, 2022**

Court and the Town Court has certain penalties that it can impose. She added that any higher legal process is very expensive, and not guaranteed to get long-term results. Ms. Velazquez asked about the Stillwater Road residents being added to municipal water supply. Mr. Dumian explained the process of creating a water district to her, adding that not enough residents in that area want to pay on a bond for Town water, and there is no grant funding available. He stated that a petition signed by 51 percent or more of property owners in the proposed district must be submitted to the Town as a first step.

### **MEMORIAL STONE/LETTIE TREVARTHAN**

Mr. Finch stated that he will meet with Nick Platt on placement of the memorial stone for Loretta “Lettie” Trevarthan, and discuss having a plaque made.

### **DRAINAGE PROBLEMS**

Mr. Boyle stated that there is an issue with beavers building dams that block drainage and asked about re-applying for a Town-wide permit to trap the beavers. He also asked about the Town purchasing a mini-excavator to work on drainage and Mr. Dumian replied that “the DEC should take care of its own problems.”

Mr. Boyle also stated that residents have expressed appreciation of the changes the Highway Department made to the salt/sand mix. Highway Superintendent Brian Coddington stated that the different mix is more expensive.

### **YOUTH SPORTS**

Mr. Farley reported that baseball and softball signups are happening and practices are starting. He stated that one of the Town wrestling teams took second place at a tournament in Greene.

### **INSURANCE REFUND/CONKLIN CEMETERY**

Mr. Francisco stated that the refund check for insurance for the Conklin Cemetery was re-issued to him personally, and he will give it to the Town.

### **COMMUNITY EASTER PARTY**

Town Clerk Sherrie Jacobs stated that plans are in place for the Community Easter Party, to be held at the Community Center on April 9.

### **BUILDING IN THE FLOOD PLAIN**

Mr. Dumian stated that he met with Mr. Mastronardi and Ms. Sacco to discuss the issue of building in the flood plain, adding that the Town needs to study the cumulative effect of multiple people adding fill. He explained compensatory storage, in which a property owner could move fill from one part of his or her property to a different part. He stated that the owner must remove the same amount of fill from a part of the property equal to the amount of fill brought in. Mr. Dumian stated that the Town can change the verbiage in the existing law in the Town Code or could adopt a new law. Ms. Sacco stated that a proposed new law could be introduced at the April 12 meeting.

**REGULAR TOWN BOARD MEETING**  
**MARCH 22, 2022**

**COVID-19 HOME TEST DISTRIBUTION & ELECTRONICS RECYCLING**

Mr. Platt stated that the Parks Department will be distributing free COVID-19 home tests at the Community Center from 4 to 6 P.M. on March 25, with a three per car limit.

Mr. Platt stated that the Town will hold an electronics recycling drop-off event at the Community Center sometime in April.

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Farley. The meeting adjourned at 8:12 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk