

WORK SESSION
OCTOBER 11, 2022

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on October 11, 2022, 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
Highway Superintendent Brian Coddington
Parks/Water/Sewer Team Leader David Kilmer

GUESTS: Country Courier Elizabeth Einstein
John Colley
Laurie Francisco

BROOME COUNTY BUDGET PRESENTATION POSTPONED

The 2023 Budget Presentation by the Broome County Executive's Office, scheduled for this evening, has been postponed. The County representative would like to attend the November 8 meeting, but that is Election Day. The Board discussed rescheduling the November 8 meeting to November 7, cancelling the Work Session that day, and cancelling the November 22 meeting, which would be Thanksgiving week.

TOWN HALL REPAIRS

Mr. Dumian stated that Parks/Water/Sewer Team Leader David Kilmer has contacted SourceWell to look for contractors for generator replacement, adding that he would get the contact information from Mr. Kilmer and research this source for contractors for both the roof repair and the HVAC system repair/replacement at the Town Hall.

Mr. Francisco stated that there is a rebate available from NYSEERDA (New York State Energy Research and Development Authority), which NYSEG (New York State Electric and Gas Corporation) must pre-approve. He stated that there is a bonus of 15% on the rebate available from NYSEG if the application is submitted by November 30, 2022. Work must be completed by December 31, 2022. Mr. Dumian stated that the Town needs to get this information to contractors, as the Town will need estimates for the application. Town Attorney Cheryl Sacco will review the SourceWell list of contractors.

2023 BUDGET

The Board did not have any questions regarding the proposed 2023 Budget. Mr. Dumian stated that he will ask for an Executive Session at the end of the Regular Meeting to discuss a specific personnel issue. He added that he received a resume from a potential candidate for the position of Assessor's Assistant, and added that the Board will need to discuss Budget modifications to pay this person's salary, if hired.

GENERATOR REPLACEMENT

Mr. Dumian reiterated that Mr. Kilmer is researching SourceWell for contractors for generator replacement. He added that the Town parks and grounds "look extremely good" and thanked Mr. Kilmer and his crew for doing a "great job."

SLUICE PIPE AT SCHNURBUSCH PARK

Mr. Kilmer stated that he was asked to determine how much riprap would be needed for the sluice pipe project at Schnurbusch Park and he stated that it depends upon the scope of the

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project. Mr. Dumian asked if Mr. Kilmer could obtain a cost per square foot estimate. Mr. Kilmer stated that he is awaiting the price per hour for rental of an excavator. He stated that the pipe project will probably be done after soccer season is over. Mr. Kilmer stated that it will require approximately 2,000 square feet of riprap only one side of the ditch is laid with riprap five feet high, adding that it will cost approximately \$4,000 if both sides are done.

HALLOWEEN CURFEW

Mr. Dumian reminded those present that the Halloween curfew, set by local law, will be in effect October 30 and 31 and November 1. A reminder will be posted in the **Country Courier**. Mr. Dumian will ask Secretary to the Supervisor Teresa Bamber to call the Broome County Sheriff's Department for extra patrols.

TOWN BASKETBALL

Mr. Dumian stated that the Town Basketball program will be a hybrid between the Bulldogs and the Town team, with home games at Donnelly Elementary School and scrimmages between the two teams to hone everyone's skills.

PARKING AT PAVILION NEAR COMMUNITY CENTER

Mr. Francisco asked if a chain could be installed across the pavement at the pavilion near the Community Center, as he has noticed people driving right up to the pavilion. Mr. Dumian stated that if the Town puts up a chain, people will just drive on the grass and damage it.

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 October 11, 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 David Kilmer

GUESTS: **Country Courier** Elizabeth Einstein

 John Colley

 Laurie Francisco

 Daniel Fitzsimmons

MINUTES: SEPTEMBER 27, 2022 REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the September 27, 2022 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Finch.

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

PUBLIC COMMENTS:

REMOVAL OF CUT TREES ON PRIVATE PROPERTY

Daniel Fitzsimmons of Gratsinger Road stated that a large old oak tree had been cut on his property by the Town Highway Department. The Town has the right to cut trees if they are dying and in danger of falling into Town roadways and causing damage. Mr. Fitzsimmons stated that he should have had first choice in whether or not he wanted to keep the wood from the cut tree for himself, but was told that one of the members of the Highway Department had taken it, adding that it was “prime firewood.” He stated that there “should be an ordinance that the Highway crew doesn’t gain from firewood. The Town should sell it or give it to people in need.” Mr. Fitzsimmons stated that Highway Superintendent Brian Coddington offered to give Mr. Fitzsimmons two to three times the amount of wood that was cut on his property, but Mr. Fitzsimmons declined, stating that he “doesn’t want dead ash with bugs in it.” Mr. Fitzsimmons stated that the oak tree in question was also one he used to put up “No Trespassing” signs and it was cut below the signs, adding that the stump should have been left high enough to mount the posters.

Mr. Dumian stated that he and Mr. Coddington had already had a conversation about this incident, with Mr. Dumian stressing the importance of asking the owner before taking any wood cut on their property. Town Attorney Cheryl Sacco added that New York State Law also addresses wood ownership as being property owner having the first choice.

CORRESPONDENCE:

Mr. Dumian stated that he has not received any feedback on the Town’s request to modify the blind corner on Murphy Road, the scene of a fatal motor vehicle accident recently, adding that he will follow up with Broome County about this issue.

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REPORT: CODE OFFICER

Mr. Dumian stated that Code Officer Nick Pappas has been taking Code violators to Court, utilizing the process and making progress on some of the difficult cases.

REPORT: HIGHWAY DEPARTMENT

Briefly revisiting Mr. Fitzsimmons' complaint, Mr. Dumian stated that the Highway workers broke the rules and Mr. Coddington replied that he has spoken to his crew about proper protocol. Mr. Dumian suggested leaving cut trees on the property and then contacting the property owner before any wood is removed.

Mr. Coddington reported that his crew has been cutting ash trees damaged by the Emerald Ash Borer, as well as working on leaf pickup, patching roads, and winterizing the Highway vehicles.

REPORT: PARKS/WATER/SEWER

Mr. Dumian reiterated that Parks/Water/Sewer Team Leader David Kilmer has been doing a "great job" with all of the improvements at the parks and on Town grounds such as the Town Hall and the Community Center. Mr. Kilmer stated that he is working on a lot of different projects. He stated that some new regulations have been handed down from New York State, one of which is a new law prohibiting lead on either the Town side or the homeowner's side of a water service. He added that the Town must be in compliance with this new law by December 31, 2024. Mr. Kilmer stated that there are approximately 900 water services in Conklin. Mr. Kilmer stated that the Town must collect data on these water services, but added that the water system in the Town of Conklin is probably too new to have a lot of lead in it.

A second new law has New York State requiring testing water supplies for 25 new contaminants beginning January 1, 2023.

Mr. Kilmer reported that the five-year inspection of the Town Landfill will be held on October 18.

REPORT: SUPERVISOR'S OFFICE

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

OLD BUSINESS:

2023 BUDGET

Mr. Boyle asked about the Budget for the Zoning Board of Appeals in the wake of the recent death of Chairman William Northwood. Mr. Northwood served as a member of the ZBA for over 50 years. Mr. Dumian stated that this could be part of the Budget modifications.

REPLACEMENT GENERATORS/SEWER PUMP STATIONS

Mr. Dumian reiterated that the Town may use a phased approach in acquiring the replacement generators.

NEW BUSINESS:

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HALLOWEEN CURFEW

The Halloween curfew will be posted and Mr. Dumian will have Ms. Bamber look into extra police patrols.

RESO 2022-140: AUTHORIZE PAYMENT/CLAIMS #22-00906 - #22-00954/\$72,800.96

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Claims #22-00906 through #22-00954, which have been audited and approved for payment, in the total amount of \$72,800.96:

General	\$ 10,760.00
Highway	52,418.51
Sewer District #1	34.04
Water District	<u>9,588.41</u>
Total	\$ 72,800.96

Seconded by Mr. Farley.

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

RESO 22-141: RATIFY ACH PAYMENT/PITNEY BOWES

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies an ACH payment in the amount of \$500.00 to Pitney Bowes for refill of the postage meter.

Seconded by Mr. Finch.

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

RESO 22-142: RESCHEDULE NOVEMBER 8 MEETING & CANCEL WORK SESSION

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin reschedules its Regular Town Board Meeting scheduled for November 8 (Election Day) to November 7, 2022, at 6:30 P.M., and cancels the Work Session scheduled for November 8.

Seconded by Mr. Finch.

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

RESO 22 - 143: CANCEL NOVEMBER 22, 2022 REGULAR TOWN BOARD MEETING

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin cancels the November 22, 2022 Regular Town Board Meeting, which would have been during Thanksgiving week.

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Seconded by Mr. Farley.

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

PUBLIC COMMENTS: None.

BUDGET FOR NEW EMPLOYEES

Mr. Finch asked if there is money budgeted for the new employees the Town has hired/wants to hire. Mr. Dumian stated that although some Budget modifications may need to be made, the Town will not exceed the proposed Budget nor will it exceed the tax cap.

TOWN RIGHT-OF-WAY IN RURAL AREAS

Mr. Boyle stated that sometimes trees have hollow spots but are still viable. He added that the Town's right-of-way in rural areas varies with the roads. Ms. Sacco stated that the Highway Superintendent has the final say in whether or not a tree poses a threat to the roadway and needs to be cut, adding that the decision is situation specific. She added that the width of the right-of-way is not set if the road is determined to be a "road by use." Mr. Dumian stated that communication is key in avoiding conflict with property owners.

YOUTH SPORTS

Mr. Farley stated that the soccer season is wrapping up, with playoffs beginning next week. Sign-ups for basketball and two sections of wrestling are currently underway. Mr. Dumian asked that information about sign-ups be posted on the electronic bulletin board at Schnurbusch Park.

RESO 220-144: EXECUTIVE SESSION/SPECIFIC PERSONNEL ISSUE

Mr. Dumian moved to close the Regular Town Board Meeting and move into Executive Session at 7:16 P.M. to discuss a specific personnel issue.

Seconded by Mr. Finch.

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

RESO 22-145: RE-OPEN REGULAR TOWN BOARD MEETING

Mr. Francisco moved to close the Executive Session and re-open the Regular Town Board Meeting at 7:44 P.M.

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. Finch moved for adjournment, seconded by Mr. Dumian. The meeting adjourned at 7:45 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk

