

**REGULAR TOWN BOARD MEETING**  
**OCTOBER 25, 2022**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on October 25, 2022, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b>	Town Board Members	Finch, Boyle, Farley, Francisco, Dumian
	Town Counsel	Cheryl Insinga
	Town Clerk	Sherrie L. Jacobs
	Highway Superintendent	Brian Coddington
	Parks/Water/Sewer Crew Leader	David Kilmer
	Code Officer	Nick Pappas
	Secretary to the Supervisor	Teresa Bamber
	Zoning Board of Appeals	William Brodsky
	Planning Board	Sandra Beam

<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein
	Conklin Vol. Fire Dept.	Paul Jacobs
	Conklin Vol. Fire Dept.	William Gorman
		Laurie Francisco
		Peter Motsavage

**MINUTES: OCTOBER 11, 2022 WORK SESSION & REGULAR TOWN BOARD MEETING**

Mr. Francisco stated that the October 11, 2022 Work Session minutes should be clarified to stated that the bonus 15% of the NYSERDA rebate (under "Town Hall Repairs") is available if the work is completed by November 30, 2022.

Mr. Dumian moved to approve the October 11, 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.

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**PUBLIC HEARING**  
**TO RECEIVE INPUT REGARDING**  
**PROPOSED 2023 FIRE PROTECTION CONTRACT**

**PRESENT:** Same as listed above.

Notice of Public Hearing having been duly advertised, Mr. Dumian declared the Public Hearing open at 6:32 P.M. and asked those present to speak either for, or in opposition to, the proposed 2023 Fire Protection Contract with the Conklin Volunteer Fire Department, Inc.

There being no questions or public comments, Mr. Dumian declared the Public Hearing closed at 6:33 P.M.

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**PUBLIC HEARING**  
**TO RECEIVE INPUT REGARDING**  
**PROPOSED 2023 MUNICIPAL WATER & SEWER RATES**

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**PRESENT:** Same as listed on page one.

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, the proposed 2023 Municipal Water and Sewer rates.

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

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**RESO 2022-146: AUTHORIZE THE SUPERVISOR OF THE TOWN OF CONKLIN TO SIGN THE FIRE PROTECTION AGREEMENT FOR THE YEAR 2023**

**PRESENT:** Supervisor William Dumian, Jr.  
Councilman James Finch  
Councilman Charles Francisco  
Councilman Dell Boyle  
Councilman William Farley

**ABSENT:** None

**Offered By:** Councilman Francisco                      **Seconded By:** Councilman Finch

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

**WHEREAS**, the Town Board scheduled a public hearing at Conklin Town Hall, 1271 Conklin Road, Conklin, New York, for October 25, 2022 at 6:30 P.M. on the 2023 Fire Protection District costs; 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**, said public hearing was duly held on October 25, 2022 at 6:30 P.M. and all parties in attendance were permitted an opportunity to be heard, 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 of Conklin, 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 Agreement for Fire Protection District No. 1 for the year 2023 between Town of Conklin and Conklin Volunteer Fire Department, Inc.

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

**BE IT FURTHER RESOLVED**, that 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 the 25th day of October, 2022. Said resolution was adopted

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by the following roll call vote:

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

Dated: October 25, 2022

Town of Conklin Seal

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Sherrie L. Jacobs, Town Clerk  
Town of Conklin

**RESO 2022-147: ADOPT PROPOSED MUNICIPAL WATER AND SEWER BILLING**  
**RATES FOR THE YEAR 2023**

**PRESENT:** Supervisor William Dumian, Jr.  
Councilman James Finch  
Councilman Charles Francisco  
Councilman Dell Boyle  
Councilman William Farley

**ABSENT:** None

**Offered By:** Councilman Farley

**Seconded By:** Councilman Francisco

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

**WHEREAS**, the Town Board scheduled a public hearing at Conklin Town Hall, 1271 Conklin Road, Conklin, New York, for October 25, 2022 at 6:32 P.M. on the proposed 2023 Water and Sewer Billing Rates; 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**, said public hearing was duly held on October 25, 2022 at 6:32 P.M. and all parties in attendance were permitted an opportunity to be heard, and the matter of the said billing rates for the Town for such fiscal year was fully discussed and considered by the Town Board.

**NOW, THEREFORE**, the Town Board of the Town of Conklin, duly convened in regular session, does hereby resolves and adopt the 2023 Municipal Water and Sewer Billing Rates as follows:

**SEWER RESIDENTIAL**

Quarterly Basic Fee:	\$15.00
Unit Charge not to exceed	\$10.00 per Thousand Gallons

**SEWER SMALL BUSINESS (Non-Mfg)**

Quarterly Basic Fee:	\$15.00
Unit Charge not to exceed	\$11.95 per Thousand Gallons

**SEWER CORP PARK and MFG Companies**

Quarterly Basic Fee:	\$35.00
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Unit Charge not to exceed                      \$16.50 per Thousand Gallons

**UNMETERED**    \$132.00/Qtr.

**WATER RESIDENTIAL**

Quarterly Basic Fee:                              \$15.00

Unit Charge not to exceed                      \$ 3.50 per Thousand Gallons

**WATER SMALL BUSINESS Non-Mfg.**

Quarterly Basic Fee:                              \$15.00

Unit Charge not to exceed                      \$3.75 per Thousand Gallons

**WATER CORP PARK and MFG Companies**

Quarterly Basic Fee                              \$35.00

Unit charge not to exceed                      \$ 4.25 per Thousand Gallons

This billing change becomes effective November 1, 2022, and will be billed starting the first billing cycle in 2023: February 2023; and

**BE IT FURTHER RESOLVED**, that 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 the 25th day of October, 2022. Said resolution was adopted by the following roll call vote:

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

Dated: October 25, 2022

Town of Conklin Seal

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Sherrie L. Jacobs, Town Clerk  
Town of Conklin



**PUBLIC HEARING**  
**TO RECEIVE INPUT REGARDING**  
**PROPOSED 2023 GENERAL & HIGHWAY BUDGET**

**PRESENT:** Same as on page one.

Notice of Public Hearing having been duly advertised, Mr. Dumian declared the Public Hearing open at 6:34 P.M. and asked those present to speak either for, or in opposition to, the proposed 2023 General and Highway Budget for the Town of Conklin.

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There being no questions or public comments, Mr. Dumian declared the Public Hearing closed at 6:35 P.M.

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**RESO 2022-148: ADOPT THE ANNUAL BUDGET**  
**OF THE TOWN OF CONKLIN FOR THE YEAR 2023**

**PRESENT:** Supervisor William Dumian, Jr.  
Councilman James Finch  
Councilman Charles Francisco  
Councilman Dell Boyle  
Councilman William Farley

**ABSENT:** None

**Offered By:** Councilman Francisco                      **Seconded By:** Councilman Finch

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

**WHEREAS**, the Town Board scheduled a public hearing at Conklin Town Hall, 1271 Conklin Road, Conklin, New York, for October 25, 2022, at 6:34 P.M. on the 2023 Preliminary Budget submitted and approved by the Town Board and filed with the Town Clerk for the fiscal year commencing January 1, 2023; 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**, said public hearing was duly held on October 25, 2022, at 6:34 P.M. and all parties in attendance were permitted an opportunity to be heard, and the matter of the said budget for the Town for such fiscal year was fully discussed and considered by the Town Board.

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

Section 1. The 2023 Preliminary Budget submitted, approved, and filed as aforesaid, be and the same is hereby adopted and established as the Year 2023 Annual Budget for the Town of Conklin for the fiscal year beginning January 1, 2023. 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 Annual 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 shall prepare and certify, as provided by law, duplicate copies of said Annual Budget hereby adopted and established, and shall deliver one of such copies to the Supervisor of the Town, and the Supervisor shall present such copy to the Board of Legislators of the County of Broome, as required by law; and

**BE IT FURTHER RESOLVED**, that 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

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Conklin Road, Conklin, New York, on the 25th day of October, 2022. Said resolution was adopted by the following roll call vote:

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

Dated: October 25, 2022

Town of Conklin Seal

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Sherrie L. Jacobs, Town Clerk  
Town of Conklin

**PUBLIC COMMENTS:** None.

**CORRESPONDENCE:**

Mr. Dumian stated that he has received phone calls regarding potential issues in certain areas but stated that these tend to be civil issues outside the jurisdiction of the Town government.

**REPORT: CODE OFFICER**

Code Officer Nick Pappas stated that he will be pouring the concrete floor at the Sullivan Park pavilion on October 27.

Mr. Pappas stated that many of the Code violation cases he has sent to Town Court have been “no shows.” Mr. Dumian stated that the Town is trying to follow the process while trying to avoid excess legal fees. “Please work with the Town,” said Mr. Dumian.

**REPORT: HIGHWAY DEPARTMENT**

Highway Superintendent Brian Coddington stated that his department is busy with leaf pickup. He stated that one of the two new trucks that were ordered has been delivered, with the other one due to be delivered next week. Mr. Coddington stated that he is looking into purchasing a paver for the Town.

**REPORT: PARKS/WATER/SEWER**

Parks/Water/Sewer Crew Leader David Kilmer stated that his department has been very busy with improvements around the Town, with the latest project being cleaning up the landscaping at the Conklin Veterans’ Memorial.

Mr. Kilmer stated that his crew will begin work on installing the sluice pipe at Schnurbusch Park, using riprap on the outside curve, five feet tall by 400 feet long, with an estimated cost of \$5,000. The riprap will come from Roberts Quarry.

Mr. Kilmer stated that he has a meeting next week to get a quote on both the Town Hall roof and the HVAC system, and will make sure that any new HVAC system is not proprietary. Mr. Francisco will research NYSERDA rebate options.

Mr. Kilmer stated that he has a quote of approximately \$70,000 for an excavator for the Town, adding that eventually the Town would need to purchase a trailer to haul it.

Mr. Dumian stated that the Town has approximately \$190,000 in ARPA (American Rescue Plan

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Act) funding, which is dedicated to purchasing a new truck for the Water Department and purchasing new water meter readers. New generators for the sewer stations had also been discussed, which Mr. Kilmer stated will cost approximately \$53,000, not including installation costs. He added that the Town would still need to deal with tanks in the ground, and added that delivery of any new generators is 53 weeks out at this point. Mr. Dumian stated that one consideration for the property recently purchased on the corner of Powers Road and Conklin Road is the installation of a new well. He stated that the Board will discuss the use of the ARPA money at the November 7 meeting. The potential new generators will also be discussed at this meeting.

**REPORT: SUPERVISOR'S OFFICE**

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

**OLD BUSINESS:**

**OPEN POSITION/ASSESSOR'S OFFICE & WATER/CODE OFFICE**

Mr. Dumian stated that the Town is still looking for someone to fill the open position in the Assessor's Office and Water/Code Office, as the potential candidate that was interviewed took a different position.

**REPLACEMENT GENERATORS/SEWER STATIONS**

Mr. Dumian reiterated that a discussion regarding installing a water line to Kirkwood vs. purchasing new equipment will be held at the November 7 meeting.

**VACANCY/ZONING BOARD OF APPEALS**

Mr. Dumian stated that he will call an Executive Session to discuss the vacancy created on the Zoning Board of Appeals by the recent passing of Chairman William Northwood.

**NEW BUSINESS:**

**VOLUNTEERS/PROPERTY AT POWERS ROAD & CONKLIN ROAD**

Mr. Dumian stated that volunteers have come forward to assist with moving dirt around, less than one acre, and leveling the property at the corner of Powers Road and Conklin Road.

**SHAWSVILLE CEMETERY**

Mr. Dumian noted that there are no new plots available for purchase at Shawsville Cemetery, so any inquiries regarding plot purchases should be forwarded to Mr. Francisco for consideration in the Conklin Cemetery. Mr. Dumian added that the new excavator the Town is considering could be used to dig graves in both cemeteries.

The Board discussed fencing at Shawsville Cemetery and it was stated that chain link fencing is not a requirement of the State, only that boundaries of the cemetery be marked. Town Attorney Cheryl Insinga stated that fencing requirements vary depending upon the class of the cemetery, adding that there must be some type of fencing to delineate the cemetery boundaries. Mr. Boyle suggested using guardrail along the Shaw Road side of Shawsville Cemetery, as it would offer the best protection for the cemetery. Mr. Kilmer stated that he is also looking at fencing made of timbers and chain.

**RESO 2022-149: AUTHORIZE PURCHASE OF MATERIALS/ROBERTS QUARRY/INSTALLATION AT SCHNURBUSCH PARK**

Mr. Farley moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes the purchase of materials from Roberts Quarry, in an amount not to exceed, \$5,000, for use and installation at Schnurbusch Park.

Seconded by Mr. Finch.

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

**RESO 2022-150: APPROVE HIRING/JOSHUA KERWIN/HIGHWAY LABORER**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the hiring of Joshua Kerwin to the position of Highway Laborer at a pay rate of \$22.00 per hour, effective October 26, 2022.

Seconded by Mr. Finch.

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

It was noted that Mr. Kerwin already has his CDL.

**RESO 2022-151: RATIFY PAYMENT/THE HARTFORD/3<sup>RD</sup> QUARTER DISABILITY INSURANCE**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment in the amount of \$144.99 to The Hartford for Third Quarter Disability Insurance.

Seconded by Mr. Boyle.

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

**RESO 2022-152: AUTHORIZE PAYMENT/CLAIMS #22-00961 - #22-01006/\$124,920.25**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Claims #22-00961 through #22-01006, which have been audited and approved for payment, in the total amount of \$124,920.25:

General	\$ 28,403.27
Highway	3,403.20
Sewer District #1	89,233.00
Water District	319.78
Non-Budgeted	<u>3,561.00</u>
<b>Total</b>	<b><u>\$124,920.25</u></b>

Seconded by Mr. Finch.

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

**RESO 2022-153: RATIFY CHANGE/PURCHASE PRICE/1158 CONKLIN ROAD**

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the change in the



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purchase price for 1158 Conklin Road to reflect the total price of \$35,329.42.

Seconded by Mr. Farley.

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

**PUBLIC COMMENTS:**

**COMMERCIAL PROPERTY ON TERRACE DRIVE**

William Gorman of Terrace Drive expressed concern over the property on Terrace Drive that is zoned for Commercial use and has recently been cleared and mowed as a potential overflow parking lot for FedEx. Mr. Gorman stated that the tractor-trailers would be traveling on Terrace Drive and Shaw Road, neither of which was built for that kind of weight, and would create even more traffic issues than already occur in that area. Mr. Dumian stated that the Town cannot control the traffic flow.

**BEAVER DAM ISSUES**

Mr. Boyle stated that he is contacting the DEC (New York State Department of Environmental Conservation) on October 26 to address the issue of beavers building dams in the drainage pipe.

**YOUTH SPORTS**

Mr. Farley stated that the Town soccer program is finished for this year, noting that the coaches did a great job. He stated that basketball and wrestling will be next. Mr. Dumian thanked all of the coaches and the Youth Commissioner for a job well done.

**NEXT TOWN BOARD MEETING**

Town Clerk Sherrie Jacobs reminded Board members that the next meeting of the Town Board will be Monday, November 7, 2022, at 6:30 P.M., as it was rescheduled due to Election Day on November 8.

**2023 BUDGET**

Mr. Dumian stated that the Town has a good budget for 2023 and thanked the Town Board for its input. He noted that everything is more expensive, so the Town continues to look for cost savings and increased efficiency.

**RESO 2022-154: EXECUTIVE SESSION/SPECIFIC PERSONNEL ISSUE**

Mr. Farley moved to close the Regular Town Board Meeting and move into Executive Session at 7:20 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 22-155: RE-OPEN REGULAR TOWN BOARD MEETING**

Mr. Francisco moved to close the Executive Session and re-open the Regular Town Board Meeting at 7:30 P.M.

Seconded by Mr. Finch.

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

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**RESO 2022-156: APPOINT GEORGE WYLDE/ZONING BOARD OF APPEALS**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin appoints George Wylde to the position of member of the Zoning Board of Appeals to complete the remaining term of the position previously held by William Northwood, effective immediately.

Seconded by Mr. Finch.

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

There was a discussion about the Chairperson position being a separate position from seat appointment to the ZBA and that a further discussion is needed to address appointing a Chairperson for the ZBA.

There being no further business to come before the Board, Mr. Finch moved for adjournment, seconded by Mr. Farley. The meeting adjourned at 7:35 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk