

REGULAR TOWN BOARD MEETING
NOVEMBER 7, 2022

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on November 7, 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 Insinga
Town Clerk	Sherrie L. Jacobs
Parks/Water/Sewer Crew Leader	David Kilmer
Planning Board	Sandi Beam
Zoning Board of Appeals	William Brodsky

GUESTS: Laurie Francisco
John Colley

MINUTES: OCTOBER 25, 2022 REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the October 25, 2022 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Farley.

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

PUBLIC COMMENTS: None.

CORRESPONDENCE:

Mr. Dumian stated that he had been informed that residents and the Susquehanna Valley School Superintendent have approached New York State requesting lighted crosswalks in front of the school because cars are still passing on the right shoulder of the road in the school zone, in spite of signage warning that this is illegal.

Mr. Dumian stated that he, his assistant, Teresa Bamber, and Jack Bell have been working with the SV School District researching a phone alert system that could be used in the event of a water or sewer main break, or other Town-wide emergency. Mr. Dumian stated that the cost is “pretty cheap” but the deciding factor may be whether or not the system could download data from other sources or would have to have data input manually, which would be very time-consuming.

REPORT: CODE OFFICER

Mr. Dumian stated that a number of habitual Code violators have been “no shows” for Court appearances and have not paid their fines, adding that the Board will discuss this issue further later in the meeting.

REPORT: HIGHWAY DEPARTMENT

Mr. Dumian stated that the Highway Department is finishing its leaf pickup and preparing for the winter season.

REPORT: PARKS/WATER/SEWER DEPARTMENT

Parks/Water/Sewer Crew Leader David Kilmer stated that work has begun installing riprap at Schnurbusch Park. He also stated that his department is looking at an excavator. Mr. Dumian

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stated that the Parks Department has \$27,500 budgeted for 2022 that could be used toward purchase of the excavator, along with some of the ARPA funding that is available.

REPORT: SUPERVISOR'S OFFICE

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

OLD BUSINESS:

ARPA MONEY EXPENDITURES

The Board discussed possible uses for the ARPA (American Rescue Plan Act) monies, with Mr. Dumian reiterating that some of it could be used for the purchase of the excavator Mr. Kilmer had found.

Mr. Francisco asked if the money could be used for development of the recently purchased property on the corner of Powers Road and Conklin Road. Mr. Dumian stated that the money could be used for that purpose, but added that he has some volunteers who are willing to donate time and equipment for that purpose. He added that the Town would have to check with the DEC (New York State Department of Environmental Conservation) to see when brush-hogging of the land can take place, because at certain times of the year it is prohibited so that the nests of brown bats are not disturbed.

Mr. Dumian stated that Mr. Kilmer has a quote of approximately \$60,000 for parts only for the generator for the sewer station, installation not included.

Mr. Dumian stated that he has "no numbers" for the cost of boring under the Susquehanna River to install a water line to the Town of Kirkwood.

This led back to a discussion of purchasing the excavator using the \$27,500 already budgeted to the Parks Department and some of the ARPA money. Mr. Finch asked if the Town currently has a trailer that would move the excavator and Mr. Kilmer replied that the Town has nothing that will legally carry the weight and will need to buy a new trailer. Mr. Kilmer stated that he received two quotes, both on State bid, of approximately \$91,000 from Caterpillar Equipment and \$79,700 from Bobcat. He added that he never received a response from John Deere. It was mentioned that the new excavator could be used in the cemeteries to dig graves, with Mr. Francisco adding that there is a lot less surface damage when a mini-excavator is used, as opposed to a backhoe. Mr. Finch stated that he thinks the Town should move forward with the purchase of the excavator. Mr. Dumian stated that the Town will need to buy a new trailer for transporting the excavator and a paver that the Town is considering purchasing. Mr. Boyle stated that the \$27,500 could be used to purchase a new trailer first. Mr. Dumian stated that the trailer purchase would be separate and the \$27,500 would be used toward the purchase of the new excavator, along with some of the ARPA funds.

RESO 2022-157: AUTHORIZE PURCHASE/BOBCAT E50 R-2 SERIES COMPACT EXCAVATOR

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the purchase of one Bobcat E50 R2-Series Compact Excavator on New York State Bid Contract AMS-08560 from Bobcat for a total purchase price not to exceed \$79,700.60.

Seconded by Mr. Finch.

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

CODE ENFORCEMENT HABITUAL VIOLATORS

Mr. Dumian explained that habitual Code violators are sent to Town Court through the process, with the Town setting a date by which progress must be made on resolving the Code violation. If progress has not been made by that set date, the legal process starts all over again. Mr. Dumian stated that the Town has spent a lot of money on legal fees to have an attorney present, whether or not the violator shows up for Court, without much success in resolving the long-term issues. He stated that fines are also not getting paid, adding that New York State is not helpful with pursuing payment of fines. These fines can be levied against property in taxes, but Mr. Dumian stated that a lot of people have walked away from their properties rather than fix the problems. He asked the Board to consider asking the Town Court to issue bench warrants for habitual offenders when no other solution can be reached. Town Attorney Cheryl Insinga explained that the violator would be served a summons physically, rather than have it mailed to them. If the person does not show up for their Court date, a bench warrant is issued, and while the police do not go to immediately arrest the person on this charge, if they are stopped for a different violation, they will be brought to the Town Court.

Ms. Insinga explained that the Town can transcribe the issue to the Broome County Clerk, who can put a lien on the property, but added that it is an expensive process. Mr. Farley stated that without issuing a bench warrant, the Town is “going nowhere” in terms of resolving these situations. The Board will review each case to determine whether or not it is necessary for a bench warrant to be issued. Code Officer Nick Pappas will bring a list of habitual violators to the December 13 meeting.

ASSESSOR CLERK/SUPERVISOR’S OFFICE POSITION

Mr. Dumian stated that a candidate had been scheduled for an interview today but cancelled as she is remaining at her current job. A new candidate is scheduled for an interview on November 9.

NEW BUSINESS:

YOUTH SPORTS

Mr. Dumian stated that the Youth Sports season was excellent, with participation in baseball increased 30% and participation in soccer increased 25%. He noted that there are Budget modifications on the agenda that reflect the need for extra money for the program. Mr. Dumian stated that there are “great people” on the Youth Sports program, who are growing the sports program in spite of the popularity of electronic entertainment like video games and cell phones. He stated that it is also helpful that parents can now register and pay for their children’s registration online. Mr. Dumian stated that the program is taking basketball to the next level of play, as that season kicks off its first game next week. He noted that baseball equipment can be very costly, with a particular style of bat becoming obsolete within a year. Mr. Dumian noted that it is nice to see children able to participate in sports mask-free. Mr. Farley stated that the numbers in the wrestling program, which is also starting up now, are in the 70’s for participation, which are pre-Covid numbers.

TOWN EMPLOYEE CHRISTMAS PARTY

The Town Employee Christmas Party will be held from 12 to 3 P.M. on December 14 at the Town Hall. Silver Linings will cater the event again this year. The Board chose ziti with meat

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and parmesan-encrusted chicken as the main dishes, and will choose a soup from a list provided by the caterer. If employees want to bring in desserts, that will be welcomed.

TOWN HALL REPAIRS

Mr. Kilmer has been in contact with both SourceWell and Ominia for contractors for both the roof and the HVAC system at the Town Hall. Both of these companies have information about state bid holders across the country. Without a New York State bid, the Town must use the full bid process for both projects. It was noted that the HVAC system must not be proprietary, as the current one is. Mr. Boyle discussed the advantages of a pitched roof for the Town Hall, which contractors have said would be much more costly to install. Mr. Dumian stated that this would be “reinventing the wheel.” Mr. Dumian stated that he will have estimates for the December 13 meeting.

Mr. Francisco stated that the NYSEG rebate discussed at an earlier meeting requires a list of equipment to be used to be submitted by November 30, 2022, which the contractor would be required to submit through the NYSEG website.

RESO 2022-158: CANCEL DECEMBER 27, 2022 REGULAR TOWN BOARD MEETING

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin cancels the December 27, 2022 Regular Town Board Meeting.

Seconded by Mr. Francisco.

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

RESO 2022-159: AUTHORIZE SUPERVISOR/SIGN AGREEMENT/MOBILE DMV

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Supervisor to sign an agreement with Broome County to allow the mobile DMV to operate in the Conklin Town Hall during 2023.

Seconded by Mr. Finch.

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

Mr. Dumian called this an “awesome program” and stated that the Town is very happy to have the mobile DMV here to serve our community.

RESO 2022-160: AUTHORIZE PAYMENT/ CLAIMS #22-01012 - #22-01056/\$207,729.54

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 #22-01012 through #22-01056, which have been audited and approved for payment, in the total amount of \$207,729.54:

General	\$ 17,532.09
Highway	177,710.95

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Light Districts	1,390.07
Sewer District #1	1,616.43
Water District	7,928.00
Non-Budgeted	<u>1,552.00</u>
Total	\$ 207,729.54

Seconded by Mr. Farley.

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

RESO 2022-161: AUTHORIZE BUDGET MODIFICATIONS OF STATED FROM AND TO BUDGET LINES/AS OF 11/07/2022

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes modifications of the stated From and To Budget Lines, as of 11/07/2022 (see attached).

Seconded by Mr. Finch.

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

RESO 2022-162: RATIFY TRANSFER FROM FUND BALANCE TO USE SULLIVAN PARK SET ASIDE ASSET

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the transfer of fund balance, effective November 7, 2022, to use the Sullivan Park Set Aside Asset (see attached).

Seconded by Mr. Farley.

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

RESO 2022-163: RATIFY MODIFICATION/BUDGET LINE/APPROVE APPROPRIATIONS

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the following modification to the 2022 Budget, effective November 7, 2022, to approve the transfer from Estimated Revenues to Appropriations for Sullivan Park expenses (see attached).

Seconded by Mr. Finch.

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

RESO 2022-164: RATIFY PAYMENT/CONKLIN YOUTH SPORTS INVOICES

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of Conklin Youth Sports invoices, PO 22-01055 in the amount of \$3,050.00 for BYBL Basketball, and PO 22-01057 through 22-01066 in the amount of \$3,515.00 for Youth Referee Fees, for a total amount of \$6,565.00.

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Seconded by Mr. Finch.

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

PUBLIC COMMENTS: None.

FENCE AT DOG PARK

Mr. Finch mentioned that the fence for the small dog part of the Dog Park needs to be repaired. Mr. Kilmer will look into it.

COMBINE PLANNING BOARD & ZONING BOARD OF APPEALS

Mr. Boyle mentioned that it is now possible to combine the Planning Board and Zoning Board of Appeals and asked if the Town Board should consider this possibility.

TOWN WRESTLING PROGRAM

Mr. Farley reported that the Wrestling Program begins tonight and added that the SV Tournament will be coming up soon.

BLOCKED RAILROAD CROSSING

Mr. Francisco stated that a construction company from Hardie Road was forced by a railroad crossing blocked by a train to travel down Woodside Avenue, causing it to take up all of the lanes on that road. He asked if the Town can restrict the weight of vehicles on Town roads. Highway Superintendent Brian Coddington has said in the past that this is not enforceable. Mr. Dumian stated that the Town cannot force the County to change their roads.

TOWN CHILDREN’S PARTY

Town Clerk Sherrie Jacobs told those present that the Town of Conklin/Conklin Business Association Children’s Christmas Party will be held from 1 to 3 P.M. on December 10, 2022.

RESO 2022-165: EXECUTIVE SESSION/SPECIFIC PERSONNEL ISSUE

Mr. Farley moved to close the Regular Town Board Meeting and move into Executive Session at 7:57 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 2022-166: RE-OPEN REGULAR TOWN BOARD MEETING

Mr. Francisco moved to close the Executive Session and re-open the Regular Town Board Meeting at 8:08 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. Boyle. The meeting adjourned at 8;09 P.M.

Respectfully submitted,

Sherrie L. Jacobs, Town Clerk