

WORK SESSION
FEBRUARY 14, 2023

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on February 14, 2023, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided.

PRESENT:	Town Board Members	Finch, Boyle, Farley, Francisco, Dumian
	Town Counsel	Cheryl Insinga
	Town Counsel	Mark Spinner
	Town Clerk	Sherrie L. Jacobs
	Parks/Water/Sewer Team Leader	David Kilmer
	Zoning Board of Appeals	William Brodsky
GUESTS:	Country Courier	Elizabeth Einstein
		Laurie Francisco
		John Colley
		Peter J. Motsavage

TOWN HALL REPAIRS

Mr. Dumian stated that the Town has not received any bid numbers from Ominia regarding the HVAC system. He stated that two add alternatives, installing the condensers on the ground instead of on the roof and installing slim units, were included in the bid specifications, although the basic bid specifications are to replace the existing system. The specifications include lifting the equipment off the roof.

Mr. Dumian stated that KB Services, LLC, provided quotes for repair of the roof of the Town Hall, excluding the Castle. The quote does not include any edge work, and would begin with an infrared scan of the roof to determine the amount of water damage. If more than 30% of the roof is wet, there is no warranty provided. The roof restoration coating (the “finish work”) would cost \$60,753.00, with a 20-year warranty. Labor and materials would not exceed \$2,600 per day for two workers. Repairing the edge work, including establishing what the damage is and then repairing it, would cost an amount not to exceed \$54,850.00. The total cost for the bid is \$115,603.00, which does not include cutting out wet areas of the roof and replacing insulation. Mr. Dumian estimated that this process would cost between \$11.00 per square foot and \$15.00 per square foot for the repairs. He estimated that the total cost of the project will be approximately \$135,000.00, adding that the Town can “piggyback” on the Broome County contract. Mr. Dumian stated he felt this is the best option for repairing the roof. Mr. Francisco agreed, saying “Do the scan.” Mr. Dumian added that the roof can be resprayed in the future if a problem arises. Mr. Finch stated that it is a “good process,” adding that “it is lucky the roof lasted twenty years.” Mr. Dumian stated that the infrared scan should cost less than \$2,000.00, adding that he will ask for a resolution authorizing up to \$3,500.00, to allow for some leeway. Mr. Boyle asked if pressure-treated wood would be used for repairs and if the caps would be covered, perhaps with a different type of cap. Mr. Dumian stated that the caps were not properly installed originally. Mr. Farley stated that the Town should “move forward if the scan looks good.” Mr. Francisco stated that the Town should get it done as “it keeps getting worse.”

SUSQUEHANNA VALLEY SCHOOL DISTRICT CROSSWALKS

Mr. Dumian stated that he received some correspondence from the Susquehanna Valley School District regarding installation of crosswalks, adding that drivers passing on the shoulder of the road remains an issue.

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FOLLOW-UP ON HIGHWAY REQUESTS TO BROOME COUNTY

Mr. Dumian stated that he has not had a response from Broome County on the Town's request to improve the sight line at the intersection of Murphy Road and Ketchum Road, the site of several motor vehicle accidents. He stated he has also not received a response from the County regarding the Town's request to reduce the speed limit on Powers Road as it approaches Conklin Road. Mr. Dumian stated that he will pursue information on both of these requests.

TOWN-WIDE INSURANCE

Mr. Dumian stated that he is researching options for the Town's Town-Wide insurance.

WATER TESTING/CORNER OF POWERS ROAD & CONKLIN ROAD

Mr. Dumian stated that New York State is testing the water quality on the property recently acquired by the Town at the corner of Powers Road and Conklin Road. One of the potential uses of the property is the construction of a new water well.

REGULAR TOWN BOARD MEETING

FEBRUARY 14, 2023

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on February 14, 2023, 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 Counsel	Mark Spinner
Town Clerk	Sherrie L. Jacobs
Parks/Water/Sewer Team Leader	David Kilmer
Zoning Board of Appeals	William Brodsky
Planning Board	Sandra Beam

GUESTS: Country Courier Elizabeth Einstein
Laurie Francisco
John Colley
Peter J. Motsavage

MINUTES: JANUARY 24, 2023 REGULAR TOWN BOARD MEETING

Mr. Finch moved to approve the January 24, 2023 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Dumian.

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

PUBLIC COMMENTS: None.

CORRESPONDENCE:

Mr. Dumian reiterated that he received correspondence from the Susquehanna Valley School District regarding crosswalks, as discussed in the Work Session. He also stated that he received a letter from Broome County regarding the water line between the Town of Conklin and the Town of Kirkwood.

REPORT: CODE OFFICER

Mr. Dumian stated that Code Officer Nick Pappas had spoken to him regarding holding municipal clean-up days on dates that Broome County waives its tipping fee. The Town of Binghamton does this in June and October, and includes the ability to drop off tires for \$1.00 each, for Town residents only, and with a maximum of six tires per household. The purpose is to help residents clean up their properties. The Board will make a decision about this at the February 28 meeting. It will also research the possibility of holding another electronics recycling day.

REPORT: PARKS/WATER/SEWER TEAM LEADER

Parks/Water/Sewer Team Leader David Kilmer stated that the Town had to fix a water main break and found several leaky hydrants and fixed three water services, utilizing a company with more powerful headsets than the Town owns to enable them to hear the leaks in the hydrants.

Mr. Kilmer stated that his department has been assisting with burials by digging the graves and repairing the driveways. He stated that the ground was saturated and muddy during the last burial, so he rented turf mats at a cost of \$10 each to mitigate the damage. These mats cost \$300

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each to purchase. The Board decided that there will be no more burials now until late March because the ground is too wet and will be damaged by the excavating equipment and cars. It was suggested that the Highway Department could bring over some millings to help.

Mr. Kilmer thanked the Highway Department for working so well with the Parks Department, and added that more people are learning to use the new excavator.

REPORT: SUPERVISOR'S OFFICE

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

OLD BUSINESS:

CONKLIN CEMETERY PROCEDURES

Mr. Francisco stated that the Auditor has asked questions regarding receipts for the purchase of cemetery plots and Mr. Francisco stated that he issues one to the purchaser and gives a copy to the Town for its records. Town Clerk Sherrie Jacobs stated that all paperwork that she is given regarding the purchases is scanned to a shared drive that can be accessed by her office, the Parks Department, and the bookkeeper.

Mr. Francisco stated that if the Town pays a private person, not an employee, to dig a grave, that person is issued a 1099 form for taxes if he or she makes more than \$600. The Town puts money from the purchases of graves back into the Town funds to help cover maintenance of the cemetery. Mr. Francisco thanked Mr. Kilmer for fixing the fence in the Conklin Cemetery near the Highway Garage.

GENERATORS

Mr. Dumian confirmed that the Town has purchased the three generators approved at the last meeting and is awaiting quotes on electrical work for installation. He reiterated that the Town saved \$80,000 per generator.

YOUTH SPORTS

Mr. Dumian stated that baseball sign-ups have started, although tee-ball does not start until May.

RECURRING CODE ISSUES/116 STILLWATER ROAD

Mr. Dumian revisited the recurring Code and Health and Safety issues present at 116 Stillwater Road, noting that this is an extreme case, so the Town's handling of it is also extreme and not the normal approach used with residents who are willing to work with the Town. Issues at this residence have been ongoing since at least 2019. Mr. Dumian stated that his research shows that the property is only two years in arrears for its taxes. He stated that he called the Broome County Health Department and was told they will see what they can do. Mr. Dumian stated that a search warrant will be required to access the building. He explained that it used to be very costly to follow the State Supreme Court process to get a ruling to make the property owner clean up their property and keep it clean, but there is a new legal process that costs between \$2,000 and \$5,000. A police report has been filed since one of the property owner's dogs bit an older man. Mr. Dumian reiterated that an emergency search warrant would need to be obtained to get the Humane Society, law enforcement, the Broome County Health Department, and an architectural engineer involved. He also reiterated that this is not a typical Town of Conklin process, and warned that it is not a fast timeline, but could be 30, 60, or 90 days. Mr. Dumian stated that the \$18,000 in unpaid fines owed to the Town Court have been sent to Broome County for further action. He stated that the Town could clean up the property and put a lien

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against the property owner for the cost. Town Attorney Cheryl Insinga explained that the Supreme Court Justice can take action, like demanding that a property be cleaned up, while the Town Justice can issue fines. She stated that an administrative search warrant would be required.

Mr. Finch stated that the Town must “take care of the situation.” Mr. Boyle asked if the Town is looking at a new law, and Ms. Insinga stated that there is no new law, but a lawsuit. Mr. Farley stated that there is “no other way.” Mr. Francisco stated that the Town must “respect the rights of its residents.”

NEW BUSINESS:

RESO 2023-25: APPROVE 2023 ANNUAL PARK PERMIT/FOUNTAIN BLEAU

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the 2023 Annual Park Permit for the following Mobile Home Park located in the Town of Conklin:

Fountain Bleau MHP, LLC (Fountain Bleau Mobile Home Park)

Seconded by Mr. Finch.

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

RESO 2023-26: RATIFY PAYMENT/PITNEY BOWES/POSTAGE METER REFILL

Mr. Finch 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 postage meter refill.

Seconded by Mr. Boyle.

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

**RESO 2023-27: RATIFY PAYMENT/J & J TRAILER AND AUTO, LLC/
2023 CROSS COUNTRY DECKOVER TRAILER**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment in the amount of \$10,090.00 to J & J Trailer and Auto, LLC, for the purchase of a 2023 Cross Country Deckover Trailer.

Seconded by Mr. Farley.

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

**RESO 2023-28: RATIFY HIRING/BRADLEY WALLACE/TEMPORARY PART-TIME
COURT CLERK**

Mr. Farley moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin ratifies the hiring of Bradley Wallace to the position of Temporary Part-Time Court Clerk, effective February 1, 2023, for a total of eight hours per month at a pay rate of \$26.00 per hour for no more than 89 days.

Seconded by Mr. Finch.

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

RESO 2023-29: RATIFY HIRING/DAWN SHAFER/PART-TIME COURT CLERK

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the hiring of Dawn Shafer to the position of Part-Time Court Clerk, effective January 23, 2023, at a pay rate of \$20.00 per hour not to exceed 18 hours per week.

Seconded by Mr. Farley.

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

RESO 2023-30: RATIFY TRANSFER OF FUNDS/USE ARPA MONEY FOR TRAILER

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the transfer of funds, effective January 31, 2023, to use ARPA Funds for the Cross Country Deckover Trailer (see attached).

Seconded by Mr. Farley.

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

RESO 2023-31: RATIFY MODIFICATION TO 2023 BUDGET

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the following modifications to the 2023 Budget, effective January 31, 2023 (see attached).

Seconded by Mr. Farley.

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

**RESO 2023-32: RATIFY PAYMENT/POSTLER & JAECKLE CORPORATION/
VALMATIC THREE-INCH VALVE FOR WELLHOUSE**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment in the amount of \$3,600.00 to Postler & Jaeckle Corporation for the purchase of a Valmatic three-inch valve for the wellhouse.

Seconded by Mr. Francisco.

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

RESO 2023-33: AUTHORIZE PAYMENT/CLAIMS #22-01304 - #22-01307/\$14,526.32

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 #22-01304 through #22-01307, which have been audited and approved for payment, in the total amount of \$14,526.32:

General	\$ 3,905.62
Highway	276.75
Light Districts	2,397.03
Water District	3,601.92
Non-Budgeted	<u>4,345.00</u>
Total	\$ 14,526.32

Seconded by Mr. Boyle.

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

RESO 2023-34: AUTHORIZE PAYMENT/CLAIMS #23-00075 - #23-00140/\$345,636.20

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 #23-00075 through #23-00140, which have been audited and approved for payment, in the total amount of \$345,636.20:

General	\$ 18,537.88
Highway	26,889.34
Fire Protection District	295,425.00
Sewer District #1	35.02
Water District	4,648.96
Non-Budgeted	<u>100.00</u>
Total	\$345,636.20

Seconded by Mr. Farley.

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

**RESO 2023-35: AUTHORIZE COMMENCEMENT OF LAWSUIT AGAINST
ROBERT TRIOLO REGARDING 116 STILLWATER ROAD**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the commencement of a lawsuit by the Town of Conklin via their legal counsel, Coughlin & Gerhart, LLP, against Robert Triolo regarding 116 Stillwater Road, Conklin, New York.

Seconded by Mr. Francisco.

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

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RESO 2023-36: AUTHORIZE INFRARED SCAN/TOWN HALL ROOF

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes an infrared scan to be done on all three parts of the Town Hall roof to determine what areas need to be repaired, with a cost not to exceed \$3,500.00 via the sole source company as recommended by K.B. Services, LLC, on the Broome County piggyback contract.

Seconded by Mr. Francisco.

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

PUBLIC COMMENTS:

POSTCARD FOR ASSESSOR

William Brodsky, a member of the Board of Assessment Review, asked if the sending of postcards by Broome County regarding the Enhanced STAR program for tax relief will be an annual event, adding that it will impact Grievance Day. Mr. Dumian stated that he is not sure whether it was a one-time event or will be done annually, adding that the information on the postcard was very confusing, and did not specify the income limit for receipt of Enhanced STAR benefits.

116 STILLWATER ROAD

Mr. Finch stated that he drove by 116 Stillwater Road to see the condition for himself and added that “no one should have to live next to that.” Mr. Boyle agreed with Mr. Finch.

YOUTH SPORTS

Mr. Farley stated that basketball season is over and baseball signups have begun. He stated that the wrestling program is still underway.

There being no further business to come before the Board, Mr. Finch moved for adjournment, seconded by Mr. Farley. The meeting adjourned at 7:21 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk