



**WORK SESSION**  
**AUGUST 8, 2023**

Finch and Mr. Farley stated that it would be better for the Town to install a spray park in place of the pool. Mr. Dumian stated that he is worried about issues with liability and control with that option. It was pointed out that you do not need certified lifeguards with a spray park. Mr. Dumian stated that “more non-residents than residents use the pool,” adding that he has safety concerns following a bad incident this summer. He reminded the Board that the lifeguards are usually 15 or 16 years old, and should not be expected to handle confrontational situations. He also added that the leak is causing the use of more chemicals, so another added expense. Mr. Dumian stated that many municipalities are closing their pools over concerns with safety, cost, and liability. The Board decided the pool will remain open as is the remainder of the 2023 season and a decision will be made for 2024.

**ABUNDANT SOLAR**

Mr. Dumian stated that the Town is not interested in a PILOT (Payment In Lieu Of Taxes) agreement and added that there are “inconsistencies in information provided” by Abundant Solar. He added that the property owners do not want to work with Abundant Solar, adding that he has heard nothing from the company itself.

William Brodsky of the Zoning Board of Appeals stated that solar companies use other terms for the “storage” of lithium batteries, using terms like “buffering,” because the flow of electricity in to the electrical grid must be slowed down. He cited a recent fire near Watertown, New York, stating that the lithium batteries were so tightly packed together that they could not be cooled and it was necessary to let them burn to ash. He explained that these batteries create their own oxygen and cannot be extinguished. Mr. Brodsky stated that solar power companies are “getting around the definitions.” Mr. Dumian stated that the Town of Conklin is not zoned for solar farms, and added that PILOT agreements do not help the residents. Mr. Brodsky commented that the connections at solar farms are unsightly and there are concerns regarding nearby drinking water.



**REGULAR TOWN BOARD MEETING**  
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Mr. Dumian reported that the Highway Department has been busy working on summer projects. He stated that the Highway Department has been working well with the Parks/Water/Sewer Department, citing a recent water main break that was repaired completely “in house,” saving taxpayer money.

**REPORT: CODE OFFICER**

Mr. Dumian stated that the Code is “open to interpretation” regarding cleanup of properties, regarding the extent to which the Town can address this issue. He added that he would like to relocate zoning points, adding that clear definitions are needed.

Code Officer Nick Pappas stated that he has been dealing with issues with brush, grass, tents, campers, civil matters, and other Code violations. Mr. Dumian added that there is “only so much the Town or law enforcement can do.”

**REPORT: PARKS/WATER/SEWER DEPARTMENT**

Mr. Dumian reported that Parks/Water/Sewer Team Leader David Kilmer has been working with the Highway Department to do grave digging at the Conklin Cemetery, keeping the jobs in house. The department has also been busy with mowing and preparing the fields for soccer season. Mr. Dumian stated that the roof repairs to the Town Hall have been completed, and the HVAC system is completed, with all interior repairs to be completed by August 11.

**REPORT: SUPERVISOR’S OFFICE**

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

**OLD BUSINESS:**

**UPDATE/STILLWATER ROAD TRAILER PARK**

Mr. Dumian stated that the campers at the trailer park on Stillwater Road were there without permission from the property owners, and law enforcement has been asked to have them towed, but law enforcement stated that there is a “process.” The property owner will speak to the Broome County Sheriff’s Department on August 11. The tenant was served with an eviction notice last week. Mr. Dumian stated that another camper was brought onto the property, given permission by the tenant, but not by the property owner.

**UPDATE/116 STILLWATER ROAD/TRIOLO**

Mr. Dumian stated that the Town is allowed to clean only the exterior of the property at 116 Stillwater Road, adding that the first dumpster was full within the first two hours of cleanup. He added that the brother-in-law of Mr. Triolo arrived at the site and created an issue so Mr. Dumian called the police. Mr. Dumian explained that Mr. Triolo can be on the property and has 60 days from the date of the issuance of the Supreme Court decision in which to clean the interior of the house. If he does not meet this requirement, he can be fined. Mr. Dumian stated that the property already has \$30,000 in liens against it, adding that interest has been shown in purchasing the property. He stated that the Town has spent \$8,000 in legal fees on this issue just in 2023 alone, with the issues going back to 2018. Sandra Beam of the Planning Board asked if there is a limit in how much the taxpayers must pay to have this issue resolved and Mr. Dumian replied that it would cost another \$20,000 to pursue the health and safety aspect of the problem and to have the building condemned. He stated that the vehicles that are on the property will be towed.

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Ms. Beam asked about properties with a Medicaid lien for nursing home care, and Mr. Dumian explained that families walk away and do not maintain these properties sometimes, but they cannot be purchased.

**DOG PARK CODE ACCESS SYSTEM**

As discussed during the Work Session, Mr. Dumian will meet with representatives from Sentry Alarms on August 9, and Mr. Farley will discuss the gate issue with Mr. Kilmer.

**CONCERT IN THE PARK FINALE**

The Concert in the Park Finale will be held August 9, 2023, from 5:30 to 7:30 P.M. Mr. Dumian stated that he will arrive around 4:30 to start setting up to grill.

**2024 BUDGET**

Mr. Dumian stated that he will ask for an Executive Session to discuss a specific personnel issue and to seek legal advice. He stated that the Town could see a slight reduction in property taxes in 2024.

**CDL TRAINING AGREEMENT**

Mr. Dumian stated that the Town will be introducing an agreement in which an employee who has received training to receive their CDL (Commercial Driver's License) through the Town would be required to remain in the Town's employment for the three years following the obtaining of the CDL. If the employee leaves the Town's employment before that time period has elapsed, they would be obligated to repay the Town the cost of the training, on a sliding scale.

**NEW BUSINESS:**

**CHANGES TO ZONING AND CODE**

Mr. Dumian stated that he will have proposed changes to the Zoning law ready for discussion at the September meeting.

**UPDATE/SUMMER FUN PROGRAM**

Mr. Dumian stated that Sarah Masters and Tracy Parker, who run the Summer Fun Program, are "doing an awesome job." He stated that the program provides breakfast and lunch and many different fun activities for the children, in partnership with the Susquehanna Valley School District.

**RESO 2023-119: RATIFY HIRING/SARAH MASTERS & TRACY PARKER/SUMMER FUN PROGRAM**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the hiring of Sarah Masters and Tracy Parker to the position of Recreation Leaders for the Town of Conklin Summer Fun Program, at a pay rate of \$2,000 each.

Seconded by Mr. Francisco.

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

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**RESO 2023-120: RATIFY HIRING/DREW BURKHARDT/PART-TIME SUMMER LABORER**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the hiring of Drew Burkhardt to the position of Part-Time Summer Laborer at a pay rate of \$14.20 per hour, effective July 24, 2023.

Seconded by Mr. Finch.

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

**RESO 2023-121: RATIFY PAYMENT/AIRBORNE INFLATABLES/CONKLIN SUMMER FUN PROGRAM RENTAL**

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 \$617.75 to Airborne Inflatables for a Conklin Summer Fun Program rental.

Seconded by Mr. Finch.

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

**RESO 2023-122: RATIFY PAYMENT/KASSANDRA PROFERA/CONCERT IN THE PARK**

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 \$400.00 to Kassandra Profera for Concert in the Park August 2, 2023.

Seconded by Mr. Boyle.

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

**RESO 2023-123: RATIFY PAYMENT/ED TRAVIS/CONCERT IN THE PARK**

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 \$400.00 to Ed Travis for Concert in the Park July 19, 2023.

Seconded by Mr. Boyle.

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

**RESO 2023-124: RATIFY PAYMENT/THE HARTFORD/2023 DISABILITY INSURANCE**

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 \$148.29 to The Hartford for 2023 Disability Insurance.

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Seconded by Mr. Finch.

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

**RESO 2023-125: RATIFY PAYMENT/BINGHAMTON UMPIRES ASSOCIATION/UMPIRING YOUTH SPORTS/04-28-2023 – 06-13-2023**

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 \$1,630.00 to the Binghamton Umpires Association for umpiring Youth Sports from April 28, 2023, through June 13, 2023.

Seconded by Mr. Francisco.

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

**RESO 2023-126: RATIFY PAYMENT/KB SERVICES LLC/FINAL PAYMENT/PHASE 2/TOWN HALL ROOF REPAIRS**

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 \$30,376.50 to KB Services, LLC, for final payment of Phase 2 for work completed, labor and materials, for Town Hall Roof Repair.

Seconded by Mr. Farley.

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

**RESO 2023-127: RATIFY PAYMENT/PITNEY BOWES/POSTAGE METER REFILL**

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 \$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 2023-128: RATIFY PAYMENT/MASTERS CONCRETE PRODUCTS INC./FENCING FOR SHAWSVILLE CEMETERY**

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 \$4,300.00 to Masters Concrete Products, Inc., for fencing for Shawsville Cemetery.

Seconded by Mr. Francisco.

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

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**RESO 2023-129: RATIFY PAYMENT/SANICO INC/CLEANING SUPPLIES/TOWN HALL**

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 \$1,377.90 to Sanico, Inc., for cleaning supplies for Town Hall.

Seconded by Mr. Boyle.

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

**RESO 2023-130: RATIFY PAYMENT/MARIE HEBDON/CONCERT IN THE PARK**

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 \$400.00 to Marie Hebdon for Concert in the Park July 26, 2023.

Seconded by Mr. Boyle.

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

**RESO 2023-131: RATIFY PAYMENT/CLAIMS #23-00712 - #23-00759/\$83,535.75**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of the following Claims #23-00712 through #23-00759, which have been audited and approved for payment, in the total amount of \$83,535.75:

General	\$ 71,760.95
Highway	10,475.83
Water District	823.97
Non-Budgeted	<u>475.00</u>
<b>Total</b>	<b>\$ 83,535.75</b>

Seconded by Mr. Francisco.

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

**RESO 2023-132: APPROVE PAYMENT/CLAIMS #23-00767 - #23-00828/\$154,686.81**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Claims #23-00767 through #23-00828, which have been audited and approved for payment, in the total amount of \$154,686.81:

General	\$ 17,042.20
Highway	28,768.11
Light Districts	1,283.49
Sewer District	93,122.50
Water District	11,652.51
Non-Budgeted	<u>2,818.00</u>
<b>Total</b>	<b>\$154,686.81</b>

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Seconded by Mr. Francisco.

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

**RESO 2023-133: AUTHORIZE ESTABLISHMENT/CDL EDUCATION ASSISTANCE PROGRAM & TUITION REPAYMENT AGREEMENT**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the establishment of a CDL Education Assistance Program and authorizes the Town Supervisor and/or Highway Superintendent to enter into a CDL Tuition Repayment Agreement with eligible Highway Department employees pursuant to the program.

Seconded by Mr. Finch.

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

**PUBLIC COMMENTS:**

**CDL AGREEMENT**

Randy Schuster asked how long an employee must work for the Town after obtaining their CDL in order to be exempt from re-paying the tuition, and Mr. Dumian replied that they must work for the Town for three years after obtaining their CDL.

**ABUNDANT SOLAR**

Brad Mosher of Shaw Road asked for an update on the potential Abundant Solar project and Mr. Dumian recapped the earlier discussion from the Work Session, adding that the Town has not yet received an application from Abundant Solar, only the presentation at the Town Board meeting earlier this year. He stated that property owners within 500 feet of the site will be notified if an application is submitted.

**FENCE AT SHAWSVILLE CEMETERY**

Mr. Finch asked when the fence would be replaced at Shawsville Cemetery, and Mr. Dumian replied that Mr. Kilmer has been busy with a water main break and the cleanup at 116 Stillwater Road, but added that the work on the fence will begin soon. He stated that the chain for the fence has not been purchased yet.

**HARDIE ROAD CLOSURE**

Mr. Boyle commented that Hardie Road will be close August 8 through 15 for a culvert replacement.

Mr. Boyle stated that there is a sign near the newly planted trees at Schnurbusch Park stating it is a “no mow zone,” and water is backing up in that area.

**YOUTH SPORTS**

Mr. Farley stated that soccer is starting, with the first practice being held at Susquehanna Valley High School. The soccer goals are up at Schnurbusch Park. He stated he is working on having the batting cages ready by September 1.

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Mr. Francisco thanked the Parks Department for mowing the cemeteries.

Mr. Dumian stated that issues in the Town come down to “Respect your neighbors.”

**RESO 2023-134: EXECUTIVE SESSION/ PERSONNEL ISSUE & LEGAL ADVICE**

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

Seconded by Mr. Finch.

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

**RESO 2023-135: RE-OPEN REGULAR TOWN BOARD MEETING**

Mr. Finch moved to close the Executive Session and re-open the Regular Town Board Meeting at 8:10 P.M.

Seconded by Mr. Francisco.

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

**RESO 2023-136: INCREASE PAY RATE/JEFF HAYES/\$28.00 PER HOUR**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves a pay rate increase to \$28.00 per hour for Jeff Hayes, retroactive to July 1, 2023.

Seconded by Mr. Finch.

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. Francisco moved for adjournment, seconded by Mr. Finch. The meeting adjourned at 8:20 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk