

**REGULAR TOWN BOARD MEETING**  
**SEPTEMBER 26, 2023**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on September 26, 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 Mark Spinner  
Town Clerk Sherrie L. Jacobs  
Secretary to the Supervisor Teresa Bamber  
Parks/Water/Sewer Team Leader David Kilmer  
Planning Board Sandra Beam

**GUESTS:** Country Courier Elizabeth Einstein  
Laurie Francisco

**MINUTES: SEPTEMBER 5, 2023 REGULAR TOWN BOARD MEETING & WORK SESSION**

Mr. Francisco moved to approve the September 5, 2023 Regular Town Board Meeting and Work Session minutes as presented.

Seconded by Mr. Finch.

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

**PUBLIC COMMENTS:** None.

**CORRESPONDENCE:**

**NYS DOT RESPONSE TO REQUEST TO REDUCE SPEED LIMIT ON MONTROSE DRIVE**

Mr. Dumian reported that he received correspondence from the New York State Department of Transportation stating that their data does not support the Town's request to reduce the speed limit on Route 7 (Montrose Drive) going toward the Pennsylvania border. Mr. Boyle commented that where the speed limit has been reduced, such as on Conklin Forks Road, there have been fewer accidents.

**COMPLAINTS**

Mr. Dumian stated that he has received many complaints about tent campers at the north end of Town, evidence of heroin use, and about dirt bikes and mini-bikes on Stillwater Road. He has also received complaints about people riding their four-wheelers through the development behind the 4C Church. Mr. Dumian added that the authorities have been called but they are unable to do much about the issues.

**ABUNDANT SOLAR**

Mr. Dumian stated that he has received emails from the property owners who wish to sell their land to Abundant Solar but has not received any new data from the solar farm company. He will be meeting with representatives from Abundant Solar on September 28. Mr. Dumian stated that Abundant Solar has offered to pay the cost of hiring an independent, third-party company to conduct a runoff water study to test for contaminants. They have also stated that there will be no lithium batteries on site. Mr. Francisco asked if the solar company is still requesting a PILOT agreement and Mr. Dumian stated that they are, but it would be the agreement with the best

**REGULAR TOWN BOARD MEETING**  
**SEPTEMBER 26, 2023**

percentage for the Town. Mr. Dumian stated that his chief concerns are environmental impact, and added that decommissioning bonds would be required.

**REPORT: HIGHWAY DEPARTMENT**

Mr. Dumian stated that there will be a discussion later in the meeting regarding redoing stone and oil on some of the Town roads.

**REPORT: CODE OFFICER**

Mr. Dumian stated that the owner of the trailer park on Stillwater Road has reported that two of the three campers on the property have been removed.

Mr. Dumian stated that he has also received questions about the Triolo property on Stillwater Road, but added that it is off the table for tonight, with the Town's main concern being that it not return to its previous condition.

**REPORT: PARKS/WATER/SEWER**

Parks/Water/Sewer Team Leader David Kilmer stated that Mark Buchanan resigned, effective September 29, 2023. An individual has been interviewed to replace Mr. Buchanan. Mr. Dumian stated that when he asked what would keep the new hire busy, Mr. Kilmer produced a four-page list of tasks.

It was noted that the new white pickup truck has been delivered.

Mr. Dumian noted that the trees at Schnurbusch Park, planted through a County program, were at no cost to the Town. He stated that the "No Mowing" signs have been removed, adding that there will be no problem maintaining drainage in that area.

Mr. Kilmer stated that he has sent 30 more letters to property owners regarding getting their defective water meters replaced, with 100 already being replaced. Water usage billing has been billed at estimated usage, which is usually much less than the actual usage. Water rates will need to be increased for 2024. Mr. Dumian stated maybe a payment plan can be instituted for repayment of the water bill that is due from underpayment for years. Mr. Boyle asked if the Town can shut off the water to properties whose owners refuse to respond to the Town's request to access the meters to change them. Mr. Dumian replied that Town Code states that the Town can shut the water off but he wants a better method to deal with the problem. The Board discussed implementing a non-functional meter charge on these homeowners. Town Attorney Mark Spinner will research the Town's options, which could perhaps include a new local law.

**REPORT: SUPERVISOR'S OFFICE**

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

**OLD BUISNESS:**

**2024 BUDGET**

Mr. Dumian asked the Board if they had any questions regarding the proposed 2024 Budget and there were none. He added that he will ask for an Executive Session later in the meeting to discuss a particular personnel issue.

**REGULAR TOWN BOARD MEETING**  
**SEPTEMBER 26, 2023**

**NEW ROTARY MOTOR FOR JOHN DEERE TRACTOR/PRICE INCREASE AFTER ORDERING**

Mr. Dumian explained that on August 9, 2022, the Town Board approved the purchase of a new rotary mower for the John Deere tractor (Resolution 2022-103) for a purchase price of \$72,040.00. In September of 2022, a notice was sent to the Highway Superintendent listing the price as \$83,243.48, which the Highway Superintendent acknowledged. The Town currently has possession of the mower but it is missing needed parts and is non-functional. Mr. Finch stated that Highway Superintendent Brian Coddington had no Board approval to accept an increase in price. Mr. Dumian stated that he needs to talk to a representative from Tiger Corporation (seller), noting that everything is increasing in price. It was noted that the new price was announced after the original Purchase Order was already signed, approving the original price not the increase. Mr. Spinner stated that Tiger Corporation will probably insist that Mr. Coddington had the authority to approve the increased price. Legal advice will be discussed in the Executive Session.

**STONE & OIL FOR ROADS TO BE REDONE/BAD EMULSION IN 2022**

Mr. Dumian explained that there are three roads that were stone and oiled in 2022 that need to be redone because the emulsion used was bad. He stated that the quote shows a charge for emulsion, adding that the Town just hauled stone for the job but did not do the emulsion part.

**NEW BUSINESS:**

**BROOME COUNTY COMMUNICATION SYSTEM**

Mr. Dumian explained that the communication equipment will be free to the Town unless something gets broken, and if the Town opts out in the future, everything must be returned in good working condition. He added that he thinks it is a “great idea.”

**OPEN POSITION/PARKS-WATER-SEWER DEPARTMENT**

Mr. Dumian reiterated that a replacement for the open Parks/Water/Sewer Department position has been interviewed, noting that the department has a lot of projects. He stated that the cross-training is going very well, with five people now holding their water certifications and two members of the Parks/Water/Sewer Department having their CDL.

**RESO 2023-145: SCHEDULE PUBLIC HEARING/OCTOBER 24, 2023/  
6:30 P.M./PROPOSED 2024 FIRE PROTECTION CONTRACT**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing on October 24, 2023, at 6:30 P.M. to receive input regarding the proposed 2024 Fire Protection Contract.

Seconded by Mr. Francisco.

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

**RESO 2023-146: SCHEDULE PUBLIC HEARING/OCTOBER 24, 2023/  
6:32 P.M./PROPOSED 2024 MUNICIPAL WATER & SEWER RATES**

Mr. Finch moved for the following resolution:

**REGULAR TOWN BOARD MEETING**  
**SEPTEMBER 26, 2023**

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing on October 24, 2023, at 6:32 P.M. to receive input regarding the proposed 2024 Municipal Water and Sewer Rates.

Seconded by Mr. Boyle.

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

**RESO 2023-147: SCHEDULE PUBLIC HEARING/OCTOBER 24, 2023/  
6:35 P.M./PROPOSED 2024 GENERAL & HIGHWAY BUDGET**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing on October 24, 2023, at 6:35 P.M. to receive input regarding the proposed 2024 General and Highway Budget for the Town of Conklin.

Seconded by Mr. Finch.

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

**RESO 2023-148: AUTHORIZE AGREEMENT WITH BROOME COUNTY/RADIO  
COMMUNICATION SERVICES**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Town of Conklin to enter into an Agreement with Broome County for the provision of County-wide radio communication services and to authorize the Supervisor to sign the related Memorandum of Understanding, subject to attorney review, with Broome County.

Seconded by Mr. Francisco.

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

**RESO 2023-149: AUTHORIZE PURCHASE & INSTALLATION/INTEGRATED  
CONTROLS FOR BOILER & HVAC**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the purchase and installation of integrated controls for the boiler and AC in the HVAC system at the Town Hall from Trane for the cost of \$14,632.08.

Seconded by Mr. Francisco.

VOTE: Finch – Yes, Boyle – No, Farley – Yes, Francisco – Yes, Dumian – Yes. Motion carried: 4 – Yes, 1 – No.

Mr. Dumian explained that this is necessary because of the glitches with the new HVAC system. The boiler and the Trane system do not have the necessary cards to communicate. A manual system is currently being used as a temporary solution. He stated that there is no annual software fee and the funds will be used from Unappropriated Funds.

**REGULAR TOWN BOARD MEETING**  
**SEPTEMBER 26, 2023**

**RESO 2023-150: ACCEPT RESIGNATION/MARK BUCHANAN/PARKS-WATER-SEWER LABORER**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of Mark Buchanan from the position of Parks/Water/Sewer Laborer, effective September 29, 2023.

Seconded by Mr. Boyle.

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

**RESO 2023-151: RATIFY PAYMENT/MIRABITO FUEL GROUP/AUGUST DCO FUEL**

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 \$188.89 to Mirabito Fuel Group for August DCO fuel.

Seconded by Mr. Finch.

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

**RESO 2023-152: RATIFY PAYMENT/MIRABITO FUEL GROUP/AUGUST FUEL FOR PARKS & WATER DEPARTMENT**

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 \$1,025.14 to Mirabito Fuel Group for August Fuel for Parks and Water Department.

Seconded by Mr. Finch.

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

**RESO 2023-153: RATIFY PAYMENT/MIRABITO FUEL GROUP/AUGUST FUEL FOR HIGHWAY DEPARTMENT**

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 \$826.30 to Mirabito Fuel Group for August Fuel for the Highway Department.

Seconded by Mr. Boyle.

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

**RESO 2023-154: RATIFY PAYMENT/PITNEY BOWES/POSTAGE METER REFILL/SEPTEMBER 12, 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 \$500.00 to Pitney Bowes for postage meter refill on September 12, 2023.

**REGULAR TOWN BOARD MEETING**  
**SEPTEMBER 26, 2023**

Seconded by Mr. Finch.

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

**RESO 2023-155: RATIFY PAYMENT/PITNEY BOWES/POSTAGE METER**  
**REFILL/SEPTEMBER 1, 2023**

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 on September 1, 2023.

Seconded by Mr. Boyle.

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

**RESO 2023-156: RATIFY PAYMENT/DEERE CREDIT, INC./PAYMENT OF**  
**INSTALLMENT DEBT PRINCIPAL & INTEREST/JOHN DEERE WAM MOWER**

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 \$1,773.30 to Deere Credit, Inc., for payment of Installment Debt Principal and Interest for John Deere WAM Mower.

Seconded by Mr. Farley.

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

**RESO 2023-157: APPROVE INCREASE IN PAY RATE/\$.50 PER HOUR/JOSHUA**  
**KERWIN/OBTAINED WATER CERTIFICATION**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves an increase in pay rate of \$.50 per hour for Joshua Kerwin, effective September 18, 2023, for obtaining his water certification.

Seconded by Mr. Farley.

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

**RESO 2023-158: RATIFY PAYMENT/W2O OPERATOR TRAINING GROUP, LLC/**  
**EMERGENCY REPAIR & REPLACEMENT/ISOLATION VALVES & PUMP CHECK**  
**VALVES/WATER TREATMENT PLANT**

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 \$47,950.00 to W2O Operator Training Group, LLC, for emergency repair and replacement of isolation valves and pump check valves at the water treatment plant.

Seconded by Mr. Farley.

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

**REGULAR TOWN BOARD MEETING**  
**SEPTEMBER 26, 2023**

**RESO 2023-159: RATIFY TRANSFER OF FUNDS/USE ARPA FUNDS FOR 27 SENSUS  
RADIO READERS & EMERGENCY WELL REPAIR**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the transfer of funds, effective September 26, 2023, to use ARPA Funds for 27 Sensus Radio Readers and Emergency Well Repair (see attached).

Seconded by Mr. Finch.

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

**RESO 2023-160: RATIFY MODIFICATION/2023 BUDGET/  
EFFECTIVE SEPTEMBER 21, 2023**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies modification to the 2023 Budget, effective September 21, 2023 (see attached).

Seconded by Mr. Finch.

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

**RESO 2023-161: RATIFY MODIFICATION OF STATED FROM & TO BUDGET  
LINES, EFFECTIVE SEPTEMBER 14, 2023**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the modification of the stated From and To Budget lines, effective September 14, 2023 (see attached).

Seconded by Mr. Farley.

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

**RESO 2023-162: RATIFY MODIFICATION/2023 BUDGET/  
EFFECTIVE SEPTEMBER 14, 2023**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies modification of the 2023 Budget, effective September 14, 2023 (see attached).

Seconded by Mr. Farley.

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

**RESO 2023-163: APPROVE PAYMENT/CLAIMS #23-00938 - #23-00993/\$142,299.66**

Mr. Finch moved for the following resolution:

**REGULAR TOWN BOARD MEETING**  
**SEPTEMBER 26, 2023**

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Claims #23-00938 through #23-00998, which have been audited and approved for payment, for the total amount of \$142,299.66:

General	\$ 31,731.27
Highway	50,440.80
Light Districts	1,491.79
Sewer District	555.41
Water District	52,972.50
Water District #6	4,907.89
Non-Budgeted	<u>200.00</u>
<b>Total</b>	<b>\$142,299.66</b>

Seconded by Mr. Farley.

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

**RESO 2023-164: AUTHORIZE ADVERTISEMENT/COUNTRY COURIER/ANNUAL LEAF PICKUP**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes advertisement in the **Country Courier** for annual Leaf Pickup to run October 2, 2023, through November 30, 2023, weather permitting.

Seconded by Mr. Finch.

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

**PUBLIC COMMENTS:** None.

**BARRIER AROUND CONDENSERS/TOWN HALL**

Mr. Finch asked about putting barriers around the new condensers at the Town Hall in order to protect them. Mr. Dumian asked if the Board thought a chain link fence should be used, or a steel barrier, or both. His preference was to install both, with a black fence. Mr. Kilmer will get prices on both a six-foot gate and an eight-foot gate. In the interim, Mr. Kilmer will place some concrete barriers to protect the condensers.

**FUTURE OF CONKLIN POOL**

Mr. Boyle stated that necessary repairs to keep the Conklin Pool open have been estimated at \$205,000 for a new liner and \$40,000 for repair to the steel trough around the pool. He feels that this is too costly and moved to decommission the pool and fill it in and create a pickleball court, which could be rented to pickleball leagues. Mr. Dumian asked if it should be put up for public referendum on the 2024 ballot. The Board discussed if the pool, which leaks and needs daily additions of water and chemicals, should limp along one more season. Mr. Kilmer stated that safety at the pool is an issue, citing an incident early in the season at which the police had to be notified to come and resolve the issue. Mr. Boyle stated that the Town should not keep putting money into the pool and added that the teenage lifeguards should not have to deal with issues that could impact their safety. Sandra Beam of the Town Planning Board asked about a different water feature, such as a spray park.



## **REGULAR TOWN BOARD MEETING**

**SEPTEMBER 26, 2023**

With the mention of the fast-growing sport of pickleball, it was suggested that pickleball lines be painted on the tennis courts at Julius Rogers Park.

### **CONKLIN YOUTH SPORTS**

Mr. Farley reported that soccer is going well and added that signups are being held for basketball and wrestling. The batting cages should be installed in October, with one on the former handball court and one perhaps on the first base side.

### **STREET LIGHT REPAIRS**

Mr. Francisco is presenting a list of non-functioning street lights to NYSEG for repair and asked that the public contact him or the Town Hall if they see any that are not functioning properly.

### **CEMETERY REPAIRS**

Mr. Francisco asked if the fence at the Conklin Cemetery, which was damaged by a visitor's car, could be turned in as an insurance claim. He stated that the shed roof at the cemetery needs to be repaired. Mr. Francisco also asked about extending the water line from the Highway Garage or from the hydrant on Route 7 to make watering plants in the cemetery easier.

Mr. Francisco stated that the recent reburial was a "challenge." He stated that the pricing sheet is confusing and added that he and Mary Plonski, Administrative Assistant, had re-formatted it and that it should be revamped for 2024.

### **NEW PLAYGROUND EQUIPMENT AT SCHNURBUSCH PARK**

Mr. Francisco suggested adding a six-foot long tunnel for younger kids to use at Schnurbusch Park. The tunnel is 36 inches high. Mr. Francisco will get pricing for this equipment, with a goal for purchase and installation in 2024 or 2025.

### **ISSUES WITH KEY CODE SYSTEM AT COMMUNITY CENTER**

Mr. Dumian stated that the new key code system at the Community Center is not functioning properly. Mr. Kilmer stated that the company has made "no effort to finish" the project.

### **RESO 2023-165: APPROVE REPLACEMENT/BOILER PUMP SEAL/P&J**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Contract #CA 11-1973-1 with Postler & Jaeckle Corporation to replace the boiler system pump bearing assembly for a cost of \$1,850.00.

Seconded by Mr. Francisco.

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

### **CODE FEE SCHEDULES**

Mr. Dumian suggested reviewing the fee schedule for commercial construction (Section 140-22), which is currently only \$.15 per square foot. He suggested increasing it to \$.30 per square foot.

Mr. Dumian stated he wants to discuss wireless telecommunications fees and mobile home park fees at the October 10 Board meeting.

**REGULAR TOWN BOARD MEETING**  
**SEPTEMBER 26, 2023**

**RESO 2023-166: EXECUTIVE SESSION/PERSONNEL ISSUE & LEGAL ADVICE**

Mr. Dumian moved to close the Regular Town Board Meeting and move into Executive Session at 8:25 P.M. to discuss a specific personnel issue and to seek legal advice.

Seconded by Mr. Boyle.

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

**RESO 2023-167: RE-OPEN REGULAR TOWN BOARD MEETING**

Mr. Finch moved to close the Executive Session and re-open the Regular Town Board Meeting at 9:14 P.M.

Seconded by Mr. Boyle.

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

**RESO 2023-168: HIRE CHRISTOPHER JOHNSON/PARKS-WATER-SEWER LABORER/EFFECTIVE OCTOBER 2, 2023**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves hiring of Christopher Johnson to the position of Parks/Water/Sewer Laborer, at a pay rate of \$20.00 per hour, effective October 2, 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. Dumian moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 9:15 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk