

WORK SESSION
JANUARY 9, 2024

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on January 9, 2024, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided.

PRESENT: Town Board Members	Finch, Boyle, Farley, Francisco, Dumian
Town Counsel	Mark Spinner
Town Clerk	Sherrie L. Jacobs
Code Officer	Nick Pappas
Administrative Assistant	Mary Plonski
Parks/Water/Sewer Team Leader	David Kilmer
Zoning Board of Appeals	Elizabeth Einstein
Zoning Board of Appeals	William Brodsky
Planning Board	Sandra Beam

GUESTS:	Laurie Francisco
	Peter J. Motsavage
	Gary E. Huntley

CONKLIN-KIRKWOOD WATER CONNECTION

Mr. Dumian stated that the Board will decide at the February 27 meeting whether to move forward with obtaining engineering specifications and going out to bid on the Conklin-Kirkwood Water Connection Project. He stated that his original estimate for the project was \$300,000 but he thinks it will cost more now, as the cost of materials and labor has increased. Mr. Dumian stated that the Town of Kirkwood is already connected to the City of Binghamton's water system, and connecting with the Town of Kirkwood would provide a source of water for the Town of Conklin in an emergency situation, such as a flood, or in the event of issues with Conklin's wells.

NEW LOCAL LAW/SOLAR PRODUCTION FACILITIES

Mr. Dumian stated that the Town received another application from the solar company in Georgia that owns the property on Conklin Road that is the site of the former driving range. Their last correspondence requested a tax-free PILOT agreement, which the Town denied, in addition to reiterating that a solar facility would not be permitted on this site because it is in the area of the Town wellhead, it is in the flood plain, and this is not a permitted use in Conklin. Town Attorney Mark Spinner stated that, since this is a new, revised application, Code Officer Nick Pappas will have to look at it, along with the Water Superintendent, since it is in the wellhead area. The new proposal is for a 3 megawatt facility. Mr. Dumian stated that the Town has rejected this proposed project outright but the company has never acknowledged that fact. Mr. Spinner stated that because the scope of the project has been changed, Mr. Pappas must look at the application and respond to the applicant, and the Town must re-reserve its right to a PILOT agreement.

Mr. Dumian stated that Abundant Solar, who has applied to build a solar facility on Hardie Road, has been sent portions of the proposed local law on solar facilities to receive their feedback. Mr. Spinner has been working on the draft of this proposed local law. Abundant Solar has withdrawn their application and will re-apply after the local law is passed and the fees set. The Town will move forward with this proposed local law, tentatively introducing it at the January 23 meeting. The Board is asked to look at the draft of the local law and send any questions or feedback via email to Secretary to the Supervisor Teresa Bamber by mid-day on January 19, so that she can then forward them to Mr. Spinner. Mr. Dumian stated that he hopes the Town will craft a law that benefits the residents as well as the Town.

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2024 BRIDGE WORK

Mr. Boyle stated that he attended the informational meeting held by the New York State Department of Transportation on December 21, 2023, and learned that the State plans to replace the expansion joints on two bridges affecting the Town of Conklin. The first bridge to be repaired will be the one on the Colesville Road Extension that intersects Conklin Road, scheduled for summer 2024. In 2025, the bridge over the Susquehanna River from Cedarhurst Road, which intersects Conklin Road across from the entrance to the Broome Corporate Park, will be repaired. Both repairs will include one-lane traffic at times, and a complete closure of the bridge under repair for one month. The Board discussed the problems this will present with increased traffic on Conklin Road. Mr. Francisco asked if this might be a good time to request a permanent traffic light at the intersection of Powers Road and Conklin Road. Mr. Dumian will reach out to the State DOT to see if this is a possibility.

NEW POTENTIAL SOLAR LAW DISCUSSION CONTINUED

Mr. Boyle asked if the decommissioning bonds and maintenance agreements are included in the new local law and Mr. Spinner stated that they are included. Mr. Dumian stated that he is working with Abundant Solar on the issue of foliage, adding that the Town wants to see foliage left at 8 to 12 inches in height. He added that Abundant Solar states that it is willing to work with local farmers who might want to pasture goats or sheep in the area of the solar arrays. Mr. Dumian stated that setbacks will be in place. Mr. Bole asked about electrical energy being available for the Town's use and Mr. Dumian stated that if the Town becomes an Anchor Subscriber, then 40% of the energy produced can be used by the Town. Mr. Spinner stated that visual buffers will be required, composed of both deciduous and evergreen trees, between the solar facility and residences and public roadways, with each case determined on its own merit. Fees will be set by the Town Board via resolution. Mr. Francisco stated that there is no consistency between setback requirements for roadways vs. residential vs. non-participating residential sites and Mr. Spinner stated that this is because there are three separate circumstances, which require different setback requirements.

REGULAR TOWN BOARD MEETING

JANUARY 9, 2024

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on January 9, 2024, 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
	Code Officer	Nick Pappas
	Administrative Assistant	Mary Plonski
	Parks/Water/Sewer Team Leader	David Kilmer
	Zoning Board of Appeals	Elizabeth Einstein
	Zoning Board of Appeals	William Brodsky
	Planning Board	Sandra Beam

GUESTS:	Laurie Francisco
	Peter J. Motsavage
	Gary E. Huntley
	Tyler Keville

MINUTES: DECEMBER 12, 2023 WORK SESSION & REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the December 12, 2023 Work Session and Regular Town Board Meeting minutes as presented.

Seconded by Mr. Finch.

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

Mr. Spinner had the following suggestions for clarification for the portion of the December 12, 2023 minutes regarding the discussion on the proposed solar facilities law:

In the Work Session: Replace the sentence about codifying PILOT agreements with the following: “He added that a specific law would make sure solar projects meet the requirements of the Town Code, and would codify in the local law the Town’s right to require PILOT agreements for all large or commercial solar energy systems so applicants are on notice at the time they submit an application.”

In the last paragraph of that section: “Mr. Dumian stated that the Town has 62 days after an application is filed in which to enter a Community Host Agreement, after which the Town gives up that right. Mr. Finch asked if this agreement is a PILOT and Mr. Dumian stated that the Community Host Agreement is a form of PILOT but gives more control over the money coming back to the Town. “

“Mr. Spinner advised that after an application comes in, the Town has 60 days to notify the applicant that it intends to exercise its right to require a PILOT Agreement. He also added that the PILOT and Host Community Agreement are two separate agreements and the PILOT monies are split among the taxing jurisdictions (school/county/Town). The Host Community Agreement typically runs together with the PILOT, and that is the agreement where the Town receives the money from the applicant to cover Town expenses associated with hosting the solar project. The Town would have control over those monies. Both PILOTS and Host Community Agreements typically run from 10-15 years.”

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PUBLIC COMMENTS: None.

CORRESPONDENCE: Mr. Dumian reiterated that the Town received a second application for a solar facility at the site of the old driving range on Conklin Road.

REPORT: HIGHWAY DEPARTMENT

Mr. Dumian read a report from Highway Superintendent Jeff Hayes stating that his department had been preparing for last weekend's snowstorm, then they were busy plowing and sanding the roads. New radios have been installed and pipe work completed. Equipment maintenance is ongoing, as is tree removal. The current policy is to leave any wood from removed trees by the side of the road on the property where the tree was taken down, unless the property owner asks the Town to remove it. Mr. Dumian stated that one of the trucks blew a hydraulic line during the snowstorm, so alternate trucks without a wing plow were used, resulting in the streets in the development being plowed a little more narrowly. Mr. Hayes is researching the cost of purchasing a wing plow for the Kenworth truck.

REPORT: CODE OFFICER

Mr. Dumian stated that he had a conversation with Hobart Stone regarding a situation that needs remediation. Code Officer Nick Pappas stated that he has begun fire inspections for the year. He added that the owner of the residence on Conklin Road with multiple Code violations will be coming to Town Court.

REPORT: PARKS/WATER/SEWER TEAM LEADER

Parks/Water/Sewer Team Leader David Kilmer stated that he is seeking quotes for grinders for the sewer stations. He stated that work has been done at the Conklin Forks Park, including installation of a fuse panel and a new electrical service, insulation of the roof, with pouring of a concrete floor scheduled for next week. Mr. Kilmer stated that his crew finished painting at the Community Center and re-organized the kitchen. Stripping and waxing of the floors at the Community Center is being done this week. Mr. Kilmer stated that he worked on drainage at the Carlin Road sewer station, and has been working on water services and shutoffs.

Mr. Dumian asked Mr. Farley if the layout for poles for the new batting cages has been completed yet and Mr. Farley replied that it is in progress. Mr. Dumian stated that the Town ice rink will not be put up this year because the weather has been too warm and inconsistent to maintain ice.

REPORT: SUPERVISOR'S OFFICE

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

OLD BUSINESS:

CONKLIN-KIRKWOOD WATER CONNECTION

As discussed in the Work Session, the Board will decide at the February 27 meeting whether or not to move forward with this project.

NEW LOCAL LAW/SOLAR PRODUCTION FACILITIES

As discussed in the Work Session, Mr. Dumian asked the Board members to email any feedback or questions to the Secretary to the Supervisor, Teresa Bamber, by midday on January 19, so they can be forwarded to Mr. Spinner. He reiterated that Abundant Solar has temporarily withdrawn its application. In response to a question from Mr. Boyle, Mr. Dumian stated that all requirements carry from company to company, should a particular location be sold after the solar facility is built.

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UPDATE ON BRIDGE WORK

As discussed in the Work Session, work on the Colesville Road Extension bridge will begin in summer, perhaps August, of 2024, with closures including a complete shutdown of the bridge for one month. Since this will present a problem for school bus travel, Mr. Dumian will contact the Susquehanna Valley School Superintendent and Broome County to see if the project could be moved up to start and finish before school starts in the fall.

REVIEW OF PROCUREMENT POLICY & INVESTMENT POLICY

Mr. Dumian affirmed that the annual review of the Town's Procurement Policy and Investment Policy has been conducted and the Town is in compliance with the State Comptroller's requirements.

UPDATE/REZONING OF 129 AND 159 CARLIN ROAD

Mr. Dumian stated that 129 and 159 Carlin Road have been rezoned to the Economic Development District, and Old Dominion is proceeding with its plan to build on the site, although no application has been submitted to the Town yet. He stated that he wants to know the specifications of the air quality testing and will be keeping a close eye on this process.

NEW BUSINESS:

RESO 2024-1: RATIFY PAYMENT/DEERE CREDIT, INC./JD WAM MOWER

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 \$1,773.30 to Deere Credit, Inc., for the January 2024 payment for the JD WAM Mower.

Seconded by Mr. Finch.

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

RESO 2024-2: 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 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 2024-3: RATIFY PAYMENT/SILVER LININGS EATS & SWEETS/CATERING/
EMPLOYEE-RETIREE CHRISTMAS LUNCHEON**

Mr. Finch moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin ratifies payment in the amount of \$530.00 to Silver Linings Eats & Sweets for catering of the Employee/Retiree Christmas luncheon on December 19, 2023.

Seconded by Mr. Boyle.

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

RESO 2024-4: RATIFY AUTHORIZATION/SUPERVISOR/SIGN 2024 INSURANCE AGREEMENT WITH HAYLOR, FREYER & COON

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the authorization of the Supervisor to sign the insurance agreement for 2024 with Haylor, Freyer, and Coon.

Seconded by Mr. Finch.

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

Mr. Dumian stated that the Town trucks that cost approximately \$185,000 to \$190,000 to purchase now would cost \$260,000 for a replacement, so it was necessary to increase the insurance coverage for the Town. He stated that the increase was between \$2,200 and \$2,500.

RESO 2024-5: RATIFY PAYMENT/ CLAIMS #23-01322 - #23-01358/\$25,786.98

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of the following Claims #23-01322 through #23-01358, which have been audited and approved for payment, in the total amount of \$25,786.98:

General	\$ 19,471.60
Highway	1,221.94
Sewer District #1	553.95
Water District	4,467.69
Water District #6	<u>71.80</u>
Total	\$ 25,786.98

Seconded by Mr. Finch.

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

RESO 2024-6: APPROVE PAYMENT/CLAIMS #23-01362 - #23-01400/\$26,538.20

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 #23-01362 through #23-01400, which have been audited and approved for payment, in the total amount of \$26,538.20:

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General	\$ 8,963.28
Highway	3,938.93
Light Districts	1,815.82
Sewer District	2,565.77
Water District	2,887.30
Water District #6	5,391.10
Non-Budgeted	<u>976.00</u>
Total	\$26,538.20

Seconded by Mr. Finch.

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

RESO 2024-7: APPROVE PAYMENT/CLAIMS #24-00007 - #24-00016/\$52,146.49

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Claims #24-00007 Through #24-00016, which have been audited and approved for payment, in the total amount of \$52,146.49:

General	\$ 30,212.78
Highway	15,689.75
Fire Protection District	423.81
Light District #4	21.14
Sewer District #1	1,043.00
Water District	3,998.01
Water District #6	<u>758.00</u>
Total	\$ 52,146.49

Seconded by Mr. Francisco.

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

**RESO 2024-8: RATIFY APPOINTMENT/JEREMY POLHAMUS/
ASSISTANT YOUTH COMMISSIONER**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the appointment of Jeremy Polhamus to the position of Assistant Youth Commissioner at a pay rate of \$4,500.00 per year, effective January 1, 2024.

Seconded by Mr. Francisco.

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

RESO 2024-9: SET UP COMMITTEES/2024

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin sets up the following Committees for the Year 2024:

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Town Hall Castle	Dell Boyle
Community Center Rental/Non-Profit Rental	Jim Finch
Community Center Building	Dell Boyle
Senior Citizen Liaison	Charles Francisco
Town Wide Electrical & NYSEG	Charles Francisco
Town Wide Insurance	Bill Dumian
Town Flood Insurance	Bill Dumian
Town Grounds & Flood Lots	Bill Farley
Drainage Districts	Dell Boyle
Cemeteries	Charles Francisco
Fire Department Liaison	Bill Farley
Youth Liaison	Bill Farley
Planning Board	Bill Farley
Zoning Board of Appeals	Jim Finch
Highway Department & Garage	Bill Dumian
Deputy Supervisor	Charles Francisco
Code Department	Bill Dumian
Public Works Department	Bill Dumian

Seconded by Mr. Finch.

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

**RESO 2024-10: APPROVE BLUESTORM TECHNOLOGIES/
TOWN IT SERVICES PROVIDER/2024**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves BlueStorm Technologies as the Town IT Services Provider for 2024.

Seconded by Mr. Finch.

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

Mr. Dumian stated that Ms. Bamber has done a fantastic job of “filling in the gaps” when BlueStorm has been unable to provide needed service to the Town.

**RESO 2024-11: AUTHORIZE OFFICERS & EMPLOYEES/RECEIVE
REIMBURSEMENT OF MILEAGE/USE OF PERSONAL VEHICLES**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the officers and employees herein named to receive reimbursement of mileage for use of personal vehicles at the current IRS Standard Mileage Rate per mile, for performance of their duties on official business only: Supervisor, Town Clerk, Town Board members, Zoning Board members, Planning Board members, Town Historian, Town Justice, Secretary to the Supervisor, Town Assessor, Youth Commissioner, Parks and Water Department Personnel, Code Department Personnel, Justice Clerks, and Deputy Town Clerk.

Seconded by Mr. Francisco.

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

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PUBLIC COMMENTS:

AGREEMENTS FOR SOLAR FACILITIES

William Brodsky of the Zoning Board of Appeals asked about the agreements for solar facilities. Mr. Spinner explained that there are two agreements: the Host Community Agreement, which covers the cost to the Town of hosting the facility, and the agreement that the Town is Lead Agency for any PILOT agreement.

Mr. Spinner, in response to an earlier question from Mr. Boyle, stated that the transfer of ownership requirements are found on page 17 of the proposed local law regarding solar facilities. He again urged Board members to email all of their feedback to Ms. Bamber as soon as possible.

TWO PARCELS AT OLD DRIVING RANGE

Mr. Finch stated that he saw a sign at the site of the old driving range on Conklin Road that said, "7 Acres for Sale," and asked if this acreage was split off from the site of the proposed solar facility. Mr. Spinner stated that there are two parcels, the one owned by the solar company and the one that is for sale, which includes the building at the rear of the property. Mr. Dumian stated that this area is zoned Limited Industrial, adding that any building on that site would have to hook into the Town sewer system back near the railroad tracks. He stressed that the wellhead in that area is of primary importance in considering what, if anything, could be built on that property.

JOHNSON OUTDOOR INTERESTED IN PURCHASE OF TOWN PARCEL

Mr. Boyle stated that the Town owns a 1.08-acre parcel of land that is the site of a closed wellhouse and is near Johnson Outdoor. Johnson Outdoor is open to purchasing the parcel from the Town, and would like to fence their property to protect it from vandalism. Mr. Boyle added that the company experiences silt in their water because there is currently no way to flush the line. Mr. Kilmer stated that a hydrant could be installed in that area.

Mr. Boyle stated that the Town could scrap the old wellhouse. Mr. Dumian stated that the new owner would be responsible for the removal of the wellhouse. He added that he needs Mr. Boyle to follow up on this possibility, adding that he needs numbers. Mr. Finch suggested having Johnson Outdoor make an offer, and proposed two prices, depending on which entity removes the old wellhouse.

YOUTH SPORTS

Mr. Farley stated that wrestling is going well, with two New York State duels last weekend, adding that the K-3 group did well. He stated that the Advanced team is going to the Junior High duels. Mr. Farley stated that basketball is also going well, adding that there is a high number of participants in both sports. Mr. Dumian added that the new Head Coach at Susquehanna Valley School District is "doing a great job," adding that the coach ran a camp over Christmas break. He stated that one challenge that the basketball players face is the need for more gym time. Mr. Dumian stated that the move to the Bulldogs facility was "a great move."

UPDATES

Mr. Francisco asked if there is an update on the issue of overflow trucks parking on Terrace Drive and Mr. Dumian told him there is no update on this issue.

Mr. Francisco asked if the generators have been tested recently and Mr. Kilmer stated that they have been tested and are at the Highway Garage. Mr. Dumian stated that the surplus, portable

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generators are “not 100% convenient,” adding that the Town needs a built-in generator system at the Town Hall. He suggested that perhaps the portable generators could be sold to help pay for a built-in system.

Mr. Francisco reported that there is an issue in Quality Control at the manufacturer of the newly ordered playground equipment for Schnurbusch Park, which will result in a six-week delay in delivery. Mr. Kilmer stated that the equipment should be delivered to the Highway Department when it is shipped.

RESO 2024-12: EXECUTIVE SESSION/LEGAL ADVICE

Mr. Dumian moved to close the Regular Town Board Meeting and move into Executive Session for legal advice at 7:25 P.M.

Seconded by Mr. Farley.

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

RESO 2024-13: RE-OPEN REGULAR TOWN BOARD MEETING

Mr. Dumian moved to close the Executive Session and re-open the Regular Town Board Meeting at 7:56 P.M.

Seconded by Mr. Francisco.

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

There being no other business to come before the Board, Mr. Dumian moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 7:57 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk