

**WORK SESSION**  
**FEBRUARY 13, 2024**

The Town Board of the Town of Conklin held a Work Session at 6:00 P.M. on February 13, 2024, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided.

<b>PRESENT:</b>	Town Board Members	Finch, Boyle, Farley, Francisco, Dumian
	Town Counsel	Mark Spinner
	Town Clerk	Sherrie L. Jacobs
	Highway Superintendent	Jeff Hayes
	Secretary to the Supervisor	Teresa Bamber
	Parks/Water/Sewer Team Leader	David Kilmer
	Code Officer	Nick Pappas
	Administrative Assistant	Mary Plonski
	Zoning Board of Appeals	Elizabeth Einstein
	Zoning Board of Appeals	William Brodsky
	Planning Board	Sandra Beam

<b>GUESTS:</b>	Laurie Francisco
	Randall Schuster
	Peter J. Motsavage
	Dan Depue

**CASTLE ROOF REPAIRS**

Mr. Dumian stated that the Town received an estimate from KB Services, LLC, to repair the roof on the Castle section of the Town Hall. KB Services, LLC, has already completed emergency sealing of that roof. The estimate was for caulking all metal joints on the parapet wall, at a cost of \$3,700.00, and an additional \$18,750.00 to seal the entire roof membrane with Gaco Patch. The total cost would be \$22,450.00, with a 20-year warranty.

**UPDATE/HVAC PROJECT/NEW INTEGRATED CONTROL**

Mr. Dumian stated that the new integrated control is being installed in the Town Hall HVAC system, with the installation expected to be completed soon.

**WATER AT CONKLIN FORKS PARK**

The Town was informed by Peter Haff of the Broome County Health Department that if the Town provides water at Conklin Forks Park, it must be chlorinated and tested just as the water in the main Town water system is treated. He stated that the Town could install a "Non-Potable Water" sign, but if someone drank the well water and got sick, they could sue the Town. A chlorinating system for the Conklin Forks Park would cost approximately \$3,300.00. The Town is opting to not provide water at the Conklin Forks Park.

**SALE OF EQUIPMENT**

Mr. Dumian stated that the Town is considering selling the 2002 Volvo Truck for salvage. The Kenworth truck does not have a wing plow and it would cost more than \$37,000 to purchase a wing plow for it. The Town is instead looking at perhaps purchasing new equipment, so Highway Superintendent Jeff Hayes is gathering information on the possibility of selling the Kenworth.

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**CODE UPDATE/HOBART STONE**

Mr. Dumian stated that he spoke with the owner of Hobart Stone asking when the Town will see progress in cleaning up the excess material on Conklin Road. This request was sent to the foreman at Hobart Stone, who had some questions about the request. Mr. Dumian explained to him the limits set in the original site plan, which have been exceeded. Mr. Dumian also told the foreman that the Town needs a timeline for when the area near the stone shop on Conklin Road will be cleaned up. The foreman responded that he needs help with transporting the debris. He agreed to start the cleanup in April, with the project to be finished by the end of August. Mr. Dumian noted that runoff from cutting the stone is ponding in JR Park, adding that this problem has been “going on for years.”

**CAMERAS AT THE COMMUNITY CENTER**

Mr. Dumian stated that he thinks cameras similar to the ones installed at Schnurbusch Park, which have cards that reset, would be sufficient for the Community Center. There is no wifi at the Community Center. A suggestion was made to create a wireless bridge from the wellhouse but there were concerns that it would interfere with the SCADA system at the wellhouse.

Mr. Francisco met with an electrician regarding the proposed light/heat switch, and was told the Town would need to add an extra thermostat. Mr. Francisco stated that this would save the Town money on heating the building during off hours. Mr. Farley stated that there are problems with reception in that area. Mr. Dumian discussed the costs for gas and electric at the Community Center for 2023. He stated that the new security system at the Community Center is still not 100 percent reliable and is hesitant to add anything else there at the moment. Mr. Francisco stated that the payback for the cost of the light/heat switch system would take about one to one and one-half years to realize. He is waiting for estimates for the project.

**CASTLE ROOF REPAIRS**

In regard to the proposed repairs to the Castle roof, discussed earlier in the Work Session, Mr. Francisco stated that the Town should “do it and get it done.” Mr. Finch and Mr. Boyle agreed.

**FIBER OPTICS**

Mr. Boyle asked if the Town has looked into connecting with the fiber optics system that will be run in front of the Town Hall. Secretary to the Supervisor Teresa Bamber stated that there are no issues with the current system except for cell phone reception. Mr. Dumian suggested that the Town get a quote on connecting with the fiber optic system. He also suggested researching the use of boosters for cell phone signals. Ms. Bamber will research these options.

**TOWN PROPERTY NEAR JOHNSON OUTDOOR**

Mr. Boyle stated that Parks/Water/Sewer Team Leader David Kilmer had removed the 12-foot by 12-foot by 12-foot tank and filled in the hole, so that liability to the Town has been removed. He added that Johnson Outdoor may move to the new corporate park on Airport Road, so the offer to purchase is on hold currently. The Board discussed demolishing the old well house that is on the site and removing the fencing, adding that the building is falling apart. Mr. Kilmer stated he will have to cut the 12-inch main and install a hydrant, which will be needed to flush the water line. He stated that labor for this installation will cost approximately \$4,550.00 and materials will cost approximately \$8,000.00, for a total approximate cost of \$12,550.00. Mr. Boyle stated that the metal could be taken for scrap, adding that he would remove the bricks.

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 13, 2024**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on February 13, 2024, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b> Town Board Members	Finch, Boyle, Farley, Francisco, Dumian
Town Counsel	Mark Spinner
Town Clerk	Sherrie L. Jacobs
Highway Superintendent	Jeff Hayes
Secretary to the Supervisor	Teresa Bamber
Parks/Water/Sewer Team Leader	David Kilmer
Code Officer	Nick Pappas
Administrative Assistant	Mary Plonski
Zoning Board of Appeals	Elizabeth Einstein
Zoning Board of Appeals	William Brodsky
Planning Board	Sandra Beam

**GUESTS:** Laurie Francisco  
Randall Schuster  
Peter J. Motsavage  
Dan Depue

**MINUTES: JANUARY 23, 2024 REGULAR TOWN BOARD MEETING**

Town Attorney Mark Spinner asked for a clarification on page 2 under the Solar Moratorium discussion. He suggested replacing the sentence regarding Liberty Solar wanting to build in an environmentally-sensitive area with the following: “Mr. Spinner stated that Liberty Solar wants to build their facility in a potentially environmentally sensitive area and is aware of this fact, but to date, has not approached the Town to discuss this project.” Mr. Francisco stated that the minutes should be corrected on page 4 to stated that the previous costs of burial for cremains were \$200 and \$300, rather than \$250 and \$300.

Mr. Finch moved to approve the January 23, 2024 Regular Town Board Meeting minutes with the above modifications.

Seconded by Mr. Farley.

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

**PUBLIC COMMENTS:**

**COMMUNITY CENTER WIFI**

William Brodsky asked if the issues at the Community Center could be resolved by utilizing a cell phone based system as an alternative. Mr. Dumian stated that the Town could look into this and research the cost.

**CORRESPONDENCE:**

**TRUCKS ON MONTROSE DRIVE**

Mr. Dumian stated that he is once again receiving complaints from residents on Montrose Drive (Route 7) regarding the use of jake brakes by truck drivers. On May 22, 2022, Patricia Ronk had filed a complaint stating that the noise “affects their quality of life.” A petition signed by 25 people was also presented. The Town requested signage disallowing the use of jake brakes. The

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New York State Department of Transportation (DOT) issued a letter dated July 25, 2022, stating, in part, that “The Department cannot accept responsibility of restricting vehicles from using their factory installed, legal mechanism of slowing their vehicles as they deem necessary.” A request from the Town to reduce the speed limit in that area to 40 miles per hour, lessening the need to use the jake brakes, was met with a letter from the DOT dated August 28, 2023, stating that “If we were to lower the speed limit to 40 MPH, as requested, it would put 95% of drivers in violation.” The State refused to lower the speed limit. Mr. Dumian stated that the Town can resubmit both of these requests to the State, adding that there is now more truck traffic than ever.

Mr. Farley suggested sending the matter to the NYS Legislator and giving residents his telephone number. He added that the Town should resubmit the jake brake signage request. Mr. Boyle stated that inconsistent speed limits on the road require use of jake brakes. Mr. Dumian stated that the Town will re-submit both requests and will ask representatives from the DOT to attend a Board meeting to meet with residents.

**REPORT: HIGHWAY DEPARTMENT**

Highway Superintendent Jeff Hayes stated that his department is working on ditches, road shoulders, removing trees, and truck maintenance. He stated that all of the sand and salt has been mixed, and a water tank was installed.

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

Mr. Kilmer stated that the old generator from the Carlin Road sewer station could be sold on Auctions International, as well as the oldest truck, the 2007 Volvo (Truck #43). Mr. Kilmer stated that his department has also been busy changing meters.

**REPORT: CODE OFFICER**

Code Officer Nick Pappas stated that the property owner of 1298 Conklin Road will be appearing in the Town Court. He has been asked to remove the materials on his property and did not respond when Mr. Dumian attempted to reach him by phone. Mr. Dumian stated that the Town may have to escalate this case to the State Supreme Court level.

Mr. Dumian reported that the house on Millburn Drive that was purchased by the Land Bank has been demolished. Mr. Pappas spoke about the need for clear definitions in the Town Code.

**REPORT: SUPERVISOR’S OFFICE**

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

**OLD BUSINESS:**

**CODE/1298 CONKLIN ROAD**

Mr. Dumian and Mr. Pappas will pursue resolution of this issue.

**TOWN PROPERTY NEAR JOHNSON OUTDOOR**

Mr. Dumian stated that the price for materials and labor for a new hydrant would be \$11,109, plus demolition of the building and tree removal. He stated that the Town would need approval in writing from Johnson Outdoor, which Mr. Boyle will obtain, to take one of their parking spaces for the new hydrant. The area is in the Town’s easement. The Board will move on this matter at the February 27 meeting.

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**NEW BUSINESS:**

**RESO 2024-21: APPROVE REPAIRS/CASTLE ROOF**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves repairs to the roof of the Castle portion of the Town Hall by K.B. Services, LLC, per estimates #1086 and #1094 and per Broome County bid amounts for labor and materials, for an amount not to exceed \$24,000.00.

Seconded by Mr. Francisco.

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

**RESO 2024-22: LIST 2002 VOLVO TRUCK ON AUCTIONS INTERNATIONAL**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves listing the 2002 Volvo truck on Auctions International.

Seconded by Mr. Francisco.

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

**PROPOSED LOCAL LAW/MORATORIUM ON SOLAR FACILITIES**

Mr. Dumian explained that the proposed moratorium on solar facilities would put a hold on current applications to give the Town time to craft a new local law to address solar facilities. It will be set for three months, renewable as necessary. Town Attorney Mark Spinner stated that the two current applicants, Solar Liberty and Abundant Solar, are aware of the proposed moratorium. The proposed local law for the moratorium will be sent to the Town Planning Board and to Broome County for the Form 239 Review.

**RESO 2024-23: INTRODUCE PROPOSED LOCAL LAW 1, 2024, “A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF CONKLIN ON THE DEVELOPMENT AND CONSTRUCTION OF SOLAR ENERGY SYSTEMS” AND SCHEDULING A PUBLIC HEARING FOR MARCH 12, 2024, AT 6:30 P.M.**

Mr. Farley moved for the following resolution:

**WHEREAS**, a local law entitled “A LOCAL LAW AFFECTING A TEMPORARY MORATORIUM WITHIN THE TOWN OF CONKLIN ON THE DEVELOPMENT AND CONSTRUCTION OF SOLAR ENERGY SYSTEMS” was introduced at this meeting; and

**WHEREAS**, the Town Code requires referral of the proposed Local Law to the Planning Board for recommendation. The Town Board hereby refers it; and

**WHEREAS**, the Town Code requires referral of the proposed Local Law to the Broome County Planning Department for review. The Town Board hereby refers it; and

**WHEREAS**, the Town Board desires to hold a public hearing with respect to the adoption of said Local Law.

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**NOW, THEREFORE, BE IT RESOLVED** that a public hearing will be held by the Town Board of the Town of Conklin with respect to the adoption of the aforesaid Local Law on March 12, 2024, at 6:30 P.M.; and it is further

**RESOLVED**, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Seconded by Mr. Francisco.

**CERTIFICATION**

I, Sherrie L. Jacobs, do hereby certify that I am the Town Clerk of the Town of Conklin and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Conklin at a meeting thereof held at Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on February 13, 2024. Said resolution was adopted by the following roll call vote:

Supervisor William Dumian, Jr.	YES
Councilman Dell Boyle	YES
Councilman William Farley	YES
Councilman Charles Francisco	YES
Councilman James E. Finch	YES

Dated: February 13, 2024

Town of Conklin Seal

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Sherrie L. Jacobs, Town Clerk

**RESO 2024-24: RATIFY PAYMENT/DEERE CREDIT, INC./FEBRUARY 2024**  
**PAYMENT/WAM MOWER**

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

Seconded by Mr. Boyle.

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

**RESO 2024-25: RATIFY PAYMENT/PITNEY BOWES/POSTAGE METER REFILL**

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.

Seconded by Mr. Finch.

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

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**RESO 2024-26: RATIFY PAYMENT/MIRABITO FUEL GROUP/HIGHWAY GARAGE FUEL/SNOW REMOVAL**

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 \$886.12 to Mirabito Fuel Group for Highway Garage fuel for snow removal.

Seconded by Mr. Farley.

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

**RESO 2024-27: RATIFY PAYMENT/RICOH USA, INC./RENTAL/TOWN CLERK COPIER/02-14/2024 – 03-13/2024**

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 \$67.91 to RICOH USA, Inc., for rental of the Town Clerk copier from February 14 through March 13, 2024.

Seconded by Mr. Finch.

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

**RESO 2024-28: APPROVE PAYMENT/CLAIMS #23-01429 - #23-01431/\$5,980.93**

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 #23-01429 through #23-01431, which have been audited and approved for payment, in the total amount of \$5,980.93:

General	\$ 5,712.10
Highway	<u>268.83</u>
<b>Total</b>	<b>\$ 5,980.93</b>

Seconded by Mr. Boyle.

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

**RESO 2024-29: APPROVE PAYMENT/CLAIMS #24-00064 - #24-00140/\$513,921.60**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Claims #24-00064 through #24-00140, which have been audited and approved for payment, in the total amount of \$513,921.60:

General	\$ 86,954.18
Highway	20,939.61
Fire Protection District	305,100.00
Sewer District #1	76,614.22
Water District	13,001.59
Non-Budgeted	<u>11,312.00</u>
<b>Total</b>	<b>\$ 513,921.60</b>

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Seconded by Mr. Boyle.

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

**PUBLIC COMMENTS:** None.

**HOBART STONE**

Mr. Boyle asked if the Board must wait a month to see any progress at Hobart Stone. Mr. Dumian replied that expenses are an issue for removal. He stated that the material at Hobart's storage site is eight feet above what was allowed in the original site plan.

**YOUTH SPORTS**

Mr. Farley reported that the wrestling program is coming to a close for this year, adding that the Minions are finished for the year. He stated that the Novice wrestlers had 280 wrestlers attend the last tournament. Some of the Advanced wrestlers will progress to the New York State and Regional Tournaments.

Mr. Farley stated that basketball will also be ending soon, with baseball season soon approaching.

**RAILROAD CROSSING/CARLIN ROAD**

Mr. Dumian asked Mr. Farley, retired Yardmaster at the railroad yard in Conklin, if he ever had a response from the railroad regarding the blowing of the whistle at the closed crossing on Carlin Road. Mr. Farley stated that he never received a response to his inquiries.

**NEW PLAYGROUND EQUIPMENT**

Mr. Francisco stated that there is not a shipping date yet for the new playground equipment for Schnurbusch Park.

**CONCERTS IN THE PARK**

Town Clerk Sherrie Jacobs stated that she is working on booking performers for Concerts in the Park. She also noted that the Town of Binghamton is no longer renting their Community Center, which will probably mean an increase in rentals for the Maines Community Center.

**WATER GRANTS**

Mr. Dumian stated that there is a possibility of the Town being eligible for some small grants from Broome County that could be used toward providing Town water to some areas of the Town, adding that he will contact Broome County Legislator Kelly Wildoner. Mr. Dumian reminded those present that the median income level in Conklin is usually greater than the limits that would make the Town eligible for New York State and federal grants.

**DOGS IN SCHNURBUSCH PARK BALLFIELDS**

Mr. Finch stated that people have been walking their dogs on leash in the ballfields in Schnurbusch Park but are not cleaning up their dogs' waste. He suggested increasing the signage.

There being no further business to come before the Board, Mr. Finch moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 7:28 P.M.

Respectfully submitted,

Sherrie L. Jacobs, Town Clerk