

**REGULAR TOWN BOARD MEETING**

**FEBRUARY 27, 2024**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on February 27, 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
Code Officer	Nick Pappas
Administrative Assistant	Mary Plonski
Parks/Water/Sewer Team Leader	David Kilmer
Planning Board	Sandra Beam
Zoning Board of Appeals	William Brodsky
Zoning Board of Appeals	Elizabeth Einstein

**APPROVAL OF MINUTES: FEBRUARY 13, 2024 REGULAR TOWN BOARD MEETING & WORK SESSION**

Mr. Francisco moved to approve the February 13, 2024 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Farley.

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

**PUBLIC COMMENTS:** None.

**CORRESPONDENCE:**

Mr. Dumian stated that he was made aware that a complaint was voiced in the **Country Courier** regarding brown water in the lines of municipal water users, but he added that no one contacted the Town with this concern.

Mr. Dumian stated that he contacted the New York State Department of Transportation (DOT) about the bridge on Route 7, but no repairs have been made yet, even though the representative stated that someone would come out to check the problem. He also stated that he re-sent the letters to the DOT regarding reduction in speed limit and “No Jake Brake” signage on Montrose Drive.

**REPORT: HIGHWAY SUPERINTENDENT**

Highway Superintendent Jeff Hayes stated that the Town needs a small to mid-size truck. Mr. Dumian stated that the only quote received to install a wing plow to the currently-owned Kenworth truck was over \$37,000. Mr. Hayes stated that it “would not be a good idea” to install a wing plow on that truck because the Kenworth is not a good snowplowing truck, but is designed for construction work. Mr. Dumian suggested that the Town sell the Kenworth, which he felt could have a minimum bid of \$10,500, and put the proceeds toward the purchase of a new small-mid-size truck. A new RAM 5500 costs \$112,006.79. Mr. Hayes stated that the Town should scrap the oldest truck, then sell Truck 43, which he estimated is worth between \$8,000 and \$10,000. He stated that then, with buying the RAM 5500, the Town would have a utility truck plus a street truck, which is a win all around. Mr. Finch asked about putting a wing plow on the one-ton Parks truck but Mr. Dumian stated that the Parks truck is too small. He stated that the new truck would not require the operator to have a CDL.

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Mr. Boyle stated he believes the Town should purchase the RAM 5500 AND keep the Kenworth. Mr. Hayes stated that that would mean the Highway Department had four new big trucks and the Kenworth and Truck 43. He stated that his department will get more use out of the RAM 5500, adding that “the Kenworth is not a good hill truck.” He stated that the Kenworth is “worth what someone will pay for it.” Mr. Finch agreed that the Town should keep the Kenworth until summer and check the value then. Mr. Farley asked, “Will the Kenworth do anything that the other big trucks don’t do?” Mr. Hayes replied, “No, les actually.” Mr. Dumian stated that the delivery time will take 90 to 100 days for the RAM 5500. Mr. Farley stated he thinks the Town should keep the Kenworth and purchase the RAM 5500. Mr. Francisco stated that the construction season will begin soon and the demand for such a truck will increase, so he suggested selling the Kenworth soon, to offset the cost of the RAM 5500. Mr. Hayes will list the Kenworth on Auctions International to see if there is any interest.

Mr. Hayes stated that his crew has been busy working on ditches and shoulders of the roads and removing ice from drainage pipes. He attended a presentation by Suit-Kote in Cortland regarding an alternative to paving streets. It is micro-paving using an asphalt preserver. Mr. Hayes stated that it provides a smoother surface than asphalt. Parks/Water/Sewer Team Leader David Kilmer stated that he is looking for something similar for the roads at Schnurbusch Park.

**REPORT: CODE OFFICER**

Code Officer Nick Pappas stated that the Hazard Mitigation Plan will be completed by the end of the week. Mr. Dumian asked if there has been any progress on the situation at 1928 Conklin Road and Mr. Pappas replied that there is no update.

**REPORT: PARKS/WATER/SEWER TEAM LEADER**

Mr. Dumian stated that the Town will be utilizing ARPA money to purchase the new water meters. Mr. Francisco reported that the new playground equipment is scheduled to be delivered. Mr. Kilmer stated that the Town needs to cap the water line and install a hydrant on the property near Johnson Outdoor, adding that the company is no longer interested in purchasing the land from the Town. He wants to put the hydrant on the Town easement, rather than on the blacktop attached to the Johnson Outdoor company, which will save approximately \$5,000. The estimated cost of the project is \$7,175.00. Mr. Kilmer stated it would be cheaper to just plug the line, but then there is no way to flush the line. There are currently no hydrants on that side of the road. Mr. Boyle has stated that he can salvage the scrap metal.

Mr. Dumian stated that the Water Department lost its van to an “unfortunate accident,” with its salvage value being \$1,200. He stated that instead of buying a new van, the Water Department will get a used truck from the Highway Department and purchase a new trailer and decked drawer system to hold tools and equipment. Mr. Kilmer stated that the system is 7 feet by 16 feet by 7 feet tall, adding that he prefers the J & J model because it has a heavier floor and is moisture resistant. The cost is approximately \$8,000. All of the mowing equipment will be stored locked inside the decked system.

Mr. Kilmer stated that water meter replacement is going well, adding that some bills are higher than others because some meters have been reading too low for a long time. He stated that 620 out of 835 meters have been changed so far. Mr. Dumian stated that he reached out to the property owners whose water was running unchecked for a week inside their building and there has been no response. Mr. Dumian asked what the Town can do about uncooperative property owners whose water meters are faulty and are reading low but who refuse to allow Town personnel in to change the meter. He asked if the Town can set a minimum rate for property owners if their meter is not working or cannot be read. Town Attorney Mark Spinner stated that Town Code states that notice is given and the property owner is given a chance to be heard, and then the water can be shut off if payment is not made. Mr. Farley asked if an average rate could

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be charged instead of a minimum. Mr. Dumian stated that he would prefer not to shut anyone's water off. Mr. Spinner will research methods to implement a new minimum billing.

Mr. Kilmer stated that the 1987 Onon generator from Carlin Road will be listed on Auctions International. He stated that the Town Landfill property has been cleared, adding that the Highway Department removed the trees on the 12-acre site. He stated that the Powers Road sewer station is "a work in progress," and reported that three hydrants have been installed.

**REPORT: SUPERVISOR'S OFFICE**

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

**OLD BUSINESS:**

**CAMERAS AT THE COMMUNITY CENTER**

Mr. Dumian stated that a system with two cameras can be installed for a cost of \$340 to \$350. It comes with one terabyte of storage, and a monitor and mouse can be added. The camera footage can be viewed on one's phone if internet is available, and in person if internet is not available. He added that the Community Center's new security system is not functioning properly and Myers Security, LLC, will be checking on the problem.

**SOLAR MORATORIUM**

Mr. Dumian stated that the Planning Board met on February 26 and recommended that the proposed local law establishing a temporary moratorium on solar facilities development be adopted. He added that the Town has received the 239 Review comments from Broome County, which are also favorable to adoption of the proposed local law.

**CEMETERY RATES**

Mr. Francisco provided a simplified list of updated rates for Conklin Cemetery and Shawsville Cemetery, as well as plot transfer instructions. Mr. Dumian suggested selling the plots in sections, as that would make it easier to move equipment around. Mr. Kilmer could begin putting in needed roads in the Conklin Cemetery. Mr. Francisco stated that he "tries to be responsive to the needs of people buying grave sites" who want a specific spot.

**NEW BUSINESS:**

**DCO VEHICLE**

Mr. Dumian reported that he had two quotes for a new vehicle for the Dog Control Officer. The first was for a Ford Traverse at a cost of \$57,729.90, and the second was for a Dodge Durango for a cost of \$40,262.50. The Durango is currently in stock. Mr. Dumian added that New York State Department of Agriculture and Market inspects the vehicle used by the Dog Control Officer as part of its annual inspection.

**NEW WATER METER INSTALLS**

Mr. Dumian stated that he and Mr. Kilmer met with representatives from Core and Main earlier today.

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**CHANGE TO POLICY MANUAL/PART-TIME BENEFITS ELIGIBILITY**

Mr. Dumian stated that the Board will discuss this in Executive Session, adding that it has nothing to do with the benefits package but is concerning a change in verbiage.

**FUND BALANCE TRANSFER/HVAC & ROOF REPAIRS**

Mr. Dumian stated that the Board will be voting to ratify a Fund Balance transfer in the amount of \$174,000 to cover the cost of roof repairs and the installation of the new HVAC connector, adding that the installation of the connector is almost complete.

**BANK INTEREST & POSSIBLE CERTIFICATE OF DEPOSIT**

Mr. Dumian is researching the possibility of the Town investing in a Certificate of Deposit.

**RESO 2024-30: APPROVE PURCHASE/2023 DODGE DURANO/DCO**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase of a 2023 Dodge Durango SXT from Tasca Chrysler Kingston on New York State Bid price, Contract # PC69846, for an amount not to exceed \$40,500.00.

Seconded by Mr. Farley.

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

**RESO 2024-31: APPROVE PURCHASE/DECKED DRAW SYSTEM/  
FOR CHEVY PICKUP/PARKS & WATER**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase of a drawer system for use in the Chevy pickup truck that is being transferred from the Highway Department to the Parks/Water/Sewer Department, with the purchase being from Decked for a purchase price not to exceed \$3,300.00.

Seconded by Mr. Finch.

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

**RESO 2024-32: APPROVE PURCHASE/2024 HOMESTEADER TRAILER/PARKS**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase of a 2024 Homesteader Trailer, Model 716IT, Contract #PC70310, from J & J Trailer and Auto, LLC, for a purchase price not to exceed \$8,500.00.

Seconded by Mr. Francisco.

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

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**RESO 2024-33: APPROVE PURCHASE & INSTALLATION/  
HYDRANT/629 CONKLIN ROAD**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase and installation of a hydrant from Core & Main to be installed at 629 Conklin Road for a cost not to exceed \$7,300.00.

Seconded by Mr. Farley.

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

**RESO 2024-34: APPROVE PURCHASE/2024 RAM 5500 TRUCK**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the purchase of a 2024 RAM 5500 truck with stainless steel drop-in spreader component from Tasca Chrysler Kingston pursuant to New York State OGS Contract # PC70310 bid in an amount not to exceed \$113,500.00.

Seconded by Mr. Finch.

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

**RESO 2024-35: APPROVE USE OF FUND BALANCE/COVER EXPENSE/HVAC**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the use of the Fund Balance to cover the expense of \$180,000.00 for HVAC expenses incurred, with modification to the 2023 Budget, effective December 31, 2023, as follows:

510 Estimated Revenues A 99-0599-0 Appropriated Fund Balance	\$180,000.00
960 A 1620-2-202	\$180,000.00

Seconded by Mr. Finch.

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

**RESO 2024-36: APPROVE 2024 ANNUAL PARK PERMITS**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the 2024 Annual Park Permits for the following Mobile Home Parks located in the Town of Conklin:

Blue Ridge Park, LLC	(Blue Ridge Mobile Home Park)
Pride Park Holdings, LLC	(Pride Manor Mobile Home Park)

Seconded by Mr. Boyle.

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

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**RESO 2024-37: RATIFY PAYMENT/RICOH USA, INC./LEASE/  
CODE OFFICE COPIER**

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 \$786.67 to RICOH USA, Inc., for lease of the Code Office copier.

Seconded by Mr. Farley.

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

**RESO 2024-38: RATIFY PAYMENT/JEREMY POLHAMUS/DECEMBER 2023  
SCHEDULING OF YOUTH SPORTS**

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 Jeremy Polhamus for December 2023 scheduling of Youth Sports.

Seconded by Mr. Francisco.

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

**RESO 2024-39: RATIFY PAYMENT/JEREMY POLHAMUS/JANUARY 2024  
SCHEDULING OF YOUTH SPORTS**

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 \$125.00 to Jeremy Polhamus for January 2024 scheduling of Youth Sports.

Seconded by Mr. Farley.

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

**RESO 2024-40: 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 payment in the amount of \$500.00 to Pitney Bowes for postage meter refill.

Seconded by Mr. Farley.

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

**RESO 2024-41: RATIFY PAYMENT/LINEMEN'S SUPPLY, INC./  
TREE TRUCK SUPPLIES**

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 \$314.00 to Linemen's Supply, Inc., for tree truck supplies.

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Seconded by Mr. Finch.

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

**RESO 2024-42: RATIFY PAYMENT/M & T MATERIAL, LLC/  
22 LOADS/YARD WASTE**

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 \$220.00 to M & T Material, LLC, for 22 loads of yard waste.

Seconded by Mr. Farley.

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

**RESO 2024-43: AUTHORIZE TOWN CLERK/ATTEND NYSTCA CONFERENCE/  
ALBANY/APRIL 21-24, 2024**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Town Clerk Sherrie Jacobs to attend the annual New York State Town Clerks Association Conference from April 21 through 24, 2024, in Albany, New York, at a cost of \$175.00 registration fee, plus all necessary travel and lodging expenses, account code A1410.4.

Seconded by Mr. Francisco.

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

**RESO 2024-44: AUTHORIZE PAYMENT/CLAIMS #24-00145 - #24-00173/\$75,094.13**

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 #24-00145 through #24-00173, which have been audited and approved for payment, in the total amount of \$75,094.13:

General	\$ 18,715.12
Highway	4,086.80
Water District	<u>52,292.21</u>
<b>Total</b>	<b>\$ 75,094.13</b>

Seconded by Mr. Finch.

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

**RESO 2024-45: RATIFY TRANSFER OF FUNDS**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the transfer of funds, effective February 22, 2024 (see attached).

Seconded by Mr. Farley.

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

**RESO 2024-46: RATIFY MODIFICATION TO 2024 BUDGET**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies modification to the 2024 Budget, effective February 22, 2024 (see attached).

Seconded by Mr. Francisco.

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

**RESO 2024-47: AUTHORIZE MODIFICATION/STATED FROM & TO BUDGET**  
**LINES/AS OF 12-31-2023**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes modification of the stated From and To Budget lines as of December 31, 2023 (see attached).

Seconded by Mr. Finch.

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

**PUBLIC COMMENTS:**

**JAKE BRAKES ON MONTROSE DRIVE**

William Brodsky, in regard to the issue of the use of jake brakes on trucks on Montrose Drive, asked if the Town could send a letter to New York State asking for a “noise reduction.” Mr. Dumian replied that this was included in the original request to the DOT.

**CELL PHONE TOWER**

Mr. Spinner stated that he received a response from Tarpon Towers earlier today, February 27.

**FLUORIDE FOR TOWN WATER**

Mr. Boyle questioned whether or not the \$600 per year the Town spends to put fluoride in municipal water supplies is worth it, or if it is necessary. Mr. Dumian stated one would have a difficult time finding a dentist who did not think it was worth having it in the drinking water.

**SPRING CLEANUP**

Mr. Boyle asked about Spring Cleanup of tires and rubbish, which could be dropped off at the Highway Garage. There would be no charge to the residents. Mr. Dumian stated that there is a deadline by which the Town needs to notify the Broome County Landfill if it wishes to participate in this program.



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**JAKE BRAKES/QUARRY TRUCKS/MONTROSE DRIVE**

Mr. Boyle stated that he spoke with owners of quarries whose trucks drive on Montrose Drive and explained that the residents are upset about the use of jake brakes and the noise they make. He stated that the quarry owners agreed to stop making runs at night with their trucks.

**YOUTH SPORTS**

Mr. Farley reported that 80 youth have signed up for baseball so far. He stated that the older wrestlers will participate in State and regional tournaments. Mr. Farley stated he heard someone was starting a lacrosse league. Mr. Dumian stated that it is Joe Davis and the lacrosse program is held at the field behind the Town of Binghamton Community Center on Coleman Road.

**CEMETERY CLEANUP**

Mr. Francisco asked that a notice be put on the Town website and an ad run in the **Country Courier** asking people to remove winter wreaths and winter decorations from Conklin Cemetery and Shawsville Cemetery.

**HEAT/LIGHT SWITCHES AT COMMUNITY CENTER**

Mr. Francisco stated that there is a problem with the proposed light switches that would also control the heat at the Community Center. The lights are on dimmer switches, which means the relays would chatter at low voltages. He stated that the occupancy sensors might have the same issue. His recommendation was to not proceed with this change to the switches. Mr. Dumian stated that it would not have saved that much money.

**EVENT UPDATES**

Town Clerk Sherrie Jacobs stated that almost all of the Concerts in the Park are booked. She stated that the Conklin Kiwanis Club has taken over hosting the annual Easter Party from the Conklin Business Association, adding that the Easter Party will be held on March 23, 2024, from 10 A.M. until noon at the Community Center.

**RESO 2024-48: EXECUTIVE SESSION/PERSONNEL ISSUE**

Mr. Dumian moved to close the Regular Town Board Meeting and move into Executive Session at 7:56 P.M. to discuss a personnel issue.

Seconded by Mr. Francisco.

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

**RESO 2024-49: RE-OPEN REGULAR TOWN BOARD MEETING**

Mr. Finch moved to close the Executive Session and re-open the Regular Town Board Meeting at 8:40 P.M.

Seconded by Mr. Farley.

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

**RESO 2024-50: AUTHORIZE PAY RATE INCREASE/TERESA BAMBER**

Mr. Dumian moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin authorizes a pay rate increase of \$0.50 per hour for Teresa Bamber, Secretary to the Supervisor, effective March 1, 2024.

Seconded by Mr. Francisco.

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 8:50 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk