

REGULAR TOWN BOARD MEETING
FEBRUARY 25, 2014

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 5:30 P.M. on February 25, 2014, at the Conklin Town Hall. Mr. Finch, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT:	Town Board Meeting	Bullock, Minoia, Dumian, Francisco, Finch
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Assistant to Supervisor	Lisa Houston
	Highway Superintendent	Brian Coddington
	Code Officer	Robert Jones
	Public Works Superintendent	Tom Delamarter
	Zoning Board of Appeals	Hal Cole
	Planning Board	Dell Boyle
GUESTS:	Country Courier	Elizabeth Einstein
	Griffiths Engineering	John Mastronardi
	Keystone Associates	Tim Bailey
		Laurie Francisco
		Thomas Lowe
		Joan VanWinkle
		Leon VanWinkle
		Peter J. Motsavage
		Peg Swarts
		Robert Cebula
		Kevin Jamba

MINUTES: JANUARY 28, 2014 REGULAR TOWN BOARD MEETING

Mr. Minoia moved to approve the January 28, 2014 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Dumian.

VOTE: Bullock – Abstain, Minoia – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion carried: 4 – Yes, 1 - Abstain.

MINUTES: FEBRUARY 11, 2014 REGULAR TOWN BOARD MEETING

Mr. Francisco stated that the February 11, 2014 Regular Town Board Meeting minutes should be clarified on page 3, line 17 from the bottom, to read “Mr. Francisco stated that there was not sufficient information on the drawing that was presented to show access on Terrace Drive.”

Mr. Bullock moved to approve the February 11, 2014 Regular Town Board Meeting minutes as clarified.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Minoia – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

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CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from Attorney Alan Pope regarding the Binghamton-Johnson City Joint Sewage Board, from the Joint Sewage Board, and from the New York State Rising Community Grant Committee.

RISING COMMUNITY GRANT

Mr. Finch stated that two of the projects being considered for the \$3 million New York State Rising Community Grant – the evacuation route for the center of Town and the drainage mediation and retention pond for the southern end of Town – have been “taken off the table” for discussion because Mr. Bullock, Mr. Minoia, and Mr. Dumian are all opposed to these projects. Mr. Dumian clarified that he was concerned about the water displacement with these projects.

Mr. Bullock stated that he thought the project to provide water drainage for the Stillwater Road area should be given a higher priority, so it was moved to #3 ranking, with the Carlin Road project moved to #4.

“The rest is ‘off the table’?” asked Public Works Superintendent Tom Delamarter. “We can’t piecemeal these projects or we will not qualify for the \$3 million. The committee will give it to someone else.” The discussion was suspended until after the Public Hearing for the proposed FedEx addition.

PUBLIC HEARING
TO RECEIVE INPUT REGARDING THE PROPOSED ADDITION TO THE FEDEX
BUILDING LOCATED IN THE BROOME CORPORATE PARK

PRESENT: Same as on page one.

Notice of Public Hearing having been duly advertised, Mr. Finch opened the Public Hearing at 5:35 P.M. and asked those present to speak either for, or in opposition to, the proposed addition to the FedEx building located in the Broome Corporate Park.

Engineer Tim Bailey of Keystone Associates, representing Fed Ex and TJ Madison Construction, explained that the current structure has 65,270 square feet of space, adding that the proposed addition will add 19,348 square feet. It will also add 99 new parking spaces, including two trailer parking spaces. He stated that there will be no increase in the size of the retention pond. Mr. Bailey stated that the proposed addition will add one outside light with 400 watts illumination. He explained that the building and parking expansion were both approved with the original site plan in 2007, but the amount of land to be disturbed is larger than what was proposed in 2007 (1.05 acres in 2007, 1.55 acres in the 2014 plan – an increase of one-half acre). Mr. Bailey stated that this is to accommodate the additional parking.

Mr. Francisco asked if the parking approved in 2007 was not sufficient for the building expansion. Mr. Bailey stated that FedEx has hired 99 more employees and the planned parking expansion is insufficient to meet the company’s needs. Mr. Francisco asked if the new proposed light could be moved closer to Corporate Drive and away from Carlin Road. Mr. Bailey stated that the current lights are 1,000 watts on 40 foot poles, while the new light will be only 400 watts on a 20 foot pole.

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Joan Van Winkle of Carlin Road asked if the business is expanding and asked if that will mean higher noise levels, adding that she already experiences noise from the Maines Paper and Food Service building nearby. Peg Swartz asked if there will be additional tractor-trailer traffic.

Town Attorney Cheryl Sacco explained that the Town Board cannot change the approval of the expansion that was approved in 2007, but can only address the request for additional parking and the one light, which are the changes from the 2007 site plan. Mrs. Swartz asked if there will be more noise from tractor-trailers idling and Mr. Bailey stated that it will be no different than it is now. He added that FedEx is a "24/7" operations business and that it has added 20% more trucks. Mr. Francisco asked if there will be any change in the height of the building and Mr. Bailey replied that there will be no change in height.

Leon Van Winkle asked, "What happened to the agreement that trucks would exit the Corporate Park at the south end?" He added that trucks exit the northern end of the Park, onto Powers Road, as well as the southern end. Mr. Finch stated that trucks that are accessing Route 81S exit the southern end of Corporate Park, while those traveling to Binghamton or to Route 81N exit the northern end. Mrs. Van Winkle stated that she feels her "property is being devalued." She stated that David Mead, also on Carlin Road, "allows tractor-trailers to be parked" on his property. Mr. Bullock commented that this is "an ongoing issue." Mrs. Van Winkle stated that "fuel from his [Mr. Mead's] property seeps onto my property."

Mr. Minoia asked if this will be the same operation and Mr. Bailey stated that it is the same operation that has been at FedEx. Mr. Dumian stated that he feels that FedEx "did due diligence" in their request. Mr. Francisco asked if the light could be moved to the western side of the parking lot and Mr. Bailey stated that this can be considered, but added that it is the same type of light that is currently on site, except that it is white light and has more shields.

Mr. Van Winkle asked if the additional parking will be next to Carlin Road and Mr. Bailey stated that it is trailer parking only, and that the area has already been graded. Mr. Bailey stated that there will be no change to the barrier between the parking lot and the road.

There being no further public comments or questions, Mr. Finch declared the Public Hearing closed at 5:50 P.M.

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Ms. Sacco stated that the Town must execute the old form SEQR (State Environmental Quality Review) before issuing a Special Permit for the changes to the expansion. She stated that the Public Hearing was advertised twice in the **Country Courier** and the neighbors within 1,000 feet of the boundaries of the Corporate Park received notification letters, as required by law. Ms. Sacco explained that the Planning Board gave a preliminary recommendation to approve the Special Permit, adding that the site plan meets BCIDA (Broome County Industrial Development Agency) standards and the Broome County Form 239 elicited no negative feedback. She stated that the wetlands will not be affected and the landscape plan has been approved. Town Engineer John Mastronardi confirmed that the SWPPP (Storm Water Pollution Prevention Plan) is good. Ms. Sacco stated that this is an Unlisted Action for SEQR purposes, and so could be satisfied with a short-form EAF (Environmental Assessment Form), however, the Town Planning Board used the long-form EAF, so the Town Board must follow suit. She stated that she would recommend that the resolution for issuance of a Special Permit be approved with the condition that the applicant is responsible for all costs involved.

The following SEQR was discussed and completed by the Town Board:

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The Town Board answered “No” to each of the questions in the long-form SEQR EAF except the following:

“Will the Proposed Action result in a physical change to the project site?” – “Yes, small to moderate impact.”

“Will the Proposed Action affect surface or groundwater quality or quantity?” – “Yes, small to moderate impact – Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.” It was noted that this will occur only during the construction process.

(Complete EAF on file with Town Clerk.)

Mr. Francisco asked for clarification of what was approved in 2007, then stated that the changes will be “not more than what has occurred.” Mr. Dumian agreed, stating that there will be “no environmental impacts.” Mr. Finch asked if there is a fence around the retention pond and Mr. Bailey confirmed that there is a fence.

RESO 2014-29: APPROVE ISSUANCE/SPECIAL PERMIT/FEDEX
ADDITION/BROOME CORPORATE PARK/
SCANNELL PROPERTIES/MIKE ANDERSON

PRESENT:

Supervisor James Finch
Councilman Gary Bullock
Councilman Jerry Minoia
Councilman William Dumian
Councilman Charles Francisco

ABSENT: none _____

Offered By: Mr. Bullock **Seconded By:** Mr. Francisco

The Town Board of the Town of Conklin (hereinafter “Town”), duly convened at a special meeting on February 25, 2014, does hereby resolve as follows:

WHEREAS, pursuant to section 140-76 of the Town of Conklin Code, any use proposed for the Economic Development District Zone (“EDDZ”) is subject to the issuance of a special permit by the Town Board and the developer must submit a site plan application in accordance with the Town of Conklin Site Plan Review Law;

WHEREAS, the Town Board has received a request from Scannell Properties/Mike Anderson (“Applicant”) for the expansion of its facility located at 299 Broome Corporate Parkway, Town of Conklin (Tax Map No. 194.11-1-21.1) which is located in the EDDZ and therefore requires the issuance of a special permit;

WHEREAS, the original construction project for the facility, along with certain future expansion, was previously approved for a special permit by the Town of Conklin Town Board in 2007;

WHEREAS, the Applicant wishes to commence said future expansion in accordance with the special permit issued in 2007, but also include certain variations and expansions to the previously approved construction plans, and therefore a special permit is required;

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act (“SEQRA”), the Town Board is the lead agency in this coordinated review and responsible for making the final determination on the

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special permit and the Planning Board is an involved agency only offering an advisory recommendation;

WHEREAS, prior to the Town Board acting upon the request for the special permit, the Planning Board must first review the proposed development and provide its recommendations to the Town Board;

WHEREAS, pursuant to section 140-76(C) of the Town Code, the Planning Board met with the Applicant, Town Engineer and Town Code Enforcement Officer on several occasions and received, reviewed and considered all of the materials submitted by the Applicant in support of its special permit application including, but not limited to, the following:

- A complete site plan and drawings depicting the proposed construction project at the facility;
- A complete SWPPP including an Erosion and Sediment Control Plan;
- A proposed long-form EAF;
- The final recommendations from the Broome County Department of Planning & Economic Development pursuant to General Municipal Law §§ 239-l and 239-m; and
- A letter from Broome County IDA finding that the Facility is currently in compliance the Performance Standards of the Broome Corporate Park.

WHEREAS, the Town Engineer and the Town Code Enforcement Officer have met with the Applicant and reviewed said application materials and have deemed them complete and have approved of their form and substance;

WHEREAS, that pursuant to section 140-76 of the Town of Conklin Code, the Planning Board found that (1) the Applicant's site plan contains all of the elements that required and by the Town of Conklin Site Plan Review Law; (2) no deficiencies in the site plan appear to exist which would require the attention of the developer and the Town Board; (3) the Applicant has submitted a complete long-form EAF which appears to be accurate to the best of the Planning Board's knowledge and no additional environmental information is required; (4) the recommendations of the Broome County Planning Department have been received and indicate that the Department has not identified any significant countywide or inter-community impacts associated with the proposed project; and (5) there are no specific factors or concerns which it feels are appropriate for consideration by the Town Board;

WHEREAS, on or about January 16, 2014, the Planning Board recommended that for the purposes of SEQRA the Town Board find that: (1) this is a coordinated review pursuant to 6 NYCRR § 617.6(b)(3); (2) this is an unlisted action; and (3) the project will not result in any significant adverse environmental impact and therefore a negative declaration should be issued;

WHEREAS, on or about January 16, 2014, the Planning Board recommends that the Town Board of the Town of Conklin approve the special use permit application of the Applicant as submitted; and further;

WHEREAS, the Town Board, has complied with Section 140-77 to hold a public hearing and to provide notice of the public hearing in its official paper and to provide written notice to property owners within 1,000 feet of the boundary line of the area commonly known as the "Broome Corporate Park"; specifically the notice was published in the Town's official newspaper twice;

WHEREAS, said public hearing was duly held at the Conklin Town Hall at 5:35 o'clock P.M. on February 25, 2014, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed application, or any part thereof;

WHEREAS, the Broome County IDA, via a letter dated December 23, 2014, advised that the proposed project complies with the performance standards of the Broome Corporate Park, in accordance with Section 140-76 (f);

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WHEREAS, the Town of Conklin submitted a GML 239 submittal to Broome County Planning and Economic Development and received a response dated January 13, 2014 and which the Department did not identify any significant countywide or intercommunity impacts associated with the proposed project; the Department did make three recommendations:

- 1) The Town Board should make sure that the proposed project would not affect the NWI wetland and
- 2) A Landscape plan should be prepared for the project and
- 3) The Town Board should ensure that the proposed project complied with the performance standards for the Broome Corporate Park;

WHEREAS, upon the review of the Town Engineer, the Town has assurance that the proposed project will not affect the NWI wetland;

WHEREAS, an acceptable landscape plan has been prepared;

WHEREAS, the Broome County IDA has, via a letter, confirmed that the proposed project complies with the performance standards for the Broome Corporate Park;

NOW THEREFORE, BE IT RESOLVED, that based upon the foregoing the Town Board of the Town of Conklin resolves as follows:

RESOLVED, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) ("SEQRA"), the Town Board declares itself lead agency;

RESOLVED, that the Town Board finds that for the purposes of SEQRA the Town Board find that this is a coordinated review pursuant to 6 NYCRR § 617.6(b)(3),

RESOLVED, that this application is an unlisted action,

RESOLVED, that after review of the long form EAF, that the project will not result in any significant adverse environmental impact and therefore a negative declaration should be issued;

RESOLVED, that pursuant to section 140-76 (g)(1-15) of the Town of Conklin Code, the Town Board finds that:

- 1) There is environmental compliance,
- 2) There is adequate ability to address the risk of fire or explosive hazards,
- 3) There has been no concerns about use of radioactive material,
- 4) There has been no concerns about electrical or electromagnetic disturbances,
- 5) There has been no concerns about the air and noise emissions,
- 6) There have been no concerns about water use and the disposal of sewage and waste products,
- 7) There has been no concerns about the use of toxic or hazardous substances,
- 8) There has been no concerns about the traffic impacts,
- 9) There has been assurance about impacts on or from wetlands or other environmentally sensitive areas,
- 10) The advisory recommendation of the Planning Board was positive,
- 11) The Broome County Planning Department's 239 response was supportive and their additional concerns were addressed,
- 12) The anticipated economic impact of the proposed development is positive,
- 13) The proposed use is harmonious with surrounding use and neighborhoods within Conklin,
- 14) The health, public safety or welfare of residents are not threatened by the proposed project, and
- 15) There are no other special considerations specific to this project.

If concerns were raised, then the Town Board in its discretion and by taking into account the

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totality of factors and consideration listed above, have determined that the positive impact of the proposed project outweighs any negative findings or concerns,

NOW THEREFORE, BE IT RESOLVED, that, the Conklin Town Board, after due deliberation, grants the special permit with the following conditions:

- 1) All costs associated with this approval process; including legal and engineering costs, publication costs and mail costs must be paid by the applicant,
- 2) Replace any and all dead or dying trees on the berm, and
- 3) Compliance with all conditions from 2007 approval; and further

BE IT FURTHER RESOLVED this resolution shall take effect immediately.

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 the Conklin Town Hall, 1271 Conklin Road, Conklin NY on February 25, 2014. Said resolution was adopted by the following roll call vote:

Supervisor	James Finch- Aye
Councilman	Gary Bullock- Aye
Councilman	Jerry Minoia- Aye
Councilman	William Dumian- Aye
Councilman	Charles Francisco- Aye

Dated: February 25, 2014

Town of Conklin Seal _____

Sherrie L. Jacobs, Town Clerk of the Town of Conklin

Mr. Finch stated that he spoke to a representative from Maines Paper and Food Services and the company will be replacing any dead or dying trees on its property that are part of the barrier between their buildings and the neighboring properties.

RISING COMMUNITY GRANT DISCUSSION (CONTINUED)

Mr. Finch continued the discussion regarding the New York State Rising Community Grant by stating that he agreed with Mr. Delamarter's statement that the Town will lose the money if it presents its requests "piecemeal." He stated that the Rising Grant Committee had suggested creating a hamlet and relocating the vital structures – Town Hall, Town Highway Garage, Community Center – to that location and encouraging stores and senior-appropriate housing to be constructed on the site. Mr. Finch stated that the evacuation route and drainage plan will be put on hold and "the #3 project becomes #1."

Mr. Dumian asked if there were five projects under consideration. Mr. Finch stated that they are "all on the table, but #3 now becomes #1, and #1 and #2 are on hold." Mr. Delamarter stated, "If we are not near the \$3 million, they will give the money to another municipality. We should not take anything off the table." Mr. Minoia stated, "We didn't want to consent to something we know nothing about." He asked about viability of putting a ditch under Route 7 and Mr. Finch replied that this was suggested by a New York State engineer as part of the plan. Mr. Dumian stated that the Town Board "should not take the evacuation route off the table, but should look at other possibilities for water drainage." Mr. Bullock clarified that the drainage plan is separate from the evacuation route plan – they are two separate projects. Mr. Dumian stated that he does not want to take any issues off the table. Mr. Delamarter stated that the priorities of the projects should remain the same as originally set. Mr. Bullock stated that the Stillwater Road project should be moved up in priority. Mr. Minoia asked what the water drainage project for Stillwater

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Road would cost and Mr. Finch stated that it would cost between \$200,000 and \$300,000. Mr. Mastronardi commented that the Town would need to secure a right-of-way. Mr. Finch added that the Town can do projects for less cost than the Committee suggests.

Mr. Francisco stated that the evacuation route project should not be removed and Mr. Dumian agreed, adding that water drainage would go to Schnurbusch Park, as it does currently. Mr. Bullock asked if there are plans to examine, and Mr. Mastronardi stated that it is in the pre-planning stage, adding, "Let them do the study." Mr. Minoia stated that he had "no problem" with the plans, just with "consenting to something we know nothing about." Mr. Bullock commented that the water diversion at the southern end of Town is "not the way it should be." Mr. Dumian asked if the Town Board will have final approval of the projects and Mr. Finch stated that the Town Board will have final approval, adding that the projects are "just in the planning stages." Mr. Delamarter added that, in the future, more grant money will become available. Mr. Finch stated that Governor Cuomo appointed the Rising Community Committee. Mr. Delamarter stated that this Committee suggested the creation of the hamlet and the relocation of vital services and encouragement of construction of residences and businesses in the same area. Mr. Finch stated that the Town Board can determine the order of priority of the five projects.

RESO 2014-30: MAINTAIN FIVE PROPOSED PROJECTS ON THE TABLE FOR DISCUSSION FOR THE NYS RISING COMMUNITY GRANT

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin maintains the five currently proposed projects "on the table" for discussion for the New York State Rising Community Grant.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Minoia – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

PUBLIC COMMENTS:

None.

OLD BUSINESS:

ICE RINK

Mr. Finch stated that at the last Town Board meeting, Bob Ronk asked if the decision to purchase the new ice rink could be found in the meeting minutes. Mr. Finch stated that the ice rink was purchased using money from the Parks budget, with a donation of \$500 from the Conklin Kiwanis Club. He added that the cost of lighting the rink is being studied and added that the reasons for the rink's location are the facts that placing it on the blacktop, as Mr. Ronk suggested, would ruin the lining and the rink could not be made level because the blacktop pitches. He added that the fence protects the ice rink from people trying to drive on it. Mr. Finch stated that, in order to purchase the ice rink for a lower price, he had to conduct a phone poll of the Board, rather than discuss it at a regular meeting. He stated that Mr. Bullock, Mr. Francisco, and he were all in favor of the purchase. Mr. Dumian was not yet on the Board. Mr. Minoia was opposed because he is opposed to phone polls, and had stated that the Board should discuss responsibilities and insurance concerns before purchasing the ice rink.

RESO 2014-31: RATIFY PURCHASE/ICE RINK

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies purchase of an Ice Rink for the Town.

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Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Minoia – No, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion carried: 4- Yes, 1 – No.

Mr. Bullock asked if the Town would have to re-grade the ball field under the rink yearly and Mr. Finch stated that Mr. Delamarter has researched this issue and the ball field will only need to be re-graded this spring.

UPDATE/TOWN OF CONKLIN COMPREHENSIVE PLAN

Hal Cole, Chairman of the Town of Conklin Comprehensive Plan Committee, gave the Town Board an update on the mandated revision to the Comprehensive Plan, adding that he was at the meeting to “give the Board a status report and to address any questions regarding the quality and cost of the Plan.”

Mr. Cole stated that the Comprehensive Plan Committee is comprised of seven members – three members of the Planning Board, two members of the Zoning Board of Appeals, one member of the Town Board, and one member of the Conklin business community. He stated that their task is to review and update the 2004 Comprehensive Plan. Mr. Cole stated that the Committee used three reference materials: Section 272A of Town Law, Type 1 SEQR, and the eight sections of the 2004 Plan, all of which were on the recommended list given to his committee.

Mr. Cole listed as the following the resources his committee utilized: the Zoning Board of Appeals, the Code Officer, the Town Supervisor and his assistant, the Public Works Superintendent and Water and Sewer information, the Town Assessor, the Town Clerk, the Town Attorney, Broome County Planning and Economic Development Department, BMTS (Binghamton Metropolitan Transportation Study), Transportation Improvement Program (for Routes 7 and 7A), Susquehanna Valley Central School District, 2010 Census, Broome County website, Broome County Comprehensive Plan (which he stated cost \$50,000 and seven years to complete), Town of Binghamton Comprehensive Plan, Broome County Hazard Mitigation Plan, Town of Conklin Jurisdictional Section, and the Town of Conklin Multi-Use Trail Plan. Mr. Cole noted that the County was “heavily involved” in developing the Town’s 2004 Comprehensive Plan and there was a large emphasis placed on development of the Multi-Use Trail. Mr. Cole stated that he found these sources to be “hard-working and helpful.”

Mr. Cole stated that there were “notable deficiencies in the 2004 Plan,” including the lack of a Vision Statement. He stated that the 2014 Committee has crafted a better Plan, which includes an overall Vision Statement and one for each of eight sections. The 2014 Plan includes recommendations, plans, and opportunities which are Plan-specific, and notes what has changed in the Town in the past ten years between 2004 and 2014, with listings in bullet points after each section. He stated that the Committee has held eight meetings to date. Mr. Cole stated that the Committee created a SWOT list – Strengths, Weaknesses, Opportunities, and Threats. As an example of a threat, he mentioned the inability to work together to move forward as a community.

Mr. Cole stated that the Committee added two new sections: Responsiveness to Natural Disasters (such as flooding) and Natural Gas Extraction (hydrofracking). With the other new items mentioned above, there are five new things in the 2014 Plan, stated Mr. Cole, making it a better plan.

Mr. Cole stated that the 2004 Plan has been reviewed completely and most of the updating has been completed. The resident surveys are due by March 7. He stated that a public meeting will be held before the draft of the plan is sent to the Broome County Planning Department and to the Town Attorney. Mr. Cole stated that in 2004, the Committee received 833 responses out of 2,400 surveys that were mailed to residents. He explained that after the public meeting is held, the Plan will be finalized and sent to the Town Board and to the Broome County Planning Department for a Form 239 review. The Town Board will be Lead Agency for purposes of SEQR, and will conduct the SEQR and vote on acceptance of the 2014 Comprehensive Plan.

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Mr. Cole stated that it cost \$330 for mailing the surveys, and there will also be a cost for printing the Comprehensive Plan and for paying the secretary who is typing and making changes for the Committee. He stated that the total will be less than \$1,000, as compared to the \$4,000 that Broome County would have charged the Town to complete the revised Plan. "Do the math," stated Mr. Cole. As to the quality of the Plan, Mr. Cole stated that this is "subjective opinion." "How good is it?" he asked. "It depends upon how the Town Board will use it and whether or not it will hold up in Court."

"Good job," stated Mr. Bullock. Mr. Finch stated that in 2004, the Town's biggest asset was considered to be the Susquehanna River, for its beauty and recreational opportunities. This is not the case in 2014, after two devastating floods in the last ten years. Mr. Cole stated that the Committee is looking for comments on the surveys, to help understand what the residents feel is important. He stated that "fracking" is both an opportunity and a threat. Mr. Finch pointed out that having the Town committee write the Plan has no impact on grant money, adding that although there was no involvement by Broome County in writing the Plan, the Town committee interacted with the County in its discussions.

Mr. Cole stated that there are few Town employees for a town with a population of 5,441, adding that the Town government is lean and consolidated, adding that there are few "backups" for key personnel. Mr. Finch stated, "We appreciate all of your hard work and thoroughness, and the clarity you brought." Mr. Francisco added that if the County had written the Plan, there would be no local knowledge included. The Town Board thanked Mr. Cole and his committee.

NEW BUSINESS;

RESO 2014-32: AUTHORIZE TOM DELAMARTER/ATTEND ANNUAL NY RURAL WATER TECHNICAL CONFERENCE/APRIL 14-17, 2014/VERONA, NEW YORK

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Tom Delamarter to attend the annual New York Rural Water Technical Conference on April 14-17, 2014, located in Verona, New York, with a registration fee payable to NYRWA in the amount of \$325.00, plus all necessary and reasonable costs associated to attend this three-night stay conference, account code SW8310-4.

Seconded by Mr. Dumian.

VOTE: Bullock – Yes, Minoia – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

RESO 2014-33: RATIFY PAYMENT/U.S. POSTAL SERVICE/POSTAGE FEE/1ST QUARTER WATER & SEWER BILLING MAILING

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #7026, account code SW8310-4, in the amount of \$312.80 to the U.S. Postal Service for the postage fee for the 1st Quarter Water and Sewer billing mailing.

Seconded by Mr. Dumian.

VOTE: Bullock – Yes, Minoia – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

RESO 2014-34: RATIFY PAYMENT/U.S. POSTAL SERVICE/POSTAGE FEE/COMPREHENSIVE PLAN SURVEY MAILING

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check

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#7029, account code A1670.4, in the amount of \$331.06 to the U.S. Postal Service for the postage fee for the Comprehensive Plan Survey mailing.

Seconded by Mr. Bullock.

VOTE: Bullock – Yes, Minoia – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

RESO 2014-35: RATIFY PAYMENT/MAINES PAPER & FOOD SERVICE, INC./1999
WATER USAGE CREDIT AGREEMENT/2012 & 2013 PAYMENTS

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #7027, account code SW8320.4, in the amount of \$6,506.44 to Maines Paper and Food Service, Inc., for the amount due for 2012 and 2013, per the 1999 Maines-Town of Conklin Water Usage Credit Agreement.

Seconded by Mr. Minoia.

VOTE: Bullock – Yes, Minoia – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

Mr. Finch explained that this is a refund of monies overbilled by the Town of Conklin, according to the agreement crafted by former Town Supervisor Timothy O’Hearn.

RESO 2014-36: AUTHORIZE PAYMENT/BILL LIST/\$117,580.61

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Bill List in the total amount of \$117,580.61:

General	\$ 19,942.08
Highway	84,641.80
Sewer District #1	346.50
Water District	7,562.23
Non-Budget	<u>5,088.00</u>
Total	\$117,580.61

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Minoia – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

TIME WARNER CABLE

Ms. Sacco stated that she and Supervisor Finch met with David Whalen from Time Warner Cable in what she called a “good meeting,” adding that the Town now has a potential agreement and needs to schedule a Public Hearing.

LOCAL LAW ON FILLING

Ms. Sacco distributed copies of Chapters 72 and 76 of the Town Code, which deal with filling, for the Town Board to review and discuss at a future meeting. She explained that the current law automatically prohibits filling in the Flood Way. She added that in 1980, the Flood Plain/Flood Way was defined as 35 feet from the water’s edge, adding that it can be larger. She stated that the property which Rusty Luce has asked permission to fill, behind the car wash on Conklin Road, is in the Flood Plain, not the Flood Way, and has an “AE” designation. Ms. Sacco stated that Mr. Luce can apply to fill, but cannot disperse water on neighboring properties. Code Officer Robert Jones stated that the Town has not yet received an application from Mr. Luce, and has asked for a new SWPPP, because the one he has was approved by the DEC (New York State

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Department of Environmental Conservation) prior to the 2011 Flood. Ms. Sarah Campbell, attorney for Mr. Luce, has inquired the date of the next Planning Board meeting, and may be attending to discuss this proposed project. Ms. Sacco stated that the application would differ depending on the reason for filling, whether it is for development and construction.

VOUCHER QUESTIONS

Mr. Minoia had a couple of questions regarding bills on the vouchers. He asked if there is still a dumpster at Conklin Forks Park and Mr. Delamater told him that the dumpster service at the parks is discontinued during the winter, with only one rented for the Community Center.

Mr. Minoia asked about the Verizon bill for the pool house. Mr. Delamarter stated that the phone inside the pool house is disconnected during the winter months, adding that the outside phone, which is required, is functioning during the winter.

UPDATES ON NATURAL GAS

Mr. Dumian asked if there are any updates on natural gas development and Mr. Finch stated that he will have some updates at the next Town Board meeting. Mr. Finch added that the Town must have language in the zoning laws which would allow natural gas development.

ICE SKATING PARTY

Town Clerk Sherrie Jacobs reminded those present that the Conklin Kiwanis Club is hosting a second Ice Skating Party at the new Ice Rink, with free hot dogs, hot chocolate, and s'mores on Saturday, March 1, from 11:30 until 2:30.

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Dumian. The meeting adjourned at 7:23 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk