

REGULAR TOWN BOARD MEETING
MARCH 25, 2014

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

PRESENT:	Town Board Members	Bullock, Dumian, Francisco, Finch (Jerry Minoia was absent due to illness.)
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Assistant to Supervisor	Lisa Houston
	Highway Superintendent	Brian Coddington
	Public Works Superintendent	Tom Delamarter
	Code Officer	Robert Jones
	Planning Board	Dell Boyle
	Zoning Board of Appeals	Hal Cole
GUESTS:	Country Courier	Elizabeth Einstein
	Country Courier	Don Einstein
		Peter J. Motsavage
		Laurie Francisco
		John Colley

MINUTES: FEBRUARY 25, 2014 REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the February 25, 2014 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Dumian.

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

MINUTES: MARCH 11, 2014 REGULAR TOWN BOARD MEETING

Mr. Finch stated that the March 11, 2014 Regular Town Board Meeting minutes should be corrected on page 2, line 8 from the bottom, to change the word “purchase” to the word “lease.”

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

Seconded by Mr. Dumian.

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

CORRESPONDENCE:

Mr. Finch acknowledged receipt of correspondence from Josephine DeLamarter resigning her position as Administrative Clerk. Ms. DeLamarter is retiring, effective April 9, 2014.

Mr. Finch also acknowledged receipt of correspondence from BMTS (Binghamton Metropolitan Transportation Study), adding that representatives from BMTS had met with him, Highway Superintendent Brian Coddington, Public Works Superintendent Tom Delamarter, and Chairman

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of the Town Comprehensive Plan Hal Cole. He stated that the Town had requested that New York State, which owns Route 7 (Conklin Road), install speed bumps to slow down traffic in front of the Susquehanna Valley High School, but the State declined to do so. Mr. Finch added that the State also refused to mill the road, but instead suggested a sign with speed limit notification (which tells drivers how fast they are driving). The requests were made because of several recent instances in which Crossing Guards were bumped or almost hit by vehicles in the course of doing their jobs. Mr. Finch stated that a crosswalk will be installed near Schnurbusch Park as part of the Walkable Community project, which was approved in 2004.

Mr. Finch stated that the Rising Community Committee will meet on March 26, 2014, at 3:00 P.M.

PUBLIC COMMENTS:

UPDATE/TOWN COMPREHENSIVE PLAN

Hal Cole, Chairman of the Town of Conklin Comprehensive Plan Committee, presented an update on the status of the revised Plan. He stated that 2,700 surveys were mailed to 2,330 households (taken from the 2010 Census), with 232 completed surveys received. He stated that 129 of the 232 surveys included written comments in addition to the ranking questions. Mr. Cole stated that 179 issues were addressed.

He stated that on the question of Energy Source, 24 were opposed and 16 in favor, with two comments. On the question of Natural Disasters, 36 responded, with most comments being about cleaning the streams and the Susquehanna River. On the question of the Economy, the responses reflected an interest in attracting new small businesses. On the question of Public Utilities, most questions were in regard to water and sewer. Regarding the question of Zoning and Code Enforcement, 16 people responded, with the emphasis on zoning being done “in the proper manner.” On the question of taxes, twelve commented that they would like to see lower taxes.

Regarding the question on Transportation, residents stated that they would like to see bus routes extended to the mobile home parks in the southern end of Town. Mr. Finch commented that he met with representatives from Broome County Transit and the county will not extend the bus routes. The BC Transit representatives suggested that residents wishing to ride the bus call 24 hours in advance, adding that it only costs \$.50 to ride. Members of the audience stated that this is inaccurate, with the cost being \$2.50 to \$3.00 per ride.

Mr. Cole stated that on the question of Housing, most responses stated that the Town is “good the way it is” and should be “kept country.” He stated that, in addition to the above questions that were asked on the survey, six other specific issues were raised.

Mr. Cole stated that the draft of the Plan is completed and digital copies have been sent to the Town Attorney and to Broome County Office of Planning and Economic Development for review, which should take about two weeks. After the review, the hard copy will be printed and submitted to the Town Board. A public presentation of the revised Comprehensive Plan will be held at the Community Center, with Mr. Cole adding that this is not to be “a forum for discussion of fracking.” The plan will be finalized and submitted to the Town Board, who will then hold a Public Hearing, a SEQR (State Environmental Quality Review), a Form 239 application with Broome County, and, finally, will vote to accept or reject the revised Comprehensive Plan.

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OLD BUSINESS:

UPDATE/BINGHAMTON-JOHNSON CITY JOINT SEWAGE BOARD

Mr. Finch stated that he, Mr. Delamarter, and Mr. Francisco met with representatives from the City of Binghamton, which owns 51% of the Binghamton-Johnson City Joint Sewage Treatment Plant. The City needs to upgrade its piping, at a cost of approximately \$1 million, and wants the Town of Conklin to take the responsibility and pay for this upgrade. He stated that the City will not accept more flow from the Town, nor make a commitment of any sort, which means the Town of Conklin will not be able to expand its sewer system. Mr. Finch stated that the City claims the Town of Conklin agreed in 1990 to pay for this upgrade. Mr. Delamarter commented that the current flow is “not nearly what they agreed to allow.” There will be another meeting with Town Attorney Alan Pope and City representatives in two weeks.

Mr. Dumian stated that if the Town expands its water and sewer system, the flow could be above what is allowed. Mr. Delamarter stated that this is “not likely, because the Town is only at one-third the allowed level.” Mr. Francisco commented that the Town has added three new businesses and the flow amount was not affected by this action.

Mr. Delamarter asked how the lines in the City handle infiltration, including whether smoke testing is done to find leaks and whether cross-connections are checked. He stated that the City will not provide answers to these questions.

Mr. Finch stated that the City of Binghamton supplies water to CP Rail and is paid by the railroad company for sewer flow. It is believed that the railroad ties into and uses Town of Conklin lines to access the City lines, but Conklin has received no refund. It was suggested that the Town present a FOIL (Freedom Of Information Law) request to the City to find out how much was paid and send a bill to the railroad company. Town Attorney Cheryl Sacco stated that the Town will likely get “no cooperation from the railroad,” but added that she will contact CP Rail to discuss this.

NEW BUSINESS:

TEMPORARY SUMMER HELP/POOL

Mr. Delamarter stated that the new minimum wage is \$8.00 per hour, up from \$7.25. He stated that he would like to increase the hourly wage of the Pool Manager from \$10 to \$10.25, and the hourly wage of the Assistant Pool Manager from \$8.50 to \$9.00. There was discussion of whether or not to increase the rates charged to users of the pool, which have not been increased since 2005. This will be discussed at the April 8 Town Board meeting.

RESO 2014-47: SET SPRING CLEAN-UP DAY/4-26-2014

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Spring Clean-up Day for Saturday, April 26, 2014.

Seconded by Mr. Bullock.

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

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The Susquehanna Valley School District staff will be participating in the clean-up. Town Clerk Sherrie Jacobs will contact the Beautification Committee to coordinate the effort with the school.

RESO 2014-48: APPROVE ADVERTISING/COUNTRY COURIER/WHITE GOODS & BRUSH PICK-UP/MAY 5-16, 2014

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves advertising in the **Country Courier** for the annual white goods and brush pick-up, starting May 5 and running through May 16, 2014.

Seconded by Mr. Dumian.

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

Highway Superintendent Brian Coddington stated that no tires will be accepted this year, since Broome County will not waive the tipping fee as it has done in previous years. The cost to the Town would be \$4 per tire. Mr. Bullock asked if the conditions were good around Town in terms of things being cleaned up and Mr. Coddington stated that the Town looks pretty good overall and there is no garbage being dumped at the Highway Garage.

RESO 2014-49: AUTHORIZE LISA HOUSTON/ATTEND ANNUAL TOWN FINANCE SCHOOL/MAY 8-9, 2014/SARATOGA SPRINGS, NEW YORK

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Lisa Houston to attend the annual Town Finance School to be held May 8-9, 2014, in Saratoga Springs, New York. Registration fee payable to the Association of Towns in the amount of \$250.00, plus all necessary and reasonable costs associated to attend this two night stay conference, account code A1220.4.

Seconded by Mr. Francisco.

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

RESO 2014-50: AUTHORIZE ELIZABETH EINSTEIN/ASSUME TITLE/DEPUTY TOWN CLERK/PART-TIME/PAY RATE \$11.00 PER HOUR/EFFECTIVE 3-26-2014

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Elizabeth Einstein to be appointed to the position of Deputy Town Clerk, part-time, effective March 26, 2014, with a pay rate of \$11.00 per hour.

Seconded by Mr. Francisco.

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

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It was noted that with Ms. Delamarter retiring and Ms. Einstein moving to the Town Clerk's office, Assistant to the Supervisor Lisa Houston will be hiring an Account Clerk to work as her assistant. She is consulting Broome County Personnel for a list of candidates who have passed the civil service exam, although she is not obligated to choose from this list.

RESO 2014-51: ACCEPT WITH REGRET/RESIGNATION/JOSEPHINE DELAMARTER/ADMINISTRATIVE CLERK

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts with regret the resignation of Josephine DeLamarter from the position of Administrative Clerk, effective April 9, 2014.

Seconded by Mr. Francisco.

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

RESO 2014-52: AUTHORIZE PAYMENT/BILL LIST/\$35,912.03

Mr. Dumian 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 \$35,912.03:

General	\$16,529.33
Highway	985.57
Light Districts	454.85
Sewer District	9,715.43
Water District	1,484.85
Non-Budget	<u>6,742.00</u>
Total	\$35,912.03

Seconded by Mr. Francisco.

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

RESO 2014-53: AUTHORIZE TOWN CLERK/SHERRIE JACOBS/ATTEND NYSTCA CONFERENCE/APRIL 28-30, 2014/SARATOGA SPRINGS, NEW YORK

Mr. Bullock 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 to be held April 28-30, 2014, in Saratoga Springs, New York, at a cost of \$125.00 registration fee, plus all necessary travel and lodging expenses, account code A1410.4.

Seconded by Mr. Dumian.

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

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EXECUTIVE SESSION/PERSONNEL ISSUE

Mr. Bullock asked for an Executive Session to discuss a personnel issue.

ABANDONED PROPERTIES

Mr. Dumian stated that there are abandoned properties that are not on the FEMA (Federal Emergency Management Agency) Buyout list with which nothing is being done. He asked if these properties are at full assessment. Mr. Finch suggested that Mr. Dumian get the addresses of the properties in question and discuss it with Code Officer Robert Jones. He added that only properties that are on the Buyout list were assessed at the lower rate. Mr. Bullock suggested talking to both Mr. Jones and Town Assessor John McDonald. Mr. Dumian stated that he needs a list of properties. Mr. Finch commented that the Town does not always know who owns a parcel of property because some owners have defaulted on their mortgages. Ms. Sacco stated that a Master List should be created of all of the properties bought by the Town from the floods of 2005, 2006, and 2011.

Mr. Dumian asked about the Code or Zoning laws and whether there are occupancy limits in the Town of Conklin, adding that rentals to large numbers of people can lead to drug activities. Mr. Jones stated that he can issue a Stop Work Order, or refuse to issue a Certificate of Occupancy if the building was flooded. Ms. Sacco stated that the Town could also enact a lock-down local law if it is suspected that drug activity is involved. She suggested that the Town split the Code Officer's position into two positions, one for Code and another person for Zoning. Mr. Francisco commented that an electrical inspector will not put his or her stamp on a self-installed system.

ICE RINK

Mr. Finch commented that the Ice Rink has been taken down and the grass underneath it is green, with no major damage having been done to the ball field.

PUBLIC COMMENTS:

DECREASED ASSESSMENTS

Hal Cole commented thanked the Board for the second opportunity for Public Comments and stated that, as a member of the Board of Assessment Review, he is aware that the properties with lowered assessments are flagged to be reviewed annually. He also suggested that anyone with questions about this talk to Town Assessor John McDonald.

CLEAN-UP DAY & SPEED BUMPS

Don Einstein asked if the Town of Conklin insurance covers any volunteers injured during the Town Clean-up Day. Assistant to the Supervisor Lisa Houston stated that anyone on Town property is covered under the Town's insurance. Ms. Sacco stated that as volunteers there is an assumption of risk.

Mr. Einstein asked about the speed bumps near the school and the cars that drive in the walkways and asked if the Town could install cameras to catch those who are breaking the law.

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TIRES DUMPED ON PROPERTY

Dell Boyle stated that tires have been dumped on his property in the past, adding that he is concerned that, if the Town does not accept any tires during the spring clean-up, more tires will be dumped on property owners' land.

RESO 2014-54: EXECUTIVE SESSION/PERSONNEL ISSUE

Mr. Francisco moved to close the Regular Town Board Meeting and move into Executive Session at 6:30 P.M. to discuss a personnel issue.

Seconded by Mr. Dumian.

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

An Executive Session of the Town Board of the Town of Conklin was held at the Conklin Town Hall at 6:30 P.M. with Supervisor James Finch presiding. Present were: Supervisor Finch, Mr. Bullock, Mr. Dumian, Mr. Francisco, and Attorney Cheryl Sacco. Supervisor Finch assumed duties of secretary of the meeting.

A discussion was held pursuant to Public Officers Law section 100 of the State of New York regarding the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.

RESO 2014-55: RE-OPEN REGULAR TOWN BOARD MEETING

After this discussion, Mr. Bullock moved to close the Executive Session and re-open the Regular Town Board Meeting at 6:41 P.M.

Seconded by Mr. Francisco.

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

There being no further business to come before the Board, Mr. Dumian moved for adjournment, seconded by Mr. Bullock. The meeting adjourned at 6:41 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk