

**WORK SESSION**  
**MARCH 27, 2018**

The Town Board of the Town of Conklin held a Work Session at 5:30 P.M. on March 27, 2018, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b>	Town Board Members	Boyle, Farley, Platt, Francisco, Dumian
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Secretary to the Supervisor	Lisa Houston
	Highway Superintendent	Brian Coddington
	Code Officer/Dog Control Officer	Nick Vascello
	Crew Leader	Tom DeLamarter
<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein
	Conklin Vol. Fire Dept.	Paul Jacobs
		Laurie Francisco
		Evelyn Deeley
		John Colley
		LeRoy Jenkins

**BUILDING PROJECTS**

Mr. Dumian stated that the only source for levelling the sidewalks at the Town Hall is 21<sup>st</sup> Concrete, who submitted an estimate of \$3762.63 to complete the project, which includes paying prevailing wage. He stated that 21<sup>st</sup> Concrete would employ a polyfill technique, which is guaranteed for five years. Mr. Dumian stated that this is better than the technique of raising the sidewalk and pinning it. Mr. Boyle added that it is also a less expensive option. Mr. Dumian stated that similar work is needed near the Town Pool at Schnurbusch Park, so Crew Leader Tom DeLamarter, who has oversight of the Parks Department, will get a quote from 21<sup>st</sup> Concrete for that project. Mr. Dumian stated that the cost for the sidewalk repair is lower than had been anticipated. The consensus of the Board was to move forward with this project. Mr. Francisco asked if 21<sup>st</sup> Concrete could also patch the concrete near the entrance to the Town Hall, and Mr. Dumian replied that Temporary Laborer Kevin Coates would be able to make those repairs.

**JUSTICE 500c MANDATE**

Mr. Dumian stated that Justice 500c Mandate is new and added that it states that no arraignments can be made without a Public Defender present. He stated that Broome County does not have the manpower to adhere to this mandate, and so is out of compliance. Mr. Dumian stated that to meet the requirements of this mandate, arraignments are done offsite at Broome County between 7 P. M. and 7 A.M., with justices from each municipality alternating the responsibility of handling arraignments during those hours. Mr. Dumian stated that one positive result of this mandate is that it would “eliminate people walking through the Town Hall in shackles and orange jumpsuits.”

Mr. Dumian stated that this mandate is unfunded by New York State, but added that Broome County Executive Jason Garnar has stated that the County will figure out how to handle funding for the new mandate. He stated that the Town of Conklin comprises only 2-3% of the Court cases in Broome County. Mr. Dumian stated that the County will need additional personnel in the Sheriff’s Department and in the Correctional Facility. He stated that he is concerned that there is no financial plan in place to pay for this mandate. Mr. Platt stated that this addresses

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some of the security issues at the Town Hall, but added that the “lack of funding is troubling.” Mr. Dumian agreed that he “supports the process but is concerned with the lack of a funding plan.”

**DRAINAGE/DEC**

Mr. Dumian and Mr. Boyle will attend a meeting with representatives from the DEC (New York State Department of Environmental Conservation) on March 28, 2018, at the Cornell Cooperative Extension to discuss the Susquehanna River Basin Study. Mr. Dumian stated that he is concerned with the proposed seven miles of berms along the river and the Town of Conklin in kind funding that would be required. He added that he thinks this plan will cause problems downstream in Binghamton. The Town already has “storage ponds” for excess water where houses were demolished after the 2006 and 2011 floods.

Mr. Boyle stated that he has been in conversation with the DEC in Cortland regarding stewardship of drainage areas in the Town and the project is just waiting for the weather to improve. He added that he looked at a drainage problem area on Millburn Drive and noted that the drain under the railroad tracks is clear but the neighbors keep throwing debris into the diversion ditches, which he stated need to be kept clean of debris, adding that this area is private property. Mr. Dumian stated that because it is private property, cleaning out the diversion ditches is not the Town’s responsibility. Town Attorney Cheryl Sacco stated that this problem of water being diverted onto someone else’s land would be a private neighbor vs. neighbor lawsuit. Mr. Dumian stated that the neighbors should work together to solve the problem.

Mr. Dumian stated that the DEC in Cortland issues permits. Mr. Boyle added that this is only applicable if the area in question is not in a protected NWI area. He noted that the DEC allows material to be taken out of the area.

**SOLAR FARM**

Mr. Dumian stated that he had been contacted by a private company that owns a 30 acre solar farm in Tompkins County, and which would like to partner with the Town to provide electricity to Conklin. He stated that the solar farm was funded by New York State in a project similar to MEGA (Municipal Energy and Gas Alliance). The company claims to be able to reduce the cost of electricity by 10 percent, with no payment for excess electricity. The company is a green energy initiative and would like to make a presentation to the Town Board. Mr. Boyle pointed out that there is a solar farm in Broome County which is not yet on line. Mr. Dumian stated that there are concerns regarding disposal of toxic waste after the solar panels become obsolete and unusable. He also stated that there is no history behind this project. The Board decided to pass on having a presentation made by the solar farm company.

**KNOX BOX**

Mr. Dumian stated that Water and Parks Laborer Nick Platt is researching the cost of installing Knox Boxes at the Town Hall and at Schnurbusch Park. Mr. Willis Platt, who is also a member of the Conklin Volunteer Fire Department, has access to a list of businesses in the Town and will work with Code Officer Nick Vascello to get Knox Boxes installed where applicable.

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**CONKLIN YOUTH SPORTS**

Mr. Platt stated that the dugouts at Schnurbusch Park need to be repaired and that the walking bridge and sidewalk have been undermined by Carlin Creek and need to be repaired.

Mr. Farley stated flyers have been distributed for the Kiwanis Pitch, Hit, and Run event to be held on April 21 at 1:00 P.M. He stated that he has been stopping at practices for the Town baseball and softball teams, noting that there are three Minor Boys Teams and one Major Boys Team, so that the “numbers are looking better.” He added that the numbers of members of the Sports Boosters are also looking better so that the concession stands will be able to be open. Mr. Farley stated that Mr. Dan Miller is heading up the coaching of softball, noting that Mr. Miller has met with Youth Commissioner Fran Bealo. A meeting will be held at the end of the baseball/softball season to discuss how to further improve the Conklin Youth Sports Program. Mr. Dumian stated that the Town could model its program after the Town of Binghamton’s sports program, with Mr. Bealo coordinating the program as the Director, and with paid Commissioners for each sport who would handle recruitment and paperwork.

Opening Day will be April 28. Mr. Dumian stated that the Town will provide hamburgers and hot dogs, adding that he would like a parade around the park to be organized. He stated that for the sports program to be successful, the Town must “have a plan in place and execute the plan.”

Mr. Dumian stated that the sign at Schnurbusch Park has been replaced, adding that Mr. DeLamarter is researching electronic signs as a possibility, noting that the sign would be four feet by four feet, although it could be customized to fit the space currently available with the existing frame. Mr. Dumian stated that the Town could use the sign to honor past contributors to the sports program, as well as celebrating recent achievements such as the Sabers Girls Basketball team winning the New York State championship.

Mr. Farley asked what the Budget amount is for the Youth Sports Program, and Secretary to the Supervisor Lisa Houston replied that it is approximately \$12,000 to \$15,000 in the Youth Sports Contractual line. Mr. Dumian stated that he directed Mr. Bealo to spend all of his Budgeted amount to improve the program.

**BINGHAMTON-JOHNSON CITY SEWAGE TREATMENT PLANT**

Mr. Dumian stated that at the last Association of Towns meeting, those in attendance were informed that part of the issue with the Binghamton- Johnson City Joint Sewage Treatment Plant is that it was not repaired properly after the 2011 flood. Mr. Dumian stated that this is an example of why things should be done properly – “do it right the first time.”

**REGULAR TOWN BOARD MEETING**  
**MARCH 27, 2018**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:30 P.M. on March 27, 2018, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b>	Town Board Members	Boyle, Farley, Platt, Francisco, Dumian
	Town Counsel	Cheryl Sacco
	Town Clerk	Sherrie L. Jacobs
	Secretary to the Supervisor	Lisa Houston
	Highway Superintendent	Brian Coddington
	Code Officer/Dog Control Officer	Nick Vascello
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<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein
	Conklin Vol. Fire Dept.	Paul Jacobs
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		John Colley
		LeRoy Jenkins

**MINUTES: MARCH 13, 2018 REGULAR TOWN BOARD MEETING**

Mr. Farley moved to approve the March 13, 2013 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Francisco.

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

**CORRESPONDENCE:**

Mr. Dumian stated that he has received a complaint from an employee of the Ardagh Group stating that Maines Paper and Food Service stages its tractor trailers along Broome Corporate Drive for hours at a time, forcing Ardagh employees to drive in the oncoming lane in order to pull into the driveway of their place of employment. Mr. Dumian stated that he has received similar complaints from residents and from employees of Meier Supply in the Corporate Park. Highway Superintendent Brian Coddington commented that this situation also presents a hazard for his plow truck drivers.

Mr. Dumian stated that he had called Karen Chier, Public Relations representative for Maines, regarding the problem and was told that the Town should “find a solution,” and “have the residents find an alternate route to travel.” Mr. Dumian stated that he has talked to representatives of The Agency, which owns much of the Corporate Park, apprising them of the situation and the complaints that have been received. He stated that he met with Broome County Executive Jason Garnar, who is looking into the situation. Mr. Dumian stated that Broome County Sheriff David Harder has also been informed of the problem. Mr. Dumian stated that the Maines Corporation needs to create more staging areas so that the trucks are no longer parked along Corporate Drive.

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**PUBLIC COMMENTS:**

None.

**OLD BUSINESS:**

**SPECTRUM BROADBAND EXTENSION**

Mr. Dumian stated that Spectrum Broadband is expanding its rural business and will run a drop line at no charge. Town Attorney Cheryl Sacco cautioned that the Town may not own all of the necessary rights-of-way, adding that easements may still need to be obtained from property owners. Mr. Dumian stated that he asked the Spectrum representative which roads have been mapped out for inclusion, adding that the Town will request inclusion for those not covered. He stated that he was informed that residents must request a waiver of the installation fee.

**REPORT: CODE OFFICER/DOG CONTROL OFFICER**

As was discussed during the Work Session, Code Officer Nick Vascello will work with Mr. Platt to try to get Knox Boxes installed at major businesses in the Town to allow emergency access for the Fire Department.

Mr. Dumian asked Mr. Vascello about the status of the annual fire inspections and Mr. Vascello stated that the inspection in the north end of the Town have been completed, adding that he filed approximately 60 inspection in 2017. He stated that he is on schedule with approximately 100 inspections left to do.

Mr. Vascello stated that he met with the owner of a property on Clearview Avenue that is the site of an old abandoned foundation. The owner has agreed to fence off and fill the foundation, which is decades old.

Mr. Vascello stated that the audit of the MS4 (Municipal Separate Storm Sewer System) Report was satisfactory, with some new mapping and documentation required. Town Engineer John Mastronardi will address these requirements. Mr. Vascello stated that some employees need to be trained in an IDDE (Illegal Dumping and Discharge) program.

Mr. Vascello, who is also the Dog Control Officer, stated that the rate per dog for the Deputy Dog Control Officer to pick up a dog that is found without its owner is only \$25 per dog and he would like the Board to approve raising the pay rate to \$50 per dog. He noted that the Deputy DCO uses her own vehicle to transport the dogs and is on call 24 hours per day. To date in 2018, she has taken four dogs to the Front Street Dog Shelter.

Mr. Vascello stated that the 2009 van which serves as Dog Control and Code vehicle, is once again in the shop for repairs, adding that the Town has spent "a small fortune" (approximately \$3,000) in repairs, and it still needs approximately \$1,500 more work. The van's mileage is 38,000 miles. Mr. Boyle asked what type of vehicle would work best for Dog Control and Code and Mr. Vascello stated that a van is a better choice than a pickup truck, but they are not made with all-wheel or four-wheel drive, which is needed. He stated that a pickup truck with a cap might also work.

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Mr. Francisco asked about the Knox Boxes, wondering if the unmanned boxes can withstand vandalism. Mr. Platt replied that he is not sure, noting that there are different models of differing quality. Mr. Dumian stated that he is not sure the Town can mandate that Knox Boxes be installed, adding that the Town can talk to the property owners about the safety concerns that would make a Knox Box necessary. Mr. Platt stated that the Fire Department has a locked box on one of the fire trucks that contains keys to the Knox Boxes currently in place in the Town, adding that only the Fire Chief and his assistant have keys to this box.

**REPORT: HIGHWAY DEPARTMENT**

Highway Superintendent Brian Coddington stated that his department has been busy sweeping the roads.

**NEW BUSINESS:**

**BROOME COUNTY CONTRACTOR DATA BASE PROGRAM**

Mr. Dumian stated that the Southern Tier Homeowners Association, which has less than 200 contractors as members, would like to create a database for the more than 1,600 contractors in Broome County. He stated that the representatives of this group stated that there is an “underground economy” in which contractors do not pay Workers Compensation or other required costs. Their plan is to assign each contractor a number, which the Code Department would put on each relevant building permit, and then send that information to Broome County. It would cost a contractor \$400 to register with this database. The Town Code Officer would be responsible to monitor that the contractor on a particular job site was registered with the database. “Safety for residents” was the rationale for this proposal. Mr. Dumian noted that there were only nine cases of questionable behavior by contractors in Broome County in 2017.

Mr. Dumian stated that this registration should be voluntary not mandatory. He added that it is “large business trying to squash small business,” adding that the Town will not police such efforts. Mr. Farley called it a “special interest group.” Mr. Dumian called it “government overreach,” asking, “What about free enterprise?” There was no support for this database registry expressed by the Town Board.

**RESO 2018-48: SCHEDULE PUBLIC HEARING/APRIL 24, 2018 AT 6:35  
P.M.RECEIVE INPUT REGARDING APPLICATION FOR SPECIAL PERMIT TO  
BUILD AND OPERATE A STORAGE MALL/CORPORATE PARK/LAING SELF  
STORAGE**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing at 6:35 P.M. on April 24, 2018, to receive input regarding an application by Laing Self Storage for a Special Permit to build and operate a Storage Mall on property located at 430 Broome Corporate Parkway.

Seconded by Mr. Farley.

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

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**RESO 2018-49: AUTHORIZE PAYMENT/BILL LIST/\$44,864.60**

Mr. Farley 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 \$44,864.60:

General	\$ 20,209.37
Highway	8,750.74
Light Districts	2,302.61
Sewer District	4,552.01
Water District	<u>9,049.87</u>
<b>Total</b>	<b>\$ 44,864.60</b>

Seconded by Mr. Platt.

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

**RESO 2018-50: APPROVE 21<sup>ST</sup> CONCRETE/REPAIR SIDEWALK AT TOWN HALL**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves 21<sup>st</sup> Concrete to repair the sidewalks at the Conklin Town Hall at a cost not to exceed \$3,900.

Seconded by Mr. Boyle.

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

**RESO 2018-51: APPROVE MUNICIPAL CLEAN-UP DAYS MAY 3-7, 2018/TIPPING FEES WAIVED MAY 8/AND ALLOW COLLECTION OF WASTE FROM ILLEGAL DUMPING**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Municipal Clean-up Days to be held May 3 through 7, 2018, with Broome County agreeing to waive tipping fees on May 8, 2018, and approves the collection of waste from illegal dumping.

Seconded by Mr. Boyle.

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

Mr. Boyle asked if tires that are dumped on roadways are perhaps a problem best handled by the DEC.

**RESO 2018-52: AUTHORIZE L. HOUSTON/ATTEND 2018 EDMUNDS FINANCIAL SOFTWARE COMPANY ANNUAL USER CONFERENCE/APRIL 11, 2018/HERSHEY, PENNSYLVANIA**

Mr. Farley moved for the following resolution:

**REGULAR TOWN BOARD MEETING**

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Be It Resolved: that the Town Board of the Town of Conklin authorizes Lisa Houston to attend the 2018 Edmunds Financial Software Company Annual User Conference to be held April 11, 2018, in Hershey, Pennsylvania, with all necessary travel and lodging expenses, account code A1220.4.

Seconded by Mr. Platt.

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

**PUBLIC COMMENTS:**

None.

**SABERS GIRLS BASKETBALL CLASS B NEW YORK STATE CHAMPIONSHIP**

Mr. Francisco stated that the Town Board should honor the Sabers Girls Basketball Team for their recent Class B New York State Championship. Ideas included posting on the sign at the entrance to Schnurbusch Park, certificates from the Town Board, a plaque, a party, and dedicating Opening Day of Baseball and Softball to the team.

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

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk