

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 12, 2008**

The Town Board of the Town of Conklin held a Regular Town Board Meeting on February 12, 2008, at 6:00 P.M. at the Conklin Town Hall. Mrs. Preston, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b>	Town Board Members	Bullock, Minoia, Ayres, Finch, Preston
	Town Counsel	Mark S. Gorgos
	Assistant to Supervisor	Lisa Houston
	Dog Control Officer	Darlene Weidman
	Town Clerk	Sherrie L. Jacobs
	Planning Board	Chuck Francisco

<b>GUESTS:</b>	<b>Country Courier</b>	Elizabeth Einstein
	<b>Press &amp; Sun Bulletin</b>	Connie McKinney
		Harry E. Platt
		Joe Bartosik
		Daniel Fitzsimmons
		John C. Colley
		Laurie Francisco
		Judy Kelly
		Tom Kelly

**CORRESPONDENCE:**

Supervisor Preston acknowledged receipt of reports from the Town Clerk, the Supervisor's Office, the Code Officer, the Water and Sewer Superintendent, the Highway Superintendent, and from the Dog Control Officer. She also acknowledged receipt of a letter from Mr. William Brodsky.

**DISCUSSION OF MINUTES AND AGENDA ITEMS**

Supervisor Preston explained that because the decision to move the start time of the Town Board meeting from 7:00 P.M. to 6:00 P.M. because of inclement weather was made earlier today, leaving an inadequate amount of time in which to properly advertise the change, no voting on resolutions or approval of minutes could take place until after the original 7:00 P.M. start time. She explained that the board can, however, discuss items on the agenda and the minutes, and then vote on them after 7:00 P.M. Public comments can also be taken.

Mr. Finch questioned Resolution 2008-36, passed at the January 28, 2008 Town Board meeting, stating that it had originally been a resolution to authorize the Supervisor to enter an agreement with the USDA for a grant for a feasibility study on sewer system improvements only. Supervisor Preston stated that the water part of the resolution had been added during discussion, after Mr. Finch stated that adding water system improvements would be the only way the City of Binghamton would approve the sewer expansion. She stated that if the resolution is rescinded and revised, the USDA grant would have to be completely rewritten and the money would be lost. The minutes will stand as presented, pending approval by the Town Board after 7:00 P.M.

Mr. Ayres asked about an agenda item regarding re-zoning of two parcels from R-12 (Residential) to Agricultural and Supervisor Preston stated that the two parcels are 1222 and 1224 Conklin Road, which are being donated to the Town to expand the current Conklin Cemetery.

**PUBLIC COMMENTS:**

**FILLING ISSUES**

Mr. Daniel Fitzsimmons of 7 Roxbury Street stated that he had received the MS4 Stormwater Runoff section of the Town Code from Code Officer Robert Jones and added that he is confused by the references to being unable to change the grade of the land by filling, in light of his

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 12, 2008**

concerns with his neighbor, Mr. Robert Sullivan, filling his property, which abuts that of Mr. Fitzsimmons. Mr. Fitzsimmons stated that he thought the wording in the Code would prohibit Mr. Sullivan's activity. He added, "Codes are in place to protect people." Mr. Fitzsimmons stated that he feels the Town's Code Officer and the Town Code need the legal ability to enforce the laws more stringently. He stated that he understands that the MS4 legislation is written for activity involving land of 5 acres or more in residential areas, which requires approval by the Town Planning Board, but asked what would happen if there is a rainstorm. He feels Mr. Sullivan's fill would cause the runoff water to impact his property. Mr. Fitzsimmons stated that Mr. Jones had required Mr. Sullivan to install a berm and swale to run water away from Mr. Fitzsimmons' property but asked whose job it is to monitor the swale and enforce its maintenance. He also stated that the installed berm and swale now drains water into the yard of Mr. Fitzsimmons' neighbor.

Town Counsel Mark Gorgos stated that the MS4 legislation is concerned primarily with commercial sites and large-scale residential activity, acknowledging that the 1-5 acre residential activity is "a loophole" in the law. He added that the Code Officer would be responsible for enforcing maintenance of the above-mentioned berm and swale.

Supervisor Preston stated that new flood plain maps are currently being drawn and will be available this spring, noting that the area encompassed by the flood plain will be much larger than it was on the maps drawn in the 1970's. Whether or not a site is located in the flood plain impacts the amount and type of filling that can be done on that site.

Supervisor Preston asked what the Town can do to protect residents from the effects of a neighbor's filling. Mr. Gorgos suggested setting short expiration dates, such as December 31, 2008, for all flood fill permits. He added that an engineer could give on and off site drainage suggestions. Mr. Gorgos stated that any limits to filling set by the Town Board must apply to all areas of the Town. Supervisor Preston commented, "We need something."

Mr. Finch asked if the Town Board can expand the MS4 legislation to include residential areas of under five acres and Mr. Gorgos replied that the Law of Home Rule cannot be applied to modify the MS4 legislation because it is a New York State law, and that the Town must take another route to control filling in residential areas. Mr. Ayres suggested limiting the number of loads of fill allowed, depending upon the size of the area involved. Mr. Finch stated that the Town would need to use a tonnage limit rather than number of loads of fill. Supervisor Preston suggested that Mr. Gorgos consult with Town Engineer Dan Griffiths to begin drafting legislation for a local law to control filling in residential areas of sites less than five acres in size. Mr. Gorgos asked the Town Board to consider what type of process it desires for this legislation. For example, if the ratio of tonnage of fill to size of area involved is "x," does the decision go to the Code Officer, and if the ratio is "y," does it need to go to the Planning Board? Will the permit be given by the Code Officer, the Planning Board, or the Town Board (as a Special Permit)? Mr. Finch asked if the new legislation would apply in the flood plain area only, or the river valley, and Mr. Gorgos stated that the legislation must apply to the entire Town. Mr. Ayres stated that filling also impacts water flow in the hills as well as in the valley.

**PARKING FOR SENIOR CITIZENS CLUB VEHICLES WHEN ON BUS TRIPS**

Mr. Joseph Bartosik of the Conklin Senior Citizens Club requested permission for Club members to park their vehicles in the parking lot at the former Conklin Sports Park, adjacent to the soon-to-be Conklin Community Center, while the Club members are away on bus trips. He stated that it would be easier for the bus to pull into the parking lot near the Community Center to pick up the Club members than it is for the bus to enter the parking lot at the Conklin Presbyterian Church, where Club members currently park while on their trips. Mr. Bartosik stated that the membership of the Club is large enough so that it takes up parking spaces at the church which are not allotted for the Club's use. There would be no such conflict at the Community Center parking lot.

## **REGULAR TOWN BOARD MEETINGS**

**FEBRUARY 12, 2008**

Supervisor Preston stated that she thought parking for day trips would be acceptable, but not parking for week-long trips. Mr. Bartosik replied that no week-long trips are currently planned, but perhaps one overnight trip is on the schedule for 2008. He added that the first trip of the year is scheduled for March 17, 2008, with 40 people signed up to participate. Mr. Finch asked if the Town would be liable for any damage incurred to the Club members' vehicles while parked on Town property and Mr. Gorgos replied that the Town would not be liable.

### **MORE FILLING AND DRAINAGE ISSUES**

Mr. John Colley of Millburn Drive asked if any new legislation enacted to control filling in residential areas would be retroactive, noting that the flooding in his neighborhood, which is not in the flood plain, is caused by filling that was done several years ago. Mr. Gorgos stated that the new legislation could not be retroactive because the filling was not illegal at the time it occurred. Supervisor Preston stated that the expanded flood maps may include Millburn Drive as part of the flood plain, though not part of the flood way.

Judy and Tom Kelly of Carol Court asked for an update on the situation with Carlin Creek and the beaver dam and Donnelly Wetlands, which causes flooding in their neighborhood. Mr. Finch replied that the beavers are gone now and Supervisor Preston added that wood that was blocking the water flow has been removed. Mrs. Kelly asked if the Town plans to clean Carlin Creek. Mr. Kelly asked if the dam in the Donnelly Wetlands has been lowered and Supervisor Preston replied that the dam gave way.

Mrs. Kelly also commented on the area near the intersection of Route 7 and the Colesville Road Extension, behind Dino's on the Susquehanna, remarking that the area is "unsightly." Supervisor Preston stated that the Town is aware of the problem and is "working with the property owners" to find a solution.

### **MORE DISCUSSION OF AGENDA ITEMS**

Mr. Gorgos suggested scheduling a Public Hearing on March 11, 2008, at 7:05 P.M. to receive input on the proposed Zoning Ordinance to re-zone the parcels at 1222 and 1224 Conklin Road from R-12 (Residential) to Agricultural, noting that the board will need to vote on this after 7:00 P.M.

Mr. Gorgos also stated that the Town Board would need to pass a resolution approving the renewal of a Budget Note for the Buyout process in the amount of \$495,000, with the plan to pay down the principal from \$495,000 to \$425,000. He added that the Town is only allowed one Budget Note Renewal. He therefore suggested also approving a Bond Anticipation Note for \$495,000, so that the Town would have money to complete the Buyout process if the payment from FEMA (Federal Emergency Management Agency) does not arrive as scheduled. After discussion, it was decided to do further research and discuss the Bond Anticipation Note further at the March 11, 2008 meeting.

Supervisor Preston stated that the Town Board had received a letter of resignation from Water Department Laborer Christopher Henderson, which will also be accepted after 7:00 P.M.

(Break 6:40 – 7:00 P.M.)

### **MINUTES: JANUARY 22, 2008 REGULAR TOWN BOARD MEETING**

Mr. Finch moved to accept the January 22, 2008 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Ayres.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 12, 2008**

**MINUTES: JANUARY 28, 2008 SPECIAL TOWN BOARD MEETING**

Mr. Ayres moved to accept the January 28, 2008 Special Town Board Meeting minutes as presented.

Seconded by Mr. Finch.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

**REPORT: SUPERVISOR'S REPORT**

Refer to written report.

**REPORT: TOWN CLERK**

Refer to written report.

**REPORT: HIGHWAY SUPERINTENDENT**

Refer to written report.

**REPORT: WATER & SEWER SUPERINTENDENT**

Refer to written report.

**REPORT: CODE OFFICER**

Refer to written report.

**REPORT: DOG CONTROL OFFICER**

Refer to written report.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**RESO 2008-43: APPROVE CONSENT AGENDA/RESOLUTIONS 9-B THROUGH 9-I**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves by consent agenda the following resolutions 9-B through 9-I:

B) Authorize and accept the conveyance of the following designated properties to the Town of Conklin pursuant to the 2006 Flood Buyout Program in accordance with the policies and procedures of the New York State Emergency Management Office (SEMO) and as approved by the legal counsel for the Town:

<b><u>GRANTOR</u></b>	<b><u>PROPERTY ADDRESS</u></b>	<b><u>TAX MAP NUMBER</u></b>
Roger S. Quinn and Graciela V. Quinn	900 Conklin Road, Town of Conklin, Broome Co., New York	162.14-1-5
Tarry E. Fuhri	9 Shirley Avenue, Town of Conklin, Broome Co., New York	194.04-2-22

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 12, 2008**

- C) Ratify payment of check #6192, account code A1989.4, in the amount of \$1,500.00 to Cyber City for 50% downpayment for the new Town of Conklin web design.
- D) Ratify payment of check #6193, account code A1220.4, in the amount of \$70.00 to the Town of Union for bus transportation for Debra Preston to attend the Association of Towns Annual Conference in New York City on February 17 – 20, 2008.
- E) Approve payment, account code A1220.4, in the amount of \$224.00 to Debra Preston as the New York State per diem rate for meals and incidental expense associated with her attendance at the Association of Towns Annual Conference in New York City on February 17 – 20, 2008.
- F) Ratify payment of check #6194, account code A1220.4, in the amount of \$141.91 to Debra Preston for mileage reimbursement for the period January 14 through February 1, 2008.
- G) Ratify payment of check #6222, account code A7550.4, in the amount of \$130.00 to MacLennan’s Flowers, Inc., for 2007 Christmas decorations.
- H) Ratify payment of check #6223, account codes A1670.4, A7550.4, A7110.4, and A1620.4, in the amount of \$75.87 to the Town of Conklin Petty Cash for postage and miscellaneous reimbursements.
- I) Ratify payment of check #6224, account code F1-3410.4, in the amount of \$216,785.00 to the Conklin Volunteer Fire Department, Inc., for the 2008 Fire Protection Agreement.

Seconded by Mr. Minoia.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

**RESO 2008-44: AUTHORIZE PAYMENT OF CLAIMS #18-140 FOR 2008**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the payment of the following claims #18 - 140 for the year 2008 in the total amount of \$209,184.37:

General	\$110,357.08
Highway	22,691.88
Flood Emergency – HA	3,589.88
Property Buyout – HB	22,960.00
Highway Flood Emergency – HH	10,321.01
Pool Improvement – HP	29,604.55
Light Districts	2,366.89
Sewer District 1	1,575.68
Water District	<u>5,717.40</u>
<b>Total</b>	<b>\$209,184.37</b>

Seconded by Mr. Finch.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

**RESO 2008-45: SCHEDULE PUBLIC HEARING/MARCH 11, 2008/7:05 P.M./ZONING ORDINANCE/RE-ZONE TWO PARCELS/1222 & 1224 CONKLIN ROAD/TAX MAP #S 194.012-1-5 & 194.012-1-6/FROM R-12 (RESIDENTIAL) TO AGRICULTURAL/EXPAND CONKLIN CEMETERY**

Mr. Finch moved for the following resolution:

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 12, 2008**

Be It Resolved: that the Town Board of the Town of Conklin schedules a Public Hearing on March 11, 2008, at 7:05 P.M. to receive input regarding a proposed Zoning Ordinance to re-zone two parcels of land, 1222 Conklin Road, Tax Map #194.012-1-5, and 1224 Conklin Road, Tax Map #194.012-1-6, from R-12 (Residential) to Agricultural.

Seconded by Mr. Ayres.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

These two parcels of land are to be donated by the Gardinor and Beveridge families to the Town to expand the current Conklin Cemetery.

**RESO 2008-46: AUTHORIZE ISSUANCE/UP TO \$425,000 IN BUDGET NOTES**  
**(RENEWALS)/COSTS AND PAYMENTS/2005 FLOOD BUYOUT PROGRAM**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin, duly convened in regular session, does hereby resolve as follows:

Section 1. There are hereby authorized to be issued up to \$425,000.00 in Budget Notes (Renewals) (the “Notes”) of the Town of Conklin (hereinafter “Town”) which are being issued to pay for costs and payments required in connection with the 2005 Flood Buyout Program (hereinafter “Project”).

Section 2. The facts and circumstances necessitating the issuance of such budget notes (renewals) are as follows: The Town experienced severe flooding during the 2005 flood and then by two subsequent floods in 2006. Numerous homes were destroyed or severely impacted by this flooding. The Town, in cooperation with the New York State Emergency Management Office (“SEMO”), has identified a substantial number of properties which qualify for purchase by the Town, to be converted to “forever green” or otherwise open or recreational space. Seventy-five percent of the costs for these buyouts, including purchase price, surveys, legal fees, recording costs and other necessary and incidental expenses thereto, is funded by the State of New York on a reimbursement basis to the Town. However, full reimbursement for the Project has not yet been received as originally anticipated when these original budget notes were authorized and issued by the Town in February of 2007.

Section 3. The specific object or purposes for which the Notes are being authorized by this Resolution are set forth in Section 2 of this Resolution; and are, in effect, given periods of probable usefulness by subdivisions 12-a (Demolition of Buildings), and 21 (land acquisition), of the Local Finance Law of the State of New York. As a result of the lengthy reimbursement process, there are no other Town funds immediately available with which to pay or provide for such object or purposes. There was no appropriation contained in the Town budget for the year 2005 to pay for these unanticipated flood expenses. Because of other flood-related expenses the Town has incurred and anticipates that it will incur, including flood related expenses incurred in separate flood events of 2006, the contingency account in the Town budget for the year 2008 and the surplus account of the Town may not be adequate to pay for the flood buyout program costs pending State reimbursement.

Section 4. The Notes to be issued in accordance with the terms and provisions of this resolution shall mature within one year from the date of their issuance. There may be no further renewals of these Notes in accordance with the provisions of the Local Finance Law.

Section 5. The Town has received assurances that it will eventually receive reimbursement from the State of New York Emergency Management Office.

Section 6. The amount of the Notes to be issued pursuant to the provisions of this Resolution shall not exceed \$425,000.00.

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 12, 2008**

Section 7. The faith and credit of the Town shall be and are hereby pledged for the punctual payment of the principal of and interest due on the Notes as the same shall become due and payable.

Section 8. The Notes shall be issued in such amount and have such terms, form and content, and shall be sold in such manner as may be prescribed by the Town Supervisor, the Chief Fiscal Officer of the Town, consistent with the provisions of the Local Finance Law of the State of New York.

Section 9. The Town Supervisor, the Chief Fiscal Officer of the Town, is hereby authorized to enter into an undertaking for the benefit of the holders of the Notes if required by Securities and Exchange Commission Rule 15c2-12, as amended.

Section 10. The validity of the Notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

2. The provisions of the law which should be complied with at the time of the publication of this Resolution or summary thereof, or certificate, as the case may be, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

3. Such obligations are authorized in violation of the provisions of the constitution.

Section 11. This Resolution, or a summary of this Resolution shall be published in full by the Town Clerk of the Town in the official newspaper of the Town, together with a notice in substantially the form set forth in subdivision a. of section 81.00 of the Local Finance Law.

Section 12. This Resolution shall take effect immediately.

Seconded by Mr. Bullock.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

**RESO 2008-47: AUTHORIZE TOWN CLERK JACOBS/ATTEND NYSTCA  
CONFERENCE/SARATOGA SPRINGS/APRIL 27-30, 2008/PLUS ALL REAL &  
NECESSARY EXPENSES FOR CONFERENCE TRIP**

Mr. Finch 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 New York State Town Clerks Association Conference to be held April 27 – 30, 2008, in Saratoga Springs, New York, and authorizes all real and necessary expenses for the Conference trip.

Seconded by Mr. Minoia.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

**RESO 2008-48: ACCEPT RESIGNATION/C. HENDERSON/WATER & SEWER  
DEPARTMENT LABORER/EFFECTIVE 2-22-2008**

Mr. Minoia moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts, with regret, the resignation of Christopher Henderson from the position of Water & Sewer Department Laborer, effective February 22, 2008.

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 12, 2008**

Seconded by Mr. Finch.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

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**PUBLIC HEARING**  
**TO RECEIVE INPUT REGARDING PROPOSED LOCAL LAW 1, 2008**  
**“A LOCAL LAW REDUCING THE TOWN OF CONKLIN ZONING BOARD OF**  
**APPEALS FROM A 7 MEMBER BOARD TO 5”**

**PRESENT:** Same as on page one, plus William Northwood and Hal Cole.

Notice of Public Hearing having been duly advertised, Supervisor Preston declared the Public Hearing open at 7:05 P.M. and asked those present to speak either for, or in opposition to, proposed Local Law 1, 2008, “A Local Law Reducing the Town of Conklin Zoning Board of Appeals from a 7 Member Board to 5.”

Mr. Gorgos explained that a new Town Law sets Zoning Boards of Appeal at either three or five members, although a Town can opt to keep a pre-existing seven-member board or can reduce the number of members of its board to three or five, as long as a member is not removed before the end of his or her term of office. He also explained the purpose of alternate members of a Zoning Board of Appeals, who he stated can only participate in the process if a member or members of the current board has/have a conflict of interest with the case at hand. Mr. Gorgos explained that alternates cannot be used to obtain quorum or a supermajority override vote in the event of current board members being ill or absent. He added that the same training is required of alternates as is required of current board members.

Mr. Finch asked how many towns have five-member Zoning Boards of Appeals. Mr. Minoia has researched this issue and stated that most area municipalities have a five-member Zoning Board, including the Towns of Binghamton, Chenango, Dickinson, Fenton, and Windsor. He stated that the Town of Kirkwood has five members plus three ad hoc members, the Town of Maine has six members plus two alternates, and the Town of Vestal has five members plus one alternate.

Mr. Hal Cole, of the Town of Conklin Zoning Board of Appeals, told Mr. Gorgos that he had read in a publication from the Federation of Towns that New York State Law allows for “conflict of interest only” use of alternates, but the local law could be written to include the use of alternates in the case of illness or absence of current board members. Mr. Gorgos concurred, stating that Municipal Home Rule could be used to expand the use of alternates. Supervisor Preston asked if alternates could vote and Mr. Gorgos replied that an alternate could vote. Mr. Cole stated that the alternates would need training.

There being no further public comments or questions, Supervisor Preston declared the Public Hearing closed at 7:13 P.M.

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Mr. Finch stated that this is “a unique time to change, with one resignation and one term ending,” noting that it is an opportune time to change the number of members of the Zoning Board of Appeals. He added that the Town Board and Planning Board each have only five members.

Mr. Bullock commented that he believes the Zoning Board of Appeals should be “left as it is” with seven members, acknowledging “the experience and opinions of the members of the ZBA.” (ZBA Chairman William Northwood had submitted a letter at a previous Town Board meeting opposing the reduction in the number of members of the Zoning Board.) Supervisor Preston agreed with Mr. Bullock. Mr. Finch asked if the Town has applications for the two open seats on the Zoning Board and Supervisor Preston stated that the Town has kept the applications which were submitted in response to the ad that ran in November 2007 but added that they are “quite old now.”

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 12, 2008**

**RESO 2008-49: WITHDRAW PROPOSED LOCAL LAW 1, 2008/"A LOCAL LAW**  
**REDUCING THE TOWN OF CONKLIN ZONING BOARD OF APPEALS FROM A 7**  
**MEMBER BOARD TO 5"**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin withdraws from consideration proposed Local Law 1 for the year 2008, "A Local Law Reducing the Town of Conklin Zoning Board of Appeals From a 7 Member Board To 5."

Seconded by Mrs. Preston.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

Supervisor Preston stated that she and ZBA Chairman William Northwood will be interviewing prospective candidates for the two open seats on the Zoning Board of Appeals during the next two weeks. In response to a query from Mr. Northwood regarding the possibility of Mr. William Brodsky being reappointed to the ZBA, Mr. Finch stated that the Town Board would need to "look at all of the applications first" before making a decision.

**CLASS SCHEDULED/CPR & DEFIBRILLATORS**

Mr. Bullock announced that a class to teach CPR (Cardiopulmonary Resuscitation) and use of the newly acquired external defibrillators is scheduled for Saturday, March 15, 2008, at 8:00 A.M. at the Town Hall. He added that approximately 20 people are currently enrolled in the class.

**STREET LIGHTS NOT FUNCTIONING**

Mr. Bullock stated that he had observed 11 street lights that are out and not functioning in the area of Conklin Road near the intersection of Route 7 and the Colesville Road Extension. Mr. Finch will call Tom Standard at NYSEG (New York State Electric & Gas Corporation) to ask that the lights be repaired.

**ST. PATRICK'S DAY PARADE**

Mr. Ayres reminded those present that the St. Patrick's Day Parade in Binghamton is only two weeks away on March 1, 2008, so the Town float needs to be prepared for the parade.

**ADDITIONAL YEARS OF SERVICE/B. CODDINGTON**

Supervisor Preston stated that Highway Department Laborer Brian Coddington worked part-time for the Town for one and one-half years during the years 1986-1989 and that she would like to credit that time worked for purposes of the New York State Retirement System, as has been done with part-time service for other employees in the past. She added that this change would make his anniversary date of employment with the Town January 1, 2008, which would give him twenty years of employment with the Town and a resulting increase in salary of \$.25 per hour.

**RESO 2008-50: GRANT BRIAN CODDINGTON/ONE AND ONE-HALF ADDITIONAL**  
**YEARS OF SERVICE/NYS RETIREMENT/RESULTING WAGE INCREASE OF \$.25**  
**PER HOUR**

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin grants Brian Coddington, Highway Department Laborer, an additional one and one-half years of service for purposes of the New York State Retirement System, with a resulting wage increase of \$.25 per hour.

Seconded by Mr. Minoia.

**REGULAR TOWN BOARD MEETING**  
**FEBRUARY 12, 2008**

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

**SUGGESTED CHANGE IN NUMBER OF YEARS EMPLOYMENT NEEDED TO QUALIFY FOR HEALTH CARE BENEFITS WHEN RETIRED**

Supervisor Preston stated that the Town currently requires employees to have served 20 consecutive years of employment with the Town in order to qualify for health care benefits after they retire. She recommended that the Town Board reduce the required length of employment from 20 years to 15 years and make the necessary change to the Policy Manual. Mr. Gorgos stated that the entire Policy Manual would need to be checked to make sure the language is consistent throughout the Policy Manual regarding this change.

**RESO 2008-51: EXECUTIVE SESSION/LITIGATION**

Mr. Bullock moved to close the Regular Town Board Meeting and move into Executive Session at 7:35 P.M. to discuss litigation.

Seconded by Mr. Finch.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

**RESO 2008-52: RE-OPEN REGULAR TOWN BOARD MEETING**

Mr. Bullock moved to close the Executive Session and re-open the Regular Town Board Meeting at 7:48 P.M.

Seconded by Mr. Minoia.

VOTE: Bullock – Yes, Minoia – Yes, Ayres – Yes, Finch – Yes, Preston – Yes. Motion passed unanimously.

There being no further business to come before the board, Mr. Finch moved for adjournment, seconded by Mr. Ayres.

The meeting adjourned at 7:49 P.M.

Respectfully submitted,

Sherrie L. Jacobs  
Town Clerk