

REGULAR TOWN BOARD MEETING
NOVEMBER 13, 2025

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on November 13, 2025. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

PRESENT:	Town Board Members	Boyle, Finch, Francisco, Farley, Dumian
	Town Counsel	Mark Spinner
	Town Clerk	Sherrie L. Jacobs
	Secretary to the Supervisor	Teresa Bamber
	Administrative Assistant	Mary Plonski
	Highway Superintendent	Jeff Hayes
	Town Engineer	John Mastronardi
	Planning Board	Sandra Beam
	Zoning Board of Appeals	Elizabeth Einstein
	Zoning Board of Appeals	William Brodsky
GUESTS:	Abundant Solar Power	Bartolo Morales
	Abundant Solar Power	Matt McGregor
	Delaware River Solar Power	Mollie Messenger
		Jim Kreidell
		Laurie Francisco
		Naomi VanHart
		Daniel VanHart
		Peter J. Motsavage
		Derek Pavelski
		Mark Vitanza
		Sharon Vitanza
		Mary Boyle

MINUTES: OCTOBER 28, 2025 REGULAR TOWN BOARD MEETING

Mr. Farley moved to approve the October 28, 2025 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Francisco.

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

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CONTINUATION OF PUBLIC HEARING
TO RECEIVE INPUT REGARDING PROPOSED DELAWARE RIVER SOLAR
POWER FACILITY ON FALLBROOK ROAD

PRESENT: Same as on page one.

William Brodsky asked why the information regarding this project on the Town website had not been updated. It appears that the solar company did not update it nor was the information sent to the Town forwarded to the person who updates the website. This miscommunication will be remedied in the future.

Derek Pavelski asked whose responsibility it will be to maintain the buffer around the site and Mr. Dumian replied that it will be a condition of the approval of the project.

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Mr. Pavelski asked about the conflict of interest with Councilman Boyle, who has a proposed solar project at 50 Boyle Boulevard, on land that Mr. Boyle owns. Mr. Pavelski stated that Mr. Boyle should recuse himself and asked if he will be able to vote on future projects, adding that it “provides the appearance of impropriety.” Mark Vitanza added that Mr. Boyle “can’t be objective” and “his vote is pre-determined.”

Mr. Pavelski asked why the plans show Project 1 and Project 2. Town Attorney Mark Spinner explained that the Board will be voting on the site as one project. Mollie Messenger of Delaware River Solar Power explained that the project must be smaller than 5 megawatts to qualify for a Community Host Agreement with the Town. Mr. Spinner explained that the project is not being built in phases, but rather Projects 1 and 2 will be built simultaneously, adding that this is a financial decision made by Delaware River Solar Power. Ms. Messenger explained that Community Solar goes “right back into the grid.” Mr. Brodsky stated that the “total amount is the same if it is one or two projects.” He asked if there are different New York State incentives and Ms. Messenger stated that there are not different incentives, but by law a 7 MW facility must be split into two projects. Mr. Brodsky asked which substation will receive the electricity and it was determined that it will go to the Langdon Station in Kirkwood. Ms. Messenger stated that the interconnections have been secured. Mark Vitanza asked if there was a simpler route than two projects, and Mr. Dumian explained that then it would have become a commercial project, adding that this is the full buildout of the project. Ms. Messenger added that in New York State it is illegal to add another solar project at a particular site after the environmental assessment has been completed.

Mr. Pavelski questioned the location of the solar project on the property, citing concerns with runoff and visibility from Fallbrook Road and the golf course. Mr. Dumian stated that the Town cannot tell the property owners where to put the facility on their property, adding that the Board has to look at the application that was submitted and determine if it meets the criteria in the Town’s solar law. Mr. Vitanza asked about the traffic concerns and Mr. Dumian stated that he talked with Delaware River Solar representatives about traffic during construction, adding that this can be a condition of the approval of the site plan. Mr. Dumian stated that Delaware River Solar Power has met all of the concerns that have been raised, including the plan to plant 123 12-foot giant arborvitae. Mr. Pavelski asked if the driveway had been changed and Ms. Messenger stated that a curve was added plus the trees. Daniel VanHart asked if the most recent plans are available and Mr. Dumian stated that they are.

There being no more public comments or questions, Mr. Dumian closed the Public Hearing at 6:38 P.M.

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SEQRA/DELAWARE RIVER SOLAR PROJECT

The Town Board and Mr. Spinner went through the SEQRA (State Environmental Quality Review Act) Review. These are the questions and responses.

- 1) Impact on Land – The proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. The Board answered “Yes.”
 - a.) The proposed action may involve construction on land where depth to water table is less than 3 feet – “No, or small impact.”
 - b.) The proposed action may involve construction on slopes of 15% or greater – “No, or small impact.”
 - c.) The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface – “No, or small impact.”
 - d.) The proposed action may involve the excavation and removal of more than 1,000 tons of natural material – “No, or small impact.”

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- e.) The proposed action may involve construction that continues for more than one year or in multiple phases – “No, or small impact.”
- f.) The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including treatment by herbicides) – “No, or small impact.”
- g.) The proposed action is, or may be, located within a Coastal Erosion hazard area – “No, or small impact.”

Town Engineer John Mastronardi explained that erosion will be controlled by the SWPPP (Stormwater Pollution Prevention Plan) for the site, adding that weekly stormwater inspections are mandated, to be checked by either Mr. Mastronardi or Code Officer Nick Pappas.

- 2) Impact on Geographical Features – The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves) – The Board answered “No.”
- 3) Impact on Surface Water – The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds, or lakes). – The Board answered “Yes.”
 - a.) The proposed action may create a new water body – “No, or small impact.”
 - b.) The proposed action may result in an increase or decrease of over 10% or more than a 10 acres increase or decrease in the surface area of any body of water – “No, or small impact.”
 - c.) The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body – “No, or small impact.”
 - d.) The proposed action may involve construction within or adjoining freshwater or tidal wetland, or in the bed or banks of any other water body – “No, or small impact.”
 - e.) The proposed action may create turbidity in a waterbody, either from upland erosion, runoff, or by disturbing bottom sediments – “No, or small impact.”
 - f.) The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water – “No, or small impact.”
 - g.) The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s) – “No, or small impact.”
 - h.) The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies – “No, or small impact.”
 - i.) The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action – “No, or small impact.”
 - j.) The proposed action may involve the application of pesticides or herbicides in or around any water body – “No, or small impact.”
 - k.) The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities – “No, or small impact.”

Mr. Mastronardi stated that the NYS DEC (Department of Environmental Conservation) has approved any impact on wetlands.

- 4) Impact on Groundwater – The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer – The Board answered “No.”
- 5) Impact on Flooding – The proposed action may result in development on lands subject to flooding – The Board answered “Yes.”
 - a.) The proposed action may result in development in a designated floodway – “No, or small impact.”
 - b.) The proposed action may result in development within a 100 year floodplain – “No, or small impact.”

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- c.) The proposed action may result in development within a 500 year floodplain – “No, or small impact.”
- d.) The proposed action may result in, or require, modification of existing drainage patterns – “No, or small impact.”
- e.) The proposed action may change flood water flows that contribute to flooding – “No, or small impact.”
- f.) If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade? – “No, or small impact.”
- g.) Other impacts – “No, or small impact.”

Mr. Mastronardi noted that the SWPPP for the proposed project would actually decrease the flow of runoff water.

- 6) Impact on Air – The proposed action may include a state regulated air emission source – The Board answered “No.”
- 7) Impact on Plants and Animals – The proposed action may result in the loss of flora or fauna – The Board answered “Yes.”
 - a.) The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use this site or are found on, over, or near the site – “No, or small impact.”
 - b.) The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened, or endangered species, as listed by New York State or the Federal government – “No, or small impact.”
 - c.) The proposed action may result in a reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site – “No, or small impact.”
 - d.) The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government – “No, or small impact.”
 - e.) The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect – “No, or small impact.”
 - f.) The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community – “No, or small impact.”
 - g.) The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site – “No, or small impact.” The main concern here would be for the Northern Long-Eared Bat, but it does not inhabit this site.
 - h.) The proposed action requires the conversion of more than 10 acres of forest, grassland, or any other regionally or locally important habitat – “No, or small impact.”
 - i.) Proposed action (commercial, industrial, or recreational projects, only) involves use of herbicides or pesticides – “No, or small impact.”
- 8) Impact on Agricultural Resources – The proposed action may impact agricultural resources – The Board answered “Yes.”
 - a.) The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System – “No, or small impact.”
 - b.) The proposed action may sever, cross, or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.) – “No, or small impact.”

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- c.) The proposed action may result in the excavation or compaction of the soil profile of active agricultural land – “No, or small impact.”
 - d.) The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District – “No, or small impact.”
 - e.) The proposed action may disrupt or prevent installation of an agricultural land management system – “No, or small impact.”
 - f.) The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland – “No, or small impact.”
 - g.) The proposed plan is not consistent with the adopted municipal Farmland Protection Plan – “No, or small impact.”
- 9.) Impact on Aesthetic Resources – The land uses of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource – The Board answered “Yes.”
- a.) Proposed action may be visible from any officially designated Federal, State, or local scenic or aesthetic resource – “No, or small impact.”
 - b.) The proposed action may result in the obstruction, elimination, or significant screening of one or more officially designated scenic views – “No, or small impact.”
 - c.) The proposed action may be visible from publicly accessible vantage points year round – “No, or small impact.”
 - d.) The situation or activity in which viewers are engaged while viewing the proposed action is routine travel by residents, including travel to and from work – “No, or small impact.”
 - e.) The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource – “No, or small impact.”
 - f.) There are similar projects visible within the following distance of the proposed project: 0-1/2 mile, 1/2-3 miles, 3-5 miles, and more than 5 miles – “No, or small impact.”
 - g.) Other impacts – “No, or small impacts.”
- 10.) Impact on Historic and Archeological Resources – The proposed action may occur in or adjacent to a historic or archaeological resource – The Board answered “No.”
- 11.) Impact on Open Space and Recreation – The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan – The Board answered “No.”
- 12.) Impact on Critical Environmental Areas – The proposed action may be located within or adjacent to a critical environmental area (CEA) – The Board answered “No.”
- 13.) Impact on Transportation – The proposed action may result in a change to existing transportation systems – The Board answered “No.”
- 14.) Impact on Energy – The proposed Action may cause an increase in the use of any form of energy – The Board answered “No.”
- 15.) Impact on Noise, Odor, and Light – The proposed action may result in an increase in noise, odors, or outdoor lighting – The Board answered “Yes.”
- a.) The proposed action may produce sound above noise levels established by local regulation – “No, or small impact.”
 - b.) The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home – “No, or small impact.”

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- c.) The proposed action may result in routine odors for more than one hour per day – “No, or small impact.”
 - d.) The proposed action may result in light shining onto adjoining properties – “No, or small impact.”
 - e.) The proposed action may result in lighting creating sky-glow brighter than existing area conditions – “No, or small impact.”
- 16.) Impact on Human Health – The proposed action may have an impact on human health from exposure to new or existing sources of contaminants - The Board answered “No.”
- 17.) Consistency with Community Plan – The proposed action is not consistent with adopted land use plans – The Board answered “No.”
- 18.) Consistency with Community Character – The proposed project is inconsistent with the existing community character – The Board answered “Yes.”
- a.) The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community – “No, or small impact.”
 - b.) The proposed action may create a demand for additional community services (e.g., schools, police and fire) – “No, or small impact.”
 - c.) The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing – “No, or small impact.”
 - d.) The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources – “No, or small impact.”
 - e.) The proposed action is inconsistent with the predominant architectural scale and character – “No, or small impact.”
 - f.) Proposed action is inconsistent with the character of the existing natural landscape – “No, or small impact.”

RESO 2025-187: ISSUE A SEQRA NEGATIVE DECLARATION FOR THE
COMMERCIAL SOLAR ENERGY SYSTEM PROPOSED BY NY CONKLIN I, LLC &
NY CONKLIN III, LLC AT 1410 CONKLIN ROAD (TAX MAP NO. 210.04-1-8)

Mr. Finch moved for the following resolution, seconded by Mr. Francisco:

WHEREAS, the Town of Conklin Town Board received an application from the Applicant, NY Conklin I, LLC, and NY Conklin III, LLC, on April 8, 2025, for Special Use Permit and Site Plan Approval for two community solar energy facilities to be located at 1410 Conklin Road (NYS Route 7), Town of Conklin, Broome County, New York, Tax Map No. 210.04-1-8;

WHEREAS, the proposed action includes construction of a 5.0 MW AC ground-mounted photovoltaic solar facility (Project #1) with a fenced array area of approximately 28.31 acres, and a 2.69 MW AC ground-mounted photovoltaic solar facility (Project #2) with a fenced array area of approximately 20.55 acres, for a total of approximately 48.86 acres of fenced solar arrays within the larger 178.25-acre parcel; and

WHEREAS the Town Board of the Town of Conklin, by Resolution 2025-128 adopted on July 8, 2025, declared its intent to serve as Lead Agency for the SEQRA review of the proposed solar photovoltaic facilities submitted by NY Conklin I, LLC and NY Conklin III, LLC at 1410 Conklin Road (SBL 210.04-1-8), and classified the action as a Type I Action pursuant to 6 NYCRR 617.4(b)(2); and

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WHEREAS, the Applicant sent out coordinated review notices on July 14, 2025, to all potentially involved and interested agencies, to which no other agency requested to take lead agency; and

WHEREAS, the Town of Conklin submitted the 239 Review I and M to the Broome County Planning and Economic Development Offices on August 7, 2025. A review memo from the Broome County Planning office, of the submission materials was received on September 4, 2025, a response to the County Planning memo was sent for review on September 17, 2025. Additional questions from the County Planning Office were received on October 2, 2025, a response was sent to the County regarding those comments on October 7, 2025. The Broome County Planning Department final determination was received on November 12, 2025.

WHEREAS, the Town Board declared itself as lead agency on August 12, 2025, in accordance with the requirements of Article 8, Part 617 of the Environmental Conservation Law (SEQR); and

WHEREAS, the Town Board held a public hearing on the Project on August 12, 2025, and continued on September 9, 2025, September 23, 2025, October 14, 2025, October 28, 2025, and November 13, 2025, to hear any and all public comment on the Project and potential environmental impacts. The public hearing was subsequently closed on November 13, 2025; and

WHEREAS, the Town Board reviewed the following record materials including but not limited to:

1. Revised Combined Project EAF (dated September 9, 2025)
2. Site Plans for Project #1 and Project #2 (dated Oct 3, 2025)
3. Emergency Response Plan (dated August 22, 2025)
4. SHPO Determination Letter (OPRHP "No Impact" letter, dated November 21, 2024)
5. Visual Study for screening mitigation (submitted Sept. 2025 and Oct. 2025)
6. Solar Panel Specification Sheet (submitted Sept. 2025)
7. Operations & Maintenance Plan (v3, dated September 24, 2025)
8. Decommissioning Plan (v3, dated October 3, 2025)
9. Agricultural Data Statement (submitted Sept. 2025)
10. Stormwater Pollution Prevention Plan (updated October, 2025)

WHEREAS, the Town Board has prepared the attached Parts 2 and 3 of the Long EAF and;

NOW THEREFORE, in consideration of the foregoing:

1. The Conklin Town Board finds that the Project will not have a significant impact on the environment and a Negative Declaration is hereby adopted.
2. The Town Board will cause notification of this resolution as required by 6 NYCRR Part 617.
3. This resolution will take effect immediately.
4. The Town consultants are directed to publish the Negative Declaration in the Department of Environmental Notice Bulletin

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 Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on the 13th day of November, 2025. Said resolution was adopted by the following roll call vote:

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Supervisor William Dumian, Jr. YES

Councilman Dell Boyle RECUSED

Councilman William Farley YES

Councilman Charles Francisco YES

Councilman James E. Finch YES

Dated: November 13, 2025

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk

RESO 2025-188: APPROVAL OF SPECIAL USE PERMIT AND SITE PLAN
APPLICATION FOR A COMMERCIAL SOLAR ENERGY SYSTEM ON PARCEL TAX
MAP NO. 210.04-1-8

Mr. Finch moved for the following resolution, seconded by Mr. Francisco:

WHEREAS, the Town Board of the Town of Conklin (“Town”), duly convened in regular session, has received an application dated April 8, 2025, from NY Conklin I, LLC and NY Conklin III, LLC (collectively, the “Applicant”) for Special Use Permit and Site Plan Approval pursuant to Chapter 138, Article III (Commercial Solar Energy Systems) of the Town Code for the construction and operation of two ground-mounted commercial solar energy systems located at 1410 Conklin Road (NY-7), identified as Tax Map No. 210.04-1-8; and

WHEREAS, the proposed projects, known respectively as Conklin Project 1 (5.0 MW AC) and Conklin Project 2 (2.69 MW AC), will occupy approximately 41.7± leased acres of a 178.25-acre parcel within the Agricultural-Rural (A-R) zoning district, which permits commercial solar energy systems by Special Use Permit and Site Plan approval; and

WHEREAS, the Town Board, as the permitting authority under Chapter 138, reviewed the complete application materials including the Stormwater Pollution Prevention Plan (SWPPP), Operations and Maintenance Plan, Emergency Response Plan, Decommissioning Plan, Visual Analyses, and Revised Site Plans submitted October 3, 2025; and

WHEREAS, Green Street Power Partners (“GSPP”) will be taking over the construction of the project from the original Applicant entities and will coordinate with the Town and Town Engineer during the transition to construction; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town and posted on the Town website, and said public hearing was held on August 12, 2025, and continued on September 9, 2025, September 23, 2025, October 14, 2025, October 28, 2025, and November 13, 2025, where all interested persons were given an opportunity to speak for or against the proposal. The public hearing was subsequently closed on November 13, 2025; and

WHEREAS, the Board has further considered the report of the Town’s engineering consultant, all written and oral public comments, and the applicable standards contained in Chapter 138 and Chapter 140 of the Town Code; and

WHEREAS, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act (SEQRA), has completed its environmental review of the proposed action, determined that it is an Type I Action, and, based on the information provided in the Full Environmental Assessment Form (EAF) and supporting documentation, finds and determines that the proposed project will result in little to no significant adverse environmental impact; and

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WHEREAS, the Town of Conklin submitted the 239 Review I and M to the Broome County Planning and Economic Development Offices on August 7, 2025. A review memo from the Broome County Planning office, of the submission materials was received on September 4, 2025, a response to the County Planning memo was sent for review on September 17, 2025. Additional questions from the County Planning Office were received on October 2, 2025, a response was sent to the County regarding those comments on October 7, 2025. The Broome County Planning Department final determination was received on November 12, 2025; and **WHEREAS**, the Town Board has considered the siting standards and special use criteria set forth in §138-14 through §138-19 of the Solar Energy Systems Law, including visual impacts, setbacks, topography, drainage, and compatibility with surrounding land uses, and finds the project consistent with the intent of the Town's Comprehensive Plan and with the public health, safety, and welfare.

WHEREAS, the Town Board finds that the Operations and Maintenance Plan, Emergency Response Plan (Emergency Fire Plan), and Decommissioning Plan submitted with the application are complete and satisfactory, and desires to formally approve these documents as part of this Special Use Permit and Site Plan approval.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Conklin hereby approves the Special Use Permit and Site Plan for the NY Conklin I, LLC and NY Conklin III, LLC commercial solar energy systems at 1410 Conklin Road (Tax Map No. 210.04-1-8), subject to the following conditions:

1. **Compliance with Approved Plans and Supporting Documents:** Construction and operation shall conform to the approved last revised site plans submitted October 03, 2025, and all supporting documents submitted with the application including ongoing compliance with all emergency response, landscaping, operation, and maintenance plans included in the submitted materials. The Operations and Maintenance Plan, Emergency Response Plan (Emergency Fire Plan), and Decommissioning Plan are hereby approved as part of this Resolution and shall govern the operation, emergency procedures, and decommissioning of the facility. Any substantive deviation from approved plans or representations made during the review process shall require additional review and approval by the Town Board.
2. **Visual Impact / Leaf-Off Condition:** Prior to the commencement of construction, the Applicant (through GSPP as construction manager) shall submit supplemental visual impact documentation reflecting "leaf-off" conditions for the project, including updated photo simulations or comparable visual analysis, for review and approval by the Town Engineer. GSPP shall coordinate directly with the Town Engineer and Town officials on this submittal as part of the transition to construction, and any additional screening measures identified through this review shall be incorporated into the final landscaping and screening plan.
3. **Permitting:** The Applicant shall obtain all required permits, including Building Permit(s) and NYSDEC SPDES General Permit coverage, prior to commencing construction.

The Applicant shall comply at all times with all applicable federal, state, and local laws, rules, regulations, and codes governing commercial solar energy systems, and shall maintain all required permits and licenses in full force and effect. The Applicant shall comply with any regulatory changes within 24 months of their effective date, or sooner if required by the applicable agency.

4. **Vegetative Screening:** All proposed landscaping and evergreen screening shall be installed prior to, or concurrent with final grading. The Applicant shall inspect all plantings annually and replace any dead, diseased, or damaged trees as necessary to maintain a continuous and effective visual screen. Grassed areas within the project site shall be maintained in a mowed condition not exceeding ten (10) inches in height to ensure proper vegetative cover and site appearance. The Applicant is authorized to install an 8-foot high-tensile woven-wire deer fence consistent with the plans.

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The Applicant shall also collaborate with neighboring property owners to maintain vegetative buffers and address any gaps, dieback, or other issues to ensure the required level of screening is preserved.

5. **Stormwater Management:** The project shall comply with the approved SWPPP and Erosion & Sediment Control Plan.
6. **Emergency Access/Safety Compliance:** Emergency access drives and gates shall be maintained year-round, and emergency contact information shall be provided to the Conklin Fire Department and Code Enforcement Office prior to the issuance of a building permit.

The Applicant and any successor owner or operator shall also ensure that the project continually complies with all applicable New York State safety standards, technological requirements, and regulatory developments governing solar energy systems, including all requirements related to public safety and emergency response. All required system updates or modifications shall be implemented promptly to maintain compliance with current State standards and best practices.

7. **Host Community/PILOT Agreements:** Prior to issuance of a Building Permit, the Applicant shall execute all agreements required under the Town Solar Energy Systems Law, including but not limited to:
 - a. Host Community Agreement (HCA) providing for public benefit payments; and
 - b. Payment in Lieu of Taxes (PILOT) Agreement, which is required under §138-29 of the Town Code.

The parties acknowledge that the project will be tax-exempt and therefore cannot pay standard property taxes; however, Town law requires that the project be subject to a PILOT obligation. The financial terms governing that obligation will be established either through a standalone PILOT or within the HCA itself, subject to the Town Board's review and approval.

All required agreements—whether separate or combined—shall be finalized and executed prior to the commencement of construction or issuance of any Building Permit.

8. **Decommissioning Plan and Security:** The Applicant shall maintain the site as to the approved Decommissioning Plan and Decommissioning Agreement with the Town and post a decommissioning bond or security acceptable to the Town Board and Town Engineer, in an amount covering 100% of removal and restoration costs with a 3% annual escalator, pursuant to §138-26. This bond will be subject to reevaluation and adjustment with each recertification application, ensuring that the amount remains adequate to cover any updated or anticipated decommissioning expenses over the life of the project.
9. **Annual Reporting:** The Applicant shall submit an annual operations report to the Code Enforcement Officer within 45 days of the end of each calendar year, detailing generation output, and ownership status.
10. **Notice of Ownership Changes:** If the current owner of the NY Conklin I, LLC and NY Conklin III, LLC project changes, the Special Use Permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the decommissioning plan and all other agreements in force between the current owner and Town at the time of the ownership change. The current owner and/or the new owner or operator of the Project shall notify the Code Enforcement Officer of such changes in ownership or operator no later than 20 days of the ownership change. Such notice shall include updated contact information for Green Street Power Partners (or any successor construction/operations entity) as applicable.

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- 11. **Liability Insurance:** The Applicant shall maintain liability insurance naming the Town of Conklin as additional insured and provide proof of renewal annually.

- 12. **Indemnification Agreement:** The Applicant shall execute an Indemnification Agreement with the Town to defend, indemnify, and hold the Town harmless from any claims, suits, or damages arising out of the construction, operation, or removal of the solar energy system, except for claims due to the Town’s negligence or intentional misconduct.

- 13. **Recertification:** The Special Use Permit shall be valid for a period of three (3) years and shall be subject to recertification in accordance with §138-24 of the Town Code.

- 14. **Town Costs:** Applicant shall pay all current and ongoing fees, including reimbursement of Town consultants, as required by the Town Solar Energy Systems Law and Town fee schedule.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

CERTIFICATION

I, Sherrie L. Jacobs, Town Clerk of the Town of Conklin, hereby certify that the foregoing resolution was adopted by the Town Board of the Town of Conklin at a meeting duly held at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on the 13th day of November, 2025, by the following vote:

Supervisor William Dumian, Jr.	YES
Councilman Dell Boyle	RECUSED
Councilman William Farley	YES
Councilman Charles Francisco	YES
Councilman James E. Finch	YES

Dated: November 13, 2025

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk

PUBLIC COMMENTS:

EMPLOYEE HEALTH INSURANCE

Mr. Brodsky had a question about the new insurance plan being proposed for Town employees, asking if the Town would be billed for the deductible. Mr. Dumian explained that the Town sets up a card for each eligible employee that covers the deductible and once that deductible is reached, there will be zero cost to the employee if the doctor is in the insurance network. This plan will be a savings to the Town because most employees will probably not use their entire deductible amount.

COMMENTS ABOUT SEQRA/DELAWARE RIVER SOLAR POWER

Mr. Pavelski had some comments about the SEQRA findings for the Delaware River Solar Power project. He questioned the comment about soils being returned to their prior state if the solar facility is removed, adding that this is being studied by New York State. He also questioned the project not impacting a scenic view, citing the nearby golf course and the Welcome Center on Route 81. Mr. Pavelski, who works with the local Farm Bureau, stated that the impact on agriculture is not

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small, as was stated in the SEQRA, adding that removal of farmland means fewer programs for existing farmers in the future. Mr. Spinner stated that the finding is “relative to the entire pool” of farmland. Mr. Dumian reiterated that the Town cannot deny property owners their right to use their land. Jim Kreidell, of the construction company that will build the Delaware River Solar Power facility, stated that “these questions don’t change the SEQRA. You should look at reviewing the local law, not the SEQRA.” Mark Vitanza asked, “When does it change the character of Conklin?” Mr. Dumian replied, “We’re already there. That is why we are asking for a new moratorium.” Mr. Pavelski stated that he is concerned about programs for young, startup farmers. Daniel VanHart stated that there is bedrock exposed on the edge of Fallbrook Road. Mr. Dumian stated that Mr. Mastronardi looked at the big picture in making his assessment, adding that soil and water will be tested.

CORRESPONDENCE:

Mr. Dumian stated that he received a request to lower the speed limit on Montrose Drive, due to the increase in truck traffic. He stated that the Board can ask the State again about lowering the speed limit, although it has done so before and the State refused the request.

REPORT: HIGHWAY SUPERINTENDENT

Highway Superintendent Jeff Hayes stated that his department has been busy with leaf and brush pickup, trimming trees, preparing the equipment for winter, and working with the two new hires, both of whom he stated are doing well.

REPORT: CODE OFFICE

Mr. Dumian stated that the Code Office has been busy with building permits and Code violations.

REPORT: PARKS/WATER/SEWER DEPARTMENT

Mr. Dumian stated that in addition to their regular duties, the Parks/Water/Sewer Department personnel have been painting the interior of the Town Hall.

REPORT: SUPERVISOR’S OFFICE

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

OLD BUSINESS:

RESO 2025-189: A RESOLUTION OF INITIAL SEQRA CLASSIFICATION
AND INTENT TO DECLARE LEAD AGENCY STATUS

At a regular meeting of the Town Board of the Town of Conklin, held on the 13th day of November, 2025, at Conklin Town Hall, 1271 Conklin Road, Conklin, New York, the following resolution was offered by Mr. Farley and seconded by Mr. Finch:

WHEREAS, the Town of Conklin is considering an application submitted by SUNN 1006 LLC regarding the proposed development of a 3.5 MWAC solar photovoltaic (PV) facility consisting of rows of PV cell panels mounted on free-standing posts driven into the ground, appurtenant access roads, equipment pads, and perimeter fencing located at 50 Boyle Boulevard in the Town of Conklin; and

WHEREAS, adoption of said local law requires review under the State Environmental Quality Review Act (“SEQRA”).

NOW THEREFORE, the Town Board of the Town of Conklin hereby resolves as follows:

1. The Town Board hereby determines that the action is subject to SEQRA; and
2. The Town Board hereby makes a preliminary classification of the action as Type I action pursuant to 6 NYCRR 617.4(b)(2); and

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3. The Town Board hereby determines that it intends to serve as Lead Agency with respect to the SEQRA review and, in that capacity, will determine if the proposed action will have a significant adverse impact on the environment; and
4. A copy of this Resolution, the Environmental Assessment Form, and the Application will be sent to Involved Agencies and Interested Agencies, as applicable; and
5. Involved Agencies shall be given 30 days from the mailing of the Lead Agency Notice to challenge the Town Board's Lead Agency designation and to provide written comments on the full Environmental Assessment Form.

BE IT FURTHER RESOLVED that 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 Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on the 13th day of November, 2025. Said resolution was adopted by the following roll call vote:

Supervisor William Dumian, Jr.	YES
Councilman Dell Boyle	RECUSED
Councilman William Farley	YES
Councilman Charles Francisco	YES
Councilman James E. Finch	YES

Dated: November 13, 2025

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk

**RESO 2025-190: A RESOLUTION SETTING PUBLIC HEARING/
50 BOYLE BOULEVARD**

At a regular meeting of the Town Board of the Town of Conklin, held on the 13th day of November, 2025, at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York, the following resolution was offered by Mr. Farley and seconded by Mr. Francisco:

WHEREAS, the Town Board is considering an application submitted by SUNN 1006 LLC regarding the proposed development of a 3.5 MWAC solar photovoltaic (PV) facility consisting of rows of PV cell panels mounted on free-standing posts driven into the ground, appurtenant access roads, equipment pads, and perimeter fencing located at 50 Boyle Boulevard in the Town of Conklin; and

WHEREAS, the Town Board desires to hold a public hearing to consider said application.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Town Board of the Town of Conklin with respect to the aforesaid application on January 13, 2026, at 6:03 p.m.; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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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 Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on the 13th day of November, 2025. Said resolution was adopted by the following roll call vote:

Supervisor William Dumian, Jr.	YES
Councilman Dell Boyle	RECUSED
Councilman William Farley	YES
Councilman Charles Francisco	YES
Councilman James E. Finch	YES

Dated: November 13, 2025

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk

NEW BUSINESS:

CHANGES TO EMPLOYEE POLICY MANUAL

Mr. Dumian stated that the Town plans to move to the BlueCross/BlueShield Bronze 4 insurance plan from the Platinum 2 plan. He stated that he wants to revise the language in the Employee Policy Manual to reflect that the Town will pay a flat fee of \$100 per month each to retirees in 2026. Mr. Dumian added that there may be changes to that arrangement in 2027.

RESO 2025-191: AMEND EMPLOYEE POLICY MANUAL/RETIREES

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin amends Section 15-2 of the Employee Policy Manual to state that any person who does not receive Medicare reimbursement and is on the UHC health insurance plan will receive a flat fee of \$100 per month for 2026, with such fee reviewed by the Board annually.

Seconded by Mr. Finch.

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

Mr. Vitanza asked if the HRA money is taxable and Mr. Dumian stated that it is not taxable. Mr. Dumian stated that the Town will scale medical pool money accordingly and will discuss this further at the December 9 meeting.

SENIOR INCOME LIMITS

The Board discussed the option of tying increases in Town limits for Senior Income Limits to Broome County increases for tax purposes. Mr. Spinner will draft the necessary local law, which will be Local Law 1, 2026, and introduce it at the December 9 meeting.

RESO 2025-192: APPROVE MOVING TO EXCELLUS BRONZE 4 PLAN

Mr. Farley moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin approves moving to the Excellus Bronze 4 Plan for employee health insurance, effective January 1, 2026.

Seconded by Mr. Finch.

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

RESO 2025-193: APPROVE ADDING WILLIAM TOZER, JR. TO CELL PHONE REIMBURSEMENT PLAN

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves adding William Tozer, Jr., to the cell phone reimbursement plan at a rate of \$50.00 per month, effective November 3, 2025.

Seconded by Mr. Finch.

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

RESO 2025-194: ACCEPT RESIGNATION/JOSH KERWIN/HIGHWAY LABORER

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin accepts the resignation of Josh Kerwin from the position of Highway Laborer, effective November 21, 2025.

Seconded by Mr. Finch.

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

RESO 2025-195: RATIFY PURCHASE/AERIAL BASKET COVER

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies the purchase of an aerial basket cover from Linemen's Supply, Inc., for a cost of \$99.90.

Seconded by Mr. Finch.

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

**RESO 2025-196: RATIFY PAYMENT/NET WORLD SPORTS, LTD/
TWO 16X7 SOCCER GOALS**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment in the amount of \$1,875.00 to Net World Sports, LTD, for a pair of 16x7 soccer goals.

Seconded by Mr. Francisco.

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

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RESO 2025-197: RATIFY PAYMENT/PITNEY BOWES/POSTAGE METER REFILL

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment in the amount of \$800 to Pitney Bowes for postage meter refill on October 30, 2025.

Seconded by Mr. Francisco.

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

RESO 2025-198: APPROVE PAYMENT/CLAIMS #25-01112 - #25-01165/\$100,901.81

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Claims #25-01112 through #25-01165, which have been audited and approved for payment, in the total amount of \$100,901.81:

General	\$ 61,980.84
Highway	11,902.45
Sewer District #1	22,476.05
Water District	<u>4,542.27</u>
Total	\$100,901.81

Seconded by Mr. Farley.

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

RESO 2025-199: CANCEL NOVEMBER 25, 2025 REGULAR TOWN BOARD MEETING

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin cancels the November 25, 2025 Regular Town Board Meeting.

Seconded by Mr. Farley.

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

ELECTRIC POLE AT SCHNURBUSCH PARK

Mr. Francisco stated that the pole at the Little League field will need to be moved and will require a guide wire and a stand, adding that he is waiting to hear from the electric company.

YOUTH SPORTS

Mr. Farley stated that wrestling season has started with the first meet scheduled for November 17. He stated that there are 77 wrestlers in the program. There will be a tournament on December 7 and a Novice tournament on January 25, 2026. Mr. Farley stated that Susquehanna Valley School District has approved Girls Wrestling.

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PLAYGROUND EQUIPMENT

Town Clerk Sherrie Jacobs stated that the fourth large piece of playground equipment purchased by the Conklin Kiwanis Club for Schnurbusch Park has been delivered and awaiting installation.

**RESO 2025-200: RESCHEDULE PUBLIC HEARING/LOCAL LAW 2, 2025/
SOLAR MORATORIUM**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin reschedules the Public Hearing for proposed Local Law 2, 2025, to receive input regarding “A Local Law Imposing a Temporary Moratorium on New Commercial Solar Energy System Applications to Allow Review of Updated Fire-Safety, Zoning, and Financial Regulatory Standards,” to December 9, 2025, at 6:03 P.M.

Seconded by Mr. Farley.

VOTE: Boyle – Recused, Finch – Yes, Francisco – Yes, Farley – Yes, Dumian – Yes. Motion passed: 1 – Recused, 4 – Yes.

PUBLIC COMMENTS:

SOLAR FACILITY COMMENTS

Mr. Pavelski asked about concerns regarding Agricultural Districts moving forward. He asked about the fees associated with the Delaware River Solar Power project and Mr. Dumian stated that the fees are paid throughout the construction of the project, adding that a Community Host Agreement is not a condition of site plan approval.

Mr. Pavelski stated that the application for 50 Boyle Boulevard is a “unique situation.”

There being no further business to come before the Board, Mr. Farley moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 8:29 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk