

**REGULAR TOWN BOARD MEETING**  
**DECEMBER 9, 2025**

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on December 9, 2025, at the Conklin Town Hall. Mr. Dumian, Supervisor, presided. The meeting opened with the Pledge of Allegiance.

<b>PRESENT:</b>	Town Board Members	Boyle, Finch, Francisco, Farley, Dumian
	Town Counsel	Mark Spinner
	Town Clerk	Sherrie L. Jacobs
	Secretary to the Supervisor	Teresa Bamber
	Highway Superintendent	Jeff Hayes
	Code Officer	Nick Pappas
	Administrative Assistant	Mary Plonski
	Planning Board	Sandra Beam
	Zoning Board of Appeals	William Brodsky
<b>GUESTS:</b>	Solar Energy Partners	John Hurley
	Abundant Solar	Bartolo Morales
		Laurie Francisco
		Derek Pavelski
		Daniel VanHart
		Mary Boyle
		Lloyd Boyle

**MINUTES: NOVEMBER 13, 2025 REGULAR TOWN BOARD MEETING**

Mr. Finch moved to approve the November 13, 2025 Regular Town Board Meeting minutes as presented.

Seconded by Mr. Farley.

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

**CORRESPONDENCE:**

Mr. Dumian stated that he had been contacted by a concerned resident regarding equipment blocking the site of the Abundant Solar project on Hardie Road. Mr. Dumian stated that he believes the company is suspending construction activities during the winter months.

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**PUBLIC HEARING**  
**TO RECEIVE INPUT REGARDING PROPOSED LOCAL LAW 2, 2025**  
**“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”**

**PRESENT:** Same as on page one.

Notice of Public Hearing having been duly advertised, Mr. Dumian declared the Public Hearing open at 6:03 P.M. and asked those present to speak either for, or in opposition to, proposed Local Law 2, 2025, “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.”

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Mr. Dumian explained that the purpose of the Public Hearing is to determine whether or not the Town should impose a moratorium, not to debate potential changes to the existing solar law, which will be examined at a later date. Derek Pavelski stated that “things are changing and we are at the point of needing a moratorium.” Mr. Dumian reiterated that there will be “lots of opportunities to discuss changes” at future meetings. William Brodsky of the Zoning Board of Appeals asked if there is a timeframe and list of topics for the moratorium. Mr. Dumian stated that it is an open list of topics and added that the moratorium is set to last six months, with the option to extend it beyond the six months. Mr. Brodsky asked about a storage moratorium and Mr. Dumian stated that there is no timeline for that as of yet. Mr. Pavelski asked if the Town owns the Town Landfill in the Broome Corporate Park, and Mr. Dumian replied that the Town owns it and will be paying on it until 2030. Mr. Pavelski stated that there might be missed opportunities for developing solar power on the Landfill if the moratorium is enacted and Mr. Dumian stated that there have been multiple inquiries from solar power developers concerning that site.

There being no further questions or public comments, Mr. Dumian declared the Public Hearing closed at 6:10 P.M.

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**PUBLIC COMMENTS:**

**TOWN LANDFILL**

Mr. Brodsky asked how many acres are in the Landfill and Mr. Boyle stated that there are about 11 acres. Mr. Dumian commented that it is a bad agreement, costing \$1 million plus the mandatory monitoring, which is handled by Hunt Engineering.

**CORRESPONDENCE:**

Mr. Dumian stated that he received an email from Jillian from Abundant Solar confirming that the company is having a winter shutdown of construction operations, with SWPPP inspections to be performed once per month during the winter, and resuming once per week in the spring, when construction commences again.

**REPORT: HIGHWAY DEPARTMENT**

Highway Superintendent Jeff Hayes reported that his crew has finished the leaf pickup for the year and has already been out plowing snow a couple of times, adding that the two new hires are “fitting right in.” He stated that they have been servicing equipment, adding that the new trucks work well, especially in the cul-de-sacs in town. Mr. Dumian stated that the Town is in a “good cycle” of replacing trucks.

**REPORT: CODE OFFICER**

Code Officer Nick Pappas stated that he met with the Land Bank of Broome County to discuss the house that burned at 21 JR Boulevard, adding that the Land Bank may take care of demolition of the property, then sell the land or give it to the Town. Mr. Dumian stated that the case involving Nathan Cross’s property on Conklin Road is moving toward the State Supreme Court. He added that there are many properties in Town that need remediation.

**REPORT: PARKS/WATER/SEWER DEPARTMENT**

Mr. Dumian stated that the Water Department had a water main break at 1:30 A.M. on December 8, adding that he is worried about “a long winter with the current infrastructure.”

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**REPORT: SUPERVISOR’S OFFICE**

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

**OLD BUSINESS:**

**PROPOSED SOLAR PROJECT AT 50 BOYLE BOULEVARD**

The Public Hearing on this project will be held at 6:03 P.M. on January 13, 2026. Administrative Assistant Mary Plonski will be mailing out neighbor notices. Town Attorney Mark Spinner stated that the Broome County Planning Department has made no additional requests for information regarding this project.

**RESO 2025-201: INTRODUCE PROPOSED LOCAL LAW 1, 2026/ “A LOCAL LAW AMENDING CHAPTER 119 REGARDING TAX EXEMPTIONS FOR SENIOR CITIZENS”**

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

**WHEREAS**, a local law entitled “A LOCAL LAW AMENDING CHAPTER 119 REGARDING TAX EXEMPTIONS FOR SENIOR CITIZENS” was introduced at this meeting; and

**WHEREAS**, the Town Board desires to hold a public hearing with respect to the adoption of said Local Law.

**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 adoption of the aforesaid Local Law on **January 27, 2026, at 6:03 p.m.** at the Conklin Town Hall, 1271 Conklin Road, Conklin, New York; 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.

**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 9th day of December, 2025. Said resolution was adopted by the following roll call vote:

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

Dated: December 9, 2025

Town of Conklin Seal

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Sherrie L. Jacobs, Town Clerk

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**NEW BUSINESS:**

**PRESENTATION/SOLAR ENERGY PARTNERS/930 CONKLIN ROAD**

John Hurley of Solar Energy Partners gave a preliminary presentation of his company's concept for development of 930 Conklin Road. His company is interested in installing a solar facility on the site but is also interested in working with the community to add green space to enhance the community through walking/running trails and perhaps soccer and/or baseball fields. The artist's conception that he showed those present showed a play space for families. Mr. Dumian asked about the liability for allowing public access to private land. Mr. Hurley stated that he wants to collaborate with the Town. Mr. Finch stated that perhaps soccer tournaments could be held on that site if it is developed. Mr. Dumian stated that there are wellhead and visual concerns, as that field is part of the entrance to the main part of town. Mr. Finch asked how many solar panels are planned and Mr. Hurley stated that it would be a 2.75 MW facility. Mr. Pavelski asked how many acres the site contains and Mr. Hurley stated it is 28 or 29 acres. Mr. Pavelski asked how long Solar Energy Partners has owned the property and Mr. Hurley replied that he was not part of the team when the property was purchased. Mr. Finch asked about screening the solar array from Route 7 and Mr. Hurley stated that there would be shrubs and evergreens planted to shield the array from Route 7. Mr. Pavelski asked about the safety of the wellhead and Mr. Hurley replied that the 100 foot and 300 foot boundaries to the wellhead have been identified, adding that there is no danger of anything leaching into the soil. Mr. Boyle stated he was concerned about the well and asked if fencing could be installed to protect the water station. Mr. Hurley stated that this is a good suggestion and he will take it back to his team. Mr. Pavelski asked how deep the well is and Mr. Dumian stated that he would have to look up that figure, adding that Solar Energy Partners is willing to bond against any damage to the water supply. Mr. Pavelski noted that the other solar companies installing facilities in the Town have not offered to bond to protect water supplies.

**DISCUSSION REGARDING SUBMISSION OF FORM 239 TO BROOME COUNTY**  
**PLANNING DEPARTMENT**

Mr. Dumian stated that he would like Mary Plonski to take over submitting the 239 Form to the Broome County Planning Department for projects, rather than have the Attorney's office submit it.

**POSSIBLE RELOCATION OF CONKLIN SENIORS CLUB LUNCHEON TO CASTLE**

In light of the increase in usage of the Community Center with the onboarding of the Binghamton Meals on Wheels distribution, in addition to the current distribution, it was suggested that the Conklin Seniors Club hold their monthly luncheon at the Castle Community Room instead of at the Community Center. Mr. Francisco reported that he had contacted the Club President but has not yet received a response.

**ROUTE 7 BRIDGE REPAIR**

Mr. Dumian stated that the bridge on Route 7 near Dick's Sporting Goods will be closed down to one lane until approximately New Year's for work to be done by New York State.

**RESO 2025-202: AMEND RESOLUTION – RESO 2025-188/DELAWARE**  
**RIVER SOLAR**

At a regular meeting of the Town Board of the Town of Conklin, held at Conklin Town Hall, 1271 Conklin Road, Conklin, New York, on the 9th day of December, 2025, the following resolution was offered by Mr. Farley and seconded by Mr. Finch:

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**WHEREAS**, the Town Board adopted Resolution 2025-188 on November 13, 2025, granting Special Use Permit and Site Plan Approval for the NY Conklin I and NY Conklin III commercial solar energy systems; and

**WHEREAS**, the Town and the Applicant have negotiated an additional condition relating to the NYSEG interconnection process, which the Town Board now desires to incorporate into Resolution 2025-188;

**NOW, THEREFORE, BE IT RESOLVED**, that Resolution 2025-188 is hereby amended to include the following additional condition:

**NYSEG Interconnection Documentation:**

Prior to the issuance of a Building Permit, the Applicant/Owner shall provide written confirmation, with supporting documentation, of a valid and effective Interconnection Agreement with NYSEG authorizing the Project to interconnect to the electric distribution system. Such documentation shall include copies of any required easements, licenses, or land-rights executed in connection with the interconnection facilities.

The Town may review and process the Building Permit application prior to the execution of NYSEG easements or final interconnection documents; however, no Building Permit shall be issued until all required easements and interconnection documents have been executed and provided to the Town.

**BE IT FURTHER RESOLVED**, that all other terms and conditions of Resolution 2025-188 shall remain in full force and effect.

**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 9th day of December, 2025. Said resolution was adopted by the following roll call vote:

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

Dated: December 9, 2025

Town of Conklin Seal

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Sherrie L. Jacobs, Town Clerk

**RESO 2025-203: ISSUE NEGATIVE DECLARATION/PROPOSED LOCAL LAW 2, 2025**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin issues a Negative Declaration regarding environmental impact for proposed Local Law 2, 2025.

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Seconded by Mr. Farley.

VOTE: Boyle – Abstain, Finch – Yes, Francisco – Yes, Farley – Yes, Dumian – Yes. Motion carried: 4 – Yes, 1 – Abstain.

**RESO 2025-204: ADOPT LOCAL LAW 2, 2025/ “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”**

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

Be it enacted by the Town Board of the Town of Conklin as follows:

**Section 1.** TITLE.

This Local Law shall be known as the “2025 Moratorium on New Commercial Solar Energy System Applications.”

**Section 2.** AUTHORITY AND INTENT.

- A. This Local Law is intended to be consistent with and is adopted pursuant to the authority granted to the Town Board of the Town of Conklin under the New York State Constitution and the Laws of the State of New York, including but not limited to the following authorities: New York State Constitution Article IX, § 2 (c); Municipal Home Rule Law §§ 10 and 20 through 27; Statute of Local Governments § 10; New York State Town Law; and the State Environmental Quality Review Act and its implementing regulations.
- B. The Town Board hereby declares that this Local Law is an exercise of its land-use and zoning powers for the purpose of protecting the public health, safety, and welfare of the residents of the Town of Conklin.

**Section 3.** LEGISLATIVE FINDINGS.

- A. The Town of Conklin adopted a comprehensive Solar Energy Systems Law (Local Law No. 2 of 2024) regulating the siting, operation, and decommissioning of solar energy systems. Since that adoption, new safety, technological, and regulatory developments have occurred concerning commercial solar and energy-storage systems.
- B. The New York State Uniform Fire Prevention and Building Code (“Uniform Code”), including the 2020 Fire Code of New York State (FCNYS) §§1204 (Solar Photovoltaic Power Systems) and 1206 (Energy Storage Systems), has been updated to incorporate extensive requirements for firefighter access, rapid shutdown, listing to UL 9540 standards, thermal-runaway and explosion protection, and emergency response planning for solar and battery systems.
- C. The New York State Code Council is finalizing a new Uniform Code based on the 2024 International Codes, with an expected statewide effective date in late 2025. These updates are anticipated to expand and strengthen public-safety and emergency-response standards applicable to large-scale solar and battery installations.
- D. The Town Board finds that these pending and recent regulatory changes represent a substantial change in circumstances since the 2024 Solar Energy Systems Law was enacted. The Town must ensure its local regulations are consistent with the evolving Uniform Code and provide adequate local measures for public safety, fire protection, and emergency response.
- E. The Town Board further finds it necessary to consult with the Town Engineer, Code Enforcement Officer, and Fire Department to review how these updated standards will

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impact local site-plan review, emergency-access requirements, infrastructure planning, and community risk management.

- F. The Town has also experienced a recent proliferation of commercial solar applications. While renewable energy development remains a community goal, the volume and concentration of proposals raise new land-use planning considerations. The Town Board must evaluate whether to introduce district-based siting restrictions, solar overlay zones, or additional density limitations to prevent over-concentration of large-scale solar installations and to maintain consistency with the Town's Comprehensive Plan.
- G. The Town Board recognizes that ownership of many commercial solar facilities is frequently sold or transferred to new ownership both during and after approval. To safeguard taxpayers and ensure continued compliance, the Town must confirm that financial security instruments, host-community obligations, and decommissioning bonds remain fully binding upon successors and assigns. The Town intends to review whether existing provisions adequately protect its financial interests and require updated bonding or reporting mechanisms.
- H. The Town further finds it necessary to assess administrative procedures to ensure consistency, fairness, and effective interdepartmental coordination in the permitting and enforcement of commercial solar facilities, including coordination with Broome County Planning and neighboring municipalities.
- I. Therefore, the Town Board determines that it is in the public interest to temporarily pause the acceptance and processing of new commercial solar energy system applications while these safety, zoning, and financial reviews and potential amendments are undertaken.
- J. To preserve fairness and administrative order during this review period, the Town Board further finds that commercial solar applications that have received Town Board approval, have reached a substantial stage of review, or are already under consideration by the Town, specifically, those that have been accepted for processing and for which required fees and escrow deposits have been paid prior to the date of official introduction of this Local Law should be allowed to proceed under existing law. The moratorium shall apply to all other applications submitted or accepted thereafter, regardless of whether any fees or partial submissions are received.

**Section 4. PURPOSE.**

The purpose of the Local Law is to:

- A. Provide a limited and reasonable period for the Town to evaluate new State fire-safety and building-code provisions relating to solar and energy-storage systems;
- B. Study and consider zoning changes, including possible district-based siting restrictions, solar overlay zones, or density limitations to maintain balanced land use and prevent over-concentration;
- C. Review and, if necessary, strengthen bonding, escrow, and host-community agreement provisions to ensure that all financial obligations remain binding on successors and assigns;
- D. Examine administrative procedures to promote consistency, fairness, and intergovernmental coordination in the review and enforcement of solar facilities;
- E. Avoid approving new commercial solar projects under potentially outdated safety or siting standards; and

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- F. Preserve the public health, safety, and welfare while maintaining a fair and consistent permitting process for renewable-energy development.

**Section 5. SCOPE.**

- A. This moratorium and prohibition shall apply to all real property within the Town.
- B. This moratorium shall apply only to new commercial solar energy system applications, as defined in Local Law No. 2 of 2024, and to any co-located energy-storage systems proposed as part of such projects.
- C. This moratorium shall not apply to applications for non-commercial (residential or agricultural) solar installations under 50 kW, or to roof-mounted or building-integrated solar systems serving on-site loads.
- D. This moratorium shall also not apply to commercial solar energy system applications that were accepted for filing by the Town, with all required application fees and escrow deposits paid, prior to the official introduction of this Local Law before the Town Board. Such “in-process” applications may continue to be reviewed and acted upon under the Town’s existing Solar Energy Systems Law, including Town Engineer review, public hearing procedures, and issuance of any required permits. All other applications, including any new submissions received on or after the date of introduction of this Local Law, shall be subject to this moratorium, regardless of whether fees or escrow are later tendered.
- E. This moratorium is intended to enable the Town of Conklin to stay the construction, operation, and establishment of, and the submission and processing of applications for permits, zoning permits, special permits, zoning variances, building permits, operating permits, site plan approvals, subdivision approvals, certificates of occupancy, certificates of compliance, temporary certificates, and other Town-level land use approvals respecting commercial solar energy systems, as defined in Local Law No. 2 of 2024, for a reasonable time to allow the Town time to study the potential impacts, effects, and appropriate regulatory controls over such activities and to consider possible amendments to the Town’s laws and/or comprehensive plan to address the same. This moratorium shall not prohibit or restrict the issuance of building permits, certificates of occupancy, or other ministerial approvals for any commercial solar energy system application that has already received all required Town-level land use approvals prior to the effective date of this Local Law.
- F. Under no circumstances shall the failure of the Town Board, the Town Planning Board or the Town Code Enforcement Officer to take any action upon any application for a permit, zoning permit, special permit, zoning variance, building permit, site plan approval, subdivision approval, or other Town-level approval constitute an approval by default or an approval by virtue of expiration of time to respond to such application.

**Section 6. DURATION AND TERMINATION.**

- A. This moratorium shall take effect immediately upon filing with the Secretary of State and shall remain in effect for six (6) months, unless repealed sooner. The Town Board may, by resolution, extend the moratorium for up to two additional six-month periods if necessary to complete its review.
- B. The Town Board finds that a moratorium with a six (6) month duration, coupled with an “unnecessary hardship” variance procedure and a provision for the “grandfathering” of legal, pre-existing non-conforming uses, will achieve an appropriate balance of interests between (i) the need to safeguard public health, safety and welfare, as well as the character and other resources of the Town of Conklin; and (ii) the rights of individual



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property owners.

- C. The moratorium shall automatically terminate and be of no further force or effect upon the effective date of any duly adopted local law amending or replacing the Town's Solar Energy Systems Law (Local Law No. 2 of 2024), whichever occurs first. Upon such termination, all provisions of this Local Law shall be deemed repealed without further action by the Town Board.

**Section 7. SEQRA**

Pursuant to 6 NYCRR § 617.5(c)(26), the adoption of this Local Law constitutes a Type II action for purposes of the State Environmental Quality Review Act (SEQRA), as it involves the adoption of a moratorium on land development approvals. No further environmental review is required.

**Section 8. PENALTIES.**

- A. Compliance Orders. The Code Enforcement Officer is authorized to order, in writing, the remedying of any condition or activity found to exist in violation of this Local Law. If the condition or activity is not remedied after the issuance of a compliance order, then an appearance ticket may be issued as provided hereinafter.
- B. Appearance Tickets. The Code Enforcement Officer is authorized to issue appearance tickets for any violation of this Local Law. Any person who violates any provision of this Local Law shall be deemed guilty of a violation and, upon conviction thereof, shall be subject to a fine of not more than \$250 or to imprisonment for not more than 15 days, or both such fine and imprisonment. Each week's continued violation shall constitute a separate, additional violation.
- C. Civil Penalty. In addition to those penalties prescribed herein, any person who violates any provision of this Local Law shall be liable to a civil penalty of not more than \$2,500 for each day or part thereof during which such violation continues. The civil penalties provided by this section shall be recoverable in a civil action instituted in the name of the Town of Conklin.
- D. Injunctive Relief. An action or proceeding may be instituted in the name of the Town of Conklin, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of this Local Law. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Board.
- E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address any violation of this Local Law. Any remedy or penalty specified in this section and/or any other remedy or penalty provided by law, may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section. In addition to the above-provided remedies, the Town Board may also seek reimbursement to the Town for costs incurred by the Town in identifying and remedying each violation, including but not limited to, reasonable attorney's fees.

**Section 9. GRANDFATHERING OF LEGAL, PRE-EXISTING NON-CONFORMING USE.**

- A. Notwithstanding any provision hereof to the contrary, any Solar Energy Systems in the Town that have been duly approved as of the effective date of this Local Law, which are being operated in accordance with all applicable laws and regulations and in compliance with all valid permits required to be issued by the New York State Department of Environmental Conservation ("DEC") and all other federal, state and local regulating

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agencies, shall be considered a pre-existing, non-conforming use and shall be allowed to continue, subject, however, to the provisions of this Section.

- B. Any expansion of a lawful, pre-existing nonconforming use shall not be grandfathered under this Section, and instead shall in all respects be prohibited as contemplated by Section 4 hereof. "Grandfathered" and lawful pre-existing uses neither have nor possess any right to expand such non-conforming use, whether above or below ground, and no such right shall be deemed, construed, or implied to exist.

**Section 10. HARDSHIP USE VARIANCE.**

- A. The Zoning Board of Appeals is hereby authorized to accept and review (after public notice and hearing and in accordance with the requirements of law and of this Local Law) requests for a hardship use variance from application of the provisions of this Local Law by any person aggrieved hereby.
- B. No such use variance shall be granted without a showing by the applicant that applicable regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship, the applicant shall demonstrate that for each and every permitted use under the zoning regulations for the particular district where the property is located:
- i. the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
  - ii. that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
  - iii. that the requested use variance, if granted, will not alter the essential character of the neighborhood; and
  - iv. that the alleged hardship has not been self-created.
- C. In the event a hardship use variance from the provisions of this Local Law is granted to the applicant, the applicant shall be required to comply with all provisions of the Town's then applicable land use laws and other laws and regulations. The Zoning Board, in the granting of a hardship use variance, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proved by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

**Section 11. SEVERABILITY.**

If any word, phrase, sentence, part, section, subsection, or other portion of this Local Law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local Law or the application hereof to any other persons or circumstances. If necessary, as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed severed herefrom, and the Town Board of the Town of Conklin hereby declares that it would have enacted this Local Law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is severed or declared invalid or unenforceable.

**Section 12. SUPERSEDING INTENT AND EFFECT.**

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It is the specific intent of the Town Board that this Local Law shall supersede any inconsistent provisions of Sections 267, 267-a, 267-b, 274-a, 274-b and 276 of the Town Law of the State of New York, as well as all other inconsistent provisions of local ordinances, local laws, or local resolutions or policies of the Town of Conklin, including but not limited to provisions of the aforementioned state and local laws, ordinances, resolutions or policies that require the approval, or affect a default approval of land use applications within certain statutory time periods.

**Section 13. GENERAL PROVISIONS.**

- A. The Code Enforcement Officer is hereby designated as the enforcement officer for purposes of interpreting and enforcing this Local Law.
- B. The section and other headings and titles to clauses and phrases in this Local Law are for convenience only and shall not be used or construed to limit or define the scope or application of the clauses and phrases so following such headings or titles. Each section of this Local Law, whether in the nature of a preamble or otherwise, is a material part of this Local Law.

**Section 14. EFFECTIVE DATE.**

This Local Law shall be filed and published in accordance with the requirements of the Municipal Home Rule Law and shall take effect immediately upon filing with the Secretary of State.

VOTE: Boyle – Abstain, Finch – Yes, Francisco – Yes, Farley – Yes, Dumian – Yes. Motion carried: 4 – Yes, 1 – Abstain.

**RESO 2025-205: CANCEL DECEMBER 23, 2025 REGULAR TOWN BOARD MEETING**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin cancels the December 23, 2025 Regular Town Board Meeting.

Seconded by Mr. Finch.

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

**RESO 2025-206: RETAIN COUGHLIN & GERHART, LLP/PROVIDE LEGAL SERVICE/2026**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin retains Coughlin and Gerhart, LLP, to provide legal services on behalf of the Town, effective January 1, 2026, for a term ending on December 31, 2026, and authorizing the Supervisor to execute the retainer agreement.

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

**RESO 2025-207: APPROVE GRIFFITHS ENGINEERING/TOWN ENGINEERING FIRM/2026**

Mr. Farley moved for the following resolution:

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Be It Resolved: that the Town Board of the Town of Conklin approves Griffiths Engineering as the Town Engineering Firm for the year 2026.

Seconded by Mr. Finch.

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

**RESO 2025-208: AUTHORIZE SUPERVISOR/MAINTAIN CHECKING & SAVING**  
**ACCOUNTS/PEOPLES SECURITY BANK & TRUST/2026**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Supervisor to maintain a consolidated checking and consolidated savings account at Peoples Security Bank and Trust for 2026.

Seconded by Mr. Finch.

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

**RESO 2025-209: AUTHORIZE TERESA BAMBER & MARY PLONSKI/TRANSFER**  
**FUNDS ONLINE AS NEEDED**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Teresa Bamber and Mary Plonski to transfer funds online, as needed, with signed approval of the Supervisor, for 2026.

Seconded by Mr. Boyle.

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

**RESO 2025-210: SET BI-WEEKLY PAY PERIODS FOR 2026**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin sets bi-weekly pay periods to run concurrently from Saturday through Friday in 2026, with pay stub and Direct Deposit to be to be distributed the following Wednesday after the end of the pay cycle.

Seconded by Mr. Farley.

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

**RESO 2025-211: DESIGNATE PRESS & SUN BULLETIN/OFFICIAL NEWSPAPER OF**  
**THE TOWN/2026**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin designates the **Press & Sun Bulletin** as the Official Newspaper of the Town and the **Country Courier** as additional newspaper for 2026, when determined necessary by the Town Board.

Seconded by Mr. Francisco.

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

**RESO 2025-212: AUTHORIZE HIGHWAY SUPERINTENDENT/USE HIGHWAY EQUIPMENT IN SPECIAL DISTRICTS/2026**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the Highway Superintendent to use Highway equipment in 2026 for the Water Districts, Sewer Districts, Fire Protection District, Soil Conservation District, and the Town Parks.

Seconded by Mr. Finch.

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

**RESO 2025-213: AUTHORIZE TOWN BOARD MEETINGS TO BE HELD SECOND AND FOURTH TUESDAYS OF THE MONTH/2026**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes Town Board meetings to be held on the second and fourth Tuesdays of the month at 6:00 P.M. at the Town Hall in 2026.

Seconded by Mr. Finch.

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

**RESO 2025-214: APPROVE PAYMENTS FOR COMMUNITY CENTER DEPOSIT REFUNDS UPON PROPER INSPECTION FOR 2026**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payments for Community Center deposit refunds upon proper inspection for 2026, with post-rental inspections being performed by David Kilmer, Sean Coddington, Scott Zaino, and Christopher Johnson.

Seconded by Mr. Boyle.

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

Mr. Dumian noted that some of the verbiage in the Community Center contract will need to be changed for 2026.

**RESO 2025-215: DESIGNATE TERESA BAMBER/2026 HEALTH CARE POOL PLAN ADMINISTRATOR**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin designates Teresa Bamber as the 2026 Health Care Pool Plan Administrator, and approves payments via ACH to recipients for eligible expenses.

Seconded by Mr. Farley.

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

**RESO 2025-216: AUTHORIZE MONTHLY CELL PHONE REIMBURSEMENT/2026**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes a monthly cell phone reimbursement to be paid monthly via ACH to William Dumian, Jr., Charles Francisco, Dawn Shafer, David Kilmer, Sean Coddington, Scott Zaino, Christopher Johnson, Teresa Bamber, Mary Plonski, Elmer Murray, Jeff Hayes, and William Tozer, Jr., in the amount of \$50.00 per month for 2026.

Seconded by Mr. Francisco.

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

**RESO 2025-217: AUTHORIZE ADVERTISEMENT/ “SEASONAL LIMITED USE HIGHWAYS”**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the advertisement of “Seasonal Limited Use Highways” for the entire length of Alta Road, the entire length of Lawrence Boulevard, and River Boulevard in the **Press & Sun Bulletin**.

Seconded by Mr. Farley.

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

**RESO 2025-218: APPROVE HOLIDAY SCHEDULE FOR 2026**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following Holiday Schedule for 2026:

Thursday, January 1, 2026	New Year’s Day
Monday, January 19, 2026	Martin Luther King Day
Monday, February 16, 2026	Presidents’ Day
Friday, April 3, 2026	Good Friday
Monday, May 25, 2026	Memorial Day
Friday, July 3, 2026	Independence Day
Monday, September 7, 2026	Labor Day
Wednesday November 11, 2026	Veterans Day
Thursday, November 26, 2026	Thanksgiving
Friday, November 27, 2026	Day after Thanksgiving
Friday, December 25, 2026	Christmas

Seconded by Mr. Francisco.

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

**RESO 2025-219: RATIFY AUTHORIZATION/SUPERVISOR TO SIGN INSURANCE AGREEMENT/HAYLOR, FREYER & COON/2026**

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Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies authorization of the Supervisor to sign the insurance agreement for 2026 with Haylor, Freyer, and Coon.

Seconded by Mr. Francisco.

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

**RESO 2025-220: SET UP COMMITTEES/2026**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin sets up the following Committees for the Year 2026:

Town Hall Castle	Dell Boyle
Community Center Rental/Non-Profit Rental	Jim Finch
Community Center Building	Dell Boyle
Senior Citizen Liaison	Charles Francisco
Town Wide Electrical & NYSEG	Charles Francisco
Town Wide Insurance	Bill Dumian
Town Flood Insurance	Bill Dumian
Town Grounds & Flood Lots	Bill Farley
Drainage Districts	Dell Boyle
Cemeteries	Charles Francisco
Fire Department Liaison	Bill Farley
Youth Liaison	Bill Farley
Planning Board	Bill Farley
Zoning Board of Appeals	Jim Finch
Highway Department & Garage	Bill Dumian
Deputy Supervisor	Charles Francisco
Code Department	Bill Dumian
Public Works Department	Bill Dumian

Seconded by Mr. Boyle.

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

**RESO 2025-221: APPROVE BLUESTORM TECHNOLOGIES/TOWN IT SERVICES PROVIDER/2026**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves BlueStorm Technologies as the Town IT Services Provider for 2026.

Seconded by Mr. Francisco.

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

**RESO 2025-222: AUTHORIZE OFFICERS & EMPLOYEES/RECEIVE REIMBURSEMENT OF MILEAGE FOR USE OF PERSONAL VEHICLES FOR PERFORMANCE OF DUTIES ON OFFICIAL BUSINESS ONLY**

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Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the officers and employees herein named to receive reimbursement of mileage for use of personal vehicles at the current IRS Standard Mileage Rate per mile, for performance of their duties on official business only: Supervisor, Town Clerk, Town Board members, Zoning Board members, Planning Board members, Town Historian, Town Justice, Secretary to the Supervisor, Town Assessor, Youth Commissioner, Parks and Water Department Personnel, Code Department Personnel, Justice Clerks, and Deputy Town Clerk.

Seconded by Mr. Finch.

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

**RESO 2025-223: RATIFY PAYMENT/PITNEY BOWES/POSTAGE METER REFILL**

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 \$800.00 to Pitney Bowes for postage meter refill.

Seconded by Mr. Francisco.

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

**RESO 2025-224: RATIFY PAYMENT/AT YOUR PACE ONLINE/  
NY 30 HOUR WATER A & B COURSE/SEAN CODDINGTON**

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment in the amount of \$254.15 to At Your Pace Online for NY 30 Hour Water A & B Course training for Sean Coddington.

Seconded by Mr. Farley.

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

**RESO 2025-225: RATIFY PAYMENT/CLAIMS #25-01174 - #25-01238/\$57,421.07**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of the following Claims #25-01174 through #25-01238, which have been audited and approved for payment, in the total amount of \$57,421.07:

General	\$ 46,164.33
Highway	5,252.14
Sewer District #1	686.01
Water District	<u>5,318.60</u>
<b>Total</b>	<b>\$ 57,421.07</b>

Seconded by Mr. Finch.

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



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**RESO 2025-226: APPROVE PAYMENT/CLAIMS #25-01243 - #25-01286/\$53,473.46**

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Claims #25-01243 through #25-01286, which have been audited and approved for payment, in the total amount of \$53,473.46:

General	\$ 29,614.25
Highway	2,643.80
Light Districts	1,950.10
Sewer District #1	1,812.43
Water District	11,494.95
Water District #6	2,449.93
Non-Budgeted	<u>3,508.00</u>
<b>Total</b>	<b>\$ 53,473.46</b>

Seconded by Mr. Boyle.

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

**RESO 2025-227: APPROVE BUDGET MODIFICATION**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following Budget Modification to the 2025 Budget (see attached).

Seconded by Mr. Francisco.

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

**PUBLIC COMMENTS:**

**DISCUSSION/SOLAR FACILITIES**

Mr. Pavelski asked about the interconnection agreement between NYSEG and the newly approved Delaware River Solar Power facility. Mr. Dumian stated that it has been in place since 2024. Mr. Pavelski asked if it is actually going to Kirkwood and Mr. Dumian stated that according to the agreement, that is the plan. Mr. Pavelski stated that he was told on November 13 that it was going to Calabrisi Road. Mr. Dumian stated that Delaware River Solar Power may upgrade the Calabrisi Road substation, adding that easements must be filed.

Mr. Pavelski asked who oversees the solar application to make sure it's complete. Mr. Spinner stated that Town Engineer John Mastronardi oversees the process. Mr. Pavelski then asked if Mr. Mastronardi used the Agriculture and Markets Law when reviewing the Delaware River Solar application. Mr. Dumian stated that Mr. Mastronardi used the Town Solar Law. Mr. Pavelski stated that New York State requires the following of the Agriculture & Markets Law on solar projects on land that is active agricultural land, that is registered with New York State, not just zoned Agricultural. Mr. Dumian stated that the Town looked at all the New York State laws, adding that there is a difference between active registered agricultural land and property that is merely zoned Agricultural but is not active. Mr. Pavelski stated that the Welcome Center on Route 81 is a registered scenic view, in regard to the SEQRA decision voted on by the Board at the last meeting. Mr. Spinner stated that the Board looks at the scale of impact – it is not a yes/no or black and white situation. Mr. Dumian stated that the Board will look at the zoned

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Agricultural vs. active agricultural with an Agricultural tax exemption to see if they need to put another piece in place in the solar law. He added that the Board cannot tell someone what to do with their property. Mr. Finch stated, “The Board made their decision based on the facts given. If you disagree, prove us wrong. Otherwise, this discussion is over.” Mr. Dumian stated that there really has not been environmental damage from solar facilities.

**CEMETERIES**

Mr. Francisco stated that the people running the Kirkwood Cemetery had questions for him about abandoned cemeteries and he advised them to talk to their Town Supervisor and Town Attorney, adding that the Town is required to assume responsibility for abandoned cemeteries.

Mr. Francisco stated that the revenue for Conklin Cemetery was more than \$20,000 this year, adding that he will have final numbers at the January 13, 2026 meeting, at which time he would also like to examine the cemetery rates.

**POLE AT LITTLE LEAGUE FIELD**

Mr. Francisco stated that he met with NYSEG representatives on December 4 and agreed that NYSEG will put the pole in the Little League Field, and will send an estimate of the cost. He added that NYSEG needs permission from the State Department of Transportation to run electrical lines across Route 7. He stated the meter box will be on the pole.

**YOUTH SPORTS**

Mr. Farley reported that the Wrestling team had its first tournament on December 7, with good results, adding that there are 30 Novice wrestlers this year.

**KIWANIS AND TOWN CHILDREN’S CHRISTMAS PARTY**

Town Clerk Sherrie Jacobs reminded those present that the Conklin Kiwanis Club and Town of Conklin Children’s Christmas Party will be held on December 13, 2025, from 10 AM until Noon.

**RESO 2025-228: EXECUTIVE SESSION/PERSONNEL**

Mr. Dumian moved to close the Regular Town Board Meeting at 7:57 P.M. and go into Executive Session to discuss a personnel matter.

Seconded by Mr. Francisco.

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

**RESO 2025-229: RE-OPEN REGULAR TOWN BOARD MEETING**

Mr. Finch moved to close the Executive Session and re-open the Regular Town Board Meeting at 9:10 P.M.

Seconded by Mr. Dumian.

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

There being no further business to come before the Board, Mr. Boyle moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 9:10 P.M.

Respectfully submitted,

Sherrie L. Jacobs, Town Clerk

