

REGULAR TOWN BOARD MEETING
MARCH 10, 2026

The Town Board of the Town of Conklin held a Regular Town Board Meeting at 6:00 P.M. on March 10, 2026, at the Conklin Town Hall. 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
Highway Superintendent Jeff Hayes
Administrative Assistant Mary Plonski
Dog Control Officer Rick Murray
Planning Board Sandra Beam
Zoning Board of Appeals William Brodsky

GUESTS: John Colley
John Hellmers
Laurie Francisco
Val Schull
Bethany Schull
Mary Martir
Milton Martir
Darby Weidman
Mike Weidman
Naomi VanHart
Daniel VanHart
Derek Pavelski
Nick Van DeWeert
Meg Jacobs
Lloyd Boyle
Mary Boyle
Kennedy Wilson
Matthew Christian
Monica Christian
Lincoln Boyle

MINUTES: FEBRUARY 24, 2026 REGULAR TOWN BOARD MEETING

Mr. Francisco moved to approve the February 24, 2026 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.



PUBLIC HEARING CONTINUATION
TO RECEIVE PUBLIC INPUT REGARDING PROPOSED
SOLAR PROJECT AT 50 BOYLE BOULEVARD

PRESENT: Same as one page one.

Mr. Dumian continued the Public Hearing on the proposed solar project at 50 Boyle Boulevard, stating that Abundant Solar Power is still going through its re-design process, so the Town has no new documents. Nick Van DeWeert asked if there is a timeline for receiving the new design and

REGULAR TOWN BOARD MEETING
MARCH 10, 2026

Mr. Dumian replied, "Not yet." Town Attorney Mark Spinner stated that Abundant Solar has promised that the new design is "coming very soon." Mr. Dumian stated that the Town needs a definite timeline. Derek Pavelski stated that the distance between the recently-approved Fallbrook Road solar facility and Mr. Boyle's property on Scofield Road is 1.3 miles, implying that moving the proposed project to that site would not require a variance from the Town's solar law, as the 50 Boyle Boulevard site does.

Mr. Van DeWeert asked if the Town has joined a coalition against proposed State legislation that would override Home Rule in regard to siting of solar facilities. Mr. Dumian stated that the Board will be voting on a resolution opposing this piece of legislation later in the meeting, adding that the State is trying to remove requirements for solar projects, including very large projects as well as community solar projects. Mr. Van DeWeert asked if this meant the Town is joining a coalition or passing a new local law. Mr. Dumian stated that many municipalities are sending this or a similar resolution to their representatives at the State level emphasizing that the Town wants to be able to control the process and zoning requirements for solar facilities.

Mr. Van DeWeert asked Mr. Boyle is he is being compensated, such as a commission, for finding land for Abundant Solar Power. "Talk to Abundant," replied Mr. Boyle. Mr. Van DeWeert stated that this is a conflict of interest. Mr. Dumian stated, "The Code of Ethics is in place for a reason." Mr. Pavelski stated that he agrees with Mr. Van DeWeert. Mr. Dumian stated, "We all took the same oath of office." Meg Jacobs asked if there will be an investigation into this possible breach of the Code of Ethics. Mr. Dumian stated, "No, there is not enough evidence." Mr. Spinner stated that individual Board members are responsible to disclose any conflict of interest, adding that Mr. Boyle started recusing himself from discussion or voting on solar issues at the start of his application process.

John Hellmers stated that it is very important that the Town pursue defending Home Rule, as there "are issues in New York State already." He stated that NYSERDA (New York State Energy Research and Development Authority) sent a memo to the New York State Budget Director stating that the State's energy goals "are unsustainable." The cost of electricity in New York State is increasing dramatically.

Mr. Dumian stated that the Public Hearing will remain open until the March 24, 2026 meeting.

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PUBLIC COMMENTS:

PRIOR NOTICE LAW

Noting that the Board will be discussing the proposed Prior Notice Law this evening, Meg Jacobs asked if the notice to the Town of a problem or situation in need of being resolved could be sent digitally, instead of in person or via certified mail. She stated that the expense and time of trying to deliver this notice in person or via certified mail might create a hardship for some people to report a problem, thus creating a power imbalance. Mr. Spinner replied that digital notices would "put the burden on the Town to monitor an email box, adding that a notice could be missed or incorrectly routed. He stated that the Town would work with people, including going to someone's home to have them fill out a notice form. Mr. Dumian added that the Town would fix the problem if it was something that is the Town's responsibility, reminding those present that not everything is in the Town's jurisdiction to resolve.

GOATS ON CONKLIN ROAD

Bethany Schull of 1201 Conklin Road stated that she owns three acres at that site and has some goats, adding that she received a letter from the Code Office stating that having the goats is a

REGULAR TOWN BOARD MEETING

MARCH 10, 2026

violation of the Code, as the area is not zoned Agricultural. She added that she has written a letter to Code Officer Nick Pappas explaining that she was told her property was “grandfathered in” as Agricultural. Mr. Dumian explained that her property is not zoned Agricultural, but rather as Residential, adding that she will need to apply for re-zoning, which she can do through the Code Office.

CORRESPONDENCE:

Mr. Dumian stated that he has received no formal correspondence to report, but added that the Code Office has been receiving complaints about noise and the Town’s noise ordinance. He added that violation of this ordinance is “very difficult to prove.”

REPORT: HIGHWAY DEPARTMENT

Highway Superintendent Jeff Hayes stated that the new hose machine is working well, adding that it will save the Town a lot of money on hydraulic hoses. He stated that his department has been busy with roadside trash pickup, vehicle maintenance, and hot patching potholes. Mr. Hayes stated that he did not receive a response from John Deere regarding a bid for an excavator, adding that the Milton CAT 306 is still his recommendation. Mr. Hellmers asked if the Town will have “right to repair,” and Mr. Dumian stated, “We’ve never had an issue.” Mr. Hayes stated that the Town will have the basic warranty on the piece of equipment if it is purchased.

REPORT: CODE OFFICE

Mr. Dumian stated that Mr. Pappas is working on various Code issues throughout the Town. He stated that Mr. Spinner is pushing to get the case of Nathan Cross before the New York State Supreme Court, adding that the Town is seeking an administrative warrant that would allow the Town to inspect the building on Conklin Road inside and out. It would then allow the Town to clean up the outside and declare the structure uninhabitable. Mr. Dumian stated that the Town has been trying to work with Mr. Cross to get this situation resolved since 2016, including issuing fines which Mr. Cross has not paid. He stated that the taxes on the property are two years in arrears but Mr. Cross is working with Broome County on a payment plan.

REPORT: PARKS/WATER/SEWER DEPARTMENT

A written report states that the Parks/Water/Sewer Department has been busy with installation of a yard hydrant at Pavilion 3 in Schnurbusch Park, repairing a water service and helping to locate a different water service, calibrating water flow meters, installation of water meters and radios, brush cutting all sewer manholes and painting the manholes, spring cleanup around the pump sites, and starting spring cleanup at the Town parks. Mr. Dumian suggested bringing last year’s summer personnel back early this year, since one of the Parks/Water/Sewer personnel is out on medical leave.

REPORT: SUPERVISOR’S OFFICE

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

OLD BUSINESS:

POLE AT LITTLE LEAGUE FIELD

Mr. Francisco reported that the pole has been installed at the Little League Field, adding that NYSEG needs to connect it to the system, which will hopefully be completed by the end of March.

REGULAR TOWN BOARD MEETING

MARCH 10, 2026

SOLAR MORATORIUM

Mr. Dumian stated that the Board needs to be considering what changes need to be made to the current solar law, adding that he would like to see more solar applications on commercial properties than on residential properties. He stated, “This is going to take a long time,” adding that for solar companies there are “ways around the solar law.”

**RESO 2026-33: DEFENDING MUNICIPAL HOME RULE AUTHORITY AND
OPPOSING SENATE BILL S8119 RELATING TO COMMUNITY SOLAR SITING**

The following resolution was offered by Mr. Farley and seconded by Mr. Dumian:

WHEREAS, In 2020 the New York State Legislature enacted Executive Law §94-c, establishing a state permitting process for major renewable energy facilities and preempting local land use authority for renewable energy projects generally twenty-five (25) megawatts or larger; and

WHEREAS, municipalities have historically retained authority to regulate the siting of smaller solar energy facilities, including community solar projects, through locally adopted zoning laws and land use regulations adopted pursuant to Article IX of the New York State Constitution, the Municipal Home Rule Law, and Town Law §§261–263; and

WHEREAS, the Town of Conklin has exercised this authority by adopting the Town of Conklin Solar Energy Systems Law (Chapter 138 of the Town Code), enacted as Local Law No. 2 of 2024, which establishes standards for the siting of solar energy facilities consistent with the Town’s Comprehensive Plan and local land use conditions; and

WHEREAS, Chapter 138 includes locally adopted protections intended to safeguard non-participating residential properties, agricultural lands, environmental resources, and community character, while still allowing responsible solar energy development within the Town; and

WHEREAS, Senate Bill S8119, entitled the “Community Solar Opportunity and Local Approval Reform (Community SOLAR) Act,” has been introduced in the New York State Senate and is currently under consideration by the New York State Legislature; and

WHEREAS, the Town Board finds that S8119 would establish a statewide siting framework for solar facilities under five megawatts (5 MW), commonly known as community solar projects, thereby preempting municipal authority over the very category of solar projects that municipalities currently regulate through local zoning; and

WHEREAS, community solar facilities of this scale frequently occupy twenty (20) to forty (40) acres or more of land, making their siting and placement a significant local land use consideration; and

WHEREAS, the statewide standards proposed in S8119 would substantially weaken locally adopted protections established under the Town of Conklin Solar Energy Systems Law (Chapter 138), including setback protections for neighboring properties; and

WHEREAS, certain setback protections established in Chapter 138 would be reduced by approximately fifty percent (50%) under the setback limits proposed in S8119, significantly reducing the buffer protections currently provided to neighboring properties; and

WHEREAS, S8119 would also prohibit municipalities from limiting the number or concentration of solar facilities within zoning districts, thereby eliminating local spacing provisions intended to prevent the clustering of large-scale solar developments within rural areas; and

WHEREAS, the legislation would further prohibit municipalities from conditioning solar approvals on community benefit agreements, PILOT agreements, or property value protection measures, removing important tools municipalities currently use to mitigate impacts from large infrastructure developments; and

REGULAR TOWN BOARD MEETING
MARCH 10, 2026

WHEREAS, S8119 would require municipalities reviewing community solar projects to apply the “public utility variance” standard established by the New York Court of Appeals, under which an applicant need only demonstrate that the facility is necessary to provide utility service and that no feasible alternative location exists with less impact, and once that showing is made courts have held that local zoning restrictions must yield; and

WHEREAS, the Town Board finds that S8119 represents a continued expansion of state preemption into areas historically governed by municipal zoning authority, further eroding the constitutional principles of municipal home rule guaranteed under Article IX of the New York State Constitution; and

WHEREAS, while the Town Board supports the responsible development of renewable energy resources consistent with the State’s clean energy goals, the Town Board believes such development must occur in partnership with local governments and through locally informed land use planning, rather than through the continued erosion of municipal authority.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Conklin hereby strongly opposes Senate Bill S8119 and any similar legislation that would further preempt municipal authority over the siting and regulation of community solar facilities; and

BE IT FURTHER RESOLVED, that the Town Board calls upon the New York State Legislature and the Governor to respect and preserve the constitutional principles of municipal home rule and to refrain from continued legislative encroachment upon the authority of local governments to regulate land use within their communities; and

BE IT FURTHER RESOLVED, that the Town Board urges the State to pursue renewable energy policies that work cooperatively with municipalities and recognize the essential role of local planning and zoning in responsibly siting energy infrastructure; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to transmit copies of this resolution to the Governor of the State of New York, the Temporary President of the New York State Senate, the Speaker of the New York State Assembly, the Town’s State Senator and Assembly Member, and the New York State Association of Towns.

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 10th day of March, 2026. 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: March 10, 2026

Town of Conklin Seal

Sherrie L. Jacobs, Town Clerk

REGULAR TOWN BOARD MEETING
MARCH 10, 2026

RESO 2026-34: AUTHORIZE PURCHASE/MILTON CAT 306 EXCAVATOR

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the purchase of a Milton Cat 306 Excavator with twister wrist and bucket from Milton CAT for a cost not to exceed \$91,000.00, per NYSOGS Contract PC70866.

Seconded by Mr. Francisco.

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

RESO 2026-35: AUTHORIZE HIRING/AL PRENTICE & DYLAN COREY/SEASONAL SUMMER PERSONNEL/PARKS, WATER & SEWER DEPARTMENT

Mr. Finch moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes the hiring of Al Prentice and Dylan Corey to the position of Seasonal Summer Personnel for the Parks/Water/Sewer Department at a pay rate of \$19.50 per hour, effective March 16, 2026.

Seconded by Mr. Francisco.

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

NEW BUSINESS:

DOG PROTECTION ORDINANCE

Mr. Spinner presented the Board with a packet containing proposed changes to the Animal Control section of the Town Code. Mr. Dumian stated that he would like the law to require that dogs cannot be left on property without a primary residence unless they are working dogs in an agricultural setting. The Board will discuss this further at the March 24 meeting.

PRIOR NOTICE LAW

Mr. Spinner stated that this proposed law will be introduced and a Public Hearing scheduled at the March 24 Board meeting.

BASEBALL/SOFTBALL PROGRAM

Mr. Dumian stated that the Baseball/Softball Program is a tri-town league, made up of players from the Towns of Conklin, Kirkwood, and Binghamton. He added that there are a lot of potential players, especially for the baseball program. Mr. Dumian stated that there are currently a lot of travel teams, made up of players from many municipalities, and sometimes these are brought in to give the travel teams extra playing time, which “stacks” the teams against the other local players. He and Mr. Farley agreed that the program should move to one unified “Sabers” team, as it has with wrestling and football. This would mean one pool of players, divided to make the teams as even as possible, and it would eliminate stacking teams or bringing in travel teams.

**RESO 2026-36: RATIFY PAYMENT/MARK BOWEN/
PURCHASE OF HOSE CRIMPING MACHINE**

Mr. Finch moved for the following resolution:

REGULAR TOWN BOARD MEETING
MARCH 10, 2026

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment in the amount of \$2,500.00 to Mark Bowen for the purchase of a hose crimping machine for the Highway Department.

Seconded by Mr. Francisco.

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

RESO 2026-37: APPROVE PAYMENT/CLAIM #25-01424/\$5,998.00

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves payment of the following Claim #25-01424, which has been audited and approved for payment, in the total amount of \$5,998.00:

General	\$ <u>5,998.00</u>
Total	\$ 5,998.00

Seconded by Mr. Finch.

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

RESO 2026-38: APPROVE PAYMENT/CLAIMS #26-00188 - #26-00228/\$35,123.50

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 #26-00188 through #26-00228, which have been audited and approved for payment, in the total amount of \$ 35,123.50:

General	\$ 14,000.55
Highway	2,002.13
Light Districts	2,040.61
Sewer District #1	4,859.81
Water District	10,633.40
Non-Budgeted	<u>1,587.00</u>
Total	\$ 35,123.50

Seconded by Mr. Finch.

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

RESO 2026-39: APPROVE MODIFICATIONS/2025 BUDGET

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the following modifications 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:

REGULAR TOWN BOARD MEETING

MARCH 10, 2026

DOGS LEFT OUTSIDE

In regard to the discussion of the proposed Dog Protection Ordinance for the Town of Conklin, Darby Weidman asked who she should contact in the Town of Kirkwood about a similar problem. Ms. Weidman stated that she has heard two dogs barking in distress across the Susquehanna River all winter. Mr. Dumian stated that she should call Chad Moran, Dog Control Officer for the Town of Kirkwood. Mr. Spinner stated that a copy of the proposed changes to the Conklin Animal Control Law would be given to Dog Control Officer Rick Murray.

CAT 306 EXCAVATOR

Mr. Pavelski stated that the price of the CAT 306 Excavator is a “good number” and added that the Town will need electronics service for the machine.

SOLAR PROJECTS COMMENTARY

Mr. Van DeWeert reiterated that Mr. Pavelski’s comment about the distance from the approved Fallbrook Road solar facility and Mr. Boyle’s property on Scofield Road was a suggestion to move the proposed 50 Boyle Boulevard project to Scofield Road. Mr. Pavelski asked if future solar projects would be overseen by the Town Board or the Planning Board. Mr. Dumian stated, “100 % the Town Board,” adding that the Town Board is Lead Agency for solar development and for any development in the Broome Corporate Park.

S8119/HOME RULE

Mr. Spinner stated that S8119, which would override Home Rule regarding siting of solar facilities, is still in Committee and has yet to be voted on. Mr. Dumian stated that this bill is “government overreach at the State level.”

ADDITIONAL WATER SUPPLY/TOWN OF CONKLIN

Mr. Boyle stated that the Board needs to move forward on securing a secondary water source for the Town, in the event there should be an issue with the Town wells. The plan originally was to connect to the Town of Kirkwood but some issues have developed with Kirkwood’s water supply. The current plan is to connect to the City of Binghamton. Mr. Dumian stated that research and bid specifications are needed, adding he would expect this project to cost around \$1.5 million. Town Engineer John Mastronardi would be asked to write the bid specifications. Mr. Farley stated that the water line would run under the railroad tracks. Mr. Dumian stated that the Town cannot use money from the General Fund to pay for the water connection, as it would only benefit residents that have municipal water, therefore, only the Water Fund can be used. The question, he stated, becomes, “How do we pay for it?”

**RESO 2026-40: APPROVE ENGINEERING PROCESS/WRITE BID SPECIFICATIONS/
CONNECTION INTO CITY OF BINGHAMTON MUNICIPAL WATER LINE**

Mr. Farley moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves the engineering process to write bid specifications for connection from the Town of Conklin into the City of Binghamton municipal water line.

Seconded by Mr. Francisco.

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

REGULAR TOWN BOARD MEETING

MARCH 10, 2026

NO PILOTS FOR SOLAR PROJECTS

Mr. Finch asked if the Town can refuse to agree to a PILOT (Payment In Lieu Of Taxes) for solar projects. Mr. Spinner stated that the Board could discuss this, adding that it is separate from the solar law and the Town could treat a solar facility as fully taxable. The issue is that the solar company could then refuse to agree to a Host Community Agreement (HCA) and then the Town would not receive any financial benefit from the solar facility. Mr. Dumian added that the Town cannot build an HCA as part of the approval requirements. Mr. Spinner reminded the Board that both the County and the school district are also involved in negotiating a PILOT agreement, adding that by law PILOT agreements are limited to 15 years for solar facilities.

CEMETERIES

Mr. Francisco asked that a notice be put on the Town website asking residents to remove all winter decorations, including wreaths, from graves at both Shawsville Cemetery and at Conklin Cemetery by April 15 to facilitate spring cleanup. He stated that the fence at Conklin Cemetery needs to be repaired and Mr. Hayes stated that the Highway Department will take care of the repair.

WRESTLING PROGRAM

Mr. Farley congratulated Trey Parker, who placed 3rd in the New York State Wrestling Competition.

ELECTRONIC SIGN AT TOWN HALL

Mr. Dumian stated he thinks it would be beneficial to have a sign at the Town Hall similar to the one at Schnurbusch Park, although a smaller size. He will research the costs of such a sign.

There being no further business to come before the Board, Mr. Francisco moved for adjournment, seconded by Mr. Farley. The meeting adjourned at 7:13 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk