

TOWN OF BINGHAMTON
TOWN BOARD WORK SESSION
February 4, 2020

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MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, FEBRUARY 4, 2020, 5:30 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

The meeting was called to order by Supervisor Rounds at 5:30 p.m.

ROLL CALL:

E. Rounds, Supervisor	Present	M. Leighton, Councilperson	Present
V. Xlander, Deputy Supervisor	Absent	M. Bensley, Councilperson	Present
D. Nye, Councilperson	Present at 5:36 p.m.		

OTHERS PRESENT:

V. Conklin, Town Clerk	J. Emmons, TOB Volunteer Fire Co.
R. Pope, Town Attorney	W. Polhamus, TOB Volunteer Fire Co.
M. Donahue, Highway Superintendent	1 Guest
N. Pappas, Code Enforcement Officer/Buildings & Grounds	

Supervisor Rounds made the following statement: A motion may be made to go into an executive session to discuss a legal matter and/or a personnel matter regarding a particular employee after the meeting is convened.

APPROVAL OF AUDITED CLAIMS:

Councilperson Leighton made the motion to approve a Resolution to approve the following claims as audited:

<u>2019</u>		
Lighting	Claim No. 1217	\$ 735.14
Water	Claim No. 1218-1220	\$ 938.43
Highway	Claim No. 1221-1223	\$ 1,253.95
General	Claim No. 1224-1232	\$ 8,043.23
<u>2020</u>		
Sewer	Claim No. 47-49	\$ 5,548.42
Water	Claim No. 47, 50-53	\$ 3,603.30
Drainage	Claim No. 54	\$ 657.96
Highway	Claim No. 55-67, 86-87	\$ 13,021.97
General	Claim No. 68-85	\$ 10,214.68
Special Districts	Claim No. 88	\$ 202,000.00

The motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Leighton, Nye Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were changes/corrections made to the January 21, 2020 regular Town Board meeting minutes. The minutes will be re-posted on the TOB website.

COMMUNICATIONS AND ANNOUNCEMENTS:

Free Fishing Days – Saturday, February 15, 2020 & Sunday, February 16, 2020

Presidents' Day – TOB Municipal Buildings will be closed on Monday, February 17, 2020 in Observance of Presidents' Day

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – The next regularly scheduled meeting will be a joint meeting with the ZBA to be held on Monday, April 13, 2020 at 6:30 p.m. at the TOB Town Hall.

Zoning Board of Appeals – The next regularly scheduled meeting will be a joint meeting with the Planning Board to be held on Monday, April 13, 2020 at 6:30 p.m. at the TOB Town Hall.

Youth Commission – There was nothing new to report.

Code Enforcement/Building & Grounds – Mr. Pappas supplied the Board with a quote from B&F Glass Co., Inc. for a new entrance door, replacing the green entrance door with a glass door that will have a rim panic, closer and sweep. A motion was made by Councilperson Nye to approve a Resolution authorizing B&F Glass Co., Inc. to replace a 3' x 6'8" steel door and frame with a clear finish aluminum door and frame in an amount not to exceed \$2,155.00, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Leighton, Nye

Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

Mr. Pappas reported that the Samson house on Maxian Road has been demolished. The Peckham Road property is in the process of being cleaned up by the owner, and should be done in a month or so. A realtor contacted Mr. Pappas regarding the Hance Road property inquiring

what the process is for tearing it down. Mr. Pappas has been working on a property in Orchard Park. Zach is painting the Community Center, and the ceiling tiles have been replaced. The water heater at the Community Center needs to be replaced. The water heater was not working last Sunday. PJ Heating & Air Conditioning has recommended a 40-gallon propane gas hot water heater to replace the current hot water heater. There was discussion concerning certain properties, and the cleaning up of the properties.

Highway Department – Snow removal has been taking place. Highway Superintendent Donahue spoke with Town Engineer Martin regarding the bid specs for the W. Hamton sewer re-lining project. The Highway Department is getting ready for Spring.

TOB Volunteer Fire Co. – There was nothing new to report.

SUPERVISOR'S REPORT:

BC Association of Towns and Villages Monthly Meeting – The next monthly meeting will be held on Thursday, February 27, 2020 at 6:00 p.m.

UNFINISHED BUSINESS:

Water Tower Grant - Update – Highway Superintendent Donahue stated that Town Engineer Martin did receive a reply from the NYS Health Department regarding what they are requiring for submission for the grant. They want a project that is 100% ready to go, specifications, and bonding (a bonding Resolution had been submitted with the grant application). A full SEQR may be required. Supervisor Rounds will meet with Town Engineer Martin to discuss the matter.

Resolutions – Highway Repair Reserve Fund & Highway Capital Reserve Fund - Approval – A motion was made by Councilperson Bensley to approve a Resolution establishing and authorizing the Highway Equipment Capital Reserve Fund pursuant to Section 6-c of the General Municipal Law subject to permissive referendum, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Leighton, Nye

Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

A motion was made by Councilperson Bensley to approve a Resolution establishing and authorizing the Highway Equipment Repair Reserve Fund pursuant to Section 6-d of the General Municipal Law subject to permissive referendum, and the motion was duly seconded by

Councilperson Nye. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Leighton, Nye

Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

There was no further unfinished business.

NEW BUSINESS:

BC Veterans Center Code Services Agreement - Approval – A motion was made by Councilperson Bensley to approve a Resolution approving the Agreement between Broome County, New York, and the Town of Binghamton for the Town's code services for the Broome County Veterans Resource Center, and the motion was seconded by Councilperson Nye. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Leighton, Nye

Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

CDBG – New Grant Application – There are monies budgeted in the 2020 Town budget to apply for a CDBG grant for 2021. The cost of the application fee is \$6,500. A motion was made by Councilperson Leighton to approve a Resolution authorizing Thoma Development Consultants to submit a CDBG housing rehabilitation grant application for 2021, at a cost of \$6,500 for the application fee, and the motion was duly seconded by Councilperson Bensley. There was some discussion. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Leighton, Nye

Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

Jordan Godbout Tournament – Approval to Use Jackson Park – July 7-12, 2020 – A motion was made by Councilperson Bensley to approve the use of Jackson Park for the Jordan Godbout Tournament for the dates of July 7, 2020 thru July 12, 2020, and the motion was duly seconded by Councilperson Nye. All those present voted in favor of the motion. Motion carried.

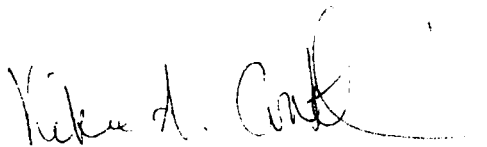
There was no further new business.

ADJOURNMENT:

A motion was made by Councilperson Bensley to adjourn the meeting at 6:23 p.m., and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

The next meeting of the Town of Binghamton Town Board will be a regular Town Board Meeting at 7:00 p.m. on February 18, 2020, at the Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vickie A. Conklin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Vickie A. Conklin
Town Clerk

RESOLUTION

At a Work Session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of February, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Dean Nye
Councilperson Mark Leighton
Councilperson Michael Bensley

ABSENT: Deputy Supervisor Xlander

The Resolution set forth below was duly offered by Councilperson Leighton, who moved its adoption, and was seconded by Councilperson Bensley.

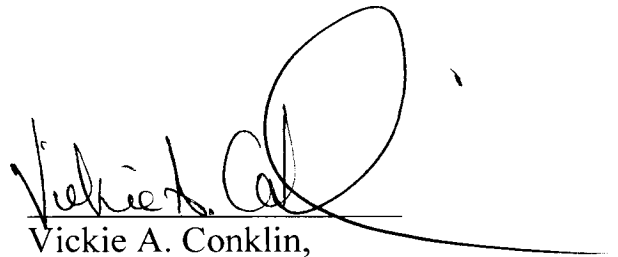
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Nye, Leighton, Bensley

NAYS: None

ABSENT: Xlander

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for approval, certain Audited Claims and a request for authorization that said Audited Claims be paid by the Town of Binghamton.

NOW, THEREFORE, be it

RESOLVED, that upon review of the Audited Claims by those Board Members present, the said Audited Claims are hereby approved for payment by the Town of Binghamton; and be it further

RESOLVED, that such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.

RESOLUTION

At a Work Session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of February, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Dean Nye
Councilperson Mark Leighton
Councilperson Michael Bensley

ABSENT: Councilperson Victoria L. Xlander

The Resolution set forth below was duly offered by Councilperson Nye, who moved its adoption, and was seconded by Councilperson Leighton.

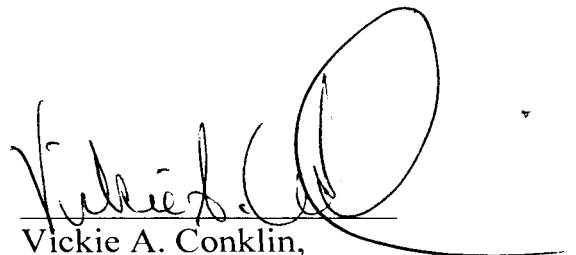
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Nye, Leighton, Bensley

NAYS: None

ABSENT: Xlander

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for approval a proposal from B&F Glass Company, Inc. for replacement of the 3' by 6' 8" steel door and frame with clear finish aluminum door and frame. Door to have rim panic hardware, closer and sweep.

NOW, THEREFORE, be it

RESOLVED, the Town Board approves the proposal from B&F Glass Company, Inc. for replacement of the 3' by 6' 8" steel door and frame with clear finish aluminum door and frame. Door to have rim panic hardware, closer and sweep, and be it further

RESOLVED, that the Town Supervisor and such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.

RESOLUTION

At a Work Session of the Town Board of the Town of Binghamton, Broome County New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of February, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Mark Leighton
Councilperson Michael Bensley
Councilperson Dean Nye

ABSENT: Councilperson Victoria L. Xlander

The Resolution set forth below was duly offered by Councilperson Bensley, who moved its adoption, and was seconded by Councilperson Leighton.

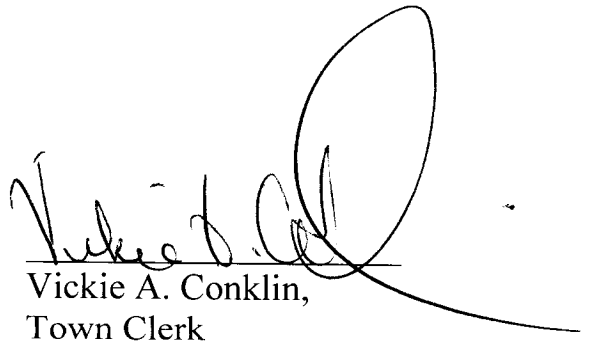
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Bensley, Leighton, Nye

NAYS: None

ABSENT: Xlander

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

**Resolution establishing the Highway Equipment
Capital Reserve Fund pursuant to Section 6-c
of the General Municipal Law:**

WHEREAS, the Town Board hereby wishes to establish and authorize a capital reserve fund for the Highway Fund.

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 6-c of the General Municipal law, as amended, there is hereby established a capital reserve fund to be known as the “Highway Equipment Capital Reserve Fund” (hereinafter “Reserve Fund”) subject to a Permissive Referendum. The purpose of the Reserve Fund is to accumulate moneys to pay for the cost of acquisition of Highway Fund vehicles and equipment; and be it further

RESOLVED, as chief fiscal officer, the Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Supervisor may invest the moneys of the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Supervisor shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and be it further

RESVOLED, except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law; and be it further

RESOLVED, that the Town Supervisor and such other Town officials are authorized to take such additional and further action as is necessary to implement this Resolution.

RESOLUTION

At a Work Session of the Town Board of the Town of Binghamton, Broome County New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of February, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Mark Leighton
Councilperson Michael Bensley
Councilperson Dean Nye

ABSENT: Councilperson Victoria L. Xlander

The Resolution set forth below was duly offered by Councilperson Bensley, who moved its adoption, and was seconded by Councilperson Nye.

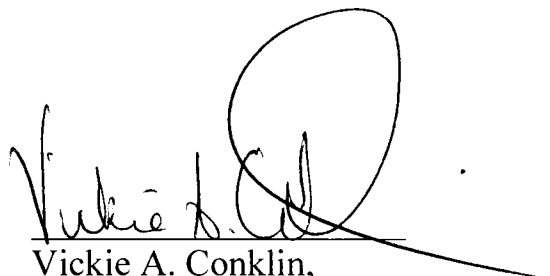
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Bensley, Leighton, Nye

NAYS: None

ABSENT: Xlander

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

**Resolution establishing the Highway Equipment
Repair Reserve Fund pursuant to Section 6-d
of the General Municipal Law:**

WHEREAS, the Town Board hereby wishes to establish and authorize a Repair Reserve Fund for the Highway Fund.

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 6-d of the General Municipal law, as amended, there is hereby established a repair reserve fund to be known as the “Highway Fund Repair Reserve Fund” (hereinafter “Reserve Fund”) subject to a Permissive Referendum. The purpose of the Reserve Fund is to accumulate moneys to pay for the cost of certain repairs to capital improvements or equipment in the Highway Fund; and be it further

RESOLVED, as chief fiscal officer, the Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Supervisor may invest the moneys of the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Supervisor shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and be it further

RESVOLED, except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law or any other law; and be it further

RESOLVED, that the Town Supervisor and such other Town officials are authorized to take such additional and further action as is necessary to implement this Resolution.

RESOLUTION

At a Work Session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of February, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Dean Nye
Councilperson Mark Leighton
Councilperson Michael Bensley

ABSENT: Councilperson Victoria L. Xlander

The Resolution set forth below was duly offered by Councilperson Bensley, who moved its adoption, and was seconded by Councilperson Nye.

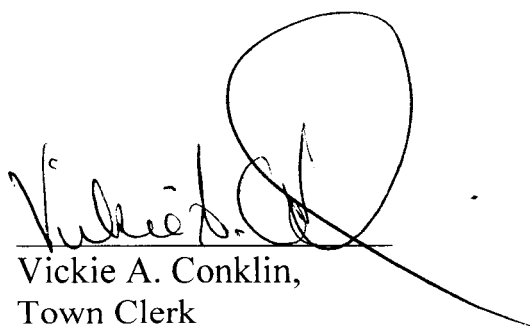
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Nye, Leighton, Bensley

NAYS: None

ABSENT: Xlander

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for approval an agreement with Broome County for Town of Binghamton Code Enforcement services for the Veterans Resource Center project at a rate of \$105 per hour, total not to exceed \$5,250 plus a fixed permit fee of \$300 for the period of November 26, 2019 through December 31, 2020.

NOW, THEREFORE, be it

RESOLVED, the Town Board approves the agreement with Broome County for Town of Binghamton Code Enforcement services for the Veterans Resource Center project at a rate of \$105 per hour, total not to exceed \$5,250 plus a fixed permit fee of \$300 for the period of November 26, 2019 through December 31, 2020, and be it further

RESOLVED, that the Town Supervisor and such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.

RESOLUTION

At a Work Session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of February, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Dean Nye
Councilperson Mark Leighton
Councilperson Michael Bensley

ABSENT: Councilperson Victoria L. Xlander

The Resolution set forth below was duly offered by Councilperson Leighton, who moved its adoption, and was seconded by Councilperson Bensley.

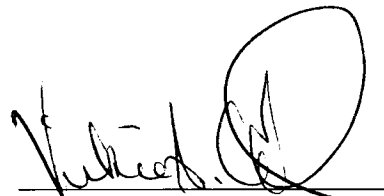
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Nye, Leighton, Bensley

NAYS: None

ABSENT: Xlander

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for approval of a new grant application for CDBG funds for the home improvement program run by Thoma with an application fee of \$6,500 to be paid by the Town.

NOW, THEREFORE, be it

RESOLVED, the Town Board approves the new grant application for CDBG funds for the home improvement program run by Thoma with an application fee of \$6,500 to be paid by the Town, and be it further

RESOLVED, that the Town Supervisor and such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.

RESOLUTION

At a Work Session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of February, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Dean Nye
Councilperson Mark Leighton
Councilperson Michael Bensley

ABSENT: Councilperson Victoria L. Xlander

The Resolution set forth below was duly offered by Councilperson Bensley, who moved its adoption, and was seconded by Councilperson Nye.

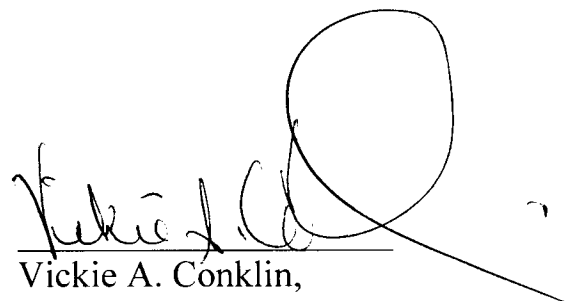
A vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: Xlander

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for approval a request for the use of Jackson Park from July 7-12, 2020 for the Jordan Godbout Tournament.

NOW, THEREFORE, be it

RESOLVED, the Town Board approves the request for the use of Jackson Park from July 7-12, 2020 for the Jordan Godbout Tournament.
, and be it further

RESOLVED, that the Town Supervisor and such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.

B&F Glass Co., Inc.
601 Gates Rd, Ste 1
Vestal, NY 13850

Tel: 607-723-9019
Fax: 607-348-1723

Proposal	
Date	1/23/20

Resolution -

Customer
Town of Binghamton
Attn: Nick Pappas

Project Location
Town Hall 279 park Ave Binghamton Ny 13903

Job Reference

Description	
Labor & Material	
To replace 1- 3' x 6' 8" steel door and frame with clear finish aluminum door & frame. Door to have rim panic, closer and sweep. Removal of existing door by others	
The Door on otherside of Building. (GREEN DOOR)	
We guarantee all material used in this contract to be as specified above and the entire job to be done in a neat, workmanlike manner. Any variations from the plan or alterations requiring extra labor or material will be performed only upon written order and billed in addition to the sum covered by this contract. Agreements made with our workmen are not recognized.	Total: \$2,155.00
Accepted By:	Date: ___/___/___

AGREEMENT

This Agreement entered into this day of January 2020 by and between the Town of Binghamton, a municipal corporation organized and existing under the laws of the State of New York and having offices at 279 Park Avenue, Binghamton NY 13903, (herein after "Town") and the County of Broome, a municipal corporation organized and existing under the laws of the State of New York and having offices at the Edwin L. Crawford County Office Building, PO Box 1766, Binghamton, NY 13902, (hereinafter "County").

WHEREAS, the County is renovating a building in the Town of Binghamton for a Veterans Resource Center, and

WHEREAS, the County is responsible for the enforcement of the Uniform Fire Prevention and Building Code for County facilities,

WHEREAS, the Town has a Code Enforcement Department that can perform code enforcement inspections for this project and the County wishes to contract with the Town to perform said code enforcement services on the County's behalf on the Veterans Resource Center, now therefore

It is Agreed by the Town and County as follows:

1. The Town, through its duly appointed employees and agents, shall make all building construction code inspections required under the New York State Uniform Fire Prevention and Building Code on the behalf of the County regarding the Veterans Resource Center in the Town of Binghamton during the term of this Agreement.
2. For the Services performed under this Agreement, the County will pay the Town at the rate of \$105 per hour with a total amount not to exceed under this contract of \$5,250 plus a fixed permit fee of \$300.

3. The term of this Agreement shall be from November 26, 2019 through December 31, 2020.
4.
 - a) The County agrees to pay the Town the compensation due under this contract within thirty (30) days of receipt of a bill detailing the services performed during the billing period.
 - b) The Town agrees that it will bill the County monthly during the term of this Agreement.
5. The Town shall perform inspections as required to ensure the Veterans Resource Center is renovated in compliance with the Uniform Fire Prevention and Building Code and shall review applications for building permits and certificates of occupancy. The Town shall issue a building permit and certificate of occupancy when appropriate.
6. The Town acknowledges that it is an independent contractor and shall not allow any of its employees or agents to hold themselves out as an employee of the County.
7.
 - a) The Town shall at all times save harmless the County from all claims, damages or judgments or for the defense or payment thereof, based on any claim, action or cause of action whatsoever by reason of any act, or failure to properly act, on the part of the Town.
 - b) The County shall at all times save harmless the Town from all claims, damages or judgments or for the defense or payment thereof, based on any claim, action or cause of action whatsoever by reason of any act, or failure to properly act, on the part of the County.
8. This Agreement is not intended, nor shall it be construed in any way, to cause or require that the public powers of the County related to the enforcement and administration of the

Uniform Code be surrendered or otherwise usurped in any matter or fashion whatsoever on any other County project in the Town of Binghamton.

9. Any and all notices and payments required hereunder shall be addressed as follows, or to such other address as may hereafter be designated in writing by either party hereto:

To County:

Leslie Boulton
Commissioner of Public Works
PO Box 1766
Binghamton NY 13902

To Town:

Code Enforcement Officer
Town Hall
279 Park Avenue
Binghamton NY 13903

10. No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving the breach. No such waiver shall in any way effect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.
11. This Agreement constitutes the complete understanding of the parties. No modification of any provisions shall be valid unless in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed the day and year first above written.

Town of Binghamton

By

Elizabeth Rounds
Town Supervisor

County of Broome

By

Jason T. Garnar
County Executive

Intro No.

Date

Reviewed by
Co. Attorney

Date

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2019-543

Date Adopted 12/19/2019

Effective Date 12/24/19

Sponsored by: Public Works & Transportation and Finance Committee

Seconded by: Hon. Matthew J. Pasquale

**RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING AGREEMENT WITH
THE TOWN OF BINGHAMTON FOR CODE ENFORCEMENT SERVICES FOR THE
DEPARTMENT OF PUBLIC WORKS VETERANS RESOURCE CENTER PROJECT FOR 2019-
2020**

WHEREAS, the Commissioner of Public Works requests authorization for a Memorandum of Understanding agreement with the Town of Binghamton for Code Enforcement Services for the Department of Public Works' Veterans Resource Center Project, at the rate of \$105 per hour, total amount not to exceed \$5,250 plus a fixed permit fee of \$300 for the period November 26, 2019 through December 31, 2020, and

WHEREAS, said agreement is necessary for technical review fees incurred in relation to the permit from the Town Engineer, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a Memorandum of Understanding Agreement with the Town of Binghamton, 279 Park Avenue, Binghamton, New York 13903 for Code Enforcement Services for the Department of Public Works' Veterans Resource Center Project for the period November 26, 2019 through December 31, 2020, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$105 per hour, total amount not to exceed \$5,250, plus a fixed permit fee of \$300 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 15020101.6002102.5202.1520083 (Alterations & Improvements), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

COUNTY OF BROOME)
STATE OF NEW YORK) ss:

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 19th day of December, 2019, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 20th day of December, 2019.

Date sent to County Executive: December 20, 2019

Approved

County Executive

Date

12/27

2019

Carol Hall
Deputy Clerk, County Legislature
County of Broome