

TOWN OF BINGHAMTON
TOWN BOARD WORK SESSION
April 7, 2020

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 Hickory Common School District – Use of Town Hall – Approval – May
 12, 2020 – 7:00 p.m. (Budget Meeting) & May 19, 2020 - 7:30 pm.
 (Voting Meeting)
 Board of Assessment Review – Reappointment of Bill Meredith
 Highway Department – Water and Sewer Billing

MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, APRIL 7, 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 5:33 p.m.

Supervisor Rounds welcomed everyone to the TOB Work Session.

ROLL CALL:

E. Rounds, Supervisor	Present	M. Leighton, Councilperson	Absent
V. Xlander, Deputy Supervisor	Present	M. Bensley, Councilperson	Present
D. Nye, Councilperson	Present.		

OTHERS PRESENT:

V. Conklin, Town Clerk	M. Donahue, Highway Superintendent
A. Pope, Town Attorney	0 Guests
R. Pope, Deputy Town Attorney	

Supervisor Rounds read a Notice provided by Town Attorney Pope, a copy of which is appended hereto.

(Notice Appended)

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 Bensley made the motion to adopt a Resolution to approve the following claims as audited:

<u>2020</u>		
Lighting	Claim No. 238	\$ 574.91
Water	Claim No. 239-244	\$ 69,999.60
Highway	Claim No. 245-252	\$ 52,892.13
General	Claim No. 253-279	\$ 11,586.74

The motion was duly seconded by Councilperson Xlander. 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, Xlander, Bensley, Nye

Absent: Leighton

Nays: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no changes/corrections made to the March 3, 2020 Town Board Work Session minutes.

COMMUNICATIONS AND ANNOUNCEMENTS:

Good Friday – Town Hall Staff is observing Good Friday on Friday, April 10, 2020 in Observance of Good Friday. One half of the rotating crew of the Highway Department will be Observing Good Friday on Friday, April 10, 2020, with the other half Observing Good Friday on Monday, April 13, 2020. There was some discussion about the Town being reimbursed for payroll expenses through government programs.

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – The next regularly scheduled meeting is a joint meeting with the Zoning Board of Appeals to be held on Monday, April 13, 2020 at 6:30 p.m. Supervisor Rounds will reach out to Chairperson Chris Streno requesting that the members of the Planning Board conduct the meeting via Zoom. An educational session will be conducted by Town Attorney Pope regarding the Coronavirus, and how to have a meeting with a resident, if needed.

Zoning Board of Appeals – The next regularly scheduled meeting is a joint meeting with the Planning Board to be held on Monday, April 13, 2020 at 6:30 p.m. Supervisor Rounds will be reaching out to Chairperson Gerardo Tagliaferri requesting that the members of the Zoning Board of Appeals conduct the meeting via Zoom. An educational session will be conducted by Town Attorney Pope regarding the Coronavirus, and how to have a meeting with a resident, if needed.

Youth Commission – The youth programs have been put on hold. Residents who have paid the registration fee for youth programs will be reimbursed by the Town if they so desire. There is hope that there will be a short season at some point.

Code Enforcement/Building & Grounds – Mr. Pappas is continuing to perform his job duties in both capacities. Zach Soboleski and Tim Hawley have been picking up trash on the Town roads, including Hawleyton Road and Park Ave. as the Broome County inmates will not be picking up trash on roads.

There was discussion concerning the LED replacement of the Town's street lights by NYSEG. The Town's most recent NYSEG bill reflected a reduction of \$1,200 due to the agreement to have the installation of the LED street lights performed by NYSEG.

Highway Department – The Highway Department will be returning to full staff on April 20, 2020. One hundred percent of the Pave New York and Extreme Weather funding is in the NYS budget at 100%, but the Town may only see 25% of the monies. CHIPS money is also in the NYS budget for 2020.

TOB Volunteer Fire Co. – There was no report.

SUPERVISOR'S REPORT:

Coronavirus - Update – A moment of silence was held to think about what our country is going through, and for the 12,000 people that have died.

Citizen of the Year – Councilperson Xlander and Supervisor Rounds will discuss nominations for the 2020 Citizen of the Year.

UNFINISHED BUSINESS:

Highway Department – Sanitary Pipe Lining Bids – Authorization – Bids will be due Monday, May 4, 2020 at 12:00 p.m. The bids will be opened on Tuesday, May 5, 2020 at 12:01 p.m., and will be approved at the May 19, 2020 regular Town Board meeting. A motion was made by Councilperson Bensley to adopt a Resolution authorizing the acceptance of bids for the Highway Department for sanitary pipe lining, with bids to be submitted by 12:00 p.m. on Monday, May 4, 2020, opened on Tuesday, May 5, 2020 at 12:01 p.m., and authorization of the bid winner on Tuesday, May 19, 2020 at 7:01 p.m., and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Bensley, Nye

Absent: Leighton

Nays: None

Declared adopted.

(Resolution Appended)

Clean Up Days 2020 Update – The Broome County Landfill is postponing the municipalities' drop off days. Supervisor Rounds will be contacting the Broome County Landfill regarding the scheduling of the drop off days. June 16, 2020 is the Town's anticipated drop off day.

Town Clerk – NYS Town Clerks Association Annual Conference – Authorization to Attend - August 23-26, 2020 (Rescheduled) – A motion was made by Councilperson Bensley to approve Town Clerk Conklin attending the NYS Town Clerks Association's Annual Conference August

23-26, 2020 in Albany, New York, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

CDBG – Adoption of Section 504 Grievance Procedures – Resolution – Supervisor Rounds read the Resolution provided by Thoma Development. A motion was made by Councilperson Nye to adopt the Resolution authorizing the adoption of Section 504 Grievance Procedures for the CDBG grant, and the appointment of Councilperson Bensley as the Grievance Coordinator for the CDBG grant, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Bensley, Nye

Absent: Leighton

Nays: None

Declared adopted.

(Resolution Appended)

Community Center Coordinator Position – Update – One application has been received for the position, which has been forwarded to the Personnel Committee. Councilperson Bensley will contact Mr. Yetter to advise him that we are interesting in him taking the position, but it will be a few weeks before meeting with him. Renters for the Community Center for the month of April have been contacted, and informed that their deposit and payment will be refunded. PayGov will be providing a computer program for the rental of the Community Center, which will include a calendar for checking availability, bookings, submitting payments and printing out the forms for the Community Center Coordinator. The Town will provide the Community Center Coordinator with a computer as this will be a position that will be home based.

There was no further unfinished business.

NEW BUSINESS:

Highway Department – Kubota Tractor and Kubota Excavator – Approval to List on Auctions International – A motion was made by Councilperson Bensley to to adopt a Resolution authorizing the listing of the Highway Department's Kubota Tractor and Kubota Excavator on Auctions International, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Bensley, Nye

Absent: Leighton

Nays: None

Declared adopted.

(Resolution Appended)

Hickory Common School District – Use of Town Hall – Approval – May 12, 2020 - 7:00 p.m. (Budget Meeting) & May 19, 2020 – 7:30 p.m. (Voting Meeting) – A motion was made by Councilperson Xlander approving the use of the Town Hall by the Hickory Common School District for a budget meeting on May 12, 2020 at 7:00 p.m., and for a voting meeting on May 19, 2020 at 7:30 p.m., and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

Board of Assessment Review – Reappointment of Bill Meredith – A motion was made by Councilperson Xlander reappointing Bill Meredith as a member of the Board of Assessment Review for a five-year term beginning retroactively October 1, 2019 and ending September 30, 2024, and the motion was duly seconded by Councilperson Nye. There was some discussion. All those present voted in favor of the motion. Motion carried.

Highway Department - Water and Sewer Billing – The next cycle for the water and sewer billing will begin May 1, 2020. Only on-line credit card payments and checks will be accepted. No cash payments will be accepted. There will be no in-person payments at the Highway Garage, only drop box payments. Supervisor Rounds will be contacting PayGov to see if they will consider reducing the rate for the service fee for the month of May.

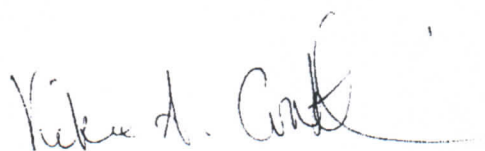
There was no further new business.

ADJOURNMENT:

A motion was made by Councilperson Bensley to adjourn the meeting at 6:10 p.m., and the motion was duly seconded by Councilperson Nye. 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 April 21, 2020, at the Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,



Vickie A. Conklin
Town Clerk

OPENING A VIRTUAL MUNICIPAL MEETING:
RECOMMENDED PROCEDURE AND
EXECUTIVE ORDER 202.1 COMPLIANCE LANGUAGE

When opening a virtual meeting via ZOOM/teleconference, the Supervisor should follow these steps:

- 1. Call meeting to order**
- 2. Have Clerk call the role of Board members; each member must orally state that he/she is present. Confirm quorum.**
- 3. Read the following language into the record:**

I Supervisor, Elizabeth Rounds, have confirmed with Counsel that this meeting is being held in compliance with Executive Order 202.1, issued by Governor Andrew M. Cuomo on March 12, 2020. The Executive Order suspends Article 7 of the Public Officers Law to the extent necessary to permit any public body to meet and take any action authorized by law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service.

This meeting is being held remotely via ZOOM virtual meeting software. The public has the ability to view or listen to this meeting live via the ZOOM app, web browser and/or by telephone. This meeting is being recorded, and will be transcribed at a later date.

- 4. Proceed with the agenda**

RESOLUTION

At a regularly scheduled 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 7th day of April, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Dean Nye

ABSENT: Councilperson Mark Leighton

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

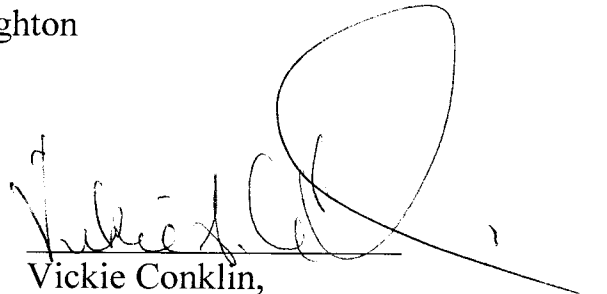
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Dean Nye

NAYS: None

ABSENT: Councilperson Mark Leighton

The Resolution was then declared adopted.


Vickie Conklin,
Town Clerk

RESOLUTION:

WHEREAS, by motion Councilperson Bensley has recommended that the Town Board approve claim numbers 238; 239-244; 245-252 and 253-279 as audited, and

WHEREAS, the specific audited claims are as set forth in the attachment.

NOW, THEREFORE, be it

RESOLVED, that claim numbers 238; 239-244; 245-252 and 253-279 as audited are hereby adopted and approved; 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 regularly scheduled 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 7th day of April, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Dean Nye

ABSENT: Councilperson Mark Leighton

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

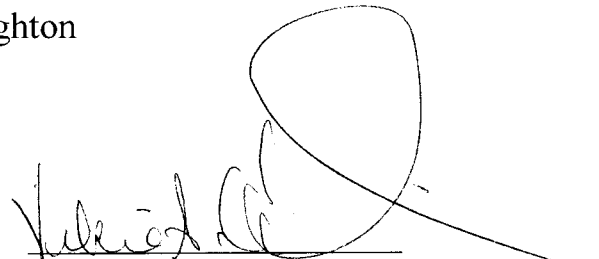
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Dean Nye

NAYS: None

ABSENT: Councilperson Mark Leighton

The Resolution was then declared adopted.


Vickie Conklin,
Town Clerk

RESOLUTION:

WHEREAS, it has been recommended that the Town Board approve the acceptance of bids for the Highway Department for sanitary pipe lining, with bids to be submitted by 12:00 p.m. on Monday, May 4, 2020, opened on Tuesday, May 5, 2020 at 12:01 p.m., and award of the bid on Tuesday, May 19, 2020 at 7:01 p.m.,

NOW THEREFORE, BE IT

RESOLVED, that the Town Board approves acceptance of bids for the Highway Department for sanitary pipe lining, with bids to be submitted by 12:00 p.m. on Monday, May 4, 2020, opened on Tuesday, May 5, 2020 at 12:01 p.m., and award of the bid on Tuesday, May 19, 2020 at 7:01 p.m., and it is 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 regularly scheduled work session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Office Building, 279 Park Avenue, Binghamton, New York, on the 7th day of April, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Dean Nye

ABSENT: Councilperson Mark Leighton

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

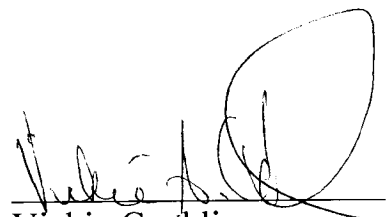
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Dean Nye

NAYS: None

ABSENT: Councilperson Mark Leighton

The Resolution was then declared adopted.


Vickie Conklin,
Town Clerk

RESOLUTION:

WHEREAS, it has been recommended that the Town Board approve the adoption of Section 504 Grievance Procedures for the CDBG grant,

WHEREAS, it has been recommended that the Town Board approve the appointment of Councilperson Bensley as the Grievance Coordinator for the CDBG grant,

NOW THEREFORE, BE IT

RESOLVED, that the Town Board approves the adoption of Section 504 Grievance Procedures for the CDBG grant, and it is further

RESOLVED, that the Town Board approves the appointment of Councilperson Bensley as the Grievance Coordinator for the CDBG grant, and it is 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.

SECTION 504 RESOLUTION
Town of Binghamton

WHEREAS, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees that receive financial assistance from HUD, and

WHEREAS, Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires adoption of grievance procedures to address complaints of those who feel they may have been discriminated against on the basis of disability and also requires the provision of notice of said grievance procedures, and

WHEREAS, it is the policy of the Town of Binghamton not to discriminate against any individual, person or group on the basis of disability and the intent of the Town to address any complaints that may arise pursuant to Section 504,

NOW, THEREFORE, BE IT RESOLVED that the Town of Binghamton does hereby adopt by resolution internal grievance procedures (the "Procedure") providing for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the Act, and

BE IT FURTHER RESOLVED, that the Town of Binghamton does hereby designate Councilperson Michael Bensley as the Grievance Coordinator who shall be responsible for receiving and addressing complaints pursuant to the Procedure adopted hereby and attached hereto, and

BE IT FINALLY RESOLVED, that the Town of Binghamton will place its employee, the public, and potential beneficiaries of certain federal public programs on notice by undertaking certain actions that will include, but may not be limited to (1) providing a copy of the grievance procedure to its employees, (2) putting the public on notice by placing a notice in the Town's official newspaper subsequent to adoption of this Procedure, (3) placing a copy of the Procedure on the Town Clerk's sign board in the lobby of the Town of Binghamton Town Hall and copies on the table in the lobby of the Town of Binghamton Town Hall, 279 Park Ave., Binghamton, New York for review and dissemination, and (4) adding language to federal program brochures to insure all potential program beneficiaries are aware of the Town's adopted grievance procedures.

Dated: 4/7/20

Elizabeth Rounds
Elizabeth Rounds, Supervisor

RESOLUTION

At a regularly scheduled work session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Office Hall, 279 Park Avenue, Binghamton, New York, on the 7th day of April, 2020 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Dean Nye

ABSENT: Councilperson Mark Leighton

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

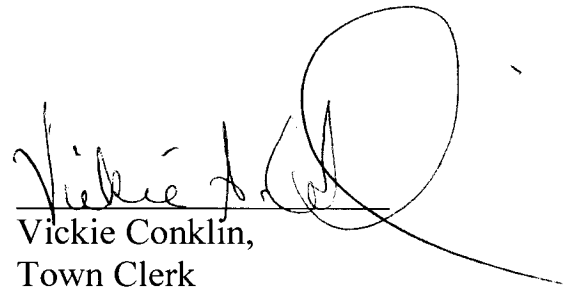
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Dean Nye

NAYS: None

ABSENT: Councilperson Mark Leighton

The Resolution was then declared adopted.


Vickie Conklin,
Town Clerk

RESOLUTION:

WHEREAS, it has been recommended that the Town Board approve the listing of the Highway Department's Kubota Tractor and Kubota Excavator and authorize them to be sold on Auction International.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board approves the listing of the Highway Department's Kubota Tractor and Kubota Excavator and is authorized for them to be sold on Auction International at a date to be determined, and it is 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.