

**TOWN OF BINGHAMTON**  
**TOWN BOARD**  
**May 19, 2020**

- Page 2      7:01 p.m. – Hamton Road Sanitary Pipe Lining – Awarding of Bid
- Page 3      Approval of Audited Claims  
Recognition of Minutes  
Voice of Public  
Communications and Announcements
- Page 4      Officials and Committee Reports  
                Planning Board  
                Zoning Board of Appeals  
                Youth Commission  
                Code Enforcement/Building & Grounds  
                Highway Department  
                Receipt of Reports  
                TOB Volunteer Fire Co.  
Supervisor’s Report  
                Coronavirus - Update
- Page 5      Unfinished Business  
                Clean Up Days 2020 – Update  
                658 Park Ave. – Notice (Order of Remedy)  
                Aqua Terra (Maxian Rd.) – Parking Issue  
                NYSEG Energy Efficiency Proposal – Town Hall  
New Business  
                Sewer Rates – Update  
                TOB Community Center – TOB Volunteer Fire Co.  
                Local Law – Insurance Payments for House Fires  
                Cell Phones – Supervisor and Code Enforcement Officer
- Page 6      New Business (Continued)  
                SusqueNango Kennel Club  
                Solar Committee – Update  
                TOB Parkland Alienation to TOB Volunteer Fire Co. – Update  
Voice of the Public

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, MAY 19, 2020, 7:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.**

The meeting was called to order at 7:03 p.m. by Supervisor Rounds.

**ROLL CALL:**

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

**OTHERS PRESENT:**

V. Conklin, Town Clerk	M. Donahue, Highway Superintendent
P. Edwards, Deputy Town Clerk	N. Pappas, Code Enforcement/Bldgs. & Grounds
A. Pope, Town Attorney	J. Emmons – Chief, TOB Volunteer Fire Co.
R. Pope, Deputy Town Attorney	0 Guests

**7:01 p.m. – Hamton Road Sanitary Pipe Lining – Awarding of Bid**

Seven bids were received, and then opened on May 5, 2020 at 12:01 p.m. Town Engineer John Martin of Clark Patterson Lee provided the Town with a letter of recommendation recommending the awarding of the construction contract for the Hamton Road Sanitary Sewer Trenchless Pipe Lining project to Kenyon Pipeline Inspection, LLC, with the lowest bid of \$95,425.00. Clark Patterson Lee will be notified by Town Clerk Conklin informing them that the bid award to Kenyon Pipeline Inspection, LLC has been approved by the Town Board. A motion was made by Councilperson Xlander to adopt a Resolution accepting the bid from Kenyon Pipeline Inspection, LLC in the amount of \$95,425.00 for the Hamton Road sanitary sewer trenchless pipe lining project, 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, Xlander, Bensley, Leighton, Nye                      Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

**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 adopt a Resolution to approve the following claims as audited:

2020

Lighting	Claim No. 337	\$ 26.19
Sewer	Claim No. 338-340	\$ 392.20
Water	Claim No. 341-344	\$ 4,643.76
Highway	Claim No. 345-352	\$ 128,781.15
General	Claim No. 353-373	\$ 4,003.27

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, Xlander, Bensley, Leighton, Nye                      Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

**RECOGNITION OF MINUTES:**

There were no corrections made to the May 5, 2020 Work Session minutes.

**VOICE OF THE PUBLIC:**

Supervisor Rounds opened the floor at 7:11 p.m.

There being no presentations to be brought before the Board, the floor was declared closed at 7:11 p.m.

**COMMUNICATIONS AND ANNOUNCEMENTS:**

Memorial Day – Municipal Buildings Closed – May 25, 2020 in Observance of Memorial Day

Memorial Day Parade – Cancelled – On Saturday, November 7, 2020, there will be a recognition ceremony for veterans held at the Hawleyton United Methodist Church.

Spring Tree Branch & Brush Pickup – June 1-12, 2020

## **OFFICIALS AND COMMITTEE REPORTS:**

Planning Board – The next regularly scheduled joint quarterly meeting with the ZBA will be held on July 13, 2020 at the TOB Town Hall at 6:30 p.m. possibly via Zoom.

Zoning Board of Appeals – There was nothing new to report.

Youth Commission – There was nothing new to report.

Code Enforcement/Buildings and Grounds – Supervisor Rounds reported that she and Mr. Pappas have spoken to John Phelan, who had been approved for the CDBG funds, concerning code violations at his place of residence. Mr. Phelan agreed to clean up his property by Friday, May 22, 2020, so that he can take advantage of the grant funds that were awarded to him for home improvements of his residence. Supervisor Rounds reported that the TOB clean up days were held on May 14 and 15, 2020, resulting in an intake of many tires, and eleven 30-yard dumpsters of household items. There may be a day scheduled toward the end of the summer for an electronic drop off day, as the BC Landfill is currently not accepting electronics.

Highway Department – Highway Superintendent Donahue asked if the parks will be reopened. He reported that the water has not been turned on yet in the parks. He will need a two-week notice for the water to be turned on as samples have to be provided to the Broome County Health Department, and a report received regarding the outcome of the tested samples. Mr. Pappas will check with Lou Bishop to see if the softball tournament will go forward in July. If so, the water will be turned on two weeks prior to the tournament.

Receipt of Reports – The Town Board is in receipt of the following reports:

Town Clerk's Monthly Report for April 2020

DCO's Monthly Report for April 2020

TOB Volunteer Fire Co. – Chief Emmons reported that there have been 70 calls year to date. The TOB Volunteer Fire Co. is no longer delivering food to students. Supervisor Rounds stated that the TOB Volunteer Fire Co. has expressed an interest in leasing the TOB Community Center from the Town. Chief Emmons confirmed the TOB Volunteer Fire Company's interest in leasing the Community Center. The TOB Community Center is currently costing the Town approximately \$15,000 per year. The TOB Fire Company would be renting the Community Center to residents for events. There was discussion regarding leasing the TOB Community Center to the TOB Volunteer Fire Co. Alternative ideas for use of the TOB Community Center by the Town were voiced by Town Board members. Supervisor Rounds and Chief Emmons will create a document with ideas for use of the Community Center for further discussion at a future Town Board meeting.

## **SUPERVISOR'S REPORT:**

Coronavirus - Update – The Town Hall will reopen to the public tomorrow, May 21, 2020. There are very secure steps in place for reopening.

## **UNFINISHED BUSINESS:**

Clean Up Days 2020 – Update – This subject was covered under Officials and Committee Reports.

658 Park Ave. – Notice (Order of Remedy) – Town Attorney Pope advised that the Notices are drafted, but he needs to know where the owner is currently living so that the owner can be served with the Order of Remedy. Regarding insurance payments for house fires, Town Attorney Pope advised that the City of Binghamton has an extended version of unsafe buildings that covers a situation when a resident has insurance for a house fire. The extended version allows a notice to submit a lien to be filed almost immediately after a fire with the insurance company so that the municipality has a first right to the insurance funds, at least to the extent for demolition and cleanup, should the owner try to walk away. There is also a provision under the General Municipal Law, parts of which may be used to assist in creating a local law regarding insurance funds for house fires. Town Attorney Pope will create a memo for the Town Board's consideration for a proposed modification of the already existing unsafe buildings law.

Aqua Terra (Maxian Rd.) – Parking Issue – Broome County will be working on the parking lot on the Innsbruck side of the park. A discussion was held regarding a new local law enabling the Town to put up no parking signs on both sides of Maxian Road by Aqua Terra. Supervisor Rounds and Highway Superintendent Donahue will go to the site to assess the situation, and will report back to the Town Board at the next work session.

NYSEG Energy Efficiency Proposal – Town Hall – The Town is in receipt of a proposal from NYSEG to replace the lights and lamps at the TOB Community Center, Town Hall, and Jackson Park. A discussion was held regarding the proposal, and the cost of said proposal. Mr. Pappas will ask Mr. Walsh to attend a future meeting to explain the cost of said proposal.

There was no further unfinished business.

## **NEW BUSINESS:**

Sewer Rates – Update – Supervisor Rounds and Highway Superintendent Donahue will meet to discuss sewer rates to bring back to the Town Board at the June Work Session.

TOB Community Center – TOB Volunteer Fire Co. – This subject was covered under Officials and Committee Reports.

Local Law – Insurance Payments for House Fires – This subject was covered under 658 Park Ave. – Notice (Order of Remedy).

Cell Phones – Supervisor and Code Enforcement Officer – Supervisor Rounds and Code Enforcement Officer Pappas use their personal cell phones for Town business. Instead of purchasing new cell phones by the Town for use, Supervisor Rounds requested a monthly allowance for use of their personal cell phones for Town business. A motion was made by Councilperson Xlander to adopt a Resolution authorizing a monthly reimbursement in the amount of \$50 per month to Supervisor Rounds and Code Enforcement Officer Pappas for the

expense of their personal cell phone use, and the motion was duly seconded by Leighton. There was some discussion. A motion was made by Councilperson Xlander to adopt a Resolution to amend said motion to reflect that the Town of Binghamton Town Supervisor and Town of Binghamton Code Enforcement Officer be reimbursed \$50 per month for use of their personal cell phones for Town business, 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, Xlander, Bensley, Leighton, Nye                      Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

SusqueNango Kennel Club – An e-mail was sent by Sue Tong to Supervisor Rounds explaining the proposed use of the ballfield adjacent to the TOB Volunteer Fire Co. by the SusqueNango Kennel Club. There was discussion regarding insurance requirements, a lease, and a fee. Town Attorney Pope reiterated that the ballfield needs to be available to Town residents for use. Supervisor Rounds and Mr. Pappas will meet with Sue Tong to discuss this issue.

Solar Committee – Update – The Solar Committee will meet on Tuesday, May 26, 2020 via Zoom.

TOB Parkland Alienation to TOB Volunteer Fire Co. – Update – Deputy Town Attorney Pope stated that this matter has been put on pause, but she will resume the process.

There was no further new business.

**VOICE OF THE PUBLIC:**

Supervisor Rounds opened the floor to the public at 8:25 p.m.

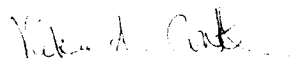
There being no presentations, the floor was declared closed at 8:25 p.m.

**ADJOURNMENT:**

A motion was made by Councilperson Bensley to adjourn the meeting at 8:31 p.m., and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

*The next meeting of the Town of Binghamton Town Board will be a Work Session to be held on Tuesday, June 2, 2020, 5:30 p.m., at the Town of Binghamton Town Hall, 279 Park Avenue, Binghamton, NY.*

Respectfully submitted,



Vickie A. Conklin  
Town Clerk

## RESOLUTION

At a regularly scheduled Board meeting 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 19<sup>th</sup> day of May, 2020 at 7:00 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

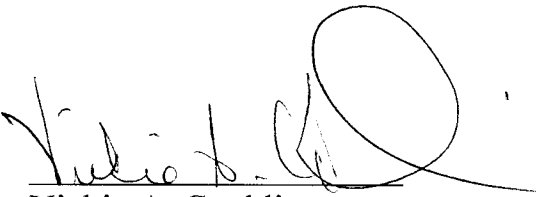
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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

NAYS: None

ABSENT: None

The Resolution was then declared adopted.

  
Vickie A. Conklin,  
Town Clerk



**RESOLUTION:**

**WHEREAS**, it has been recommended by the Town Engineer John Martin of Clark Patterson Lee that the Town Board approve the award to Kenyon Pipeline Inspection, LLC the construction contract for the Hamton Road Sanitary Sewer Trenchless Pipe Lining project at a cost of \$95,425.00, which said bid was the lowest of seven bids received.

**NOW THEREFORE, IT IS**

**RESOLVED**, that the bid award to Kenyon Pipeline Inspection, LLC for the construction contract for the Hamton Road Sanitary Sewer Trenchless Pipe Lining project at a cost of \$95,425.00 is hereby approved; 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 regular Town Board meeting 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 19th day of May, 2020 at 7:00 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

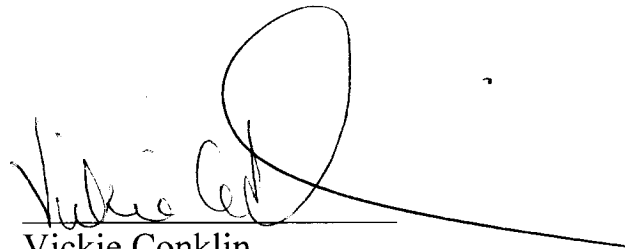
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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

NAYS: None

ABSENT: None

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 337; 338-340; 341-344, 345-352 and 353-373 as audited, and

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

**NOW, THEREFORE**, be it

**RESOLVED**, that claim numbers 337; 338-340; 341-344, 345-352 and 353-373 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 Board meeting 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 19<sup>th</sup> day of May, 2020 at 7:00 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

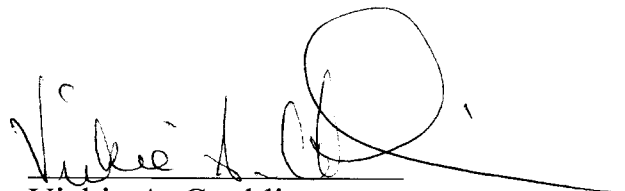
A vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: None

The Resolution was then declared adopted.

  
Vickie A. Conklin,  
Town Clerk

**RESOLUTION:**

**WHEREAS**, it has been recommended that the Town Board approve the Town Supervisor and Town of Binghamton Code Enforcement Officer being reimbursed \$50.00 per month for the use of their personal cell phones for Town Business.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board hereby authorizes the reimbursement of \$50.00 per month to the Town Supervisor and to the Town of Binghamton Code Enforcement Officer for the use of their personal cell phones for Town Business; 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.