

**TOWN OF BINGHAMTON
TOWN BOARD WORK SESSION
May 5, 2020**

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MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, MAY 5, 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.

ROLL CALL:

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

OTHERS PRESENT:

V. Conklin, Town Clerk	M. Donahue, Highway Superintendent
P. Edwards, Deputy Town Clerk	0 Guests
A. Pope, 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 Xlander made the motion to adopt a Resolution to approve the following claims as audited:

<u>2020</u>			
Lighting	Claim No. 306	\$	580.18
Sewer	Claim No. 307	\$	82.60
Water	Claim No. 308-310	\$	783.59
Highway	Claim No. 311-318	\$	4,116.06
General	Claim No. 319-336	\$	13,631.08

The motion was duly seconded by Councilperson Nye. There was some discussion, including the possibility of updating a local law to include billing back dog owners whose dog has been picked up by the Town, and sheltered at the BC Humane Society All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Bensley, Nye, Leighton Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no changes/corrections made to the April 21, 2020 Town Board Work Session minutes.

COMMUNICATIONS AND ANNOUNCEMENTS:

TOB Municipal Clean Up Days – May 14 & 15, 2020

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

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – The next regularly scheduled meeting will be held on July 13, 2020 at 6:30 p.m.

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

Youth Commission – A meeting will be held on May 21, 2020, probably via ZOOM. There is hope that there will be a modified season at some point. The Jordan Godabout Tournament has been cancelled. As of this date, the DWI Girls Softball Tournament has not been cancelled.

Code Enforcement/Building & Grounds – Mr. Pappas has been contacted by an architectural company about redoing one of the towers on Ingraham Hill Road. There will be discussion with the architectural company regarding extending the tower's services. Supervisor Rounds reported that there are 22 homes on Hance Road that now have Spectrum services offered to them. Homes between Park Ave. and Morgan Road on Stevens Road are very frustrated because of the lack of high speed internet services, etc. It was suggested that the residents contact Plexicom, which they did. The residents started working with Plexicom. In the meantime, Highway Superintendent Donahue found out that cable service lines have been provided by Spectrum. Supervisor Rounds spoke with Spectrum, who said that services are offered, but it seems that Spectrum never notified the residents that live in that section of Stevens Road that services are available. Discussion was held regarding the permit fee for cell towers. There was discussion concerning the house fire on Park Avenue, and how to proceed with the cleanup of the house as the house is uninhabitable. Town Attorney Pope advised that an Order of Remedy can be served on the owner, and if the cleanup does not proceed, then the Town can take the owner to Court. If it is an emergency situation under Town Code, then Mr. Pappas could post it. The Town could then do an expedited public hearing, the Board would vote on it, and get the notice out in enough time to put it on the regular meeting agenda. The house has been boarded up, and an X placed on the house. A motion was made by Councilperson Bensley to authorize the initiation of the

unsafe building code process, and authorizing Town Attorney Pope, Code Enforcement Officer Pappas, and Town Clerk Conklin to prepare and post the Notice, and serve the Notice upon the owner of 658 Park Avenue, Binghamton, New York (tax map number 192.03-2-9), and the motion was duly seconded by Councilperson Leighton. There was some discussion. All those present voted in favor of the motion. Motion carried.

Highway Department – The Kubota Excavator sold for \$45,500, and the Kubota Tractor sold for \$23,300 on Auctions International. Catch basins and manholes have been repaired on Cynthia Drive and Laurie Brook Drive. Cynthia Drive and Laurie Brook Drive were milled today, and will be paved tomorrow. The billing of the water/sewer revenues are not keeping up with the expenditures. There is a loss of \$10,000 per quarter in sewer revenues. Supervisor Rounds and Highway Superintendent Donahue will meet to discuss this matter, and will present their findings to the Board at the regular Town Board meeting. Supervisor Rounds reported that seven bids were received for the Hamton Road sanitary pipe lining project. The bids were opened at 12:01 p.m. today. The bids ranged from \$95,425 to \$148,515. The bid awarding will take place at the May 19, 2020 regular Town Board meeting.

TOB Volunteer Fire Co. – There was no report.

SUPERVISOR’S REPORT:

Coronavirus - Update – Supervisor Rounds reported that she attended the BC Executive's conference call today, and gave the following update: The Southern Tier is in good shape to be able to have part of the Southern Tier reopened by May 15. There are eight counties in the Southern Tier. Broome County will be the lead County. State criteria include contact tracing, hospital capacities, lowering the number of hospitalizations over a 14-day period, making sure there is enough PPE at the hospitals and testing. Phase one will include the reopening of construction and manufacturing. Phase two will include professional services and retail. The Town Hall may not be able to reopen until the end of May. Phases will be in two-week periods. When reopened, protocol at the Town Hall will include: Every resident stopping six feet from Becky Smith's window; she will inquire what service they need; she will call the department to let them know that a resident is on their way as there will be only one resident allowed at a department at a time; the ladies bathroom will be turned into an employees only bathroom; residents will be using the mens bathroom; Zach will be cleaning and disinfecting; plexiglass or plastic will be put up in the Assessor's office door.

UNFINISHED BUSINESS:

Clean Up Days 2020 Update – Clean Up Days 2020 will take place May 14 and 15. There will be two dumpsters at the Highway Department, and two dumpsters at the Town Hall. Electronics and appliances with Freon are not allowed as those departments are semi-closed at the BC Landfill. The Town will hold a drop off day for those items at a future date. There will be pickups for furniture if it will not fit in the resident's vehicle. There will also be pickups for seniors. The process will be more streamlined this year. If needed, Taylor Garbage will pick up a full dumpster, and store it at their facility until the dumpster can be dropped off at the BC Landfill on May 19th. Tires will be accepted.

Highway Department – Hamton Rd Sanitary Pipe Lining – Bids – This subject was covered under Officials and Committee Reports.

CDBG – Head – Septic System – Supervisor Rounds wanted to bring to the Board's attention that the Heads' property is in need of a septic repair. Supervisor Rounds stated that there are three residents who are waiting for a determination of what their project involves, and the approval of their projects, and that the Heads' have already received \$40,000 in CDBG funds for repairs. This matter may be brought before the Board at the regular Town Board meeting.

There was no further unfinished business.

NEW BUSINESS:

SusqueNango Kennel Club – Supervisor Rounds received a telephone call from Town resident Sue Tong, who is a member of the SusqueNango Kennel Club. The SusqueNango Kennel Club would like to rent the ballfield next to the Park Avenue Fire Station for dog training as the ballfield is fenced in. They would install training apparatus inside the ballfield. The SusqueNango Kennel Club does have the proper insurances. Town Attorney Pope advised that the ballfield needs to be open to the public because it is classified as parkland, and that the entirety of the parkland cannot be rented exclusively to one private venture. The park cannot be used as a business that charges for services. Supervisor Rounds will discuss this matter further with the resident, and bring more information back to the Board for consideration.

Councilperson Nye stated that a mountain bicyclist group has been using posted, private property to mountain bike on a resident's property on South Mountain. He asked for suggestions to relay to the resident to stop the bicyclists. There was some discussion and suggestions, but the Town cannot get involved in this issue.

Aqua Terra - Parking Issue – Supervisor Rounds received a phone call from a resident on Maxian Road about the issue of cars parking alongside Maxian Road instead of parking in Aqua Terra's parking lot. Highway Superintendent Donahue said the Town can create a local law for putting up no parking signs from one point to another point. This process may take 30 to 60 days. Town Attorney Pope agreed. In question is what police agency would be responsible for issuing tickets. Supervisor Rounds will speak with BC Executive Garnar about this issue.

Memorial Day Parade – The Memorial Day Parade may be held at Jackson Park as there is more room at Jackson Park for social distancing. Fire Chief Emmons and Supervisor Rounds will further discuss this matter.

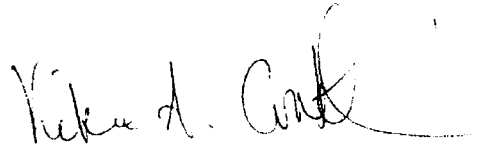
There was no further new business.

ADJOURNMENT:

A motion was made by Councilperson Xlander to adjourn the meeting at 6:49 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 May 19, 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 extending to the right.

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 5th day of May, 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
Councilperson Mark Leighton

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 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 Xlander has recommended that the Town Board approve claim numbers 306; 307; 308-310; 311-318 and 319-336 as audited, and

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

NOW, THEREFORE, be it

RESOLVED, that claim numbers 306; 307; 308-310; 311-318 and 319-336 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.