

TOWN OF BINGHAMTONTOWN BOARD OF WORK SESSIONMAY 5, 2020, 5:33 p.m.

Town of Binghamton Town Hall
279 Park Avenue
Binghamton, New York

PRESENT AT WORK SESSION:

E. ROUNDS, SUPERVISOR
V. XLANDER, DEPUTY SUPERVISOR
D. NYE, COUNCILPERSON
M.L. LEIGHTON, COUNCILPERSON
M. BENSLEY, COUNCILPERSON

OTHERS PRESENT:

V. CONKLIN, TOWN CLERK
P. EDWARDS, DEPUTY TOWN CLERK
A. POPE, TOWN ATTORNEY
H. DONAHUE, HIGHWAY SUPERINTENDENT

0 GUESTS

TRANSCRIBED BY:

Sally Omar
Czerenda Court Reporting
71 State Street, Suite 101
Binghamton, New York 13901

1 SUPERVISOR ROUNDS: I'd like to call this
2 meeting to order -- hey, Nick --

3 NICK: I am here.

4 SUPERVISOR ROUNDS: -- so, I'd like to call this
5 meeting to order at 5:33. I'd like to call roll call
6 please --

7 CLERK: I'm sorry.

8 SUPERVISOR ROUNDS: or should I read the framer
9 first?

10 CLERK: Yeah.

11 SUPERVISOR ROUNDS: Okay. Let's see, call to
12 order -- oh, no, it says have the Clerk call the roll call
13 first, and then I'll read it.

14 CLERK: Okay. All right. Deputy Supervisor
15 Xlander?

16 DEPUTY SUPERVISOR XLANDER: Here.

17 CLERK: Councilperson Nye?

18 COUNCILPERSON NYE: Here.

19 CLERK: Oh, he's here, okay. Councilperson
20 Leighton?

21 COUNCILPERSON LEIGHTON: Here.

22 CLERK: Councilperson Bensley?

23 COUNCILPERSON BENSLEY: Here.

24 CLERK: Supervisor Rounds?

25 SUPERVISOR ROUNDS: Here.

1 I, Supervisor Rounds, have confirmed with the
2 Council that this meeting is being held in compliance with
3 Executive Order 202.1 issued by Governor Andrew M. Cuomo
4 on March 12th, 2020.

5 The Executive Order suspends Article 7 of the
6 Public Office (inaudible) -- it is not necessary to let
7 any public body to meet and take any action, authorized by
8 law without permitting the public in person access to
9 meetings and authorizing such meetings to be held remotely
10 by camera or some other device or services. This meeting
11 is being held remotely via Zoom Virtual Meetings Software
12 -- the public has the ability to view or listen to this
13 meeting by via the Zoom app, web browser, or -- and/or by
14 telephone.

15 This meeting is being recorded and will be
16 transcribed at a later date. I'd like to make a
17 resolution -- a motion to make a resolution to adopt the
18 audited claims.

19 DEPUTY SUPERVISOR XLANDER : So move.

20 SUPERVISOR ROUNDS: Second?

21 MR. NYE: Second, second, Nye.

22 SUPERVISOR ROUNDS: (Inaudible) --

23 DEPUTY SUPERVISOR XLANDER: Elizabeth, I put a
24 sticky note on a few vouchers yesterday.

25 SUPERVISOR ROUNDS: Let me see if I can remember

1 the ones you had the questions about.

2 One of the ones was the invoice for the
3 transcribe. We have to spend \$175 to have this recording
4 transcribed by an independent company.

5 DEPUTY SUPERVISOR XLANDER: Oh.

6 SUPERVISOR ROUNDS: So, that one bill was for
7 \$175 so we will have this meeting, last meeting, and then
8 I'm pretty sure our Board Meeting the next two weeks will
9 also have to be transcribed because I don't think we'll be
10 able to go back to go back to an open meeting until after
11 June. Is that correct, Alan?

12 MR. POPE: That's correct. I think it's going
13 to be a while before we're back in person. So, we
14 continue just like this.

15 SUPERVISOR ROUNDS: Right, okay.

16 DEPUTY SUPERVISOR XLANDER: Well, Dean and I
17 were there together doing the vouchers and we kind of
18 thought that it might have something to do with that. And
19 then there was another voucher that was a telephone
20 service one, and we had a question about whether we were
21 paying for long distance calls as opposed to --

22 SUPERVISOR ROUNDS: No, we just have 11 lines.
23 You know there's a -- I think it's \$33 a line, plus a
24 \$6 whatever. So, it's taxes and so forth, that's what it
25 comes out to be. So, we don't pay for long distance

1 calls.

2 DEPUTY SUPERVISOR XLANDER: Okay. And then
3 there was the Storm Water Coalition Invoice and we
4 wondered --

5 SUPERVISOR ROUNDS: Yes.

6 DEPUTY SUPERVISOR XLANDER: -- and we wondered
7 what we get for that money.

8 SUPERVISOR ROUNDS: There's two MS-4's, one is
9 for \$1500 which is just like our annual dues, and now
10 there's a \$2200 which we knew that was going to happen,
11 and that was for them helping us do the mapping of it, and
12 Nick could maybe answer that a little bit more clearly,
13 but we did get an invoice for two separate bills, one for
14 \$1500 and one for \$2200, and that's all part of the
15 coalition we're involved in, but we are going to have to
16 do some mapping. Is that correct, Nick?

17 NICK: Yeah, yes. Am I on speaker?

18 SUPERVISOR ROUNDS: Yeah.

19 DEPUTY SUPERVISOR XLANDER: Yeah.

20 NICK: My first time on a computer. I usually
21 do it through phones.

22 SUPERVISOR ROUNDS: So, that's what it is. So,
23 and we did get something from the E.P.A., so we are
24 working with them as to how -- to make sure we draw up a
25 compliance with that at this time.

1 DEPUTY SUPERVISOR XLANDER: Okay. Thanks.

2 SUPERVISOR ROUNDS: Any other questions.

3 DEPUTY SUPERVISOR XLANDER: No.

4 COUNCILPERSON NYE: Yeah.

5 SUPERVISOR ROUNDS: Go ahead, Dean.

6 COUNCILPERSON NYE: Elizabeth -- Elizabeth --
7 -- the transcript that we're talking about I believe it's
8 like 39 pages, and that what they do they transcribe
9 everything that issaid?

10 SUPERVISOR ROUNDS: Everything that's said.

11 MALE SPEAKER: It was for one meeting only for
12 39 pages?

13 SUPERVISOR ROUNDS: Yes. \$175 per meeting, so
14 let's make it quick.

15 DEPUTY SUPERVISOR XLANDER: Yeah.

16 COUNCILPERSON NYE: Good luck with that one.
17 Okay. bye.

18 SUPERVISOR ROUNDS: See you. So, yes, it's by
19 the page, and that's -- then they transcribe, and I guess
20 what was a little disappointing that I do have to say is
21 when Vicky reviewed it, there was all kinds of mistakes.
22 All kinds of mistakes.

23 COUNCILPERSON NYE: Can we deduct money for each
24 mistake?

25 SUPERVISOR ROUNDS: We were paying 50,000 --

1 what was that, Vicky, \$50,000 for something and it was
2 only \$500 or --

3 DEPUTY SUPERVISOR XLANDER: Yeah, 50 -- I think
4 it was \$50,000 for \$50 per meeting, and they also had that
5 we had over 500 employees.

6 SUPERVISOR ROUNDS: Yeah.

7 DEPUTY SUPERVISOR XLANDER: And that was just a
8 couple of things that stuck out, but there were quite a
9 few errors.

10 COUNCILPERSON NYE: So, is that

11 DEPUTY SUPERVISOR XLANDER: I went through it,
12 corrected it, and provided it to Alan's paralegal and they
13 sent it back to the Czerenda and Czerenda provided us with
14 a corrected copy which is posted on the website.

15 SUPERVISOR ROUNDS: Thank you.

16 DEPUTY SUPERVISOR XLANDER: Elizabeth, there was
17 another question that Dean and I talked about. It was
18 about the dog shelter and the payments for dogs when the
19 owner has been identified, and the question was, do we
20 bill back the owner for the fees we incur? I didn't think
21 we did.

22 SUPERVISOR ROUNDS: No. It is part of it. We
23 have to provide a shelter that we can take the dogs to if
24 they're -- even after the -- now, actually if we can
25 identify the owner before we take the dog, then we don't

1 take the dog. But dogs are not adopted until officers go
2 to great extents to find out who the owner is, and that's
3 just part of the cost. But I'll be honest with you, being
4 -- since we went with the Humane Society our costs have
5 been cut in half because we pay by the dog now versus we
6 paid a monthly fee before.

7 MALE SPEAKER: Yeah, I -- (inaudible) --

8 DEPUTY SUPERVISOR XLANDER: All righty.

9 SUPERVISOR ROUNDS: No, if there's any medical
10 treatment for the dogs and they do know who the owner is,
11 we don't pay for that. It's just a flat fee for taking
12 the dog, you know, to the shelter.

13 MALE SPEAKER: So, we're paying \$2 -- \$255 bucks
14 a dog.

15 SUPERVISOR ROUNDS: Correct.

16 MALE SPEAKER: If we know the owner --

17 SUPERVISOR ROUNDS: Pardon me.

18 MALE SPEAKER: -- is there any way we can bill
19 them for that cost?

20 SUPERVISOR ROUNDS: I don't think there's a way
21 we can bill them.

22 MALE SPEAKER: You would have to change your dog
23 law.

24 SUPERVISOR ROUNDS: Right. This is a service we
25 provide, but like I said, we've cut that invoice in half,

1 so now we just pay by the dog.

2 MALE SPEAKER: Right.

3 SUPERVISOR ROUNDS: It's just part of the --

4 MALE SPEAKER: Why don't we just tie them up in
5 Nick's office?

6 SUPERVISOR ROUNDS: All right. Any other
7 questions about the vouchers?

8 DEPUTY SUPERVISOR XLANDER: I have a question for
9 Alan. I wonder if any towns that you've worked with do
10 that billing back the owner?

11 MR. POPE: The Town of Union, we have some
12 bill-backs. I can't remember what exactly they are, but
13 we can easily put it into the local law and then, you
14 know, if it's something we can collect, we can collect,
15 and if it's some owner that moves out of the town or we
16 just can't do anything with, then you know, but we can
17 bill it in. We can look at that if you like.

18 SUPERVISOR ROUNDS: Well, part of the problem, I
19 think, Alan, too, and I don't mean to be like -- some
20 people if they knew they had to pay us back, I mean they
21 may abandon the dog. I mean maybe they weren't good
22 owners to begin with then, but you just wonder if they
23 abandon the dog at the Humane Society if they knew they
24 would have to pay it back.

25 DEPUTY SUPERVISOR XLANDER: I think by the time

1 they got their bill they'd have the dog back at their
2 home, so I don't know that they would turn around and take
3 it back to the shelter.

4 SUPERVISOR ROUNDS: Well, that's certainly
5 something we can talk about and see. I'll put it down --

6 MR. POPE: Well, don't they get fined for a
7 loose dog, and how much is the -- the fine should at least
8 cover the expenses?

9 SUPERVISOR ROUNDS: Well, I mean if your dog
10 gets out and for some reason you're not -- we can't -- by
11 mistake and we can't find out who the owner is, is like
12 you know we'll go to some extent to find out who the owner
13 is, maybe ask a few neighbors, but I guess I just --
14 sometimes things happen and then the dog can get out. So,
15 why would we fine somebody if it was a mistake, or an
16 accident? I mean maybe we should say that you have to pay
17 the Town back for the cost of taking the dog there,
18 that's a different story, but to fine them unless it's a
19 chronic abuser. We can look into changing the law
20 possibly and charging people back, you know, for our
21 services of picking up your dog. Any other questions?

22 Okay. Vicky, call roll call, please.

23 CLERK: Deputy Supervisor Xlander?

24 DEPUTY SUPERVISOR XLANDER: Here.

25 CLERK: Councilman Nye?

1 COUNCILMAN NYE: Aye.

2 DEPUTY SUPERVISOR XLANDER: I said here.

3 CLERK: Councilman Bensley?

4 COUNCILMAN BENSLEY: Aye.

5 SUPERVISOR ROUNDS: Aye. Motion for resolution
6 has passed.

7 Does anybody have any questions about April 7th
8 Board Meeting Minutes?

9 DEPUTY SUPERVISOR XLANDER: The 21st.

10 SUPERVISOR ROUNDS: Okay. I'm sorry, the 21st.

11 COUNCILMAN NYE: No.

12 SUPERVISOR ROUNDS: Okay. On to communications
13 and announcements, I don't know if anybody has anything
14 that we can talk about Covid, about reopening and things
15 like that on the Supervisor's Report.

16 Does anybody have any communications and
17 announcements?

18 MALE SPEAKER: I have an announcement.

19 SUPERVISOR ROUNDS: Okay.

20 DEPUTY SUPERVISOR XLANDER: If you have an old
21 copy of the Agenda, Elizabeth, because there's two on
22 there.

23 SUPERVISOR ROUNDS: Well, I printed out what you
24 sent me today. I made them up and there's nothing on
25 here.

1 MALE SPEAKER: Clean-up days and --

2 DEPUTY SUPERVISOR XLANDER: There's clean-up
3 days and the Municipal Building is being closed. Is it
4 okay if I read them out loud?

5 SUPERVISOR ROUNDS: Well, the cleanup days, we
6 have it down under unfinished business.

7 DEPUTY SUPERVISOR XLANDER: Well, it's under
8 communications and announcements as well.

9 SUPERVISOR ROUNDS: And what was the other
10 thing, Vicky?

11 DEPUTY SUPERVISOR XLANDER: Memorial Day,
12 Monday, May 25th, the building is being closed.

13 SUPERVISOR ROUNDS: Okay. That's if we're
14 opened by then. Anything else?

15 DEPUTY SUPERVISOR XLANDER: Nothing, that's it.

16 SUPERVISOR ROUNDS: Planning Board, anything
17 going on there?

18 DEPUTY SUPERVISOR XLANDER: No, nothing until
19 our next meeting which will be July 13th at 6:30 and I'm
20 not sure if that will be a virtual meeting, or in person.

21 SUPERVISOR ROUNDS: Hopefully, it will be in
22 person.

23 Zoning Board make anything going out there?

24 Can't hear you, Nick, yeah, there you go.

25 NICK: Hope nothing.

1 SUPERVISOR ROUNDS: Okay. Youth Commission
2 Park?

3 MALE SPEAKER: Nothing since last month. The
4 next meeting is the 21st. It will be probably another
5 Skype or Zoom Meeting.

6 SUPERVISOR ROUNDS: I did talk to Chris just the
7 other -- I did talk to Chris the other day. They are
8 going to try to do some kind of modified season, when they
9 get the okay which at this point, I'm not sure when that
10 will be, but they are going to try to do some type of
11 modified season. I do know that The Jordan Godabout
12 Tournament has been cancelled. It takes place the second
13 week of July. I know, Nick, you said that the DWI Girls
14 Softball Tournament is still on.

15 NICK: Yeah, so far, it is.

16 SUPERVISOR ROUNDS: They will be allowed to use
17 Jackson Park, if it still takes place, because you know
18 there was a conflict originally, but now that -- because
19 of the other tournament being cancelled, there is no
20 conflict.

21 Chris -- I mean everybody wants to do something
22 for the -- the sports program and even if it's just a
23 month long, or modified type of thing, but I have to say I
24 agree. I feel it's good for morale, it's good for the
25 kids, it's good to have them be out. You know, we've been

1 quarantined for a long time now, so --

2 Code Enforcements, Buildings, and ground, Nick?

3 NICK: Not -- you know, nothing -- it's been
4 pretty quiet. There's a lot of just little things here
5 and there. We talked about the Salt Tower. I talked to
6 the lady today. She's going to reach out to the Manager
7 -- her Manager about possible, you know, who she works
8 for, and who we could get a better service with.

9 SUPERVISOR ROUNDS: Just so everyone knows, Nick
10 was contacted by a design company or an architect company
11 about rebuilding one of the towers or the service that's
12 being offered by one of the towers up on Ingraham Hill
13 Road, and I said to Nick, well, maybe this is a good
14 opportunity that we have someone's ear now that wants us
15 to give them approval for updating their service. Why
16 can't we find out who they're working for and talk to them
17 about how we can extend our service? So, I don't know if
18 anything will come of that, but it's worth a try to see if
19 we can talk to somebody about that.

20 Talking about services updated, the Spectrum is
21 completed on Hance Road. There are 20 new -- 22 new
22 houses that now have Spectrum available to them.

23 But one of the interesting things, and Mike
24 Bensley, I don't know, if -- if Matt had Seltzer or
25 Spectrum where he lives. He did, he does. But one of

1 things we found out today, confirmed it today, about
2 Spectrum is the houses up on Stevens Road, between Park
3 and Morgan, we have had a complaint a couple of weeks ago
4 about a resident that lives on Stevens Road that they are
5 very frustrated because they have Frontier Dial Up as a
6 feature, and they keep bopping their calls and blah, blah,
7 blah, and I said, well, let's find out because of the
8 success they had on Hance Road. Let's try to see if we
9 could see if we could (inaudible) but that's not an
10 immediate fix. And I talked to Bobby (inaudible) he
11 recommended that maybe these people should look into
12 Plexicom, and so they were working with Plexicom, and in
13 the meantime, Mike Donohue last week went up and down that
14 part of Stevens Road and found out that there were cable
15 service that was run on that part. Well, how come they
16 never told the residents that they now have (inaudible)
17 more available. So, I said, well, I'm going to call
18 Spectrum today from this, you know, Mike saw the service.
19 So, sure enough, I called, I gave them the people's
20 address and they said, yeah, you have service there, and
21 I'm like, okay. So, I called the resident when, in the
22 meantime, the resident just by chance, because obviously
23 we started the conversation had called Spectrum, and sure
24 enough within the last year Spectrum had put service on
25 that road, on Stevens Road, between Park and Morgan. So,

1 power. If it requires an engineer or something, we get
2 no revenue from the cell tower, so --

3 SUPERVISOR ROUNDS: Okay.

4 NICK: -- it's our -- I mean \$1000 to them is
5 nothing compared to what they're going to get, you
6 know.

7 SUPERVISOR ROUNDS: Right.

8 NICK: So, it's just something to think about.
9 We don't have to talk about it now, but we want to up it,
10 because we can up it up a little bit if we wanted to.

11 SUPERVISOR ROUNDS: Okay. Well, then we do have
12 (inaudible) Intercounty, because I'm interested in putting
13 up the power, so maybe if we could tap into this company,
14 we could see what we could do for that.

15 Also, I guess, Nick, I might as well think that
16 this is a good time for us to talk about --

17 COUNCILPERSON NYE: Look at the big bear.

18 SUPERVISOR ROUNDS: I'm sorry.

19 COUNCILPERSON: Mike's got a big bear --

20 SUPERVISOR ROUNDS: I saw that. Mike, you've
21 got a bear in your backyard, Mike?

22 MALE SPEAKER: Look at that.

23 SUPERVISOR ROUNDS: Nick, turn your camera, so
24 we can see -- turn your camera around.

25 DEPUTY SUPERVISOR XLANDER: Take a picture.

1 MALE SPEAKER: Turn your camera.

2 NICK: No, he's roaming into the woods.

3 DEPUTY SUPERVISOR XLANDER: (Inaudible) --

4 SUPERVISOR ROUNDS: I hear that.

5 NICK: At the time, it was a costume.

6 SUPERVISOR ROUNDS: This is a (inaudible) for
7 you.

8 On Park Avenue, we had a fire that took place
9 right before the COVID-19 hit, and the house -- Nick has
10 condemned the house and it's not repairable neither -- I
11 mean the firemen just took half the contents of the house
12 and threw it all over the yard, and Nick has called out to
13 somebody like when it first happened, but then had not
14 been able to get through to somebody. Well, he found out
15 yesterday that the residents of the property have been
16 paid for the damage to their house.

17 Now, Nick had called the insurance company that
18 the house has been condemned but it's not re-habitable.
19 So, how do we force this man to take care of that piece of
20 property?

21 MR. POPE: Just ordinary code wise, I mean if
22 it's in violation, Nick would send them an order to
23 remedy. If they don't do it, we'd bring them into Court.

24 SUPERVISOR ROUNDS: So, let me ask you, I have
25 sneaky suspicion that this guy is just going to walk away

1 from this property, because now he got paid for it. I
2 just don't understand how the insurance company can pay
3 him this money and not take care of the property.

4 MR. POPE: I mean we still -- we still have to
5 go through the process, unless -- unless there's some
6 emergency application we can do, you know, to declare it
7 unsafe, but we'd still, absent an emergency, we'd still
8 have to go through a public hearing like we've done before
9 on a few of the properties.

10 SUPERVISOR ROUNDS: Okay. So -- so the first
11 stop is I got an order of remedy?

12 MR. POPE: Yeah.

13 SUPERVISOR ROUNDS: Because it is an on-state
14 structure and I am concerned that obviously people know
15 that it's been abandoned.

16 MR. POPE: Well, I really think if it's truly an
17 unsafe structure, then you know the first issue is, is it
18 an emergency situation where under our Code, Nick could go
19 and post it, and we could do an expedited, you know,
20 hearing so we got to get notice out to the property owner,
21 but we can do an expedited public hearing, and hold it at
22 the regular meeting. You'd have to vote on that, and I'd
23 have to kind of look at -- I don't have the Code Book
24 right with me, but I'd have to look at whether we can get
25 that notice out in enough time to put it on our regular

1 meeting. I think we should be, but I'd have to look at
2 the Codes.

3 SUPERVISOR ROUNDS: Well, we wouldn't have the
4 10-day Notice, you know, for the newspaper, the Country
5 Courier, if we tried to do it on the 19th, because it
6 wouldn't be able to go in until the 13th, and that only
7 gives us five days.

8 MR. POPE: Right, so you would have to decide
9 whether you want to spend the money with the press --

10 SUPERVISOR ROUNDS: Right.

11 MR. POPE: -- or put it over to the work
12 session. Is anybody living there now?

13 NICK: No, nobody is living there. I've already
14 condemned that (inaudible) so I think it's -- I think it's
15 just like one of those standard procedures where an unsafe
16 structure has to be burned out.

17 MR. POPE: Yeah. Is it accessible or is it
18 boarded up?

19 NICK: Yeah, the insurance company boarded it
20 up. It's boarded up, and I tried to reach out to the home
21 owner and his voicemail is full, so I can't leave a
22 message either.

23 MR. POPE: Yeah. So, I think, you know, we have
24 to take reasonable actions in the face of an unsafe
25 structure so it's -- it's been posted, it's boarded up, so

1 I think there's no rush to do it for our next Board
2 Meeting. The Board could vote tonight to proceed ahead
3 with, you know, that process under the Unsafe Building
4 Code and that would allow Nick and I to get the notice out
5 to Vicky to get it posted, serve the owner, and we could
6 have that hearing the next work session if you want to do
7 it at the next work session.

8 SUPERVISOR ROUNDS: Well, we couldn't have it at
9 the next, okay -- So, I'd like to go on to make a motion
10 that we can discuss it and then have a vote. Is that
11 okay?

12 MR. POPE: Yes, that's fine from our end.

13 SUPERVISOR ROUNDS: So, I'd like to make a
14 Motion under the Unsafe Building Code to -- what am I
15 going to say, Alan?

16 MR. POPE: To initiate that process and
17 authorize the Enforcement Officer, Town Attorney, and
18 Clerk to prepare and post the Notice and serve it on the
19 owner.

20 SUPERVISOR ROUNDS: Okay. But could I just use
21 what you just said, and say make a motion?

22 MR. POPE: Yeah, you can.

23 SUPERVISOR ROUNDS: Okay. I'd like to make that
24 motion.

25 MR. BENSLEY: So moved, Bensley.

1 SUPERVISOR ROUNDS: Second?

2 MR. LEIGHTON: Leighton.

3 SUPERVISOR ROUNDS: Any discussion?

4 MR. BENSLEY: None other than I think you're
5 right, Elizabeth. I don't see them coming back and
6 fixing that place up.

7 SUPERVISOR ROUNDS: So, the only thing
8 that Nick can say, the people who bought the house going
9 south on Park, are the Zippio's (ph) -- did I say their
10 last name, they own the third home?

11 NICK: Yeah.

12 SUPERVISOR ROUNDS: They're interested in buying
13 that property.

14 NICK: They approached him right off the bat.

15 SUPERVISOR ROUNDS: So maybe once we serve him,
16 and he understands that maybe he would contact them,
17 because they even said they would tear the property -- the
18 building down, right, Nick?

19 NICK: Yes.

20 SUPERVISOR ROUNDS: So I think maybe once we get
21 the ball rolling, it might get the owner then to, you
22 know, react and answer to Zippio's.

23 COUNCILPERSON NYE: Elizabeth, the only question
24 I would have for Alan. Can we go to the insurance
25 company

1 and ask them why they didn't provide funding to tear it
2 down?

3 MR. POPE: We're not a named insured so they
4 might have, and that might have been part of their
5 homeowner policy, but it's not like we're a mortgage
6 company where we get a seat at the table to get a part of
7 those proceeds. We're just the government. So, he might
8 have very well gotten those proceeds, put it in his
9 pocket, and is prepared to walk away, absent us going
10 through this process.

11 COUNCILPERSON NYE: The process will bring that
12 up.

13 SUPERVISOR ROUNDS: Yeah.

14 MR. POPE: Maybe, maybe not. I mean he doesn't
15 have to disclose what insurance he had or what he did with
16 the money, that's not part of our code, and keep in mind
17 our code really only relates to the property itself. It
18 doesn't force anybody to pay to fix it. Right? Just like
19 there's laws out there saying you have to pay your real
20 property taxes, but if you don't, you walk away from the
21 property, there's no individual liability. I mean the
22 County just forecloses.

23 SUPERVISOR ROUNDS: That's what I figured means
24 this way the County -- I mean he is paid up on his taxes,
25 but yet we could force his hand, you know, he may then be

1 interested in selling it if he's not -- if he's just going
2 to walk away with the money.

3 MR. POPE: Yes, and the way we word those
4 notices, you know, they're going to understand that they,
5 you know, have some consequences if they just ignore us.

6 SUPERVISOR ROUNDS: Okay. Any other discussion?

7 MR. POPE: Okay.

8 SUPERVISOR ROUNDS: All in favor?

9 DEPUTY SUPERVISOR XLANDER: Aye.

10 COUNCILPERSON NYE: Aye.

11 COUNCILPERSON LEIGHTON: Aye.

12 COUNCILPERSON BENSLEY: Aye.

13 SUPERVISOR ROUNDS: Opposed? Okay. Motion
14 carried. And then we'll get together Alan and make sure
15 we have this ready for our next work session.

16 MR. POPE: Yes.

17 SUPERVISOR ROUNDS: Okay. All right. Nick,
18 anything else?

19 NICK: No, that's it.

20 SUPERVISOR ROUNDS: Okay. Mike, Highway
21 Department? Mike, you've got to --

22 MR. DONAHUE: Do you hear me now?

23 SUPERVISOR ROUNDS: Yeah, we can hear you.

24 MR. DONAHUE: All right. Nick, you may want to
25 check with John Martin's Office because 2014 we were in

1 violation with the EPA about the map and the mapping was
2 started on all the outplays of the storm system.

3 NICK: Beyond the letter we just got from the
4 B.C.?

5 MR. DONAHUE: We got to get a map that notes the
6 complete storm system, (inaudible) and get the map in.
7 That was a violation in 2014. That was one of the things
8 that was required to do the mapping before you let that
9 coalition remap it again. I said pretty sure that
10 GPS on the outflows on it.

11 NICK: I'll check with John.

12 MR. DONAHUE: Yeah, because I'm pretty sure
13 there's got to be a set of plans someplace. I might have a
14 set but I'm pretty sure you were taking over the MS-4 at
15 the time.

16 NICK: Okay.

17 MR. DONAHUE: We had the Auctions International.
18 The Escalator sold for \$45,500. The tractor sold for
19 \$23,300. So that's all set.

20 And up on Cynthia Drive and Laurie Brook
21 (inaudible) put work in, we repaired all the catch basins
22 and the manholes. They milled it today, and they're going
23 to pave tomorrow on Cynthia and Laurie Brook. So, that
24 will be all done.

25 Also, the billing of the water and sewer --

1 we're going to have to really start taking a look at the
2 billing of the sanitary, because our revenues are not
3 keeping up with our expenses, okay. We calculated it
4 about -- we're losing about \$10,000 per quarter with the
5 sanitary.

6 SUPERVISOR ROUNDS: Okay. I think we -- you and
7 I might need to do that, so we can make a presentation at
8 the Board Meeting and really see how we're going to have
9 to raise our rates.

10 MR. DONAHUE: Yeah, because it takes a full
11 billing cycle before you can raise your rate.

12 SUPERVISOR ROUNDS: Right. So, we'll have to do
13 that at the -- we'll get that information together so
14 we'll have it at the Board Meeting.

15 MR. DONAHUE: Okay. Those are all the water and
16 sewer bills that are out. Adene (ph) is taking care of
17 them from home, and I guess he's doing all the deposits
18 and stuff like that, and it's pretty much what's been
19 happening.

20 SUPERVISOR ROUNDS: Well, we did also get the
21 bid back for the lining. So, there -- we got seven bids.
22 So, John Martin's Office has them, and will be reevaluated
23 and everything and then we'll award the bid at the next
24 Board Meeting.

25 MR. DONAHUE: Yeah, the bids came in anywhere

1 from like \$96,000 to \$147,000, so there's quite a bit of
2 difference from a few companies.

3 DEPUTY SUPERVISOR XLANDER: What was that again,
4 Elizabeth, with what you said that was for?

5 SUPERVISOR ROUNDS: At the sewer lining. You
6 know last year -- we did a lining last year.

7 DEPUTY SUPERVISOR XLANDER: Yeah.

8 SUPERVISOR ROUNDS: They're doing another 2800
9 at 28 linear feet -- 2800 linear feet.

10 DEPUTY SUPERVISOR XLANDER: Okay. Thanks.

11 MR. DONAHUE: And that's pretty much what's
12 happened. Hope the weather will warm up, or it don't snow
13 Saturday.

14 SUPERVISOR ROUNDS: Here? No one is here for
15 the Volunteer Fire Department.

16 DEPUTY SUPERVISOR XLANDER: Okay.

17 SUPERVISOR ROUNDS: And for the Supervisor's
18 report, so for a Coronavirus Update, I did listen -- I had
19 a conference call with Jason today, and I did listen to
20 his presentation. I don't know if anybody heard him
21 today. So, the Southern Tier looks like we're in really
22 good shape to be able to have part of it reopened by the
23 15th. There's four state criteria and the southern -- you
24 know we're all opening as regions, not by county, so
25 there's eight counties in the southern tier, and all eight

1 counties are all in pretty good shape. Broome County is
2 the biggest county in those eight counties, so we're
3 picking like lead agency on this. You know it's contact
4 tracing, if our hospital capacity is lowering the amount
5 of hospitalizations over a 14-day period, and I forget
6 what the other one was. Oh, making sure you have enough
7 PPE at your hospitals, and all those four criteria we have
8 met. Right now, there is only -- we have been in contact
9 with the hospitals daily. There's only six people
10 in the hospital right now. We're down to having 95
11 positive cases, but positive cases aren't relevant at this
12 point -- oh, testing -- that was the other thing,
13 testing. We have to test 30 people out of a 1000 -- 30
14 people out of every 1000 in the County have to be tested
15 monthly. So, the State is giving the County 1500 tests a
16 week, so meeting that goal is not going to be difficult.
17 We have to have 30 people on staff for every 100,000
18 people in our population to do the contact testing. So,
19 we actually have 60, but the County has actually moved
20 around some positions so that we have 100, so we can make
21 sure that the other seven counties have enough people, as
22 well, to do the contact tracing.

23 So, with that being said, then there's a bunch
24 of little things that fit into these four major
25 categories, and so at this point it looks like some

1 Counties will be allowed to reopen, Phase One, and this is
2 where, as a business owner and as Supervisor of the Town
3 of Binghamton, we get a little frustrated, because Phase
4 One is construction and manufacturing, but what they're
5 not getting from the Governor is a little bit more details
6 like let's say we meet all of this criteria even by this
7 Friday, you know, we can meet this criteria, so why can't
8 we use that time, and count as part of the two weeks.
9 Everything is supposed to be supposedly a two-week
10 intervals, so I'm just questioning we're ready now to hit
11 Phase One, why do we have to wait to the 15th, and then
12 have to wait to the 30th for Phase Two? So, Phase Two
13 would be where its -- its professional services which is
14 what Jason is saying, and why are you smiling? All
15 right. I can't hear you.

16 Anyway, professional services, retail, those are
17 places that will be in Phase Two, so -- so if things don't
18 move along a little quicker, we may not be able to open
19 Town Hall until sometime towards the end of May, and I
20 won't be able to open my business until sometime by the
21 end of May. So, that's a little frustrating, but that's
22 where we are right now, and he's -- things change on a
23 daily basis, so, do you have a question, Dean?

24 MR. NYE: Yeah, I thought it was important that
25 some individuals -- that I get tested for the Covid-19,

1 not the anti-spotting but the stick in the nose kind of
2 (inaudible) because I thought that would help the Town's
3 numbers in terms of testing so we can get reopened. I
4 filed a number, I got an appointment, went down to the
5 B.U. event actually and very a very swift process, it
6 doesn't take long at all, and I think that it -- it's my
7 understanding is that that will help us open up the Town.

8 SUPERVISOR ROUNDS: The testing is --

9 MR. NYE: (Crosstalk) --

10 SUPERVISOR ROUNDS: They're not talking at all
11 about the testing because they want to --

12 MR. NYE: It's part of the criteria.

13 SUPERVISOR ROUNDS: -- test 500 people in two
14 days over at the B.U. -- so us at the meeting are the
15 requirement for the testing and if that quickly -- and we
16 have to have the testing in place, but it's not like we
17 have to have -- this is -- we have to be able to do 30
18 tests per 1000 in a month's period of time. So, the
19 testing isn't the problem. I'm surprised that you were
20 able to do it though, Dean, because right now they're only
21 testing essential workers. Are you deemed essential?

22 MR. NYE: No, but I'm almost 100 years old, so
23 old that I want to have it done.

24 SUPERVISOR ROUNDS: Right.

25 MR. NYE: (Inaudible) -- same criteria.

1 SUPERVISOR ROUNDS: Right. (Crosstalk) --

2 MR. NYE: Well, I thought it was important to do
3 that to help the numbers in Broome County, and hopefully
4 it will be negative.

5 SUPERVISOR ROUNDS: I hope so, too, but if it is
6 you're not going to know if you have the antibody anyway,
7 right?

8 MR. NYE: It requires another test. It's a
9 different test and it's really not available, only for
10 those who tested positive, I guess.

11 SUPERVISOR ROUNDS: Okay. So, that's
12 where we are. I mean I'm hoping that --

13 MR. NYE: If you're talking direct in Albany --

14 SUPERVISOR ROUNDS: Pardon.

15 MR. NYE: No, go ahead.

16 SUPERVISOR ROUNDS: No, I was just saying I was
17 hoping -- so Dick and I and Mike have been working on the
18 protocol that will take place in Town Hall, and we have a
19 pretty good idea what's going to happen as far as, you
20 know, where -- residents coming into Town Hall. Every
21 resident that comes into Town Hall will have to stop six
22 feet in front of Becky's Office, and Becky will then find
23 out where they want to go to call over to that Department
24 if they're not someone already there, the person would be
25 allowed to go, we're thinking the (inaudible) the

1 assessor's offices will have one person each that will be
2 allowed to be there at the time, and then they will exit
3 out of that door on that side of the building. Becky will
4 always -- Becky is planning on working when we can reopen
5 for like a two-week period every day so we can manage, and
6 I don't think we're going to be inundated with residents,
7 but we will be turning the ladies' bathroom into an
8 employees' only bathroom, and --

9 DEPUTY SUPERVISOR XLANDER: Thank you.

10 SUPERVISOR ROUNDS: What?

11 DEPUTY SUPERVISOR XLANDER: I said, thank you
12 for doing that.

13 SUPERVISOR ROUNDS: -- so if we have a resident
14 who has to go to the restroom will be using the men's
15 room, and everyone will know, any person who comes in --
16 well, you can use the women's room because you're an
17 employee. Anyone who comes into Town Hall will be
18 directed and will be controlled by -- so, she's not just
19 going to send somebody over to the Code Office, not
20 knowing that Nick is there or not. She will know if he is
21 there or not and then send the person over, or take a
22 message and Nick will call them back.

23 So, as far as cleaning, you know Zack will be
24 cleaning. We've got a lot of masks. You know, we're not
25 -- our Town Hall is set up that we can be six feet apart.

1 We all have individual offices, except for Vicky and
2 Paula.

3 So, Vicky and Paula can choose to wear masks in
4 their office or not, that's their decision, but we all
5 need to be respectful of how everyone else feels. So, as
6 an example today, there was three of us in the Board Room,
7 more than six feet apart, and we had our masks on. I
8 needed to take mine off, and I asked before I took it off,
9 if anybody was bothered by that, and no one was bothered.
10 So, those are the kind of courtesies that we need to do.
11 When I'm in my office, I spoke to people at Town Hall
12 about that. I won't wear a mask in my office, but if
13 someone needed to come in and talk to me, I would put one
14 on, but really the way our phone system is set up, you can
15 call and talk over the phone if that's what you would
16 prefer to do.

17 So, that's our protocol. Hopefully, we'll be
18 able to open sooner than the end of May, but we're ready
19 to go and we'll have that all documented. We'll be
20 sending it for all the employees and so everybody has it,
21 there's no questions. Nick is actually going to build a
22 plexiglass piece or a piece of plastic that will fit into
23 Amy's board, it would be halfway and we're going to put a
24 little table underneath it, but she will be able to take
25 residents' paperwork through the slot at the bottom of the

1 -- between the table and the plastic. Does anybody have
2 any input about that? Okay.

3 Anything outside of the Supervisor's Report as
4 unfinished business. So, we are going to have a
5 proceeding with our cleanup days. It will be next -- a
6 week from this Thursday and Friday. It's going to be run
7 through Becky's Office. We have two dumpsters going up to
8 the Highway Department and two large dumpsters are going
9 to be at Town Hall. So, the (inaudible) working residents
10 will be able to bring their trash, not trash, like their
11 household -- anything they want to dispose of. If you are
12 a senior -- we are not allowed to take any electronics at
13 this time, or nothing with Freon in it. That has been
14 posted on the form because those departments are kind of
15 semi-closed right now up at the landfill. So we can when
16 they reopen it, we can do an electronically a different
17 point, but -- so residents have already been starting to
18 call and ask questions. So, if you have a piece of
19 furniture that you cannot break down and take it in your
20 car and bring it to the Town, we will pick up a piece of
21 furniture for you, or if you are a senior, and need help,
22 but this is not the Town Hall helping you clean out your
23 garbage or your basement. People have to understand that.
24 It's a little different from last year. It will be a
25 little more streamlined because the electronics last year,

1 we took 10 tons of electronics last year, and six tons of
2 the residents' trash. So, the electronics were one-and-a-
3 half times more. So, without that, this time it should be
4 a little more streamlined, but the residents will be
5 required to empty out their own cars or trucks, whatever
6 they bring, and a resident can come five times if they
7 want, as long as we have space in the dumpster, but we're
8 not picking up truckloads of trash for people. Any
9 questions? And then we'll be -- the Taylor said that
10 let's say at the end of Thursday we have a full dumpster,
11 they could come and pick up that dumpster and store it at
12 Taylors, because our drop off day up at the landfill is on
13 May 19th.

14 MR. DONAHUE: 19th.

15 SUPERVISOR ROUNDS: So, they will store it, so
16 we don't have to store as a full dumpster at the Town Hall
17 or at the highway over the weekend.

18 MR. NYE: What about tires?

19 SUPERVISOR ROUNDS: We're taking tires. Once we
20 pick them up off the side of the road, and have to pay for
21 them, we might as well keep them --

22 MR. NYE: Where are you putting the tires?
23 You're putting them in the dumpster?

24 MR. DONAHUE: No, no, we'll do those separate.

25 SUPERVISOR ROUNDS: So, there are -- obviously,

1 what's really good about this Covid-19 is that it's giving
2 people a whole lot of time to clean up their basement, and
3 you can tell that people are spending extra time on their
4 properties and so I do think people will have a lot of
5 debris that they want to get rid of, so I just think it's
6 a good idea to do it sooner than later, because nobody is
7 going anywhere anyway. There's no glass bubble
8 (inaudible) -- last year we didn't pick up until the last
9 week of June, but it's a little different now. People are
10 ready to get rid of their stuff so it's a little different
11 now.

12 COUNCILPERSON BENSLEY: Elizabeth?

13 SUPERVISOR ROUNDS: (Inaudible) --

14 COUNCILPERSON BENSLEY: What about paint?

15 SUPERVISOR ROUNDS: No.

16 COUNCILPERSON BENSLEY: No paint.

17 SUPERVISOR ROUNDS: That's considered hazardous.

18 COUNCILPERSON BENSLEY: Right.

19 SUPERVISOR ROUNDS: So, yeah, no -- last year we
20 took 61 refrigerators. So, no refrigerators yet this year
21 either. So -- all right, so then the last thing -- so
22 anything else under unfinished business that we needed to
23 discuss?

24 DEPUTY SUPERVISOR XLANDER: Yes, the pipe
25 lining, but we covered that already.

1 SUPERVISOR ROUNDS: Okay.

2 DEPUTY SUPERVISOR XLANDER: And then we just
3 have the one on the new business that SusqueNango Kennel
4 Club.

5 SUPERVISOR ROUNDS: Yes, but let just say one
6 thing about unfinished business. It did come up recently
7 -- so I don't know if you all remember the projects on the
8 CBDG Grant Fund that was up here on top of Carlington
9 Road, that project that had -- project -- now we spent --
10 we approved \$45 -- \$40,000 home improvement contract for
11 them, but it came basically last week that they had some
12 septic system problems, and so Phil with Omar had called
13 Nick and I, and wanted to see if that was something that
14 was in -- possibly that we could finance for them, a
15 grant, and I have to tell you I had some -- I am not sure
16 if I agree that we should because we've already given him
17 -- them \$40,000 and when I spoke last -- when we talked
18 about -- when I gave you the update -- so we have \$77,000
19 left, and that will help two to three people, \$25,000 a
20 piece, and there are three people who are waiting to have
21 their projects approved, or determine what the projects
22 are and then have them approved. So, my opinion and I
23 just -- we don't have to vote on it, I just want us to
24 think we may be presented with the fact by the next Board
25 Meeting, they may submit something for us to help. And I

1 just want to say that I feel that -- I don't feel
2 comfortable possibly taking money away from another
3 resident that needs help, because we've already helped the
4 (inaudible) you know with probably the (inaudible) contact
5 that we issued at \$40,000, but it's also a dire situation
6 because there is a septic problem, but I just feel -- I
7 don't feel that we should sacrifice -- my opinion is that
8 we should not help one person, you know, to help them
9 further. So, I just want you all to be thinking about
10 that, because we may -- I said to Phil, well, before we
11 could make any decision, we would have to know how much a
12 septic system would cost, and then we have to go through
13 the County, and then we would be able to make more of an
14 informed decision, but I wanted you guys just to think
15 about this may be a potential question that will come up
16 in the near future.

17 All right, then the last thing we have to talk
18 about is I got a phone call from a Town resident, Sue
19 Tong, she lives here on Park Avenue, and she is a member
20 of the SusqueNango Kennel Club, and she has contacted Nick
21 through the years and has asked if she could run and train
22 her dogs in the off field that's next to the Fire Station
23 that's just above Town Hall, and in that area, where it's
24 fenced in, because it's fenced in because of the
25 ballfield. So, she has trained her dogs and used it, and

1 you know Nick said it didn't matter, it's fine, as long as
2 she does the pickup, you know any of the dog poop, or
3 whatever.

4 Now, she contacted us because they now want to
5 be able to rent that piece of property from us, and put up
6 actually training apparatus inside the ballfield, and they
7 don't use Osiningo Park for training, but because
8 Osiningo doesn't have a fenced in area, they can't leave
9 their apparatus there, you know, the different agility
10 things that they use. So, she called and asked if it
11 would be something that we would consider, going forward
12 like June, July, and August, that they would be allowed to
13 use that fenced in area, and they have not (inaudible)
14 between 70 and 75 people, but only about 25 people would
15 use it, and it would be by an appointment. They only have
16 45 people if the dog shows up, and it could be by
17 appointment, and they have liability insurance, they have
18 obviously the full responsibility on them if somebody did
19 steal some of their equipment. So, I wanted us to talk
20 about it and see how we feel. I'm open to questions or
21 comments.

22 DEPUTY SUPERVISOR XLANDER: So, they would --
23 the organization would -- would organize that, make the
24 appointments, monitor what's going on, and then in terms
25 of rent, was there a figure discussed?

1 SUPERVISOR ROUNDS: She wasn't sure -- I mean I
2 think she threw out like maybe \$100 a month, or something
3 like that. I mean the monetary part is a -- and I look at
4 it as like we rent (inaudible) park for a weekend, and the
5 DWI Permit, they pay us \$700 to use the field during that
6 tournament.

7 And then like last summer, the Coleman Road
8 Field for the -- it was a City of Binghamton -- I think it
9 was softball, right, Nick?

10 NICK: Yeah.

11 SUPERVISOR ROUNDS: They paid us to use our
12 field twice a week during the summer at the Coleman Road.
13 So, I think I look at it as that same type of -- and
14 especially when I found out that they were allowed to
15 train up at Otsiningo due to the open fields and so forth,
16 but this is more convenient because they actually have a
17 fenced in area and that they would actually make it, or
18 they would actually rent pieces of fence that a fencing
19 company would put in on a temporary thing, it would go
20 right in the dugout. You know, and they would put a key
21 on it so -- I mean you can't prevent somebody from
22 jumping over the fence and stealing the equipment, but
23 they would make it as secure as possible.

24 COUNCILPERSON NYE: Elizabeth, are they
25 residents of the Town of Binghamton?

1 SUPERVISOR ROUNDS: Sue Tong is a resident of
2 the Town of Binghamton, yes.

3 COUNCILPERSON NYE: Who maintains it?

4 NICK: The Town of Binghamton.

5 SUPERVISOR ROUNDS: We do, but I think one of
6 the things that we made safe for them because there's no
7 way we're asking, you know, our Parks Department to move
8 the equipment (inaudible) -- So, I think inside the field,
9 and she didn't say that. She said, she would maintain the
10 field inside the fence. We would on the outside, but they
11 would maintain it on the inside. Dean?

12 COUNCILPERSON NYE: That's a piece of property.
13 That's the Fire Department, Wallington Annex?

14 SUPERVISOR ROUNDS: Yes.

15 COUNCILPERSON NYE: Do we have to get in touch
16 with them to be certain what --

17 SUPERVISOR ROUNDS: Not now, because it's --

18 COUNCILPERSON NYE: (Crosstalk) --

19 SUPERVISOR ROUNDS: Not now, that hasn't been
20 alienated (inaudible) -- so --

21 COUNCILPERSON NYE: Elizabeth, can I ask you, is
22 that an open park, anybody can go use it?

23 SUPERVISOR ROUNDS: (Inaudible) --

24 COUNCILPERSON NYE: Yes.

25 SUPERVISOR ROUNDS: It's an open field, yes.

1 MR. POPE: And, so, are they suggesting that
2 only they could use the park?

3 SUPERVISOR ROUNDS: No, I don't think so. I
4 mean I could ask them. She didn't say that, so I guess --
5 she never said anything like that. So, if somebody wanted
6 to go in and use that park -- I mean I guess their
7 equipment would be in there.

8 MR. POPE: I mean like the DWI Weekends and
9 stuff like that -- my understanding is anyone from the
10 public -- even though those ballfields are being rented,
11 anybody from the public can go in there and do whatever
12 they want other than using the ballfields when they're in
13 use. But if she's suggesting something similar, the
14 public can still go in and still have use of that park
15 area, then it's probably okay. If what she's suggesting
16 she's really going to try and control exclusive use of
17 park, I don't know that you can alienate the public to a
18 single person using park land.

19 SUPERVISOR ROUNDS: Okay. I see that, because
20 obviously the same thing like up at Coleman Mall when they
21 were using it on Tuesdays and Thursdays, then other people
22 could go on Monday, Wednesdays and Fridays and use it.

23 MR. POPE: Or even when they're there, I
24 mean somebody can come in and just walk around if they
25 wanted, right? It was still open for use generally,

1 except for a particular part, the ballfield itself?

2 SUPERVISOR ROUNDS: Right. Well, people could
3 still go on, I mean the field is the only part -- the
4 whole park is not fenced in, only the field is.

5 MR. POPE: So, I just -- I guess we just need to
6 know more and we have to be careful that we're not renting
7 the entirety of the parkland, you know, exclusively to one
8 private venture, and it is a -- it's a business venture,
9 right? She probably charges money
10 and --

11 SUPERVISOR ROUNDS: I don't think -- well, let's
12 put it this way. I think what happens is -- I don't know
13 if they charge money, because the (inaudible) itself
14 charges dues I would assume, right, so -- this is not a
15 profit, this is definitely -- I asked her that part. I
16 said, you know, we can't rent this for you and then you
17 are charging people to use it, because that's a business
18 then.

19 MR. POPE: Yeah. Let's get some more facts
20 maybe.

21 SUPERVISOR ROUNDS: Okay. So what's that you
22 want me to get?

23 MR. POPE: I think, you know, we have to
24 decide, you know, is she asking for exclusive use, you
25 know, for some period of time. It sounds like she wants

1 to fence off at least part of the park and have it
2 exclusively hers for day-to-day continuous use, as opposed
3 to somebody rents, you know, the whole ballfield for a
4 weekend, or rents the ballfield for Mondays, Wednesdays,
5 and Thursdays. I just don't know that you can -- I mean
6 I'll look at it, but I just don't know that you can take
7 park land and -- and give it under contract to one
8 individual for their exclusive use for the exclusion of
9 the rest of people in the Town.

10 SUPERVISOR ROUNDS: Okay.

11 MR. POPE: You should not do that.

12 SUPERVISOR ROUNDS: Yeah -- no I agree with
13 that, so I guess it's their decision, because obviously if
14 they're going to lock it up to protect their equipment,
15 then basically, it is exclusive.

16 MR. POPE: That's what it sounds like as opposed
17 to the ballfield, everybody gets done at the end of the
18 day. They take their bases and bats, and everything else,
19 and then they come back the next morning.

20 SUPERVISOR ROUNDS: Right. And she -- I don't
21 -- and she wants to leave the equipment. Now, I think if
22 she wanted to leave the equipment there, and somebody who
23 had a dog wanted to go in there and walk the dog and have
24 them play in the equipment that's a different story, but
25 she wants to lock it up.

1 MR. POPE: Right.

2 SUPERVISOR ROUNDS: Oh, okay.

3 DEPUTY SUPERVISOR XLANDER: So, does it make a
4 difference -- (crosstalk) --

5 MALE SPEAKER: (Crosstalk)

6 DEPUTY SUPERVISOR XLANDER: -- so does it make a
7 difference that she's just locking up a portion of that
8 property, as opposed to excluding people from the entirety
9 of the property.

10 SUPERVISOR ROUNDS: Or they would be able to use
11 it as a ballfield, but --

12 DEPUTY SUPERVISOR XLANDER: Did you say no one?

13 SUPERVISOR ROUNDS: If she locks up -- the field
14 is --

15 DEPUTY SUPERVISOR XLANDER: I get that. I get
16 that, but there's a lot of other area -- you know, there's
17 a lot of other area surrounding the ballfield on that plot
18 of land, isn't there? Could people use that?

19 NICK: No, there's not a whole lot. There's
20 really nothing there, but the ballfield.

21 DEPUTY SUPERVISOR XLANDER: Oh, maybe I'm
22 confused because of the parking lot is so big.

23 NICK: Yeah. If you go -- if you go by the fire
24 station, but to the right, coming down from your house,
25 you could see the steel, you know --

1 DEPUTY SUPERVISOR XLANDER: Yeah, I've been
2 there when my daughter played ball when she was little.

3 NICK: I mean as it is right now is not a lot of
4 people use the field at all, so it's a big argument --
5 it's a big argument every year about getting it ready and
6 they don't use it, so that's why we pretty much don't do a
7 whole lot with it.

8 SUPERVISOR ROUNDS: But on the other hand, if
9 somebody did want, especially in this day and age if
10 somebody wanted to put together a ballgame --

11 NICK: Right.

12 SUPERVISOR ROUNDS: -- they couldn't do it,
13 because her equipment, you know, is there.

14 NICK: Well, I mean the bottom line is she'd
15 have to pick it up every night and she'd have to make sure
16 the dog crap is picked up, too.

17 SUPERVISOR ROUNDS: Look I actually think some
18 of the stuff is easy to pick up, I think, and some of the
19 -- I think she had some of these maybe these pyramid
20 things, I don't know, but she says it takes two people to
21 move them.

22 DEPUTY SUPERVISOR XLANDER: So, the only
23 advantage for them on that property is the fencing,
24 because otherwise they'd have to move their stuff. Here
25 they'd have to move their stuff, but it appealed to them

1 because of the fencing.

2 SUPERVISOR ROUNDS: I think it's nice because
3 then the dogs, you know, because you're not afraid of
4 dogs, obviously if they're being trained, but having the
5 fencing there just gives them the security that the dogs
6 are not going to run away.

7 DEPUTY SUPERVISOR XLANDER: Yeah.

8 SUPERVISOR ROUNDS: But to use -- like you said
9 -- so it would be like I would say, you know, you can rent
10 (inaudible) park for the summer and not a resident can use
11 it, basically, Alan, right?

12 MR. POPE: Yeah, that's the concern.

13 DEPUTY SUPERVISOR XLANDER: But they might still
14 want it if they can use it with the fencing, but we have
15 it open so other people when they're not there, other
16 people can access that.

17 SUPERVISOR ROUNDS: And that may be the part
18 they're not looking at wanting, because they wanted -- so
19 I'll talk to them and then I'll get back with you guys if
20 they want to pursue it, and they can come up with a
21 solution for that, then I will bring it back to the Board
22 at the next meeting.

23 Anything else?

24 COUNCILPERSON NYE: I've got just one item if I
25 can.

1 SUPERVISOR ROUNDS: Sure.

2 COUNCILPERSON NYE: The resident that just needs
3 some advice I guess if possible. One of our residents has
4 a problem with these mountain bikers on her property,
5 actually three residents up here, and they've called
6 asking what can we do, and I said other than putting
7 barbed wire across and try to decapitate them, but -- and
8 they've called the Sheriff's Department, there's not much
9 help there, but I thought being Nick and Mike have, as
10 well as others, have had a similar situation on private
11 property. They posted it. They were taking the posters
12 down. They're actually quite rude and obnoxious and
13 threatening to these property owners. So, I'll just throw
14 that out if you've got any suggestions that we can
15 quickly do and adjourn, that's all.

16 MR. DONAHUE: Yeah, there's nothing we can do
17 about it, and that's between them and the motor bikers,
18 and don't put a barbed wire fence up and decapitate them,
19 because then they're going to be liable.

20 SUPERVISOR ROUNDS: But let me ask you, because
21 Mike I don't know if you know this, but back when bike
22 riders were younger and there were dirt bikes and stuff at
23 the end of our property there was an access into the back
24 of the big open field, but part of that property is owned
25 by our neighbors and go into the creek, and what they did

1 is they put a fence up there. It was something very
2 obvious, just two poles and a big metal fence, so that --
3 and they left it, so that my son and his buddies couldn't
4 ride their dirt bikes up behind that and because it --
5 obviously it gets noisy and you got -- and it can -- you
6 know kids on their dirt bikes and it's a little crazy, and
7 he did, and I don't think it was illegal for him. He put
8 a fence there and blocked off the access to his property.
9 So, is that legal, Alan?

10 MR. POPE: Sure. You can do whatever you want
11 on your property. You just can't create a trap, you know,
12 a hazard for somebody that comes on your property.

13 SUPERVISOR ROUNDS: But the fence was very
14 obvious. It was a big fence. It was, you know, 10 feet.
15 It wasn't a fence, it was more of a gate that they latched
16 together.

17 COUNCILPERSON NYE: (Inaudible) mountain bikes,
18 you know the peddle jobbies and I said that to her, but I
19 said unfortunately they're creative, and they find a way
20 around it. (Inaudible) bike club, I guess, over on maybe
21 Park Avenue or wherever it's located, actually had it on
22 their website that there was a trail to run, and they sent
23 -- the attorney sent the letter to the club and told them
24 to take that off their website which they did, but it's
25 pretty much, I guess, now by word of mouth. They could

1 put up mounds but they might use those to jettison up in
2 the air, which I guess is fun for them. I don't know. A
3 fence, a gate of some sort might be -- might be the best
4 solution.

5 SUPERVISOR ROUNDS: It's just probably a
6 deterrent --

7 COUNCILPERSON NYE: I wasn't sure if you had any
8 other experiences with this.

9 NICK: What road is that property on?

10 COUNCILPERSON NYE: We think they're coming off
11 -- well, we think they're coming up Brown Road and perhaps
12 going -- skirting (inaudible) property down Thistle Wood
13 to the bend and then they jump into the woods there and
14 peddle down to Lowering Brook, and from Lowering Brook
15 they go the back road over the personal properties to
16 Cynthia and I'm not sure where the hell they go from
17 there. I don't think down Cynthia -- I don't know -- they
18 pass by my house all the time on the highway -- you know
19 on the roadway, not through the woods.

20 MALE SPEAKER: Hey Dean, there's a possibility
21 that they could put up some trail cameras, too, and try to
22 make some identifications, and if you can do that and turn
23 the video --

24 COUNCILPERSON NYE: The guy who did that
25 apparently, I forgot her name now, Kaufman, I think, but

1 she's got some 300 acres up on Poplar Hill, and
2 (inaudible) they put up signs that they tore down. But he
3 did put up a camera because they were rat squatters, no,
4 they were stealing lumber. They were (inaudible) and
5 stealing lumber. (Inaudible) put up a camera. What I
6 suggested perhaps just a sign saying that under
7 surveillance, and if you're identified you will be
8 prosecuted to the full extent of the law. I said the
9 conscious riders will pay attention to that, I think. The
10 scoundrels aren't going to, no matter what you do or say.
11 They probably aren't going to change --

12 SUPERVISOR ROUNDS: Right.

13 COUNCILPERSON NYE: -- but if they can get the
14 law in, sure these people (inaudible) a path, sure it
15 would make those neighbors happy. So, we got fence and
16 the sign. Anything else?

17 SUPERVISOR ROUNDS: I'm just laughing at Nick.
18 What do you have (inaudible) --

19 NICK: The Tiger King there, whatever it's
20 called.

21 SUPERVISOR ROUNDS: There are Kathy's sunglasses
22 back there. I do actually have one more (inaudible) --

23 COUNCILPERSON NYE: Thank you for your help.

24 SUPERVISOR ROUNDS: I got a phone call from, I
25 think, it's Dave Hander (ph), Michael -- around Maxian

1 Road, and he is concerned about the parking problem at
2 Aqua Terra. I have to call him back, but he wants to know
3 would the County be willing to put like no parking signs,
4 because I don't think people are parking in the parking
5 lot. They're just parking on the road. Mike?

6 MR. DONAHUE: I hear there's a lot of people
7 over there using the park on nice days, so you know with
8 everyone being home --

9 MALE SPEAKER: There's about 40 cars a day on
10 Saturdays and Sundays. The only thing that -- the only
11 thing that we could do is do a local law, no parking.

12 SUPERVISOR ROUNDS: Can't the County take care
13 of that, it's a county (crosstalk) --

14 MR. DONAHUE: It's our street. It's our street.
15 We'd be liable for it.

16 SUPERVISOR ROUNDS: So, is the parking lot open?
17 Could people drive into Aqua Terra?

18 MR. DONAHUE: Yes, they can , but they do not
19 use that because the County has one side Aqua Terra Park
20 is locked down, chained off. The park is on the Innsbrook
21 side and people just don't want to -- by the way, down to
22 the end of the park, we (inaudible) the way over, because
23 the majority of the people are going to Aqua Terra, they
24 don't live down to the Innsbrook side unless they're going
25 up --

1 SUPERVISOR ROUNDS: They're just going down to
2 the park side you're saying?

3 MR. DONAHUE: Yes.

4 SUPERVISOR ROUNDS: Good.

5 MR. DONAHUE: They're parking on both sides of
6 the streets, you know, and it's kind of narrow.

7 SUPERVISOR ROUNDS: But if that's what they were
8 saying, so --

9 MR. DONAHUE: And --

10 SUPERVISOR ROUNDS: -- so what can we do -- can
11 we put no parking signs there?

12 MR. DONAHUE: Yes, you'd have to do a local law,
13 and pretty much put no parking from this point to that
14 point.

15 SUPERVISOR ROUNDS: All right. So, do you want
16 to get that information? Can we pass that like next week?
17 That's when I'd have to post it, right?

18 MR. DONAHUE: I have (inaudible) on it and
19 everything. Right, Alan, the local law for no parking?

20 MR. POPE: Yeah, you'd have to go through the
21 process.

22 MR. DONAHUE: It's going to be about 30/60 days,
23 correct?

24 SUPERVISOR ROUNDS: Well, it's better -- I'll
25 talk to Dave tomorrow, and just ask him if we can do a

1 local law and get the process started, but it won't be
2 fixed for a few days -- for a few months.

3 MR. DONAHUE: Yeah, you can tell him.

4 SUPERVISOR ROUNDS: Okay.

5 COUNCILPERSON NYE: How bad is it? Like are
6 they taking up both sides of the street?

7 MR. DONAHUE: Yeah.

8 COUNCILPERSON NYE: Are they --

9 NICK: Because the ditches are kind of going up
10 on the left hand side of the -- you know, it's going out
11 towards the left hand side, the ditches are kind of deep.
12 Of course, you've got to get room to get out, so you're
13 like -- you're parked halfway in the road, three-quarters
14 of the way in the road, so the passenger can get out and
15 then the other people go out to the other side, so now
16 it's pretty much, you know, just a one -- one lane, you
17 know, for -- like the other day there was probably about
18 300 or 400 feet was just one lane, because of the way
19 people park.

20 MR. DONAHUE: Remember we don't have --

21 MALE SPEAKER: Park cars -- park cars on the
22 street.

23 MR. DONAHUE: -- police, you know, employed by
24 the Town to issue tickets.

25 SUPERVISOR ROUNDS: Right.

1 MR. DONAHUE: And then you would have to have
2 the Sheriff's Department come up to issue tickets and the
3 Sheriff's Department is going to tell you, we're not going
4 on that property because it's security property. That's
5 all one of the controversies. The sheriffs will not
6 respond out here because it's a county park, and it's
7 Broome Securities problem. So maybe -- what I would do
8 first is maybe talk to Jason about it, and say talk to
9 your Parks Department, and maybe after they can get some
10 signage there where to park, it would be helpful and then
11 also to have him talk to Broome Security and say we're
12 really get an influx because the -- the people up here,
13 you need some Broome security patrol.

14 SUPERVISOR ROUNDS: Okay, I can do that.

15 MR. POPE: Get some pictures on the weekends
16 when it happens.

17 SUPERVISOR ROUNDS: Well, I can ask Dave about
18 it, too, the man who called with the complaint. It's
19 obviously an ongoing problem.

20 All right. I will definitely talk to Jason and
21 see how we can manage that because it's obviously a
22 safety issue if you have somebody who can't see between
23 cars, or you know I think part of it is, is people would
24 like to walk down the road, because obviously a lot of
25 people are out walking and, you know, it's kind of a

1 safety issue, if your roads are -- you know if there's 45
2 cars parked, you know, on either side of the road.

3 So, okay, I'll talk to Jason and bring that back
4 at the Board Meeting.

5 All right. Anything else?

6 MALE SPEAKER: Elizabeth, did you hear anything
7 about the Memorial Day Parade?

8 SUPERVISOR ROUNDS: I did talk to Jerry. He
9 called me the other day, and you know he said what do you
10 think about having it on Veterans' Day. I said, well,
11 first of all, Veterans' Day can be really cold, and so it
12 won't be quite the same. So, I said why don't we have it
13 up at Danson Park. We can do something for the veterans
14 on Memorial Day, honoring veterans, and we can have it on
15 the lower field. We could also have the Fire Department
16 control -- but you can't social distance at the cemetery.
17 You know, there's usually about anywhere from 150 to 200
18 people at the cemetery, and there's no social distancing
19 there, and so I said to him, why don't we see if we can
20 kind of have a (inaudible) come in from the back side of
21 Jackson, and have a little parade going into Jackson Park,
22 having the service and, you know, honoring the veterans
23 there, and we could guarantee -- you know, we could even
24 put a line down the field and things like that where we
25 could distance.

1 I think it's a good back to normal. It kills me
2 that we wouldn't be able to have it, but I could present
3 that to the Fire Department and see, but I don't also know
4 -- you know, in an hour if we could keep social
5 distancing, and it wouldn't be until the end of May, so
6 I'm waiting to hear back from Jerry.

7 Anything else? All right if there's nothing
8 else, I'd like to adjourn this meeting, make a motion to
9 adjourn this meeting.

10 MALE SPEAKER: So move.

11 SUPERVISOR ROUNDS: Second?

12 COUNCILPERSON LEIGHTON: Leighton.

13 SUPERVISOR ROUNDS: All in favor?

14 DEPUTY SUPERVISOR XLANDER: Aye.

15 COUNCILPERSON NYE: Aye.

16 COUNCILPERSON LEIGHTON: Aye.

17 COUNCILPERSON BENSLEY: Aye.

18 SUPERVISOR ROUNDS: Opposed? All right. Nice
19 to see you guys.

20 DEPUTY SUPERVISOR XLANDER: You, too.

21 COUNCILPERSON NYE: (Inaudible) --

22 DEPUTY SUPERVISOR XLANDER: I get to see you now
23 for the first time, so yay.

24 SUPERVISOR ROUNDS: He's already three months
25 old, that size, he's already

1 MR. POPE: All right, everyone, have a good one.

2 SUPERVISOR ROUNDS: She brought a couple of
3 outfits to the hospital, made it work.

4 All right, everybody, I'll talk to you soon.

5 COUNCILPERSON NYE: All right. Good night.

6 DEPUTY SUPERVISOR XLANDER: Goodbye, everyone,
7 take care.

8 (MEETING CONCLUDED)

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CERTIFICATION

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I, SALLY OMAR, certifies that the foregoing Transcript of the Town of Binghamton, Town Board Work Session, held on May 5, 2020, at was prepared using electronic transcription equipment and is a true and accurate record of the proceedings.

Date: May 26, 2020



SALLY OMAR