

TOWN OF BINGHAMTON
TOWN BOARD
June 16, 2020

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MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, JUNE 16, 2020, 7:00 P.M., TOWN OF BINGHAMTON, TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

The meeting was called to order at 7:04 p.m. by Supervisor Rounds.

ROLL CALL:

E. Rounds, Supervisor	Present	M. Leighton, Councilperson	Present
M. Bensley, Councilperson	Present	D. Nye, Councilperson	Present at 7:11 p.m.
V. Xlander, Deputy Supervisor	Present		

OTHERS PRESENT:

V. Conklin, Town Clerk	M. Donahue, Highway Superintendent
A. Pope, Town Attorney	1 Guest
N. Pappas, Code Enforcement/Bldgs. & Grounds	

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:

2020

Lighting	Claim No. 421	\$ 24.15
Highway	Claim No. 422-435	\$ 10,442.42
General	Claim No. 436-471, 478	\$ 27,660.86
Sewer	Claim No. 472-473	\$ 983.20
Water	Claim No. 473-477	\$ 2,959.48

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 Absent: Nye

Nays: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no corrections made to the June 2, 2020 Work Session minutes.

VOICE OF THE PUBLIC:

Supervisor Rounds opened the floor at 7:07 p.m. There being no presentations, the floor was declared closed at 7:07 p.m.

COMMUNICATIONS AND ANNOUNCEMENTS:

Free Fishing Weekend – June 27 & 28, 2020

Independence Day – TOB Municipal Buildings Closed – July 3, 2020 in Observance of Independence Day

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – The next regularly scheduled joint quarterly meeting with the ZBA will be held on July 13, 2020 at 6:30 p.m. at the TOB Town Hall, which will include a legal corner.

Zoning Board of Appeals - The next regularly scheduled joint quarterly meeting with the Planning Board will be held on July 13, 2020 at 6:30 p.m. at the TOB Town Hall, which will include a legal corner.

Youth Commission – Councilperson Leighton reported that Governor Cuomo has announced that baseball and softball can commence. There was discussion at the May meeting about a modified season commencing at the beginning of July, and ending until Fall sports begin. Three new teams have joined the STYFC, and may lead to away games being a longer distance away. The next meeting is Thursday, June 18, 2020. Supervisor Rounds reported that she spoke with Chris Streno who gave her the following update: A couple of coaches are getting their teams together to start practicing, and confirmed that they do want to do a modified season. Parents will be allowed to take their registration funds and move them to another sport. Refunds will be allowed.

Code Enforcement/Buildings and Grounds – A public hearing was held last October concerning 3394 Hance Road. Mr. Pappas has not heard back from the owner, and nothing has been done with the property. Town Attorney Pope advised that the Town can move forward, but if the property owner informs the Town that he/she does not want the Town on the property, even though there is a Town Board Order, the Town would have to obtain a Supreme Court Order to allow the Town to continue the process. He further advised that the Town should keep the owner informed of the Town's intent with the property. The cost of demolition by the Town may be \$15,000 to \$25,000. The Town can place an Administrative Lien against the remaining turf, but the Lien may exceed the value of the lot. Mr. Pappas will obtain estimates for demolition of the house. The Order of Remedy was served on Robert Blakeslee, owner of 658 Park Ave., on Friday, June 12, 2020. Town Attorney Pope advised that one of the next steps on 658 Park is filing the Notice with the Broome County Clerk's Office. That way, anybody that purchases 658

Park Ave. and goes through the normal protocol with an attorney, who, when performing a title search, will see that there is a Notice of Remedy. The fields are ready at the parks. The water has been turned on today at Jackson Park. The water samples will be dropped off at the lab for testing tomorrow. Once the lab results are provided, the results will need to be provided to the Broome County Health Department for their approval. As long as the test results are approved, the water should be usable by next Wednesday, June 24th or Thursday, June 25th.

Highway Department – Hydrant flushing will begin next week on Tuesday, Wednesday and Thursday from 3:00 a.m. to 6:00 a.m. There is a storm drain that failed on Partridge Lane. The end of the storm drain was replaced, but the storm drain, which is approximately 25 feet, on the upper end of the cul de sac on Partridge Lane can be relined. If the Town had to dig the storm drain, the cost would be approximately \$250,000 for 250 feet of storm drain because it is so deep. There is no agreement with the City regarding who maintains the storm drain, so it is the Town's responsibility. The cost of relining the storm drain would be approximately \$75,000. Highway Superintendent Donahue has spoken with Clark Patterson about the relining possibly being added to the Hamton Road sanitary pipe lining project. There are funds available in the reserve fund that can be used for the relining of the storm drain on Partridge Lane. The CHIPS money has been received, but was reduced by 10%. The CHIPS money paid for projects on Cynthia Drive and Laurie Brook Drive. Patching is done. The next phase of stoning and oiling will begin. There have been complaints about basketball hoops being in the middle of streets, in particular on Lisi and Cheryl Drive. This is a code issue, and residents' complaints should be directed to Mr. Pappas. Mr. Pappas will give residents notice to remove the basketball hoops from the street. If the issue continues, he has been advised by Town Attorney Pope that he can confiscate the basketball hoops. There is a camper on Cobblestone Court that is half in the road. Mr. Pappas will contact the owner, and ask them to move the camper. If the camper is not moved, he will contact the Sheriff's Department to have the camper towed.

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

Town Clerk's Monthly Report for May 2020

Code Enforcement Month Report for May 2020

DCO's Monthly Report for May 2020

William Meredith – Certificate of Attendance – Board of Assessment Review Training (May 14, 2020)

TOB Volunteer Fire Co. – There was no update.

SUPERVISOR'S REPORT:

There was no report.

UNFINISHED BUSINESS:

Aqua Terra (Maxian Rd.) – Parking Issue – Update – Highway Superintendent Donahue reported that he spoke with Liz Woldt, Director, BC Parks, who advised him that they might not get to Aqua Terra until the end of August because there is so much demand for work being done at

other BC Parks. Traffic has slowed down quite a bit at Aqua Terra. BC Parks will be putting up signs in the Aqua Terra parking area indicating where to park.

Sewer Rates – Update – Supervisor Rounds, Highway Superintendent Donahue, and Councilperson Bensley will meet on Tuesday, June 23rd at 9:00 a.m. to discuss the water/sewer rates. The Binghamton/Johnson City Joint Sewage Treatment Plant is working on the 2021 budget, and will provide the Town with an update on the rates for 2021.

Dog Enumeration – There was discussion about a dog enumeration being performed in 2021, and whether or not the dog enumeration will be performed door to door by the Dog Control Officer, or by mailing a postcard to residents.

TOB Parkland Alienation to TOB Volunteer Fire Co. – Municipal Home Rule Resolution – Councilperson Xlander inquired about the Municipal Home Rule Resolution. Supervisor Rounds reported that Deputy Town Attorney Pope advised that the Town has to wait until the legislation gets in the queue before a Municipal Home Rule Resolution is needed.

NEW BUSINESS:

5th Grade Graduation Event – There was a request from a fifth-grade parent asking if they could use Jackson Park this year for a scaled down version of the fifth-grade graduation picnic. This year the event would include an ice cream truck, and a photo booth. This would be a two-hour event instead of an all-day event. After discussion, the Town Board decided the event can go forward after June 25th.

There was no further new unfinished business.

VOICE OF THE PUBLIC:

Supervisor Rounds opened the floor to the public at 7:59 p.m. There being no presentations, the floor was declared closed at 7:59 p.m.

UNFINISHED BUSINESS:

Wind Turbines – Councilperson Nye voiced his concern about the risk of a future massive wind turbine project coming to the TOB, and updating the Town's local law on wind turbines. Councilperson Xlander advised that the Energy Committee's next project is wind energy, as the Energy Committee's solar energy project has been completed, and will be submitted to the Town Board by Deputy Town Attorney Pope in the upcoming weeks. A short-term moratorium on wind turbines was suggested. Deputy Town Attorney Pope will perform research on a short-term moratorium process, and report back to the Town Board. Councilperson Bensley stated that there are TOB residents who support wind turbines. There was further discussion.

LED Lighting Updates for Town Offices, TOB Community Center and Town Park - Lime Energy – Lime Energy is NYSEG's SBDI program implementation contractor. A representative will be invited to the July 7, 2020 Work Session to provide a presentation to the Town Board.

TOB Community Center Coordinator Position – Update – Councilperson Leighton inquired about the Community Center Coordinator Position. Councilperson Bensley will check with Dave Yetter to see if he is still interested in the position. If so, Mr. Yetter, Councilperson Bensley, and Supervisor Rounds will meet to discuss the position. There was discussion about the TOB Community Center being used more by the community, and the TOB Volunteer Fire Company.

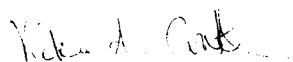
Cell Phone Reimbursement – Highway Superintendent Donahue stated that Lee Cooper asked about receiving a monthly reimbursement for use of his personal cell phone. It was explained that since Mr. Cooper is provided a Town cell phone, he will not be reimbursed for his personal cell phone. It was further explained that Supervisor Rounds and Code Enforcement Officer Pappas are not provided a Town cell phone, and use their personal cell phones for Town business.

ADJOURNMENT:

A motion was made by Councilperson Xlander to adjourn the meeting at 8:21 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 Work Session to be held on Tuesday, July 7, 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 regular 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 16th day of June, 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 Mark Leighton

ABSENT: Councilperson Dean Nye

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

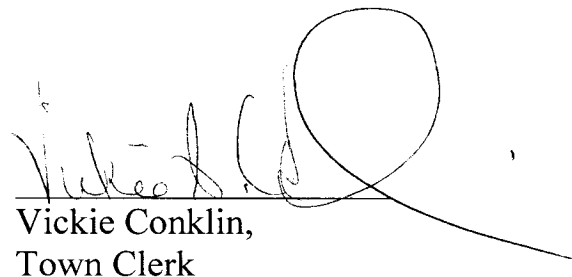
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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

NAYS: None

ABSENT: Councilperson Dean Nye

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 421; 422-435; 436-471, 478; 472-473 and 473-477 as audited, and

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

NOW, THEREFORE, be it

RESOLVED, that claim numbers 421; 422-435; 436-471, 478; 472-473 and 473-477 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.