

**TOWN OF BINGHAMTON**  
**TOWN BOARD WORK SESSION**  
**June 2, 2020**

- Page 2      Approval of Audited Claims
- Page 3      Recognition of Minutes  
Communications and Announcements  
Officials and Committee Reports  
    Planning Board  
    Zoning Board of Appeals  
    Youth Commission  
    Code Enforcement/Building & Grounds  
    Highway Department
- Page 4      Officials and Committee Reports (Continued)  
    TOB Volunteer Fire Co.  
Supervisor's Report  
    Coronavirus – Update  
Unfinished Business  
    658 Park Ave. – Notice – Order of Remedy - Update  
    Aqua Terra (Maxian Rd.) – Parking Issue - Update  
    Water/Sewer Rates – Update
- Page 5      Unfinished Business (Continued)  
    TOB Community Center – TOB Community Center Coordinator Position  
    SusqueNango Kennel Club – Update  
    Local Law – Insurance Payments for House Fires
- Page 6      Unfinished Business (Continued)  
    Reopening of TOB Parks – Softball Tournament  
New Business  
    BC Humane Society Shelter – Resident Responsibility  
    TOB Parkland Alienation to TOB Volunteer Fire Co.



## **RECOGNITION OF MINUTES:**

There were no changes/corrections made to the May 19, 2020 regular Town Board meeting minutes.

## **COMMUNICATIONS AND ANNOUNCEMENTS:**

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

## **OFFICIALS AND COMMITTEE REPORTS:**

Planning Board – The next regularly scheduled meeting will be a joint meeting with the ZBA to be held on Monday, July 13, 2020 at 6:30 p.m. at the TOB Town Hall. Town Attorney Pope will be making a presentation.

Zoning Board of Appeals – The next regularly scheduled meeting will be a joint meeting with the Planning Board to be held on Monday, July 13, 2020 at 6:30 p.m. at the TOB Town Hall. Town Attorney Pope will be making a presentation.

Youth Commission – There was nothing to report.

Code Enforcement/Building & Grounds – Supervisor Rounds reported that there is interest again in the property on the corner of Hawleyton and Hance Road, which Mr. Pappas will report on as soon as he joins the meeting. Mr. Pappas spoke with Judge Brinker today, and believes that the Courts will be opened next week with limiting who can come into Court. An Order of Remedy was sent for the Bosket case on Jackson Road; an Order of Remedy was sent for 4160 Lisi Lane, which was never registered as a vacant property, and an Order of Remedy is being sent on the Blakeslee property at 658 Park Ave. Mr. Pappas reported that the people interested in the property on the corner of Hawleyton and Hance Road would like to use the property as an outdoor storage facility for boats, campers, and trailers, plus possibly buildings for an office, and a garage. Mr. Pappas believes the Town Code does not allow an outdoor storage facility, but does allow an office space and/or garage. Town Attorney Pope advised that the interested party can go to the ZBA and ask for an interpretation to see if what they propose to do with the property is similar in nature to what is permitted. Otherwise, if it is a different use, the interested party would have to go to the ZBA to obtain a use variance, which is very difficult to obtain. Town Attorney Pope and Mr. Pappas will review the Town Code, and send an e-mail to the Town Board with their thoughts. There was further discussion concerning this matter. Mr. Pappas reported that he spoke with Lou Bishop regarding the DWI softball tournament. Mr. Bishop advised him that there is still uncertainty about the tournament going forward. Mr. Bishop was advised that the Town needs two weeks' notice if the tournament goes forward.

Highway Department – Branch and brush pick up will begin tomorrow, and will continue for the next twelve days. Patching of roads has begun. Highway Superintendent Donahue is waiting for the FEMA closeout from the 2018 flood. FEMA has approved all of the projects. Mowing has begun. A lot of driveway pipes are being replaced. Highway Superintendent Donahue questioned the subject on the agenda of reopening the TOB parks – softball tournament.

Supervisor Rounds reported that Mr. Pappas is working on confirming the DWI softball tournament scheduled for July. If the tournament takes place, the Town needs to have two weeks' notice in order to have the water turned on, daily testing of the water, and review of the water testing reports.

TOB Volunteer Fire Co. – There was no report.

### **SUPERVISOR'S REPORT:**

Coronavirus - Update – Supervisor Rounds reported that the Town Hall has been open for a week and a half, and everything has been going very well. Becky Smith has been a very good gatekeeper regarding residents entering the Town Hall. There has been some foot traffic, with no complaints about anyone not wearing a mask, or being impatient. Zoom meetings will continue until the Executive Order expires on June 26<sup>th</sup>.

### **UNFINISHED BUSINESS:**

658 Park Ave. – Notice – Order of Remedy - Update – A motion was made by Councilperson Bensley to adopt a Resolution to set a public hearing for July 7, 2020 at 5:31 p.m. to declare that the building(s) at 658 Park Avenue, Binghamton, New York 13903 (tax map #192.03-2-9) is unsafe and dangerous, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Bensley, Leighton, Nye

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Aqua Terra (Maxian Rd.) – Parking Issue – Update – Supervisor Rounds spoke with Liz White, Director of Parks for Broome County. Ms. White advised Supervisor Rounds (as she had with Highway Superintendent Donahue), that the County intends to expand the parking area, milling some of the parking area and the potholes, and putting up signs to direct people where to park as soon as Broome County employees are back from being furloughed. Once the bigger parks are taken care of, Ms. White will meet with Supervisor Rounds and Highway Superintendent Donahue to discuss expanding the parking area, etc. Highway Superintendent Donahue now has the 24-hour cell phone number for the head of Broome County Security so that he can report any incidents that needs to be taken care of by Broome County Security.

Water/Sewer Rates – Update – Supervisor Rounds reported that she and Highway Superintendent Donahue met and discussed the billing from the City for water and sewer usage. The Town is losing approximately \$32,000 per year in water, and approximately \$120,000 per year for sewer. There are 27 residents in the Town that are hooked up to sewer, but do not have a meter, so they are billed the flat rate, which is by the number of bedrooms in their house.

Consequently, those residents are paying most of the time for quite a bit more because they are billed the flat rate instead of actual usage. Supervisor Rounds proposed the Town giving each of the 27 residents a meter, have the resident pay for the installation, and the Town will inspect the meter. That way the resident will be paying for their actual usage and not by the bedroom. It will be easier for the Town's billing, and would be beneficial for the residents. There was some discussion. Supervisor Rounds reported that the water and sewer rates need to be increased, including Parkwood. The rate increases need to be put together by August, which will then be implemented for the November billing cycle. More information will be gathered and presented to Town Board Members. Highway Superintendent Donahue will contact the Comptroller at the Sewage Treatment Plant to discuss what the debt ceiling rate projections will be for 2021. Those figures will be included in the rate increases. That way, residents will have one rate increase instead of a rate increase in November, and another rate increase in 2021. There was further discussion, including metering Parkwood residences, an informational meeting for residents, scheduling a public hearing for August, and a rate increase for the November billing cycle.

TOB Community Center – TOB Community Center Coordinator Position – The Town needs to wait until July to hire a TOB Community Center Coordinator due to COVID 19, and the prohibition of ten people or more gathering. Councilperson Bensley will contact Mr. Yetter to discuss the TOB Community Center Coordinator Position.

SusqueNango Kennel Club – Update – Deputy Town Attorney Pope feels that a lease is not a good idea, and suggested a temporary revocable use permit, which would need to be renewed monthly. The SusqueNango Kennel Club has provided the Town with a Certificate of Insurance. Supervisor Rounds has explained to Mrs. Tong that it would be a month to month situation, and that the Town has the right to revoke the permit at any time due to whatever circumstances may arise. Deputy Town Attorney Pope suggested that the Town Board set up parameters for use of the park by the Kennel Club. Councilperson Leighton made a motion to approve a conditional temporary revocable use permit for the SusqueNango Kennel Club to use the ballfield by the Town of Binghamton Volunteer Fire Station #3 on Park Avenue, Binghamton, New York, for training of their dogs with the parameters set by the conditional temporary revocable use permit, and the motion was duly seconded by Councilperson Nye. All those present voted in favor of the motion. Motion carried.

Local Law – Insurance Payments for House Fire – A motion was made by Councilperson Leighton to adopt a Resolution to set a public hearing for July 21, 2020 at 7:01 p.m. to adopt a Local Law amending Chapter 106 of the Town of Binghamton Code, and the motion was duly seconded by Councilperson Xlander. There was some discussion. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Bensley, Leighton, Nye

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Reopening of TOB Parks – Softball Tournament – This subject was covered under Officials and Committee Reports.

There was no further unfinished business.

**NEW BUSINESS:**

BC Humane Society Shelter – Resident Responsibility – The BC Humane Society Shelter charges residents a flat rate of \$50 to retrieve their dog from their shelter, and \$15 for a rabies vaccination, if the resident cannot produce proof of the rabies vaccination. The Town is charged \$250 for each dog that is sheltered. Town Attorney Pope will research amending the local law to include a chargeback to residents to pay to the Shelter the \$250 fee incurred by the Town for sheltering of dogs by the BC Humane Society Shelter.

*There was discussion of having a dog enumeration performed by the Town. Town Clerk Conklin will research the details of the last dog enumeration, and provide information to the Town Board.*

TOB Parkland Alienation to TOB Volunteer Fire Co. – Deputy Town Attorney Pope reported that she heard from Donna Lupardo’s office, who is working on this legislation, which is the next step in the process. Donna Lupardo’s office asked her if there was prior legislation that might have been in place for this park. Deputy Town Attorney Pope asked the Town Board if anyone had knowledge of prior legislation for the park. It was agreed that the park was donated (deeded) to the Town 35 to 40 years ago. Town Clerk Conklin will research the records for a deed, and other information related to possible prior legislation. The next step in the process is for the Town Board to pass a Municipal Home Rule Resolution requesting that the legislation go through its process, and requested that this step be put on the agenda for the June 16, 2020 regular Town Board meeting.

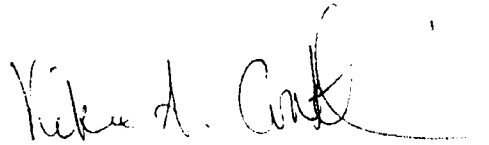
There was no further new business.

**ADJOURNMENT:**

A motion was made by Councilperson Leighton to adjourn the meeting at 7:19 p.m., and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

The next meeting of the Town of Binghamton Town Board will be a regular Town Board Meeting at 7:00 p.m. on June 16, 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

## 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 2nd day of June, 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 Bensley, who moved its adoption, and was seconded by Councilperson Xlander.

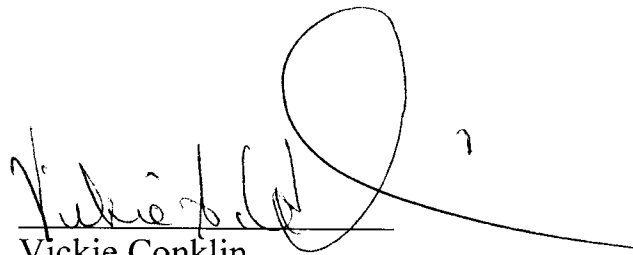
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth Rounds  
Councilperson Victoria L. Xlander  
Councilperson Michael Bensley  
Councilperson Dean Nye  
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 374; 374-378; 379; 380-395 and 396-420 as audited, and

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

**NOW, THEREFORE**, be it

**RESOLVED**, that claim numbers 374; 374-378; 379; 380-395 and 396-420 as audited are hereby adopted and approved; and be it further

**RESOLVED**, that the Town Supervisor and such other Town officials are authorized to take such additional and further action as is necessary to implement this Resolution.

**RESOLUTION**

At a regularly scheduled Board meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Office Building, 279 Park Avenue, Binghamton, New York, on the 2<sup>nd</sup> day of June, 2020 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

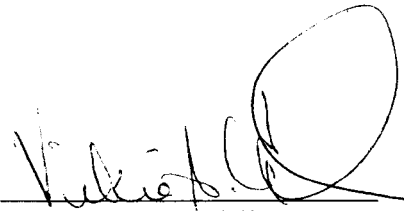
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Bensley, Leighton, Nye

NAYS: None

ABSENT: None

The Resolution was then declared adopted.

  
\_\_\_\_\_  
Vickie A. Conklin,  
Town Clerk

**RESOLUTION:**

**WHEREAS**, it has been recommended that the Town Board schedule a public hearing on July 7, 2020 at 5:31pm with respect to the unsafe building and property located at 658 Park Avenue, Binghamton, New York at which time the Town of Binghamton shall present its evidence of the nature and extent of the unsafe building and the owner shall be given an opportunity to present any evidence the owner may have.

**NOW THEREFORE, IT IS**

**RESOLVED**, that the scheduling of a public hearing on July 7, 2020 at 5:31pm with respect to the unsafe building and property located at 658 Park Avenue, Binghamton, New York as noted above is hereby approved; and it is further

**RESOLVED**, that the Town Clerk, Town Attorney and such other Town officials are authorized to take such additional and further action as is necessary to implement this Resolution.

## RESOLUTION

At a regularly scheduled Board meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Office Building, 279 Park Avenue, Binghamton, New York, on the 2<sup>nd</sup> day of June, 2020 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

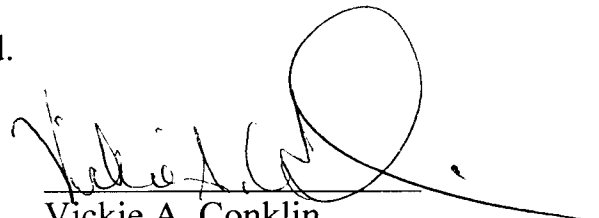
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Bensley, Leighton, Nye

NAYS: None

ABSENT: None

The Resolution was then declared adopted.



Vickie A. Conklin,  
Town Clerk

**RESOLUTION:**

**WHEREAS**, it has been recommended that the Town Board schedule a public hearing on July 21, 2020 at 7:01pm with respect to the proposed amendment to Chapter 106 of the Town Code to provide for additional remedies for the Town of Binghamton in the event of fires or other casualties at a property in the Town of Binghamton.

**NOW THEREFORE, IT IS**

**RESOLVED**, that the scheduling of a public hearing on July 21, 2020 at 7:01pm with respect to the proposed amendment to Chapter 106 of the Town Code as noted above is hereby approved; and it is further

**RESOLVED**, that the Town Clerk, Town Attorney and such other Town officials are authorized to take such additional and further action as is necessary to implement this Resolution.