

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 TOWN CLERK
P. EDWARDS, DEPUTY TOWN TOWN CLERK
A. POPE, TOWN ATTORNEY
H. DONAHUE, HIGHWAY SUPERINTENDENT
N. PAPPAS, CODE ENFORCEMENT/BUILDING & GROUNDS
J. EMMONS, CHIEF, TOWN OF BINGHAMTON VOLUNTEER FIRE COMPANY

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 TOWN CLERK: I'm sorry.

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

10 TOWN CLERK: Yeah.

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

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

16 DEPUTY SUPERVISOR XLANDER: Here.

17 TOWN CLERK: Councilperson Nye?

18 COUNCILPERSON NYE: Here.

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

21 COUNCILPERSON LEIGHTON: Here.

22 TOWN CLERK: Councilperson Bensley?

23 COUNCILPERSON BENSLEY: Here.

24 TOWN 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 Vickie 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, Vickie, \$50,000 for something and it was
2 only \$500 or --

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

6 SUPERVISOR ROUNDS: Yeah.

7 TOWN CLERK: And that was just a couple of
8 things that stuck out, but there were quite a few errors.

9 COUNCILPERSON NYE: So, is that

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

14 SUPERVISOR ROUNDS: Thank you.

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

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

1 to great extents to find out who the owner is, and that's
2 just part of the cost. But I'll be honest with you, being
3 -- since we went with the Humane Society our costs have
4 been cut in half because we pay by the dog now versus we
5 paid a monthly fee before.

6 COUNCILPERSON NYE: Yeah, I -- (inaudible) --

7 DEPUTY SUPERVISOR XLANDER: All righty.

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

12 COUNCILPERSON NYE: So, we're paying \$2 -- \$255
13 bucks a dog.

14 SUPERVISOR ROUNDS: Correct.

15 COUNCILPERSON NYE: If we know the owner --

16 SUPERVISOR ROUNDS: Pardon me.

17 COUNCILPERSON NYE: -- is there any way we can
18 bill them for that cost?

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

21 TOWN ATTORNEY POPE: You would have to change
22 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 COUNCILPERSON NYE: Right.

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

4 COUNCILPERSON LEIGHTON: Why don't we just tie
5 them up in 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 COUNCILPERSON LEIGHTON: Well, don't they get
7 fined for a loose dog, and how much is the -- the fine
8 should at least 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. Vickie, call roll call, please.

23 TOWN CLERK: Deputy Supervisor Xlander?

24 DEPUTY SUPERVISOR XLANDER: Here.

25 TOWN CLERK: Councilman Nye?

1 COUNCILMAN NYE: Aye.

2 TOWN CLERK: COUNCILPERSON LEIGHTON?

3 COUNCILPERSON LEIGHTON: Aye.

4 DEPUTY SUPERVISOR XLANDER: I said here.

5 TOWN CLERK: Councilman Bensley?

6 COUNCILMAN BENSLEY: Aye.

7 SUPERVISOR ROUNDS: Aye. Motion for resolution
8 has passed.

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

11 TOWN CLERK: The 21st.

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

13 COUNCILMAN NYE: No.

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

18 Does anybody have any communications and
19 announcements?

20 COUNCILPERSON BENSLEY : I have an announcement.

21 SUPERVISOR ROUNDS: Okay.

22 TOWN CLERK: If you have an old copy of the
23 Agenda, Elizabeth, because there's two on there.

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

4 TOWN CLERK: There's clean-up days and the
5 Municipal Building is being closed. Is it okay if I read
6 them out loud?

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

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

11 SUPERVISOR ROUNDS: And what was the other
12 thing, Vickie?

13 TOWN CLERK: Memorial Day,
14 Monday, May 25th, the building is being closed.

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

17 TOWN CLERK: Nothing, that's it.

18 SUPERVISOR ROUNDS: Planning Board, anything
19 going on there?

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

23 SUPERVISOR ROUNDS: Hopefully, it will be in
24 person.

25 Zoning Board, Nick, anything going out there?

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

2 NICK: Nope, nothing.

3 SUPERVISOR ROUNDS: Okay. Youth Commission
4 Park?

5 COUNCILPERSON LEIGHTON: Nothing since last
6 month. The next meeting is the 21st. It will be probably
7 another Skype or Zoom Meeting.

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

17 NICK: Yeah, so far, it is.

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

23 Chris -- I mean everybody wants to do something
24 for the -- the sports program and even if it's just a
25 month long, or modified type of thing, but I have to say I

1 agree. I feel it's good for morale, it's good for the
2 kids, it's good to have them be out. You know, we've been
3 quarantined for a long time now, so --

4 Code Enforcements, Buildings, and ground, Nick?

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

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

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

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

1 conversation had called Spectrum, and sure enough within
2 the last year Spectrum had put service on that road, on
3 Stevens Road, between Park and Morgan. So, how crazy is
4 it that they offer service and they never told anybody
5 that there is service there now?

6 So, I mean I guess because I am going to be
7 driving with Tom Eagan down Hance Road and have him point
8 out to me because he knows the people, or knows every
9 address on that road that had recently had the opportunity
10 to get Spectrum and we're going to personally reach out to
11 each of them and just say, just an F.Y.I., you now have
12 Spectrum Service available to you, if you want it or not,
13 but it is available, because obviously Spectrum doesn't do
14 that. So, I can't understand why they wouldn't let their
15 residents know, or their new customers -- potential new
16 customers know that this is now available. But Tom Eagan
17 and all the people that were at our board meeting were all
18 set. They are happy campers.

19 DEPUTY SUPERVISOR XLANDER: Good.

20 SUPERVISOR ROUNDS: So, anyway, Nick, we'll
21 continue to see if they could talk to us about
22 cell service --

23 NICK: I mean one more thing, I mean our permit
24 for the cell towers is \$1000, and that's what I charged
25 them, so I feel we could probably up it --

1 SUPERVISOR ROUNDS: Is that for the service,
2 Nick, or is that just replacing old things?

3 NICK: Yeah, I mean it's working on the
4 power. If it requires an engineer or something, we get
5 no revenue from the cell tower, so --

6 SUPERVISOR ROUNDS: Okay.

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

10 SUPERVISOR ROUNDS: Right.

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

14 SUPERVISOR ROUNDS: Okay. Well, then we do have
15 Gordon Ichikawa, because I'm interested in putting up the
16 power, so maybe if we could tap into this company, we
17 could see what we could do for that.

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

20 COUNCILPERSON NYE: Look at the big bear.

21 SUPERVISOR ROUNDS: I'm sorry.

22 COUNCILPERSON NYE: Mike's got a big bear --

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

25 COUNCILPERSON BENSLEY: Looking at him.

1 SUPERVISOR ROUNDS: Mike, turn your camera, so
2 we can see -- turn your camera around.

3 DEPUTY TOWN CLERK: Take a picture.

4 COUNCILPERSON NYE: Turn your camera.

5 COUNCILPERSON BENSLEY: No, he's roaming into
6 the woods.

7 TOWN CLERK: Bear sighting, Paula.

8 DEPUTY TOWN CLERK: I hear that.

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

10 SUPERVISOR ROUNDS: This is a question for you.

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

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

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

4 SUPERVISOR ROUNDS: So, let me ask you, I have
5 sneaky suspicion that this guy is just going to walk away
6 from this property, because now he got paid for it. I
7 just don't understand how the insurance company can pay
8 him this money and not take care of the property.

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

15 SUPERVISOR ROUNDS: Okay. So -- so the first
16 step is to send out an order of remedy?

17 MR. POPE: Yeah.

18 SUPERVISOR ROUNDS: Because it is an unsafe
19 structure and I am concerned that obviously people know
20 that it's been abandoned.

21 MR. POPE: Well, I really think if it's truly an
22 unsafe structure, then you know the first issue is, is it
23 an emergency situation where under our Code, Nick could go
24 and post it, and we could do an expedited, you know,
25 hearing so we got to get notice out to the property owner,

1 but we can do an expedited public hearing, and hold it at
2 the regular meeting. You'd have to vote on that, and I'd
3 have to kind of look at -- I don't have the Code Book
4 right with me, but I'd have to look at whether we can get
5 that notice out in enough time to put it on our regular
6 meeting. I think we should be, but I'd have to look at
7 the Codes.

8 TOWN CLERK: Well, we wouldn't have the 10-day
9 Notice, you know, for the newspaper, the Country Courier,
10 if we tried to do it on the 19th, because it wouldn't be
11 able to go in until the 13th, and that only gives us five
12 days.

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

15 TOWN CLERK: Right.

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

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

22 MR. POPE: Yeah. Is it accessible or is it
23 boarded up?

24 NICK: Yeah, the insurance company boarded it
25 up. It's boarded up, and I tried to reach out to the home

1 owner and his voicemail is full, so I can't leave a
2 message either.

3 MR. POPE: Yeah. So, I think, you know, we have
4 to take reasonable actions in the face of an unsafe
5 structure so it's -- it's been posted, it's boarded up, so
6 I think there's no rush to do it for our next Board
7 Meeting. The Board could vote tonight to proceed ahead
8 with, you know, that process under the Unsafe Building
9 Code and that would allow Nick and I to get the notice out
10 to Vickie to get it posted, serve the owner, and we could
11 have that hearing the next work session if you want to do
12 it at the next work session.

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

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

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

21 MR. POPE: To initiate that process and
22 authorize the Enforcement Officer, Town Attorney, and TOWN
23 CLERK to prepare and post the Notice and serve it on the
24 owner.

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

3 MR. POPE: Yeah, you can.

4 SUPERVISOR ROUNDS: Okay. I'd like to make that
5 motion.

6 MR. BENSLEY: So moved, Bensley.

7 SUPERVISOR ROUNDS: Second?

8 MR. LEIGHTON: Leighton.

9 SUPERVISOR ROUNDS: Any discussion?

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

13 SUPERVISOR ROUNDS: So, the only thing
14 that Nick can say, the people who bought the house going
15 south on Park, are the Sepes -- did I say their last name,
16 they own the third home?

17 NICK: Yeah.

18 SUPERVISOR ROUNDS: They're interested in buying
19 that property.

20 NICK: They approached him right off the bat.

21 SUPERVISOR ROUNDS: So maybe once we serve him,
22 and he understands that maybe he would contact them,
23 because they even said they would tear the property -- the
24 building down, right, Nick?

25 NICK: Yes.

1 SUPERVISOR ROUNDS: So I think maybe once we get
2 the ball rolling, it might get the owner then to, you
3 know, react and answer to Sepes.

4 COUNCILPERSON NYE: Elizabeth, the only question
5 I would have for Alan. Can we go to the insurance
6 company
7 and ask them why they didn't provide funding to tear it
8 down?

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

17 COUNCILPERSON NYE: The process will bring that
18 up.

19 SUPERVISOR ROUNDS: Yeah.

20 MR. POPE: Maybe, maybe not. I mean he doesn't
21 have to disclose what insurance he had or what he did with
22 the money, that's not part of our code, and keep in mind
23 our code really only relates to the property itself. It
24 doesn't force anybody to pay to fix it. Right? Just like
25 there's laws out there saying you have to pay your real

1 property taxes, but if you don't, you walk away from the
2 property, there's no individual liability. I mean the
3 County just forecloses.

4 SUPERVISOR ROUNDS: That's what I figured means
5 this way the County -- I mean he is paid up on his taxes,
6 but yet we could force his hand, you know, he may then be
7 interested in selling it if he's not -- if he's just going
8 to walk away with the money.

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

12 SUPERVISOR ROUNDS: Okay. Any other discussion?

13 MR. POPE: Okay.

14 SUPERVISOR ROUNDS: All in favor?

15 DEPUTY SUPERVISOR XLANDER: Aye.

16 COUNCILPERSON NYE: Aye.

17 COUNCILPERSON LEIGHTON: Aye.

18 COUNCILPERSON BENSLEY: Aye.

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

22 MR. POPE: Yes.

23 SUPERVISOR ROUNDS: Okay. All right. Nick,
24 anything else?

25 NICK: No, that's it.

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

3 MR. DONAHUE: Do you hear me now?

4 SUPERVISOR ROUNDS: Yeah, we can hear you.

5 MR. DONAHUE: All right. Nick, you may want to
6 check with John Martin's Office because 2014 we were in
7 violation with the EPA about the map and the mapping was
8 done on all the outflows of the storm system.

9 NICK: Beyond the letter we just got from the
10 B.C.?

11 MR. DONAHUE: We already did mapping of the
12 complete storm system. Clark Patterson did the mapping.
13 That was a violation in 2014. That was one of the things
14 that was required to do the mapping before you let that
15 coalition remap it again. I am pretty sure they
16 GPS'd all of the outflows on it.

17 NICK: I'll check with John.

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

22 NICK: Okay.

23 MR. DONAHUE: We had the Auctions International.
24 The Excavator sold for \$45,500. The tractor sold for
25 \$23,300. So that's all set.

1 And up on Cynthia Drive and Laurie Brook
2 (inaudible) put work in, we repaired all the catch basins
3 and the manholes. They milled it today, and they're going
4 to pave tomorrow on Cynthia and Laurie Brook. So, that
5 will be all done.

6 Also, the billing of the water and sewer --
7 we're going to have to really start taking a look at the
8 billing of the sanitary, because our revenues are not
9 keeping up with our expenses, okay. We calculated it
10 about -- we're losing about \$10,000 per quarter with the
11 sanitary.

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

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

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

21 MR. DONAHUE: Okay. Those are all the water and
22 sewer bills that are out. Nadine is taking care of them
23 from home, and I guess she's doing all the deposits and
24 stuff like that, and it's pretty much what's been
25 happening.

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

6 MR. DONAHUE: Yeah, the bids came in anywhere
7 from like \$96,000 to \$147,000, so there's quite a bit of
8 difference from a few companies.

9 DEPUTY SUPERVISOR XLANDER: What was that again,
10 Elizabeth, what you said that was for?

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

13 DEPUTY SUPERVISOR XLANDER: Yeah.

14 SUPERVISOR ROUNDS: They're doing another 2800
15 at 28 linear feet -- 2800 linear feet.

16 DEPUTY SUPERVISOR XLANDER: Okay. Thanks.

17 MR. DONAHUE: And that's pretty much what's been
18 happening. Hope the weather will warm up, or it don't
19 snow Saturday.

20 SUPERVISOR ROUNDS: Here? No one is here for
21 the Volunteer Fire Department.

22 TOWN CLERK: Okay.

23 SUPERVISOR ROUNDS: And for the Supervisor's
24 report, so for a Coronavirus Update, I did listen -- I had
25 a conference call with Jason today, and I did listen to

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

1 around some positions so that we have 100, so we can make
2 sure that the other seven counties have enough people, as
3 well, to do the contact tracing.

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

22 Anyway, professional services, retail, those are
23 places that will be in Phase Two, so -- so if things don't
24 move along a little quicker, we may not be able to open
25 Town Hall until sometime towards the end of May, and I

1 won't be able to open my business until sometime by the
2 end of May. So, that's a little frustrating, but that's
3 where we are right now, and he's -- things change on a
4 daily basis, so, do you have a question, Dean?

5 MR. NYE: Yeah, I thought it was important that
6 some individuals -- that I get tested for the Covid-19,
7 not the anti-spotting but the stick in the nose kind of
8 (inaudible) because I thought that would help the County's
9 numbers in terms of testing so we can get reopened. I
10 dialed a number, I got an appointment, went down to the
11 B.U. event actually and a very swift process, it doesn't
12 take long at all, and I think that it -- it's my
13 understanding is that that will help us open up the Town.

14 SUPERVISOR ROUNDS: The testing is --

15 MR. NYE: (Crosstalk) --

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

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

19 SUPERVISOR ROUNDS: -- test 500 people in two
20 days over at the B.U. -- so us at the meeting are the
21 requirement for the testing and if that quickly -- and we
22 have to have the testing in place, but it's not like we
23 have to have -- this is -- we have to be able to do 30
24 tests per 1000 in a month's period of time. So, the
25 testing isn't the problem. I'm surprised that you were

1 able to do it though, Dean, because right now they're only
2 testing essential workers. Are you deemed essential?

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

5 SUPERVISOR ROUNDS: Right.

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

7 SUPERVISOR ROUNDS: Right. (Crosstalk) --

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

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

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

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

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

20 SUPERVISOR ROUNDS: Pardon.

21 MR. NYE: No, go ahead.

22 SUPERVISOR ROUNDS: No, I was just saying I was
23 hoping -- so Nick and I and Mike have been working on the
24 protocol that will take place in Town Hall, and we have a
25 pretty good idea what's going to happen as far as, you

1 know, where -- residents coming into Town Hall. Every
2 resident that comes into Town Hall will have to stop six
3 feet in front of Becky's Office, and Becky will then find
4 out where they want to go to call over to that Department
5 if they're not someone already there, the person would be
6 allowed to go, we're thinking the (inaudible) the
7 assessor's offices will have one person each that will be
8 allowed to be there at the time, and then they will exit
9 out of that door on that side of the building. Becky will
10 always -- Becky is planning on working when we can reopen
11 for like a two-week period every day so we can manage, and
12 I don't think we're going to be inundated with residents,
13 but we will be turning the ladies' bathroom into an
14 employees' only bathroom, and --

15 TOWN CLERK: Thank you.

16 SUPERVISOR ROUNDS: What?

17 TOWN CLERK: I said, thank you
18 for doing that.

19 SUPERVISOR ROUNDS: -- so if we have a resident
20 who has to go to the restroom will be using the men's
21 room, and everyone will know, any person who comes in --
22 well, you can use the women's room because you're an
23 employee. Anyone who comes into Town Hall will be
24 directed and will be controlled by -- so, she's not just
25 going to send somebody over to the Code Office, not

1 knowing that Nick is there or not. She will know if he is
2 there or not and then send the person over, or take a
3 message and Nick will call them back.

4 So, as far as cleaning, you know Zack will be
5 cleaning. We've got a lot of masks. You know, we're not
6 -- our Town Hall is set up that we can be six feet apart.
7 We all have individual offices, except for Vickie and
8 Paula.

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

23 So, that's our protocol. Hopefully, we'll be
24 able to open sooner than the end of May, but we're ready
25 to go and we'll have that all documented. We'll be

1 sending it to all the employees and so everybody has it,
2 there's no questions. Nick is actually going to build a
3 plexiglass piece or a piece of plastic that will fit into
4 Amy's door, it would be halfway and we're going to put a
5 little table underneath it, but she will be able to take
6 residents' paperwork through the slot at the bottom of the
7 -- between the table and the plastic. Does anybody have
8 any input about that? Okay.

9 Anything outside of the Supervisor's Report.
10 Onto unfinished business. So, we are going to have a
11 proceeding with our cleanup days. It will be next -- a
12 week from this Thursday and Friday. It's going to be run
13 through Becky's Office. We have two dumpsters going up to
14 the Highway Department and two large dumpsters are going
15 to be at Town Hall. So, that way the working residents
16 will be able to bring their trash, not trash, like their
17 household -- anything they want to dispose of. If you are
18 a senior -- we are not allowed to take any electronics at
19 this time, or nothing with Freon in it. That has been
20 posted on the form because those departments are kind of
21 semi-closed right now up at the landfill. So we can when
22 they reopen it, we can do an electronicat a different
23 time, but -- so residents have already been starting to
24 call and ask questions. So, if you have a piece of
25 furniture that you cannot break down and take it in your

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

20 NICK: 19th.

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

24 MR. DONAHUE: What about tires?

1 SUPERVISOR ROUNDS: We're taking tires. What's
2 the difference if we pick them up off the side of the
3 road, and have to pay for them, we might as well keep them
4 --

5 MR. DONAHUE: Where are you putting the tires?
6 You're putting them in the dumpster?

7 NICK: No, no, we'll do those separate.

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

20 COUNCILPERSON BENSLEY: Elizabeth?

21 SUPERVISOR ROUNDS: (Inaudible) --

22 COUNCILPERSON BENSLEY: What about paint?

23 SUPERVISOR ROUNDS: No.

24 COUNCILPERSON BENSLEY: No paint.

25 SUPERVISOR ROUNDS: That's considered hazardous.

1 COUNCILPERSON BENSLEY: Right.

2 SUPERVISOR ROUNDS: So, yeah, no -- last year we
3 took 61 refrigerators. So, no refrigerators yet this year
4 either. So -- all right, so then the last thing -- so
5 anything else under unfinished business that we needed to
6 discuss?

7 TOWN CLERK: Yes, the pipe
8 lining, but we covered that already.

9 SUPERVISOR ROUNDS: Okay.

10 TOWN CLERK: And then we just have the one on
11 the new business that SusqueNango Kennel
12 Club.

13 SUPERVISOR ROUNDS: Yes, but let just say one
14 thing about unfinished business. It did come up recently
15 -- so I don't know if you all remember the projects on the
16 CBDG Grant Fund that was up here on top of Hawleyton Road,
17 that project that had -- project -- now we spent -- we
18 approved \$45 -- \$40,000 home improvement contract for
19 them, but it came basically last week that they had some
20 septic system problems, and so Phil with Thoma had called
21 Nick and I, and wanted to see if that was something that
22 was in -- possibly that we could finance for them, a
23 grant, and I have to tell you I had some -- I am not sure
24 if I agree that we should because we've already given him
25 -- them \$40,000 and when I spoke last -- when we talked

1 about -- when I gave you the update -- so we have \$77,000
2 left, and that will help two to three people, \$25,000 a
3 piece, and there are three people who are waiting to have
4 their projects approved, or determine what the projects
5 are and then have them approved. So, my opinion and I
6 just -- we don't have to vote on it, I just want us to
7 think we may be presented with the fact by the next Board
8 Meeting, they may submit something for us to help. And I
9 just want to say that I feel that -- I don't feel
10 comfortable possibly taking money away from another
11 resident that needs help, because we've already helped the
12 Head house you know with probably the largest contract
13 that we issued at \$40,000, but it's also a dire situation
14 because there is a septic problem, but I just feel -- I
15 don't feel that we should sacrifice -- my opinion is that
16 we should not help one person, you know, to help them
17 further. So, I just want you all to be thinking about
18 that, because we may -- I said to Phil, well, before we
19 could make any decision, we would have to know how much a
20 septic system would cost, and then we have to go through
21 the County, and then we would be able to make more of an
22 informed decision, but I wanted you guys just to think
23 about this may be a potential question that will come up
24 in the near future.

1 All right, then the last thing we have to talk
2 about is I got a phone call from a Town resident, Sue
3 Tong, she lives here on Park Avenue, and she is a member
4 of the SusqueNango Kennel Club, and she has contacted Nick
5 through the years and has asked if she could run and train
6 her dogs in the ballfield that's next to the Fire Station
7 that's just above Town Hall, and in that area, where it's
8 fenced in, because it's fenced in because of the
9 ballfield. So, she has trained her dogs and used it, and
10 you know Nick said it didn't matter, it's fine, as long as
11 she does the pickup, you know any of the dog poop, or
12 whatever.

13 Now, she contacted us because they now want to
14 be able to rent that piece of property from us, and put up
15 actually training apparatus inside the ballfield, and they
16 don't use Otsiningo Park for training, but because
17 Otsiningo doesn't have a fenced in area, they can't leave
18 their apparatus there, you know, the different agility
19 things that they use. So, she called and asked if it
20 would be something that we would consider, going forward
21 like June, July, and August, that they would be allowed to
22 use that fenced in area, and they have membership of
23 between 70 and 75 people, but only about 25 people would
24 use it, and it would be by an appointment. They only have
25 45 people if the dog shows up, and it could be by

1 appointment, and they have liability insurance, they have
2 obviously the full responsibility on them if somebody did
3 steal some of their equipment. So, I wanted for us to
4 talk about it and see how we feel. I'm open to questions
5 or comments.

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

10 SUPERVISOR ROUNDS: She wasn't sure -- I mean I
11 think she threw out like maybe \$100 a month, or something
12 like that. I mean the monetary part isn't -- and I look
13 at it as like we rent Jackson Park for a weekend, and the
14 DWI Permit, they pay us \$700 to use the field during that
15 tournament.

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

19 NICK: Yeah.

20 SUPERVISOR ROUNDS: They paid us to use our
21 field twice a week during the summer at the Coleman Road.
22 So, I think I look at it as that same type of -- and
23 especially when I found out that they were allowed to
24 train up at Otsiningo due to the open fields and so forth,
25 but this is more convenient because they actually have a

1 fenced in area and that they would actually make it, or
2 they would actually rent pieces of fence that a fencing
3 company would put in on a temporary thing, it would go
4 right in the dugout. You know, and they would put a key
5 on it so -- I mean you can't prevent somebody from
6 jumping over the fence and stealing the equipment, but
7 they would make it as secure as possible.

8 COUNCILPERSON NYE: Elizabeth, are they
9 residents of the Town of Binghamton?

10 SUPERVISOR ROUNDS: Sue Tong is a resident of
11 the Town of Binghamton, yes.

12 COUNCILPERSON NYE: Who maintains it?

13 NICK: The Town of Binghamton.

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

21 COUNCILPERSON NYE: That's a piece of property.
22 That's the Fire Department, Hawleyton Annex?

23 SUPERVISOR ROUNDS: Yes.

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

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

2 COUNCILPERSON NYE: (Crosstalk) --

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

5 TOWN ATTORNEY POPE: Elizabeth, can I ask you,
6 is that an open park, anybody can go use it?

7 SUPERVISOR ROUNDS: (Inaudible) --

8 NICK: Yes.

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

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

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

17 MR. POPE: I mean like the DWI Weekends and
18 stuff like that -- my understanding is anyone from the
19 public -- even though those ballfields are being rented,
20 anybody from the public can go in there and do whatever
21 they want other than using the ballfields when they're in
22 use. But if she's suggesting something similar, the
23 public can still go in and still have use of that park
24 area, then it's probably okay. If what she's suggesting
25 she's really going to try and control exclusive use of

1 park, I don't know that you can alienate the public to a
2 single person using park land.

3 SUPERVISOR ROUNDS: Okay. I see that, because
4 obviously the same thing like up at Coleman Road when they
5 were using it on Tuesdays and Thursdays, then other people
6 could go on Monday, Wednesdays and Fridays and use it.

7 MR. POPE: Or even when they're there, I
8 mean somebody can come in and just walk around if they
9 wanted, right? It was still open for use generally,
10 except for a particular part, the ballfield itself?

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

14 MR. POPE: So, I just -- I guess we just need to
15 know more and we have to be careful that we're not renting
16 the entirety of the parkland, you know, exclusively to one
17 private venture, and it is a -- it's a business venture,
18 right? She probably charges money
19 and --

20 SUPERVISOR ROUNDS: I don't think -- well, let's
21 put it this way. I think what happens is -- I don't know
22 if they charge money, because the (inaudible) itself
23 charges dues I would assume, right, so -- this is not a
24 profit, this is definitely -- I asked her that part. I
25 said, you know, we can't rent this for you and then you

1 are charging people to use it, because that's a business
2 then.

3 MR. POPE: Yeah. Let's get some more facts
4 maybe.

5 SUPERVISOR ROUNDS: Okay. So what facts do you
6 want me to get?

7 MR. POPE: I think, you know, we have to
8 decide, you know, is she asking for exclusive use, you
9 know, for some period of time. It sounds like she wants
10 to fence off at least part of the park and have it
11 exclusively hers for day-to-day continuous use, as opposed
12 to somebody rents, you know, the whole ballfield for a
13 weekend, or rents the ballfield for Mondays, Wednesdays,
14 and Thursdays. I just don't know that you can -- I mean
15 I'll look at it, but I just don't know that you can take
16 park land and -- and give it under contract to one
17 individual for their exclusive use to the exclusion of the
18 rest of people in the Town.

19 SUPERVISOR ROUNDS: Okay.

20 COUNCILPERSON NYE: You should not do that.

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

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

5 SUPERVISOR ROUNDS: Right. And she -- I don't
6 -- and she wants to leave the equipment. Now, I think if
7 she wanted to leave the equipment there, and somebody who
8 had a dog wanted to go in there and walk the dog and have
9 them play in the equipment that's a different story, but
10 she wants to lock it up.

11 MR. POPE: Right.

12 SUPERVISOR ROUNDS: Oh, okay.

13 DEPUTY SUPERVISOR XLANDER: So, does it make a
14 difference -- (crosstalk) --

15 COUNCILPERSON NYE: (Crosstalk)

16 DEPUTY SUPERVISOR XLANDER: -- so does it make a
17 difference that she's just locking up a portion of that
18 property, as opposed to excluding people from the entirety
19 of the property.

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

22 DEPUTY SUPERVISOR XLANDER: Did you say no one?

23 SUPERVISOR ROUNDS: If she locks up -- the field
24 is --

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

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

7 DEPUTY SUPERVISOR XLANDER: Oh, maybe I'm
8 confused because the parking lot is so big.

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

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

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

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

22 NICK: Right.

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

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

4 SUPERVISOR ROUNDS: Look I actually think some
5 of the stuff is easy to pick up, I think, and some of the
6 -- I think she had some of these maybe these pyramid
7 things, I don't know, but she says it takes two people to
8 move them.

9 DEPUTY SUPERVISOR XLANDER: So, the only
10 advantage for them with that property is the fencing,
11 because otherwise they'd have to move their stuff. Here
12 they'd have to move their stuff, but it appealed to them
13 because of the fencing.

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

19 DEPUTY SUPERVISOR XLANDER: Yeah.

20 SUPERVISOR ROUNDS: But to use -- like you said
21 -- so it would be like I would say, you know, you can rent
22 the park for the summer and not a resident can use it,
23 basically, Alan, right?

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

25 DEPUTY SUPERVISOR XLANDER: But they might still

1 want it if they can use it with the fencing, but we leave
2 it open so other people when they're not there, other
3 people can access that.

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

10 Anything else?

11 COUNCILPERSON NYE: I've got just one item if I
12 can.

13 SUPERVISOR ROUNDS: Sure.

14 COUNCILPERSON NYE: The resident that just needs
15 some advice I guess if possible. One of our residents has
16 a problem with these mountain bikers on her property,
17 actually three residents up here, and they've called
18 asking what can we do, and I said other than putting
19 barbed wire across and try to decapitate them, but -- and
20 they've called the Sheriff's Department, there's not much
21 help there, but I thought being Nick and Mike have, as
22 well as others, have had a similar situation on private
23 property. They posted it. They were taking the posters
24 down. They're actually quite rude and obnoxious and

1 threatening to these property owners. So, I'll just throw
2 that out if you've got any suggestions that we can
3 quickly do and adjourn, that's all.

4 NICK: Yeah, there's nothing we can do about it,
5 and that's between them and the motor bikers, and don't
6 put a barbed wire fence up and decapitate them, because
7 then they're going to be liable.

8 SUPERVISOR ROUNDS: But let me ask you, because
9 Mike Beasley I don't know if you know this, but back when
10 bike riders were younger and there were dirt bikes and
11 stuff at the end of our property there was an access into
12 the back of the big open field, but part of that property
13 is owned by our neighbors and go into the creek, and what
14 they did is they put a fence up there. It was something
15 very obvious, just two poles and a big metal fence, so
16 that -- and they left it, so that my son and his buddies
17 couldn't ride their dirt bikes up behind that and because
18 it -- obviously it gets noisy and you got -- and it can --
19 you know kids on their dirt bikes and it's a little crazy,
20 and he did, and I don't think it was illegal for him. He
21 put a fence there and blocked off the access to his
22 property. So, is that legal, Alan?

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

1 SUPERVISOR ROUNDS: But the fence was very
2 obvious. It was a big fence. It was, you know, 10 feet.
3 It wasn't a fence, it was more of a gate that they latched
4 together.

5 COUNCILPERSON NYE: (Inaudible) mountain bikes,
6 you know the peddle jobbies and I said that to her, but I
7 said unfortunately they're creative, and they find a way
8 around it. (Inaudible) bike club, I guess, over on maybe
9 Park Avenue or wherever it's located, actually had it on
10 their website that there was a trail to run, and they sent
11 -- the attorney sent the letter to the club and told them
12 to take that off their website which they did, but it's
13 pretty much, I guess, now by word of mouth. They could
14 put up mounds but they might use those to jettison
15 themselves up in the air, which I guess is fun for them.
16 I don't know. A fence, a gate of some sort might be --
17 might be the best solution.

18 SUPERVISOR ROUNDS: It's just probably a
19 deterrent --

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

22 COUNCILPERSON LEIGHTON: What road is that
23 property on?

24 COUNCILPERSON NYE: We think they're coming off
25 -- well, we think they're coming up Brown Road and perhaps

1 going -- skirting Maynard Fahs' property then down
2 Thistlewood to the bend and then they jump into the woods
3 there and peddle down to Laurie Brook, and from Laurie
4 Brook they go the back road over the personal properties
5 to Cynthia and I'm not sure where the hell they go from
6 there. I don't think down Cynthia -- I don't know -- they
7 pass by my house all the time on the highway -- you know
8 on the roadway, not through the woods.

9 COUNCILPERSON BENSLEY: Hey Dean, there's a
10 possibility that they could put up some trail cameras,
11 too, and try to make some identifications, and if you can
12 do that and turn the video --

13 COUNCILPERSON NYE: The guy who did that
14 apparently, I forgot her name now, Kaufman, I think, but
15 she's got some 300 acres up on the hill, and (inaudible)
16 they put up signs that they tore down. But he did put up
17 a camera because they were rat squatters, no, they were
18 stealing lumber. They were sawing trees and stealing
19 lumber. (Inaudible) put up a camera. What I suggested
20 perhaps is just a sign saying that under surveillance, and
21 if you're identified you will be prosecuted to the full
22 extent of the law. I said the conscious riders will pay
23 attention to that, I think. The scoundrels aren't going
24 to, no matter what you do or say. They probably aren't
25 going to change --

1 SUPERVISOR ROUNDS: Right.

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

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

8 NICK: The Tiger King there, whatever it's
9 called.

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

12 COUNCILPERSON NYE: Thank you for your help.

13 SUPERVISOR ROUNDS: I got a phone call from, I
14 think, it's Dave Hibbard, Mike over on Maxian Road, and he
15 is concerned about the parking problem at Aqua Terra. I
16 have to call him back, but he wants to know would the
17 County be willing to put like no parking signs, because I
18 don't think people are parking in the parking lot.
19 They're just parking on the road. Mike?

20 COUNCILPERSON LEIGHTON: I hear there's a lot of
21 people over there using the park on nice days, so you know
22 with everyone being home --

23 MR.DONAHUE: There's about 40 cars a day on
24 Saturdays and Sundays. The only thing that -- the only
25 thing that we could do is do a local law, no parking.

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

3 MR. DONAHUE: It's our street. It's our street.
4 We'd be liable for it.

5 SUPERVISOR ROUNDS: So, is the parking lot open?
6 Can people drive into Aqua Terra?

7 MR. DONAHUE: Yes, they can , but they do not
8 use that because the County has one side Aqua Terra Park
9 is locked down, chained off. The park is on the Innsbruck
10 side and people just don't want to -- by the way, down to
11 the end of the park, we (inaudible) the way over, because
12 the majority of the people are going to Aqua Terra, they
13 don't live down to the Innsbruck side unless they're going
14 up --

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

17 MR. DONAHUE: Yes.

18 SUPERVISOR ROUNDS: Good.

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

21 SUPERVISOR ROUNDS: But if that's what Dave is
22 saying, so --

23 MR. DONAHUE: And --

24 SUPERVISOR ROUNDS: -- so what can we do -- can
25 we put no parking signs there?

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

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

7 MR. DONAHUE: You have to have a public hearing
8 on it and everything. Right, Alan, the local law for no
9 parking?

10 MR. POPE: Yeah, you'd have to go through the
11 process.

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

14 SUPERVISOR ROUNDS: Well, it's better -- I'll
15 talk to Dave tomorrow, and just ask him if we can do a
16 local law and get the process started, but it won't be
17 fixed for a few days -- for a few months.

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

19 SUPERVISOR ROUNDS: Okay.

20 COUNCILPERSON LEIGHTON: How bad is it? Like
21 are they taking up both sides of the street?

22 MR. DONAHUE: Yeah.

23 COUNCILPERSON LEIGHTON: Are they --

24 MR. DONAHUE: Because the ditches are kind of
25 going up on the left hand side of the -- you know, it's

1 going out towards the left hand side, the ditches are kind
2 of deep. Of course, you've got to get room to get out, so
3 you're like -- you're parked halfway in the road, three-
4 quarters of the way in the road, so the passenger can get
5 out and then the other people go out to the other side, so
6 now it's pretty much, you know, just a one -- one lane,
7 you know, for -- like the other day there was probably
8 about 300 or 400 feet was just one lane, because of the
9 way people park.

10 COUNCILPERSON LEIGHTON: Remember we don't have
11 --

12 MR. DONAHUE: Park cars -- park cars on the
13 street.

14 COUNCILPERSON LEIGHTON: -- police, you know,
15 employed by the Town to issue tickets.

16 SUPERVISOR ROUNDS: Right.

17 MR. DONAHUE: And then you would have to have
18 the Sheriff's Department come up to issue tickets and the
19 Sheriff's Department is going to tell you, we're not going
20 on that property because it's Broome Security property.
21 That's all one of the controversies. The sheriffs will
22 not respond out here because it's a county park, and it's
23 Broome Security's problem. So maybe -- what I would do
24 first is maybe talk to Jason about it, and say talk to
25 your Parks Department, and maybe if they could get some

1 signage there where to park, it would be helpful and then
2 also to have him talk to Broome Security and say we're
3 really get an influx because the -- the people up here,
4 that you need some Broome security patrol.

5 SUPERVISOR ROUNDS: Okay, I can do that.

6 COUNCILPERSON LEIGHTON: Get some pictures on
7 the weekends when it happens.

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

11 All right. I will definitely talk to Jason and
12 see how we can manage that because it's obviously a
13 safety issue if you have somebody who can't see between
14 cars, or you know I think part of it is, is people would
15 like to walk down the road, because obviously a lot of
16 people are out walking and, you know, it's kind of a
17 safety issue, if your roads are -- you know if there's 45
18 cars parked, you know, on either side of the road.

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

21 All right. Anything else?

22 MR. DONAHUE: Elizabeth, did you hear anything
23 about the Memorial Day Parade?

24 SUPERVISOR ROUNDS: I did talk to Jerry. He
25 called me the other day, and you know he said what do you

1 think about having it on Veterans' Day. I said, well,
2 first of all, Veterans' Day can be really cold, and so it
3 won't be quite the same. So, I said why don't we have it
4 up at Jackson Park. We can do something for the veterans
5 on Memorial Day, honoring veterans, and we can have it on
6 the lower field. We could also have the Fire Department
7 control -- but you can't social distance at the cemetery.
8 You know, there's usually about anywhere from 150 to 200
9 people at the cemetery, and there's no social distancing
10 there, and so I said to him, why don't we see if we can
11 kind of have a (inaudible) come in from the back side of
12 Jackson, and have a little parade going into Jackson Park,
13 having the service and, you know, honoring the veterans
14 there, and we could guarantee -- you know, we could even
15 put a line down the field and things like that where we
16 could distance.

17 I want things to get back to normal. It kills
18 me that we wouldn't be able to have it, but I could
19 present that to the Fire Department and see, but I don't
20 also know -- you know, in an hour if we could keep social
21 distancing, and it wouldn't be until the end of May, so
22 I'm waiting to hear back from Jerry.

23 Anything else? All right if there's nothing
24 else, I'd like to adjourn this meeting, make a motion to
25 adjourn this meeting.

1 COUNCILPERSON XLANDER: So moved.

2 SUPERVISOR ROUNDS: Second?

3 COUNCILPERSON LEIGHTON: Leighton.

4 SUPERVISOR ROUNDS: All in favor?

5 DEPUTY SUPERVISOR XLANDER: Aye.

6 COUNCILPERSON NYE: Aye.

7 COUNCILPERSON LEIGHTON: Aye.

8 COUNCILPERSON BENSLEY: Aye.

9 SUPERVISOR ROUNDS: Opposed? All right. Nice
10 to see you guys.

11 DEPUTY SUPERVISOR XLANDER: You, too.

12 COUNCILPERSON NYE: (Inaudible) --

13 SUPERVISOR ROUNDS: I get to see him tomorrow
14 for the first time, so yay.

15 SUPERVISOR ROUNDS: He's already three months
16 old, that size, he's already

17 COUNCILPERSON LEIGHTON: All right, everyone,
18 have a good one.

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

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

22 COUNCILPERSON NYE: All right. Good night.

23 TOWN CLERK: Goodbye, everyone, take care.

24 (MEETING CONCLUDED)

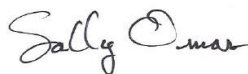
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CERTIFICATION

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

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