

TOWN OF BINGHAMTON
TOWN BOARD
July 21, 2020

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 Voice of the Public

MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, JULY 21, 2020, 7:00 P.M., TOWN OF BINGHAMTON, TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

The meeting was called to order at 7:00 p.m. by Supervisor Rounds.

ROLL CALL:

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

OTHERS PRESENT:

V. Conklin, Town Clerk	R. Rolston, Deputy Highway Superintendent
A. Pope, Town Attorney	Elizabeth Einstein, The Country Courier
M. Donahue, Highway Superintendent	0 Guests

PUBLIC HEARING – 7:01 p.m. – Amending Chapter 106 of the Town of Binghamton Code

Town Clerk Conklin confirmed that the Notice of Public Hearing had been properly posted and published. The purpose of the Public Hearing is to amend Chapter 106 of the Town of Binghamton Code. Supervisor Rounds read the amendment, a copy of which is appended hereto.

Supervisor Rounds opened the floor at 7:01 p.m. There being no comments, the floor was declared closed at 7:01 p.m. There was discussion among Board members. A motion was made by Councilperson Bensley to approve a Resolution to adopt the amendment of Local Law 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 as drafted by the Town Attorney, and the motion was duly seconded by Councilperson Nye. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Nye Absent: Leighton, Xlander

Nays: None

Declared adopted.

(Resolution Appended)

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 Nye made the motion to adopt a Resolution to approve the following claims as audited:

2020

Lighting	Claim No. 527	\$ 21.85
Sewer	Claim No. 528-530	\$ 103,103.42
Water	Claim No. 530-534	\$ 1,358.12
Highway	Claim No. 535-546	\$ 29,246.53
General	Claim No. 547-577	\$ 23,361.33

The motion was duly seconded by Councilperson Bensley. 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, Bensley, Nye

Absent: Leighton, Xlander

Nays: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no corrections made to the July 7, 2020 Work Session minutes.

VOICE OF THE PUBLIC:

Supervisor Rounds opened the floor at 7:06 p.m. There being no presentations, the floor was declared closed at 7:06 p.m.

COMMUNICATIONS AND ANNOUNCEMENTS:

TOB Volunteer Fire Co. – Annual Chicken BBQ – Saturday, August 15, 2020 – 12:00 p.m. Until Gone

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – A joint quarterly meeting with the ZBA was held on July 13, 2020 at 6:30 p.m. at the TOB Town Hall, which included a legal corner.

Zoning Board of Appeals – A joint quarterly meeting with the Planning Board was held on July 13, 2020 at 6:30 p.m. at the TOB Town Hall, which included a legal corner.

Youth Commission – The modified season is still underway, and going well. COVID guidelines have been posted at the parks, and are being followed.

Code Enforcement/Buildings and Grounds – Code cases are going forward in Town Court on Thursday.

Highway Department – There have been repairs on E. and W. Hamton Road in readiness for the sanitary sewer lining project. The E. and W. Hamton Road sanitary sewer lining project will begin in a couple of weeks. The painting of the Highway Garage is complete. Stoning and oiling are finished for the season. The phone line and computer at the Highway Garage were destroyed by lightning, and replaced. The SCADA license is up for renewal at a cost of approximately \$1,400. The water sensor at the park has been replaced.

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

Town Clerk's Monthly Report for June 2020
Code Enforcement Month Report for June 2020
DCO's Monthly Report for June 2020

TOB Volunteer Fire Co. – There was no update.

SUPERVISOR'S REPORT:

The Town is in receipt of the quarterly sales check, which was decreased by \$61,000. There has been a slight increase in COVID-19 cases in Broome County. Fifty percent of the cases are in communal living, and 50% of the cases are out in the public.

UNFINISHED BUSINESS:

Highway Department – Partridge Lane – Storm Drain – A proposal was submitted to the Town by Kenyon Pipeline Inspection, LLC for the repair of the storm drain on Partridge Lane in the amount of \$97,400, which includes heavy cleaning, and 36" diameter CIPP for both line sections, and cementitious manhole rehabilitation (proposal appended). There was some discussion. The repair is an emergency situation. A motion was made by Councilperson Nye to adopt a Resolution to approve a change order to the existing contract with Kenyon Pipeline Inspection, LLC dated July 1, 2020 for a price not to exceed \$97,400 for Option 3 work and Manhole Rehabilitation work on the Partridge Lane 36 inch storm sewer system, subject to a certification by the Town Engineer that an emergency situation exists with respect to said Partridge Lane, and 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, Bensley, Nye

Absent: Leighton, Xlander

Nays: None

Declared adopted.

(Resolution Appended)

Water/Sewer – Letters to Outside Users – July 30, 2020 Informational Meeting – Letters have been mailed to outside users with the session time that they have been requested to attend. There will be two sessions, 6:00 p.m. and 7:00 p.m. Residents will be given rate information. There will be discussion about the Town providing the outside users with a meter. It will be the residents' responsibility to pay for the meter to be installed. After installation, the Water/Sewer Department will check the installation to ensure that the meter has been installed correctly. The Joint Sewage Treatment Plant will be basing the Town's rates for 2021 upon the Town's actual usage for 2020. The Town will be billing residents in 2021 based upon actual usage. The Town may have to raise their rates even more for 2021, and then possibly have a decrease for 2022.

NEW BUSINESS:

Court Clerk Nuzzela – Resignation – A motion was made by Councilperson Nye to accept the resignation of Court Clerk Martha Nuzzela effective July 24, 2020, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried. A shared service Intermunicipal Agreement between the Town of Binghamton and the Town of Conklin was agreed upon between Supervisor Rounds, Judge Brinker, and Town of Conklin Supervisor Dumian for the shared service of Town of Conklin Court Clerk Daniele Vick. A motion was made by Councilperson Bensley to approve an Intermunicipal Agreement for the shared service with the Town of Conklin of Court Clerk Daniele Vick through December 31, 2020, and the motion was duly seconded by Councilperson Nye. There was some discussion. Town Attorney Pope interjected that a motion/Resolution should not be made at this time without a proposed written Intermunicipal Agreement, and that the Intermunicipal Agreement can be subject to being retroactive as of the start date of the service.

Highway Superintendent Donahue – Retirement/Resignation – A motion was made by Councilperson Nye to accept the retirement/resignation of Highway Superintendent Michael Donahue effective July 26, 2020 at 11:59 p.m., and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

Highway Department – Appointment of Robert Rolston – A motion was made by Councilperson Bensley to appoint Robert Rolston as Town of Binghamton Highway Superintendent for the Town of Binghamton effective July 27, 2020 through December 31, 2020, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

Court Clerk – Intermunicipal Agreement – Shared Service w/Town of Conklin – This was covered under Court Clerk Nuzzela – Resignation.

There was no further new unfinished business.

VOICE OF THE PUBLIC:

Supervisor Rounds opened the floor to the public at 7:56 p.m. There being no presentations, the floor was declared closed at 7:56 p.m.

ADJOURNMENT:

A motion was made by Councilperson Nye to adjourn the meeting at 7:56 p.m., and the motion was duly seconded by Councilperson Bensley. 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, August 4, 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 regularly scheduled Board 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 21st day of July, 2020 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Michael Bensley
Councilperson Dean Nye

ABSENT: Councilperson Victoria L. Xlander
Councilperson Mark Leighton

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

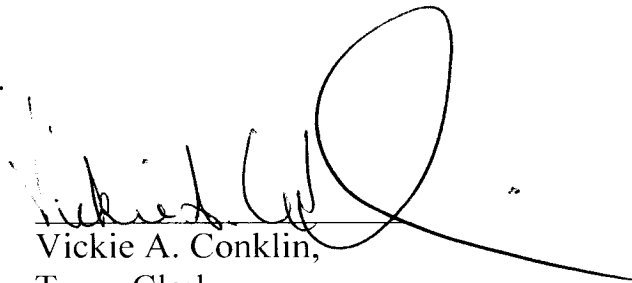
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: Councilperson Victoria L. Xlander
Councilperson Mark Leighton

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, a public hearing was duly posted, published and held 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 amendment to Chapter 106 of the Town Code as noted above is hereby approved and adopted; 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.

TOWN OF BINGHAMTON
LOCAL LAW NO. 1 OF THE YEAR 2020
A LOCAL LAW AMENDING CHAPTER 106 OF THE
TOWN OF BINGHAMTON CODE

Be it enacted by the Town Board of the Town of Binghamton as follows:

Chapter 106 of the Town of Binghamton Local Law shall be amended to include the following:

§106-5. Removal of damaged buildings and debris. In the event that the owner fails or refuses to secure, repair or remove such damaged or unsafe building(s) or structure(s) or debris within the time provided in the Town Board Order, the Town of Binghamton may enter upon such property and cause the same to be secured and/or removed.

§106-6. Assessment of costs and expenses.

All expenses incurred by the Town in connection with the proceedings to repair, secure, demolish or remove the unsafe building, including the cost of actually removing the building and all related engineering, legal and other professional fees and expenses, shall be assessed against the owner(s) of the subject property and/or the land on which such building is located and shall be levied and collected in the same manner as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy. For any assessment against the property owner(s), the Town may commence a civil action against such property owner(s) if the assessment is not paid within 30 days of presentment of the said assessment to the property owner(s) by certified mail or registered mail.

Furthermore, in accordance with General Municipal Law §22, the Town of Binghamton as a taxing district is hereby authorized and empowered to claim against the proceeds of a policy of fire insurance insuring the interest of an owner and issued on real property located within the Town of Binghamton to the extent of any lien, claim or assessment by the Town of Binghamton pursuant to this Chapter

106 shall further constitute a lien against such insurance proceeds and which shall, as to such insurance proceeds, be prior to all other liens and claims except the claim of a mortgagee of record named in such insurance policy. Upon the adoption of a resolution by the Town Board providing therefor, the Town Supervisor shall cause a notice of intention to claim against insurance proceeds to be served upon the New York State Superintendent of Financial Services for entry in the index of tax districts maintained by upon the New York State Superintendent of Financial Services as provided in section Three Hundred Thirty-One of the Insurance Law, wherein such amounts stated in such claim notice shall be a lien on the proceeds of the insurance policy of said owner until paid.

§106-7. Recovery of costs and expenses. In addition to the Town of Binghamton rights set forth in §106-6, all costs and expenses, including that of Town personnel, Town contractors and legal costs, incurred by the Town of Binghamton in connection with actions or proceedings to secure, repair or remove such building(s) or structure(s) or debris, including the cost of actually removing the same, shall be assessed against the owner individually, the applicable fire or other insurance, and against land on which such building(s) or structure(s) is located. Said assessment shall be and shall constitute a lien and claim against the owner individually, the applicable fire or other insurance, and upon the land so affected. The Town of Binghamton may bring and maintain an action at law against the owner individually, the applicable fire or other insurance carrier, and/or against the land for such claim, lien or assessment, and may foreclose such lien or liens.

§106-8. Condition of premises upon completion of work. (Renumbered)

§106-9. Severability. (Renumbered)

§106-10. When effective. (Renumbered)

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 21st day of July, 2020 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Dean Nye
Councilperson Michael Bensley

ABSENT: Councilperson Victoria L. Xlander
Councilperson Mark Leighton

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

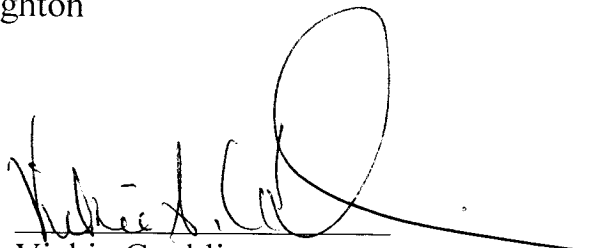
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth Rounds
Councilperson Michael Bensley
Councilperson Dean Nye

NAYS: None

ABSENT: Councilperson Victoria L. Xlander
Councilperson Mark Leighton

The Resolution was then declared adopted.


Vickie Conklin,
Town Clerk

RESOLUTION:

WHEREAS, by motion Councilperson Nye has recommended that the Town Board approve claim numbers 527; 528-530; 530-534; 535-546, and 547-577 as audited, and

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

NOW, THEREFORE, be it

RESOLVED, that claim numbers 527; 528-530; 530-534; 535-546, and 547-577 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 Hall, 279 Park Avenue, Binghamton, New York, on the 21st day of July, 2020 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Michael Bensley
Councilperson Dean Nye

ABSENT: Councilperson Victoria L. Xlander
Councilperson Mark Leighton

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

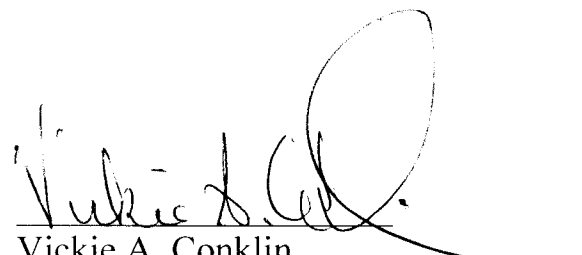
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: Councilperson Victoria L. Xlander
Councilperson Mark Leighton

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, it was recommended by the Highway Superintendent that the Town Board approve a Change Order to the existing contract with Kenyon Pipeline Inspection, LLC dated July 1, 2020 for a price not to exceed \$97,400.00 for Option 3 work and Manhole Rehabilitation work on the Partridge Lane 36 inch Storm Sewer System, subject to a certification by the Town Engineer that an emergency situation exists with respect to said Partridge Lane.

NOW THEREFORE, IT IS

RESOLVED, that the Change Order to the existing contract with Kenyon Pipeline Inspection, LLC dated July 1, 2020 for a price not to exceed \$97,400.00 for Option 3 work and Manhole Rehabilitation work on the Partridge Lane 36 inch Storm Sewer System, subject to a certification by the Town Engineer as noted above is hereby approved and adopted; and it is further

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

KENYON PIPELINE INSPECTION, LLC

68 Park Rd
Queensbury, NY 12804
518-832-4070 ph
518-348-3040 fx



Town of Binghamton – Department of Public Works
Attn: David Bagnick
279 Park Ave
Binghamton, NY 13903

Proposal	
Date:	July 9, 2020
Project Manager:	Kevin Mitchell
Phone:	518-681-1362
Email:	kevin@kpi-sewer.com

Project: Partridge Lane 36" Storm Sewer System CIPP

KPI, LLC is pleased to provide the following proposal for the above mentioned project. KPI will provide all labor, materials, and equipment to perform the work as per manufacturers' recommendations for the following items unless otherwise stated in this quotation.

Option 1 (Upstream Line Section)					
Item	Description	Unit Price	Quantity	Units	Total
1	Heavy Cleaning	\$400.00	16	HR	\$6,400.00
2	36" Diameter CIPP	\$40,000.00	1	LS	\$40,000.00
Total:					\$46,400.00

Option 2 (Downstream Line Section)					
Item	Description	Unit Price	Quantity	Units	Total
1	Heavy Cleaning	\$400.00	8	HR	\$3,200.00
2	36" Diameter CIPP	\$55,000.00	1	LS	\$55,000.00
Total:					\$58,200.00

Option 3 (Both Line sections)					
Item	Description	Unit Price	Quantity	Units	Total
1	Heavy Cleaning	\$400.00	16	HR	\$6,400.00
2	36" Diameter CIPP	\$85,000.00	1	LS	\$85,000.00
Total:					\$91,400.00

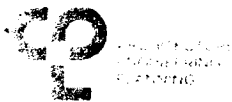
Manhole Rehabilitation					
Item	Description	Unit Price	Quantity	Units	Total
1	Cementitious Manhole Rehab	\$6,000.00	1	LS	\$6,000.00
Total:					\$6,000.00

Quote Includes:

- Labor, materials, and equipment to perform the work above as per specifications
- Mobilization and demobilization
- Pre and post installation cleaning and CCTV inspection including 2 copies of DVD's and reports

GC/Owner to provide:

- Taxes, Fees, Bonds, and Permitting
- Traffic control beyond signs and cones
- Nearby hydrant water
- Nearby authorized dumpsite for debris disposal
- Truck access to all structures and access points
- Restoration of lawns and sidewalks if necessary
- Excavation of any kind



North Road Culvert - Sliplining Option

63" OD 'SNAP-TITE' PIPE & LIGHTWEIGHT GROUT

ESTIMATE OF QUANTITIES

ITEM NO.	ITEM DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL
201.06	CLEARING AND GRUBBING & TEMPORARY ACCESS	LS	1	\$ 12,000	12,000.00
	63" OD 'SNAP-TITE' PIPE (MATERIALS ONLY)	LF	144	\$ 515	74,160.00
	63" OD 'SNAP-TITE' PIPE INSTALLATION (LABOR & EQUIPMENT)	DAY	5	\$ 6,400	32,000.00
	LIGHTWEIGHT CELLULAR GROUT & BULKHEAD (MATERIAL, LABOR & EQUIP.)	LS	1	\$ 12,000	12,000.00
699.040001	MOBILIZATION	%	3	-	4,000.00
697.0101	CONTINGENCY	%	5	-	7,000.00
SLIPLINING CONSTRUCTION TOTAL:					142,000.00
OTHER CONSTRUCTION (HYDROBELL, HEADWALL/WINGWALL MODIFICATIONS) TOTAL:					30,000.00
ENGINEERING, ETC. (FOR SLIPLINING PORTION ONLY)					
	ENGINEERING & PERMITTING	LS	1	-	25,000.00
PROJECT TOTAL					197,000.00

Dave Bagnick

From: Don LeBlanc <don@dlviews.com>
Sent: Monday, July 20, 2020 12:07 PM
To: Domenic Emilio
Cc: Dave Bagnick
Subject: RE: 32" Snap Tite Budget

CAUTION: This email originated from outside of the organization. Only open attachments and click links if you recognize the sender and are expecting this type of content. -CPL Helpdesk
Hello Domenic and Dave –

Great to hear from you. As a budgetary number, you can use \$155/LF for 32" Snap-Tite x 24' lay lengths. Let me know how I can help moving forward.

Thanks,

Don LeBlanc, P.E.*
President
DLVEWS, Inc.
P: 207-992-3080
E: don@dlviews.com
*State of Maine



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www.culvert-rehab.com

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- Value Engineered Water Solutions

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- Lightweight Cellular Concrete Fill Applications
- Stormwater Detention/Retention Systems
- Inflow and Infiltration Solutions (Cretex)

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