

TOWN OF BINGHAMTON
TOWN BOARD WORK SESSION
October 5, 2020

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MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, OCTOBER 5, 2020, 5:30 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

The meeting was called to order by Supervisor Rounds at 5:33 p.m.

ROLL CALL:

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

OTHERS PRESENT:

V. Conklin, Town Clerk	S. Reifler, Bookkeeper
R. Pope, Deputy Town Attorney via Zoom	2 Guests
R. Rolston, Highway Superintendent	
N. Pappas, Code Enforcement Officer/Buildings & Grounds	

Supervisor Rounds made the following statement: 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:

<u>2020</u>		
Lighting	Claim No. 741	\$ 583.07
Sewer	Claim No. 742-743	\$ 928.50
Water	Claim No. 743-751	\$ 2,977.24
Highway	Claim No. 752-770	\$ 7,514.81
General	Claim No. 771-800	\$ 6,724.35

The motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Nye, Bensley, Leighton Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no changes/corrections made to the September 15, 2020 regular Town Board meeting minutes.

COMMUNICATIONS AND ANNOUNCEMENTS:

Columbus Day – TOB Municipal Buildings Closed – Monday, September 12, 2020 in Observance of Columbus Day

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – The next regularly scheduled meeting will be a joint meeting with the ZBA to be held on Monday, October 19, 2020 at 6:30 p.m. at the TOB Town Hall. Town Attorney Pope will be having a legal corner presentation.

Zoning Board of Appeals – The next regularly scheduled meeting will be a joint meeting with the Planning Board to be held on Monday, October 19, 2020 at 6:30 p.m. at the TOB Town Hall. Town Attorney Pope will be having a legal corner presentation. There will be one case to be heard at the October 19, 2020 meeting at 7:00 p.m.

Youth Commission – There was nothing new to report.

Code Enforcement/Buildings & Grounds – The Jackson Road and Park Ave. properties have been cleaned up as much as possible for now. The unsafe structure at 330 Park Ave. has been boarded up, and will be torn down.

Highway Department – The South Mountain sewer lining project has been completed, including the manhole rehabilitation, and the Partridge Lane storm drain. Stop bars have been painted on Town roads. The brush pick up has been completed.

TOB Volunteer Fire Co. – There was no report.

Supervisor – There was no report.

UNFINISHED BUSINESS:

2021 Tentative Budget – The 2021 Tentative Budget has been distributed to Town Board members. A motion was made by Councilperson Bensley to file the Town of Binghamton 2021 Tentative Budget with the Town Clerk's Office, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A motion was made by Councilperson Leighton to adopt a Resolution to set a public hearing for November 5, 2020 at 5:31 p.m. to consider the adoption of the 2021 Preliminary Budget, 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, Xlander, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

The Town Board reviewed the 2021 Tentative Budget. Questions were asked by Town Board members, and answered by Supervisor Rounds and Bookkeeper Reifler, along with some discussion. 2021 Town taxes were proposed at a zero increase/decrease (flat), staying below the 2% tax cap. There was some discussion concerning the proposed tax rate for 2021.

Councilperson Nye recommended the Town consider a modest tax rate reduction of .5 to 1% for the 2021 year, as a clear sign of the Board exercising proper stewardship of Town resources.

Supervisor Rounds and the remaining Board members showed support in keeping the proposed tax rate flat (no increase or decrease).

TOB Parkland Alienation to TOB Volunteer Fire Co. – Sen. Akshar to Sponsor Legislation to the Senate – The Resolution provided by Deputy Town Attorney Pope was read by Supervisor Rounds. A motion was made by Councilperson Bensley to adopt a Resolution to approve Senator Akshar's sponsorship and introduction of the Legislation of the TOB Parkland Alienation to the TOB Volunteer Fire Co. to the Senate (transfer of the Park Avenue Ballfield located at 451 Park Ave., Binghamton, New York), and the motion was duly seconded by Councilperson Nye. There was some discussion. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Solar Energy Systems Local Law – 239 Review – Broome County Comments – The Town is in receipt of Broome County's comments of the 239 Review of the proposed Solar Energy Systems Local Law. The Energy Committee will be discussing the review. Prior to adopting the Local Law, the Planning Board will need to provide an advisory opinion.

There was no further unfinished business.

NEW BUSINESS:

CDBG – Applicant Approval Requests – Pier and Burnard – Residents Karen and Wilson Burnard have been prequalified for the CDBG funds for interior and exterior carpentry, roofing, windows and doors and masonry for property located at 688 Park Ave., Binghamton, New York

in the amount of \$32,000. A motion was made by Councilperson Bensley to approve the allocation of funds for the Burnard property located at 688 Park Ave., Binghamton, New York in the amount of \$32,000, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Nye, Bensley, Leighton Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Resident Wendy Pier has been prequalified for the CDBG funds for plumbing, windows and doors, interior carpentry, flooring, and exterior carpentry for property located at 2005 Montrose Ave., Binghamton, New York in the amount of \$12,625. A motion was made by Councilperson Bensley to approve the allocation of funds for the Pier property located at 2005 Montrose Ave., Binghamton, New York in the amount of \$12,625, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Nye, Bensley, Leighton Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

CDBG - Set Public Hearing – A motion was made by Councilperson Xlander to adopt a Resolution to set a public hearing for October 20, 2020 at 7:03 p.m. to provide information to the public on the accomplishments of the program and to ask questions, 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, Xlander, Nye, Bensley, Leighton Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Town Clerk – Approval of Quote to Replace Window Computer – A motion was made by Councilperson Bensley to adopt a Resolution to approve the quote/purchase of a computer for the Town Clerk's Office in the amount of \$1,052.35, to replace the window computer in the

Town Clerk's Office, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Nye, Bensley, Leighton Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Code Enforcement – Unsafe Structure – 330 Park Ave. – This subject was covered under Officials and Committee Reports.

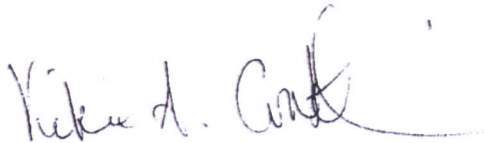
There was no further new business.

ADJOURNMENT:

A motion was made by Councilperson Bensley to adjourn the meeting at 7:12 p.m., and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

The next meeting of the Town of Binghamton Town Board will be a regular Town Board meeting at 7:00 p.m. on October 20, 2020, at the Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Vickie A. Conklin", with a long horizontal flourish extending to the right.

Vickie A. Conklin
Town Clerk

RESOLUTION

At a regularly scheduled Work Session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 5th day of October, 2020 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

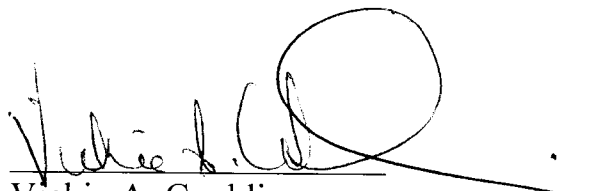
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Bensley, Nye, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, by motion Councilperson Xlander has recommended that the Town Board approve claim numbers 741; 742-743; 743-751; 752-770, and 771-800 as audited, and

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

NOW, THEREFORE, be it

RESOLVED, that claim numbers 741; 742-743; 743-751; 752-770, and 771-800 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 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 and via ZOOM video conference on the 5th day of October, 2020 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

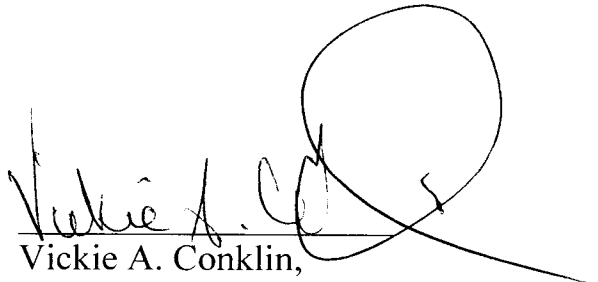
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION

WHEREAS, the Town Board has before it a proposal set a public hearing for November 5, 2020 at 5:31 p.m. to consider public comments on the 2021 Preliminary Budget;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby approves setting a public hearing for November 5, 2020 at 5:31 p.m. to consider public comments on the 2021 Preliminary Budget; and

RESOLVED, that the Town Supervisor and such other Town employees or 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 5th day of October, 2020 at 7:00 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

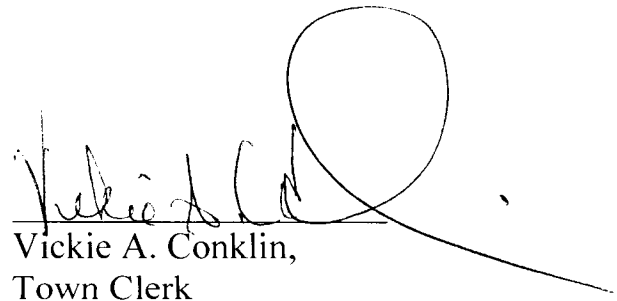
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Leighton, Bensley, Nye

NAYS: None

ABSENT: None

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town of Binghamton Volunteer Fire Department Station #3 owns property adjacent to their Fire Station located at 451 Park Avenue which is currently used as a part of a ballfield in a Town of Binghamton park, and

WHEREAS, the Fire Department needs to expand its current location to accommodate equipment and serve as a training facility for the Fire Department, and

WHEREAS, the Town's ballfield adjacent to the Fire Department property has had little to no use as a ballfield for several years, and

WHEREAS, the Fire Department has requested that the Town of Binghamton transfer the ballfield property to the Fire Department for expansion of its current location, and

WHEREAS, the Town of Binghamton has determined that there has been little to no use of the ballfield and that other parks or recreation facilities within the Town can accommodate the loss of the ballfield from the transfer of the property to the Fire Department, and

WHEREAS, such transfer requires parkland alienation by the New York State Legislature.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes transfer of the Park Avenue Ballfield to the Town of Binghamton Volunteer Fire Department Station #3 and hereby requests that Senator Akshar sponsor and introduce said Legislation in to the New York State Senate; and it is further

RESOLVED, that the Town Board finds and determines that it does not have the legal authority to adopt a local law relating to the proposed legislation or enact the legislation it is requesting; and it is 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 Special 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 and via ZOOM video conference, on the 5th day of October, 2020 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

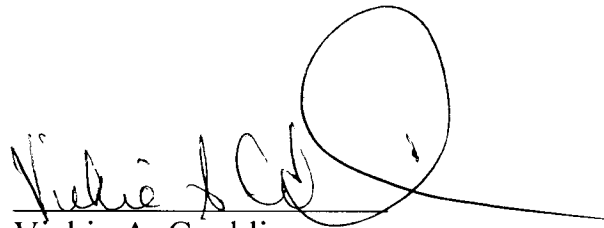
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Nye, Leighton, Bensley

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for approval an application from Karen and Wilson Burnard for \$32,000 in CDBG Funds for interior and exterior carpentry, roofing, windows and doors and masonry work on their house located at 688 Park Avenue.

NOW, THEREFORE, be it

RESOLVED, the Town Board approves the application from Karen and Wilson Burnard for \$32,000 in CDBG Funds for interior and exterior carpentry, roofing, windows and doors and masonry work on their house located at 688 Park Avenue, and be it further

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

RESOLUTION

At a Special 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 and via ZOOM video conference, on the 5th day of October, 2020 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

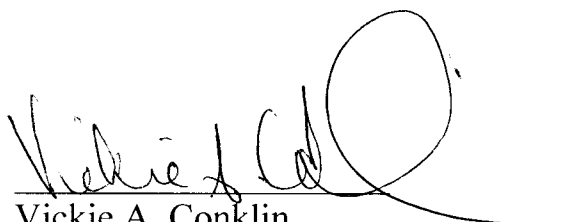
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Nye, Leighton, Bensley

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for approval an application from Wendy Pier for \$12,625 in CDBG Funds for plumbing, windows and doors, interior carpentry, flooring and exterior carpentry work on her house located at 2005 Montrose Avenue.

NOW, THEREFORE, be it

RESOLVED, the Town Board approves the application from Wendy Pier for \$12,625 in CDBG Funds for plumbing, windows and doors, interior carpentry, flooring and exterior carpentry work on her house located at 2005 Montrose Avenue, and be it further

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

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 and via ZOOM video conference on the 5th day of October, 2020 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

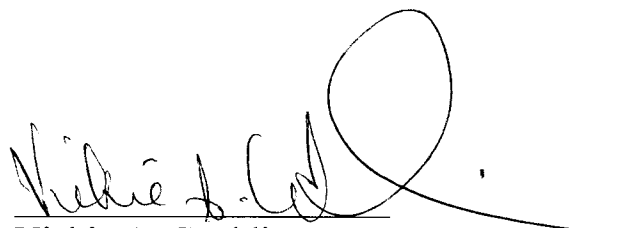
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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

NAYS: None

ABSENT: None

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION

WHEREAS, the Town Board has before it a proposal to set a public hearing for October 20, 2020 at 7:03 p.m. to provide details with respect to the program and program progress, solicit comments with respect to funded activities and program administration, and answer any questions with respect to the CDBG Program or grant activities.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby approves setting a public hearing for October 20, 2020 at 7:03 p.m. to provide information to the public on the accomplishments of the program and to ask questions; and

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

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 and via ZOOM video conference on the 5th day of October, 2020 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

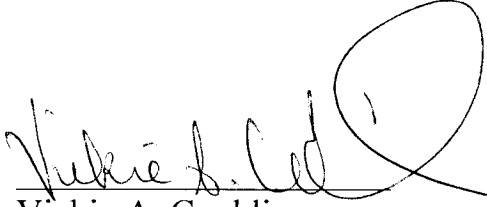
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION

WHEREAS, the Town Board has before it a proposal to approve the quote/purchase of a computer for the Town Clerk's Office in the amount of \$1,052.35 to replace the window computer in the Town Clerk's Office.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby approves the quote/purchase of a computer for the Town Clerk's Office in the amount of \$1,052.35 to replace the window computer in the Town Clerk's Office; and it is further

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