

**TOWN OF BINGHAMTON**  
**TOWN BOARD WORK SESSION**  
**November 5, 2020**

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**MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON THURSDAY, NOVEMBER 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 5:32 p.m.

**ROLL CALL:**

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

**OTHERS PRESENT:**

V. Conklin, Town Clerk	R. Rolston, Highway Superintendent
R. Pope, Deputy Town Attorney	3 Guests
N. Pappas, Code Enforcement Officer/Buildings & Grounds	

**PUBLIC HEARING – 5:33 p.m. - 2021 Preliminary Budget**

Town Clerk Conklin confirmed that the Notice of Public Hearing had been properly posted and published. The purpose of the Public Hearing is to consider the 2021 Preliminary Budget, which includes the proposed Schedule of Salaries of Elected and Appointed Officers and Employees attached to the Notice.

Supervisor Rounds opened the floor at 5:34 p.m.

Norman Cline – Mr. Cline - What is the tax increase for 2021? Supervisor Rounds - There will not be a tax increase. The Board is looking at passing, after the public hearing this evening, a half of a percent decrease in taxes in the budget. Mr. Cline supports a zero (flat) rate increase. Supervisor Rounds – Our goal is to be able to have the Town's revenue match its expenses, or even have the revenue a little bit higher. The Fund balance is very healthy, and the Board really felt, after much discussion, that a half of a percent decrease was justified. Mr. Cline asked about the third quarter sales tax being up. Supervisor Rounds - Considerably. Mr. Cline asked if it brought it back up to what it should be for total, the three quarters. Supervisor Rounds - The second quarter we were down \$60,000, and the third quarter we were up. It was almost the highest one we have ever had. It made up the \$60,000. The budget last year for the sales tax was \$1.2 Million and we are on track to collect that this year. The Town will be receiving the AIM funding. There were no additional expenses due to COVID. Mr. Cline – How much of the fund balance was used? Supervisor Rounds - \$325,000 being in the Highway fund, but there are two new trucks that are being bought. We thought one of them was going to be bought this year, but with the backlog of everything, the truck will not get to us until March. We need a new service truck, which is \$80,000, so when you look at the \$325,000, \$280,000 of that is new equipment. The general fund we are using \$145,000. We are actually going to be putting money into the water and sewer because of the rate increases. But to me the additional money in our water and sewer funds are infrastructures, as far as looking at possibly having to repair or replace

a water tower, relining, sewer things. I truly don't have any problem putting more money into our water and sewer funds. The general fund, we just put in new furnaces. So, there are not major expenses that will come out of the general fund, but we did budget to spend \$145,000 of our general fund from the fund balance. Mr. Cline - Continually year after year after year putting money, taxing, collecting money, whether it's sales tax money or whether it's taxing our constituents, our public, and having money left over and continually putting thousands and thousands, sometimes tens of thousands in the fund balance. Is that fiscally responsible, too? Councilperson Leighton - To a point, the Town has been doing that for years and years, and we have a healthy fund balance. Now it's definitely time to give back a little bit, and also to evaluate. Each year we have discussions on the budget. How much are we putting in. Even this year there's an amount going back into the fund balance including the trucks. Supervisor Rounds - Sandra and I sat down and really tried to see where were we for October, November and December of this year. Last year we said we were going to spend x amount of dollars from the fund balance, and we ended up putting money into the fund balance. That is what Mark is referring to. We're coming closer to that point of not putting significant amounts of money in the fund balance, but trying to keep it flat. Now we have proposed two years of half of a percent decrease. We are really trying to bring the appropriations and revenue more in line. We have been going over line by line item making sure, that type of thing. Mr. Cline - You said to get the highway truck it was under the unexpended fund balance, not the reserve? Supervisor Rounds - We could spend the reserve on that. We had the money in the highway fund balance versus the reserve. One of my goals is to sit down with Bob. Let's say five years from now he says we need another truck. Let's say we say this in 2021, that in 2026, that we are going to need another truck. What's wrong with us then trying to put \$50,000 every year in that fund balance to then pay for that truck five years from now. Mr. Cline - A fund balance is great, but you also have the reserves. To me the fund balance is running up the taxpayer's bill, so to speak. Where the reserve is there and can be used for specifics. Supervisor Rounds - That's our goal; to talk to Bob about what needs to be done. Obviously, we are putting money into the water and sewer. We have to make sure what we are charging our residents is paying for the water and sewer bills. We are getting caught up with that, but last year we were behind between water and sewer \$80,000.

Jim Cadden – Mr. Cadden stated, a lot of increases and yet the tax rate is going down some. Supervisor Rounds, we decreased things, too. Since I have taken office, we saved \$3,000 on the copy machine; we saved \$2,000 on the mail machine; we saved \$1,500 on our phone bill. Right there is \$10,000 without thinking twice about things. There were things in our budget that didn't need to be in our budget any longer. Between our four intermunicipal agreements, we saved \$75,000. So, when you say that, yes, there has been increases. We have staff that received raises, and so forth. We have also been diligent with trying to consolidate. We have four intermunicipal agreements; three with Conklin and one with the Town of Union. Our services have still been strong. Right there is probably \$75,000. Mr. Cadden - If you continue to look in and follow the State mandates, you would cut a section of this probably over \$50,000. Supervisor Rounds - We are continuing to do our due diligence. 2020 was our first budget as a Board, and I feel like we've done a good job. Cadden – Municipal Courts – Page 1, Personal Services, the Judge's salary. However, his work has decreased from what it used to be for judges. No longer is he on call 24 hours some days a week because they have the *central* booking system. The work is less, but the pay is more. Supervisor Rounds – The Judge is on



call one weekend a month. Cadden – We were always on call 24/7, but now the arraignments are central booked at the Sheriff's Office, and they all take a turn and get paid extra for that.

Supervisor Rounds – He doesn't get paid extra from the Town. Cadden – No, he gets paid from the Court system. Each one in the County has a turn at it. Moving down under Supervisor, the Personal Services I realize. What is the other Personal Service? Supervisor Rounds – The other Personal Service is the Bookkeeper. Cadden - \$49,000. Then there's a third Personal Service with zero. What did you cut out there? Supervisor Rounds – I don't know what that is. Things have stayed the same in the two years that I have been here. That line item has never had anything in it, I don't believe, for me. I can't tell you under Tim. Cadden - Before the time of you folks when there was a new Supervisor, there was some thought to hire a secretary/bookkeeper. The Bookkeeper and the Secretary and Receptionist were all one person. Not two or three different people like it became. Supervisor Rounds - Our Bookkeeper and my personal assistant. Then we have Becky who works part-time. That line has never been filled under our administration. Cadden - Page 3 – I was wondering what that Personnel is. There's two Personal and then there's contractual. Supervisor Rounds – I think that Personal Service is Becky. The contractual is just supplies or something of that sort. Cadden – In the Buildings and Grounds, there's three or four employees that make up the Personal Services? Supervisor Rounds – I think part of that is Zach. Also, in Buildings and Grounds is cleaning the buildings, which is Zach for that. It is not necessarily that there are three people there, it's the fact that there's three or four jobs that are being paid to one person. Cadden – Under contractual following that, for the equipment and supplies? Supervisor Rounds – Correct. But also keep in mind, Jim, contractual is also the NYSEG bill, phone bills; what it costs the Town to operate the Town Hall. Cadden – The daily operating costs. Supervisor Rounds – Right. Cadden – There is an increase in the dog situation as a result of the County housing them? Supervisor Rounds – There wasn't any increase in the dog situation. Cadden – The left column here in 2019 is \$7,060 and in budget 2021 it's \$10,000. Supervisor Rounds – Right. Cadden – So, there was a contractual increase of \$3,000 or \$4,000. Supervisor Rounds – Right. Cadden – The housing at the County, right? Supervisor Rounds – No. Our contractual is that we are in an Intermunicipal Agreement with the Town of Conklin. So, that \$10,000 includes what we pay to Conklin to share the service of our Dog Control Officer, and what it costs us to take each dog to the Humane Society. We saved a bunch of money by getting out of the contract with the Broome County Dog Shelter. It cost us \$9,000 a year to take 30 dogs. We now have an agreement with the Humane Society that they charge us \$250 a dog. Cadden – And the other was a \$9,000 contract per dog? Supervisor Rounds – No, it was a flat contract. Cadden – If it was 10 dogs, it was \$9,000? Supervisor Rounds – If we took 10 dogs, or if we took 30 dogs. If you go back into our history of taking dogs, it didn't justify that kind of expense. Cadden – Culture and Recreation, Personal Services, that comes under the parks. Again, that's consolidated with Buildings and Grounds? Supervisor Rounds – Yes, it's the parks. That's part Nick, that's part Zach; the equipment, the contractual things, yes. Cadden – Are there any youth programs with the pandemic? Supervisor Rounds - We had a few. They did try this summer to have some baseball and softball. A short season, but they tried to offer kids some outdoor activity this year. Cadden – Used to be a summer program that originally started with aid from the State, but, I guess, they eventually cut that out, didn't they? Supervisor Rounds – Yes. Cadden – Employee Benefits. You don't have much control over that situation. Supervisor Rounds – No. You have your retirement, Social Security. Cadden – The bills come in for insurance and so on? Supervisor Rounds – Those expenses are what they are. Cadden – The Town Hall bond? Supervisor

Rounds – The bond. Part of that is Town Hall. We want to pay that off early, but we can't pay it off until 2026. Cadden – You can't pay it off early? Supervisor Rounds – You can pay it off early. That isn't due until 2030 or 2032, but you can pay it off in 2026. Cadden – How much interest do you save? Supervisor Rounds – We haven't figured that out. Jim, if you have any questions, even after tonight, you can give me a call. I will answer them for you. Thanks, Jim. Is there anybody else that would like to address the Board?

There being no further presentations to be brought before the Board, the floor was declared closed at 6:07 p.m. A motion was made by Councilperson Leighton to close the Public Hearing at 6:07 p.m., and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

The Preliminary Budget reflected that taxes would be raised by \$1,466,857.00, but the Adopted Budget will reflect that the Town will be collecting \$1,458,357.00, which is roughly a decrease of \$8,500, which is a half of a percent reduction in taxes. A motion was made by Councilperson Nye to approve a Resolution to adopt the Town of Binghamton 2021 Preliminary Budget, 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)

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

<u>2020</u>		
Lighting	Claim No. 850	\$ 584.36
Water	Claim No. 851-854	\$ 2,472.85
Highway	Claim No. 855-871	\$ 7,549.99
General	Claim No. 872-897	\$ 29,261.52

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)

## **RECOGNITION OF MINUTES:**

There were no changes/corrections made to the October 20, 2020 regular Town Board meeting minutes.

## **COMMUNICATIONS AND ANNOUNCEMENTS:**

Highway Department – Fall Leaf Pick Up – October 15 thru November 25, 2020

Veterans Day – TOB Municipal Buildings Closed – November 11, 2020 in Observance of Veterans Day

Free Fishing Day – Wednesday, November 11, 2020

Senior Citizen Thanksgiving Luncheon – Drive-Thru – Wednesday, November 18, 2020 from 11:00 a.m. to 1:00 p.m. at Richard T. Stank Middle School Parking Lot

Thanksgiving – TOB Municipal Buildings Closed – Thursday, November 26 & Friday, November 27, 2020 in Observance of Thanksgiving Holiday

## **OFFICIALS AND COMMITTEE REPORTS:**

Planning Board – A meeting will be held on Monday, November 9, 2020 at 6:30 p.m.

Zoning Board of Appeals – Chelsea Mozley will be the Processor/Secretary for the ZBA.

Youth Commission – There may be a basketball season.

Code Enforcement/Buildings & Grounds – The house on Hance Road has been taken down. There were a couple of glitches with the new boilers, but those glitches have been resolved. The owners of the house that burned on Park Ave. know that the house needs to be demolished before winter. There is a risk of the house collapsing if there is a wet, heavy snow. Mr. Pappas is in receipt of an e-mail from NYSEG concerning the rebate for the new boilers. The rebate should be received in the near future.

Highway Department – The Highway Department is picking up leaves, and trying to take care of some of the dead ash trees around the Town. Any of the trees that are too tall for the Highway Department to take care of, or where there are wires, may be contracted to John Derzanovich. The Highway Department will do all traffic control and all clean up.

TOB Volunteer Fire Co. – There was no report from the TOB Volunteer Fire Co. Supervisor Rounds will contact Mr. Lake for a copy of their 2021 Budget as the Public Hearing to consider input on their proposed budget is scheduled for November 17, 2020 at 7:01 p.m. She will also ask them about their PPE.



Supervisor – Supervisor Rounds is in receipt of the DCO's monthly report for October 2020. Supervisor Rounds has been looking into a new phone system, and found that an internet-based phone service cannot be supported by the Town's internet as the Town's internet service is very inadequate. She will look into getting the internet service upgraded as the Town also needs to replace the firewall. There was some discussion.

#### **UNFINISHED BUSINESS:**

Highway Department – Approval to List Surplus Items on Auction International – Highway Superintendent Rolston provided a November 2020 Highway Auction list, a copy of which is appended hereto. The Town of Kirkwood may be interested in purchasing the camel jetter. There was some discussion. A motion was made by Councilperson Bensley to adopt a Resolution to authorize the sale of the 20 items listed on the Highway Department's November 2020 Auction List on Auctions International; the camel jetter may be sold to the Town of Kirkwood; if not, the camel jetter will remain on the Auction List to be sold on Auctions International, and the motion was duly seconded by Councilperson Leighton. 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)  
(November 2020 Highway Auction List Appended)

There was no further unfinished business.

#### **NEW BUSINESS:**

CDBG – Applicant Approval Request – Tarbox – Residents Howard and Linda Tarbox have been prequalified for the CDBG funds for electric, heating, roofing, and exterior and interior carpentry for property located at 3276 Jackson Road., Binghamton, New York in the amount of \$28,000 to \$30,000. This is the last project and is expected to use up all remaining funds. The final cost will depend on actual amount of funds available. A motion was made by Councilperson Leighton to approve the allocation of funds for the Tarbox property located at 3276 Jackson Road, Binghamton, New York in the amount of \$28,000 to \$32,000, 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)

TOB Investment Policy – Town Attorney Pope provided the Board with an Investment Policy for the Town to review. The biggest change in the policy is under Designation of Depositories. The amount of \$1,500,000 will be changed to \$5,000,000. The Board will review the Investment Policy for Board approval on November 17, 2020.

Solar and Wind Energy Properties – Tax Exemption – Deputy Town Attorney Pope provided two handouts to the Board: New York State's Real Property Tax Law Section 487 and Solar Payment-In-Lieu-Of-Taxes (PILOT). She explained that Section 487 has been in place for a number of years, and gives every solar or wind project installation a tax exemption, but only on the improvement. For example, a resident has land that they want to put solar on. They put the solar on the land, they get a tax exemption on the improvement, and still pay the regular taxes on the land. That's automatic for towns, unless the Town opts out of it. If the Town opts out of it, then the resident pays the full taxation on the improvement. Currently, the TOB has not opted out of it, so if anybody puts an installation in, those improvements get an exemption for 15 years. If the Town chooses not to opt out of it, the Town can enter into a PILOT Agreement to try and get some of the taxes back. To opt out a local law will need to be adopted. There was some discussion. Assessor Cook will be asked to attend the November 17, 2020 regular Town Board meeting for his input on this matter.

There was no further new business.

#### **ADJOURNMENT:**

A motion was made by Councilperson Bensley to adjourn the meeting at 6:53 p.m., and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

The next meeting of the Town of Binghamton Town Board will be a regular Town Board meeting at 7:00 p.m. on November 17, 2020, at the Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Vickie A. Conklin".

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 November, 2020 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

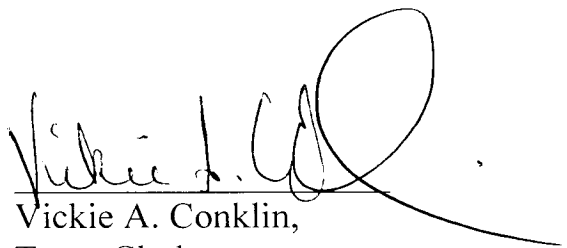
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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 Bensley has recommended that the Town Board approve claim numbers 850; 851-854; 855-871, and 872-897 as audited, and

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

**NOW, THEREFORE**, be it

**RESOLVED**, that claim numbers 850; 851-854; 855-871, and 872-897 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.

November 2020 Highway Auction list:

1. KEM COOLANT PURIFICATION SYSTEM
2. HOMELIGHT GENERATOR
3. ARMY DIESEL GENERATOR
4. 2 DIESEL PACKS 1 WITH MINI JACKHAMMER
5. YELLOW BROOM (FOR SKIDSTEER)
6. HONDA EU 3000 GENERATOR
7. STIHL WALK BEHIND SAW & STOW CUT OFF SAW
8. HONDA EG 5000 GENERATOR
9. MOBILE GAS TANK W/PUMP/ TRUCK SIDE TOOL BOX
10. STAKE BODY RACKS
11. LOADER BOLT ON BUCKET TEETH
12. CUMMINS GENSET ON TRAILER W/TRANSFER SWITCH
13. 2 ISUZU MOTORS
14. 2 GENSETS / NO MOTORS
15. 4 FRONT TIRES 425/65/R22.5
16. UNDER BODY BLADE
17. 10 BUNDLES OF SHINGLES/TAR PAPER
18. 300 GALLON POLY TANK
19. LOADER ADAPTOR FOR PLOW FRAME,  
TRUCK PLOW FRAME WITH SHOES
20. CAMEL JETTER – ON AUCTION IF TOWN OF KIRKWOOD DOESN'T  
BUY