

TOWN OF BINGHAMTON
TOWN BOARD WORK SESSION
August 3, 2021

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MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, AUGUST 3, 2021, 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. Donahue, Deputy Supervisor	Present	M. Bensley, Councilperson	Present
D. Nye, Councilperson	Present		

OTHERS PRESENT:

V. Conklin, Town Clerk	P. Wagner, Deputy Highway Superintendent
R. Pope, Deputy Town Attorney	5 Guests
N. Pappas, Code Enforcement Officer/Buildings & Grounds	

PUBLIC HEARING – 5:32 p.m. – Proposed Permit Fees for Solar Projects

Town Clerk Conklin affirmed that the Notice of Public Hearing had been properly posted and published. The purpose of the Public Hearing is to consider public input on the proposed permit fees for solar projects, which said proposed permit fees are as follows: Building permit - \$100 per acre; Planning Board review – \$100 per acre; SWPPP permit - \$500 per acre; erosion inspection – costs to the Town; Zoning Board review - \$100 per acre, and the owner/developer/lessee shall pay an annual fee of \$1,000, or such other amount as the Town Board may, from time to time, determine by resolution to cover the cost of processing and reviewing the annual inspection report and for other such similar administration, inspections and enforcement.

Supervisor Rounds opened the floor to the public for comment at 5:33 p.m.

Jim Cadden – Mr. Cadden, what is a SWPP; \$100 per acre for the Planning Board, the Planning Board members receive an annual salary; the \$1,000 annual fee? Supervisor Rounds, Storm Water Pollution Prevention Plan. Code Enforcement Officer Pappas explained to Mr. Cadden why a SWPPP is needed, and that the Town retains the permit fee. Supervisor Rounds, the Planning Board members are paid; they meet quarterly as there is a requirement now that the Planning Board meets quarterly. We know from past experiences with major projects that the Planning Board has to start meeting quite a bit more regularly, lawyers are involved, and are paid additional fees over their regular fees; these are extra expenses that are accrued by the Town; the Planning Board members do not get paid extra; reiterated that the \$1,000 annual fee, or such other amount as the Town Board may, from time to time, determine by resolution to cover the cost of processing and reviewing the annual inspection report may be more or less than \$1,000; budgeted costs are all based on normal running of the Town, but a commercial project generates a substantial amount of extra work, extra time, extra fees to our legal team that the Town needs to be able to cover; the Town took a number of other municipalities, looked at their solar permit

fees, and compared, and then set the fees based on what is fair and not unreasonable. Councilperson Nye, all we are attempting to do is to recover what we expect will be costs, and in future years, if we determine that, in fact, they are excessive or not enough, we can and will adjust them; all we are trying to do is recover what we expect will be an additional cost to the Town for a project of this nature.

There being no further presentations, the floor was declared closed at 5:43 p.m.

A motion was made by Councilperson Donahue to adopt a Resolution to adopt the solar permit fees as follows: Building permit - \$100 per acre; Planning Board review – \$100 per acre; SWPPP permit - \$500 per acre; erosion inspection – costs to the Town; Zoning Board review - \$100 per acre, and the owner/developer/lessee shall pay an annual fee of \$1,000, or such other amount as the Town Board may, from time to time, determine by resolution to cover the cost of processing and reviewing the annual inspection report and for other such similar administration, inspections and enforcement, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. There was discussion. Motion carried. A roll call vote resulted in the following:

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

Nays: None

Declared adopted.

(Notice of Public Hearing Appended)
(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 Leighton made the motion to adopt a Resolution to approve the following claims as audited:

<u>2021</u>		
Lighting	Claim No. 612	\$ 619.08
Sewer	Claim No. 613-614	\$ 3,721.30
Water	Claim No. 614-617	\$ 2,119.01
Highway	Claim No. 618-629	\$ 62,781.88
General	Claim No. 630-649	\$ 25,829.92

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

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

Nays: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no changes/corrections made to the July 20, 2021 regular Town Board meeting minutes.

COMMUNICATIONS AND ANNOUNCEMENTS:

TOB Rabies Clinic – Wednesday, August 11, 2021 – 6:00 p.m. to 7:00 p.m. – TOB Community Center – Free to TOB Residents

TOB Volunteer Fire Co. – Annual Chicken BBQ - Saturday, August 21, 2021 – 12:00 Noon until Sold Out

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – Councilperson Donahue received an e-mail from Bill McGowan. Mr. McGowan would like the Energy Committee to study battery storage units. Mr. McGowan also wanted to know about asking the County Planning Department to redo the Town's Comprehensive Plan for a solar, wind, and battery storage update. Councilperson Bensley replied that the County commented on the solar, and that they will have an opportunity on the wind. Councilperson Leighton volunteered to serve on the Energy Committee for battery storage. The Energy Committee will also address storage containers in the future.

Zoning Board of Appeals – There was nothing new to report.

Youth Commission – The next regularly scheduled meeting will be held on Thursday, August 19, 2021 at 6:00 p.m. at the TOB Town Hall. They are in full swing for registrations for football and cheerleading. There are 60 cheerleaders.

Code Enforcement/Buildings & Grounds – Code Enforcement Officer Pappas received a check from Atlas Renewables, along with a ZBA application for a use variance. There were 11 pretrials this afternoon for code violations. There were a couple of leaks in the breakroom over the kitchen cupboards from the recent rainstorms. The pipes could not handle the amount of water from the rainstorms all at once, and was running back down the pipe. This only happens when there is a heavy rain. ABC Roof submitted a proposal for the Town Hall roof repair in the amount of approximately \$40,000. Two more proposals will be obtained. Mr. Rooter inspected the roof drain, which is completely plugged. The drain pipe will have to be rerouted outside. A call was received regarding the condition of the house at 3031 Hance Road. The owner has been cited to appear in Court for many code violations. The owner has cleaned up a lot outside. 3031 Hance Road was the first recipient for the CDBG grant. The owner is in default of the Note and

Mortgage as the signed documents state that the owner will keep the property in reasonably good repair. The Town Attorney will be sending a letter to the owner informing him that he is in default of the Note and Mortgage. A motion was made by Councilperson Bensley to adopt a Resolution authorizing the Town Attorney to send a letter to Mr. Vitanza, 3031 Hance Road, Binghamton, New York, informing him that he is in default of the Note and Mortgage Agreement with the Town of Binghamton, and that he has 30 days to remedy the code violations, and if not remedied within 30 days, the Town will be pursuing foreclosure on the Note and Mortgage Agreement, and the motion was duly seconded by Councilperson Nye. There was discussion. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Highway Department – Two catch basins have been repaired; cleanup continued, stoning and oiling have been done; the pipe on Roberts has been installed and the guardrails are back in; they have been filling in washouts, and they will be sweeping the roads that have been stoned and oiled.

TOB Volunteer Fire Co. – There was no report.

Supervisor – The Parkland Alienation bill to the TOB Volunteer Fire Co. has been signed by the Governor. A motion was made by Councilperson Nye to adopt a Resolution for the transfer of the Park Avenue ballpark (451 Park Avenue, Binghamton, New York), to the Town of Binghamton Volunteer Fire Company by the authorization of the Governor's signing the Parkland Alienation bill authorizing the Town of Binghamton to transfer said property to the Town of Binghamton Fire Company, and the motion was duly seconded by Councilperson Leighton. There was discussion. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

UNFINISHED BUSINESS:

Code – 14 Holmes Place, 487 Morgan Road & 1978 Montrose Ave. – Update – Mr. Woodward, the owner of 14 Holmes Place, has submitted an application for a building permit. Mr. Woodward intends to rehab the property to make the house habitable. Ms. Elie, the owner of 487 Morgan Road is disputing the fees for the mowing of the lawn at 487 Morgan Road. Ms. Elie did not pay the \$1,550 mowing fees to the Town. As a result of nonpayment of the fees, the fees were put on her county taxes. Ms. Elie would like the fees reduced to \$550. There was lengthy discussion. Supervisor Rounds will review the e-mails between Code Enforcement Officer Pappas and Ms. Elie, and will contact the County to see if it is possible to reduce the fee as it is already on Ms. Elie's taxes. The Board will then consider Ms. Elie's offer. Supervisor Rounds will reach out to Ms. Elie by e-mail after her review sometime next week. Ms. Elie has been approved for a rehab loan, and does intend to rehab the property. Code Enforcement Officer Pappas has not been able to contact Mr. Mapes, the owner of 1978 Montrose Avenue as Mr. Mapes does not reside at 1978 Montrose Avenue. He will continue to try to reach Mr. Mapes.

Highway Department – Highway Garage Roof Replacement – Bids – Clark Patterson will be posting the bid specifications on DataFlow's website beginning Friday, August 6, 2021. A motion was made by Councilperson Bensley to adopt a Resolution to authorize the bid process for the TOB Highway Garage roof replacement with the bid specifications going out on August 6, 2021, bids accepted up to August 27, 2021 at 12:00 p.m., and opened on August 27, 2021 at 12:01 p.m., with the awarding of the bid at the Town Board meeting on September 7, 2021, 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, Donahue, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Procurement Policy – Per the NYS Office of Community Renewal (CDBG), Section 3 needs to be added to the Town's Procurement Policy. A motion was made by Councilperson Bensley to adopt a Resolution to add Section 3 to the Town of Binghamton's Procurement Policy, which will read as follows, "The Town of Binghamton encourages Section 3 businesses to participate in our bid processes", and the motion was duly seconded by Councilperson Nye. All those present voted in favor of the motion. There was discussion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Reserve Funds Resolutions – Auditor Wolyniak advised Supervisor Rounds that the Resolutions for Reserve Funds contained some minor inconsistencies that needed to be corrected. A motion was made by Councilperson Donahue to adopt a Resolution to amend the Resolution establishing the Payment of Bonded Indebtedness Reserve Fund pursuant to Section 6-h of the General Municipal Law as follows: The words “Section 6-c” corrected to Section 6-h; the words “subject to a permissive referendum” be deleted, and the words “the cost of financing the cost of building improvements or equipment” be deleted, 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, Donahue, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

A motion was made by Councilperson Donahue to adopt a Resolution to amend the Resolution establishing the Consolidated Water District Capital Reserve Fund pursuant to Section 6-c of the General Municipal Law as follows: The words “subject to a permissive referendum” be deleted, 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, Donahue, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

A motion was made by Councilperson Bensley to adopt a Resolution to amend the Resolution establishing the Consolidated Sewer District Repair Reserve Fund pursuant to Section 6-d of the General Municipal Law as follows: The words “subject to permissive referendum” be deleted, and the words “the cost of financing the cost of building improvements or equipment” be deleted, 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, Donahue, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

A motion was made by Councilperson Nye to adopt a Resolution to amend the Resolution establishing the Employee Benefit Accrued Liability Reserve Fund pursuant to Section 6-p of the General Municipal Law as follows: Section 6-c corrected to Section 6-p; the words “subject to a permissive referendum” be deleted, and the words “the cost of financing the cost of building improvements or equipment” be deleted, and the motion was duly seconded by Councilperson Bensley. There was discussion. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

There was no further unfinished business.

NEW BUSINESS:

CDBG – Wendy Pier – Since OCR advised the Town that a waiver request must now be submitted, the Board held another open discussion to more thoroughly disclose Ms. Pier’s participation and potential conflict. A discussion was held regarding a conflict of interest for prequalified and accepted applicant Wendy Pier as her ex-sister-in-law, Victoria Xlander, was a Town of Binghamton Councilperson at the time that Ms. Pier was prequalified and accepted. It was Town Attorney Pope’s opinion that there was no conflict of interest, and that Ms. Xlander did not influence the process of the application, and the Town did not violate any state or local law in awarding Ms. Pier the grant. Therefore, this may not be considered a prohibited conflict of interest, and Ms. Xlander’s participation was only a local decision. A motion was made by Councilperson Bensley determining that there was no apparent conflict of interest; Town Attorney Pope did provide an opinion letter to Thoma Development Consultants, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

Town Hall Parking Lot – Blacktopping – A proposal was secured for repaving the Town Hall parking lot in the amount of \$33,000. There was discussion. A motion was made by Councilperson Donahue to adopt a Resolution to authorize the repaving of the Town of Binghamton Town Hall’s parking lot by Broome Bituminous, based on the Broome County contract, not to exceed the amount of \$43,000, and the motion was duly seconded by Councilperson Leighton. There was discussion. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Nye, Bensley, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

EXECUTIVE SESSION:

A motion was made by Councilperson Bensley to go into Executive Session at 7:08 p.m. to discuss a legal and/or personnel matter, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

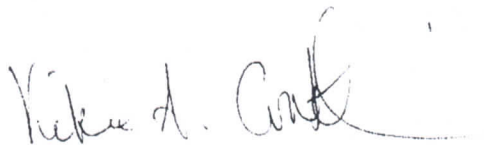
Councilperson Leighton made a motion to reconvene at 7:28 p.m., and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

ADJOURNMENT:

A motion was made by Councilperson Donahue to adjourn the meeting at 7:30 p.m., and the motion was duly seconded by Councilperson Nye. 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 Tuesday, August 17, 2021, at the Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Vickie A. Conklin". The signature is fluid and cursive, with a large, stylized initial "V".

Vickie A. Conklin
Town Clerk

**NOTICE OF PUBLIC HEARING
TOWN OF BINGHAMTON**

PLEASE TAKE NOTICE that the Town Board of the Town of Binghamton, Broome County, New York has approved a resolution calling for a Public Hearing to consider input on the proposed permit fees for solar projects, which said proposed permit fees are as follows: Building permit - \$100 per acre; Planning Board review – \$100 per acre; SWPP permit - \$500 per acre; erosion inspection – costs to the Town; Zoning Board review - \$100 per acre and the owner/developer/lessee shall pay an annual fee of \$1,000, or such other amount as the Town Board may, from time to time, determine by resolution to cover the cost of processing and reviewing the annual inspection report and for other such similar administration, inspections and enforcement, and consider adoption of the same. The Public Hearing will be held at the Town Hall, 279 Park Avenue, Binghamton, New York on Tuesday, August 3, 2021 at 5:31 P.M., at which time all persons interested in the subject matter thereof will be heard. The purpose of the public hearing shall be to receive public input on this issue.

Please take further notice that the information on the proposed permit fees for solar projects is available for inspection at the Town Hall in the Town Clerk's office Monday through Friday 9:00 A.M. through 4:00 P.M.

Dated: July 9, 2021

Vickie 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 3rd day of August, 2021 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth A. Rounds
 Councilperson Michael Donahue
 Councilperson Michael Bensley
 Councilperson Mark Leighton
 Councilperson Dean Nye

ABSENT: None

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

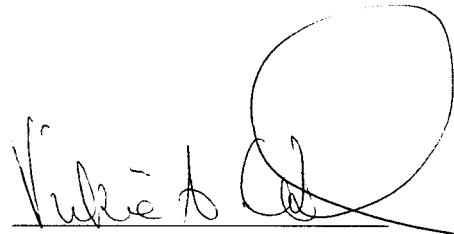
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth A. Rounds
 Councilperson Michael Donahue
 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 adopt solar permit fees as follows: Building permit - \$100 per acre; Planning Board review – \$100 per acre; SWPPP permit - \$500 per acre; erosion inspection – costs to the Town; Zoning Board review - \$100 per acre, and the owner/developer/lessee shall pay an annual fee of \$1,000, or such other amount as the Town Board may, from time to time, determine by resolution to cover the cost of processing and reviewing the annual inspection report and for other such similar administration, inspections and enforcement.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts solar permit fees as follows: Building permit - \$100 per acre; Planning Board review – \$100 per acre; SWPPP permit - \$500 per acre; erosion inspection – costs to the Town; Zoning Board review - \$100 per acre, and the owner/developer/lessee shall pay an annual fee of \$1,000, or such other amount as the Town Board may, from time to time, determine by resolution to cover the cost of processing and reviewing the annual inspection report and for other such similar administration, inspections and enforcement; 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 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 3rd day of August, 2021 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Michael Donahue
Councilperson Michael Bensley
Councilperson Dean Nye
Councilperson Mark Leighton

ABSENT: None

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

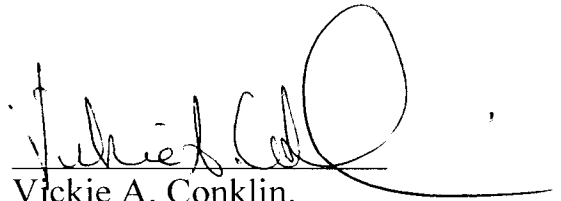
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Donahue, Nye, Bensley, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, by motion Councilperson Leighton has recommended that the Town Board approve claim numbers 612; 613-614; 614-617; 618-629, and 630-649 as audited, and

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

NOW, THEREFORE, be it

RESOLVED, that claim numbers 612; 613-614; 614-617; 618-629, and 630-649 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 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 3rd day of August, 2021 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth A. Rounds
Councilperson Michael Donahue
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 Nye.

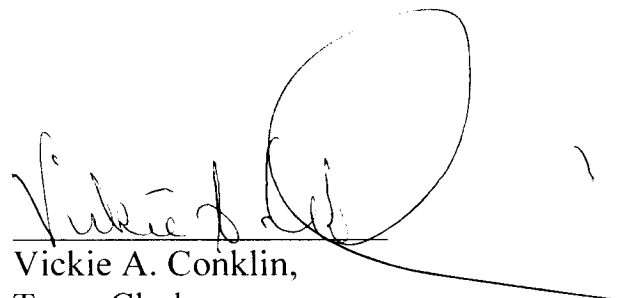
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth A. Rounds
Councilperson Michael Donahue
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 adopt a Resolution authorizing the Town Attorney to send a letter to Mr. Vitanza, the owner of 3031 Hance Road, Binghamton, New York, and a recipient of CDBG grant funds, informing him that he is in default of the Note and Mortgage Agreement with the Town of Binghamton for failure to properly maintain the property; and that he has 30 days to remedy the code violations, and, if not remedied within 30 days, the Town will be pursuing foreclosure on the Note and Mortgage Agreement.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution authorizing the Town Attorney to send a letter to Mr. Vitanza, the owner of 3031 Hance Road, Binghamton, New York, and a recipient of CDBG grant funds, informing him that he is in default of the Note and Mortgage Agreement with the Town of Binghamton for failure to properly maintain the property; and that he has 30 days to remedy the code violations, and, if not remedied within 30 days, the Town will be pursuing foreclosure on the Note and Mortgage Agreement; 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

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PRESENT: Supervisor Elizabeth A. Rounds
Councilperson Michael Donahue
Councilperson Michael Bensley
Councilperson Mark Leighton
Councilperson Dean Nye

ABSENT: None

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

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 Michael Donahue
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 adopt a Resolution for the transfer of the Park Avenue ballpark (451 Park Avenue, Binghamton, New York), to the Town of Binghamton Volunteer Fire Company by the authorization of the Governor's signing the Parkland Alienation bill authorizing the Town of Binghamton to transfer said property to the Town of Binghamton Fire Company.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution for the transfer of the Park Avenue ballpark (451 Park Avenue, Binghamton, New York), to the Town of Binghamton Volunteer Fire Company by the authorization of the Governor's signing the Parkland Alienation bill authorizing the Town of Binghamton to transfer said property to the Town of Binghamton Fire Company; 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 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 3rd day of August, 2021 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth A. Rounds
 Councilperson Michael Donahue
 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 Nye.

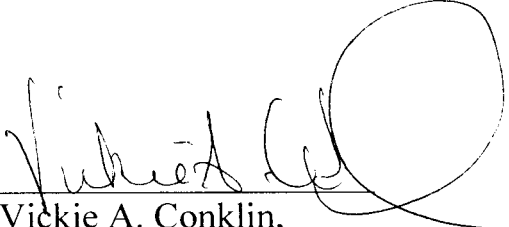
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth A. Rounds
 Councilperson Michael Donahue
 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 adopt a Resolution to authorize the bid process for the TOB Highway Garage roof replacement with the bid specifications going out on August 6, 2021, bids accepted up to August 27, 2021 at 12:00 p.m., and opened on August 27, 2021 at 12:01 p.m., with the awarding of the bid at the Town Board meeting on September 7, 2021.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to authorize the bid process for the TOB Highway Garage roof replacement with the bid specifications going out on August 6, 2021, bids accepted up to August 27, 2021 at 12:00 p.m., and opened on August 27, 2021 at 12:01 p.m., with the awarding of the bid at the Town Board meeting on September 7, 2021; 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 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 3rd day of August, 2021 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth A. Rounds
 Councilperson Michael Donahue
 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 Nye.

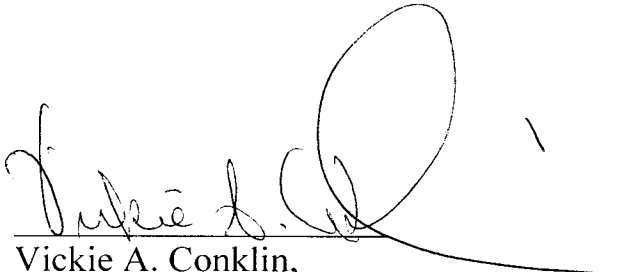
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth A. Rounds
 Councilperson Michael Donahue
 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 adopt a Resolution to add Section 3 to the Town of Binghamton's Procurement Policy, which will read as follows, "The Town of Binghamton encourages Section 3 businesses to participate in our bid processes."

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to add Section 3 to the Town of Binghamton's Procurement Policy, which will read as follows, "The Town of Binghamton encourages Section 3 businesses to participate in our bid processes"; 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 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 3rd day of August, 2021 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Michael Donahue
Councilperson Michael Bensley
Councilperson Dean Nye
Councilperson Mark Leighton

ABSENT: None

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

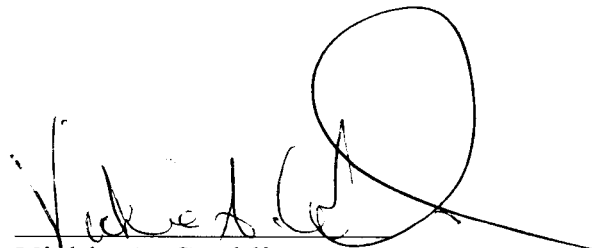
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Donahue, Nye, Bensley, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

**Resolution establishing the Payment of Bonded
Indebtedness Reserve Fund pursuant
to Section 6-h of the General Municipal Law:**

WHEREAS, the Town Board hereby wishes to establish and authorize a capital reserve fund for the Payment of Bonded Indebtedness.

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 6-h of the General Municipal law, as amended, there is hereby established a reserve fund to be known as the “Payment of Bonded Indebtedness Reserve Fund” (hereinafter “Reserve Fund”). The purpose of the Reserve Fund is to accumulate moneys to pay for Certain Bonds issued by the Town; and be it further

RESOLVED, as chief fiscal officer, the Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Supervisor may invest the moneys of the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Supervisor shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and be it further

RESOLVED, except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-h of the General Municipal Law or any other law; 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 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 3rd day of August, 2021 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Michael Donahue
Councilperson Michael Bensley
Councilperson Dean Nye
Councilperson Mark Leighton

ABSENT: None

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

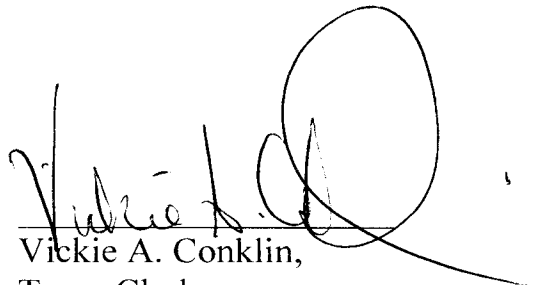
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Donahue, Nye, Bensley, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

**Resolution establishing the Consolidated Water District
Capital Reserve Fund pursuant to Section 6-c
of the General Municipal Law:**

WHEREAS, the Town Board hereby wishes to establish and authorize a capital reserve fund for the Consolidated Water District.

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 6-c of the General Municipal law, as amended, there is hereby established a capital reserve fund to be known as the “Consolidated Water District Capital Reserve Fund” (hereinafter “Reserve Fund”). The purpose of the Reserve Fund is to accumulate moneys to finance the cost of capital improvements and equipment for the Consolidated Water District; and be it further

RESOLVED, as chief fiscal officer, the Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Supervisor may invest the moneys of the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Supervisor shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and be it further

RESOLVED, except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law; 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 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 3rd day of August, 2021 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Michael Donahue
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 Leighton.

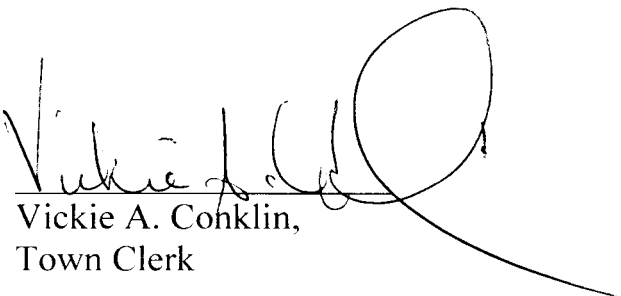
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Donahue, Nye, Bensley, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

**Resolution establishing the Consolidated Sewer District
Repair Reserve Fund pursuant to Section 6-d
of the General Municipal Law:**

WHEREAS, the Town Board hereby wishes to dissolve the Repair and Improvement of Facilities Reserve Fund of the Town of Binghamton for the Consolidated Water District established on April 1993 and replaces such fund.

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 6-d of the General Municipal law, as amended, there is hereby established a repair reserve fund to be known as the "Consolidated Sewer District Repair Reserve Fund" (hereinafter "Reserve Fund"). The purpose of the Reserve Fund is to accumulate moneys to pay for the cost of certain repairs to capital improvements and equipment in the Consolidated Sewer District; and be it further

RESOLVED, as chief fiscal officer, the Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Supervisor may invest the moneys of the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Supervisor shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and be it further

RESOLVED, except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such

additional actions or proceedings as may be required by Section 6-d of the General Municipal Law or any other law; 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 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 3rd day of August, 2021 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Michael Donahue
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.

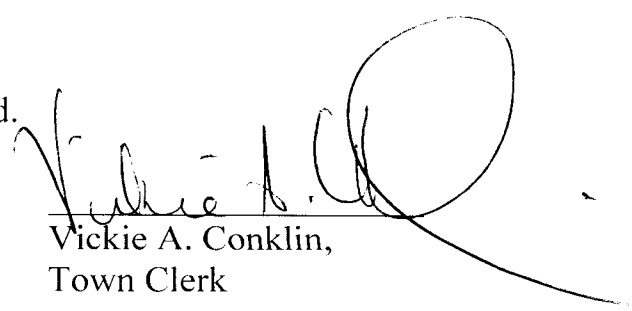
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Donahue, Nye, Bensley, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

**Resolution establishing the Employee Benefit Accrued
Liability Reserve Fund pursuant
to Section 6-p of the General Municipal Law:**

WHEREAS, the Town Board hereby wishes to establish and authorize a capital reserve fund for the Employee Benefit Accrued Liability.

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 6-p of the General Municipal law, as amended, there is hereby established a reserve fund to be known as the “Employee Benefit Accrued Liability Fund” (hereinafter “Reserve Fund”). The purpose of the Reserve Fund is to accumulate moneys to pay for any accrued employee benefit due an employee on termination of the employee’s service; and be it further

RESOLVED, as chief fiscal officer, the Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Supervisor may invest the moneys of the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Supervisor shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund; and be it further

RESOLVED, except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-p of the General Municipal Law or any other law; 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 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 3rd day of August, 2021 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth A. Rounds
Councilperson Michael Donahue
Councilperson Michael Bensley
Councilperson Mark Leighton
Councilperson Dean Nye

ABSENT: None

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

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 Michael Donahue
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 adopt a Resolution to authorize the repaving of the Town of Binghamton Town Hall's parking lot by Broome Bituminous, based on the Broome County contract, not to exceed the amount of \$43,000.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to authorize the repaving of the Town of Binghamton Town Hall's parking lot by Broome Bituminous, based on the Broome County contract, not to exceed the amount of \$43,000; 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.