



**MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, OCTOBER 5, 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 5:31 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	R. Rolston, Highway Superintendent
R. Pope, Deputy Town Attorney	3 Guests
N. Pappas, Code Enforcement Officer/Buildings & Grounds	

**PUBLIC HEARING – 5:31 p.m. – Proposed Rate Increase of Water/Sewer Payments to a Rate of \$260 per Quarter for Parkwood Residents**

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 regarding the proposed increase of the water and sewer payments to a rate of \$260 per quarter for Parkwood residents.

Supervisor Rounds opened the floor to the public for comment at 5:32 p.m.

Mark Cole – What happened in the last year for a suggestion of increasing the rate 33%? If the money (from the increase) is not used, where does the money go? I asked a couple of companies what their rates were, pumping per tank by Bodek is \$290, and Cook said \$270, including taxes; what goes into the engineering and monitoring costs? It has to be done by a licensed engineer? The DEC may be forcing a packaged treatment plant on us at sometime in the future? What is in our outfall that we are discharging that might make the DEC think that we are not able to comply with what they require?

Supervisor Rounds – From August of 2020 to September of 2021, there was an increase from \$8,875 to \$9,400, and that is the actual costs, which the cost of everything has gone up, i.e., chlorine tablets, etc.; if the rate is increased now to cover these costs, there may not be a need for another increase for the next couple of years; the money goes into the sewer department; there's been speculation for a while (packaged treatment plant); we do not want to do anything that would give the DEC any reason to not think that we are not maintaining that sewage area to the highest standard; we are hoping that by doing what we are supposed to do, we would be able to avoid having to make any drastic changes in the future;

Highway Superintendent Rolston – There was a shortfall of \$1,000 for the last year; part of the increase is making up that shortfall, and increased costs for running the leach field; 10 tanks plus

a big distribution tank with a filter were pumped for \$2,750 this year; engineering has to do the reports every year for what we monitor, they put everything together for what we monitor, and everything goes back to the DEC; yes, licensed engineer; we do everything according to what is required by the DEC rules and regulations, such as mowing, inspections, signage, drainage around it, dechlorination, testing, which is sent out quarterly;

Councilperson Donahue – Phosphates, nitrates and dissolve oxygen are the three components; you have to meet their specifications; if you are not meeting their specifications, they will give you a grace period, and keep looking at it for a couple of six months, and then they are going to come in and say, you have to do something. There are a lot of things people do; there are phosphates in dish detergents and nitrates. They are looking at that whole area; we take a sample from an outfall, but they look elsewhere because it is an intermittent stream permit; that means that that creek could run intermittently; the area that runs down goes into the west branch of Little Snake Creek, goes into Snake Creek, goes in the Susquehanna River, and goes right back to the water sewage treatment plant. We are complying. You also have to take a look at your chemicals, how to treat it, the chlorine; if the chlorine residuals are high, which they do not want to see either; you have to dechlorinate. Dissolve oxygen is a big requirement because it takes oxygen out of the water system for the fish, frogs, etc.

Dave West – When the Town budgets for the chemicals, do you get a cost up front so that you know every year how much it is going to be? You cannot call the chemical company and ask for the increase for 2022? Do chemicals go up every year, 3%, 5%? When you budget for septic services, do you seek bids from other septic companies? Do you solicit other vendors? How much is in the contingency fund for the water/sewer department? Is there any indication that either leach field would have to be replaced in the near future or are they both....?

Highway Superintendent Rolston – The price of chlorine increased dramatically this year, and was hard to get; besides the chemicals, we have to chlorinate and dechlorinate, and everything is done according to the engineer studies and the DEC regulations; I cannot ask for increases for 2022 for anything right now; we used Hallstead Sanitary before and Joe Aton this year. Joe Aton gave us a very fair price, and he was local; Joe was cheaper than Hallstead; I did not solicit other vendors this year; how much is in that contingency fund for the entire...? No, I do not know. I am just going by the leach field that they had to replace quite a few years back. That was \$112,000, just that one part of it. That is not for the whole development. The other leach field on the upper end, if that fails, that is \$120,000, easy; they are both operating right now the way they should be; by keeping the grass cut short, that helps dry that sand mound; it is all DEC regulations; it is accrued costs; it is costing us up front to maintain it.

Supervisor Rounds – We have two sources of revenue, one is from what you pay for taxes and then what we get from rents, what we charge our residents for what we are charged for water/sewer for the public utility system; that is what we have as far as revenue in those. We do not have contingency funds, we have some reserve funds; we have to build a new water tank, that is going to be out of some of the reserve funds, and we will probably have to bond some money for that up in Orchard Park; when we do any sewer relining, that comes out of our sewer funds. So, those are things that we accumulate from the taxes and then from the rents, but that is

what is there. Are you asking, is there enough money to have to put in a new sewer treatment plant for you guys if we needed to? Probably not. I do not even know how much it would cost.

There being no further presentations, the floor was declared closed at 5:45 p.m.

A motion was made by Councilperson Nye to adopt a Resolution to increase the water/sewer payments to a rate of \$260 per quarter for Parkwood residents to cover a shortfall and increase in costs, and the motion was duly seconded by Councilperson Donahue. There was discussion. All those present voted in favor of the motion, except Councilperson Bensley, who abstained due to a conflict of interest. Motion carried. A roll call vote resulted in the following:

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

Nays: None

Abstained: Bensley

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.

**NEW BUSINESS:**

Zach Soboleski – Cell Phone Reimbursement - Mr. Soboleski is currently using his personal cell phone for business purposes. A motion was made by Councilperson Bensley to adopt a Resolution authorizing the reimbursement to Zach Soboleski in the amount of \$30 per month for the use of his personal cell phone for Town business, 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, Leighton, Bensley                      Absent: None

Nays: None

Declared adopted.

(Resolution Appended)



Zoning Board of Appeals – The next regularly scheduled quarterly joint meeting with the Planning Board will be held on Monday, October 18, 2021 at 6:30 p.m. at the TOB Town Hall. There may be two upcoming meetings for solar review, and an area variance. There will be a legal corner.

Youth Commission – There was no meeting in September. The next regularly scheduled meeting will be held on Thursday, October 21, 2021 at 6:00 p.m. at the TOB Town Hall. Homecoming is October 23, 2021.

Code Enforcement/Buildings & Grounds – Mr. Pappas received a price on the replacement of fencing at Jackson Park in the amount of approximately \$30,000 for each field. There may be an upgrading of lighting before the replacement of fencing at Jackson Park. The water problem in the basement of the Town Hall has been solved. The new carpet is in, and the moldings have been put back in place. Clark Patterson Lee has met with Mr. Pappas regarding the Town Hall roof replacement, and will be coming back to meet with him again regarding the paperwork for specifications. The front entrance door of the Town Hall may be replaced, and used only for Court purposes. There were six or seven cases for Court today, with no one appearing for any of the cases. Most of the cases were set for trial on October 26, 2021. If no one appears for the cases, the trials will be held in abstenia. It has been verified that the taxes have been paid for 487 Morgan Road; mowing has been taking place, and work will begin in the near future. 330 Park Avenue is on Broome County's auction list for October 20, 2021. 104 Burr Avenue is also on the County's auction list.

Highway Department – Upgrades on Morgan Road are being finished up; trying to finish up blacktopping; starting to do brush pickup; the leaf suckers are being readied, and some ash trees are scheduled to be taken down.

TOB Volunteer Fire Co. – There was no report.

Supervisor – Supervisor Rounds provided the Board members with documentation containing information about the water tank replacement project. Supervisor Rounds, Councilperson Donahue, and Highway Superintendent Rolston met with Dave Chase and Dan from Clark Patterson Lee to go over the prepared documents. Supervisor Rounds also provided the Board members with a new timeline chart. This project will go out to bid in November, 2021. The project should be completed by July 2022.

#### **UNFINISHED BUSINESS:**

There was no unfinished business.

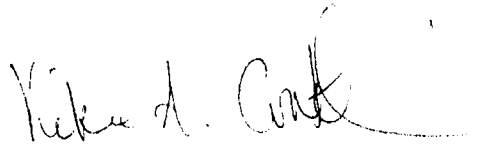
#### **NEW BUSINESS (Continued):**

TOB Volunteer Fire Co. – Set Public Hearing – A motion was made by Councilperson Leighton to adopt a Resolution to set a public hearing on Tuesday, December 7, 2021 at 5:31 p.m. to hear public comment on the Town of Binghamton Volunteer Fire Company's 2022 contract, and the



The next meeting of the Town of Binghamton Town Board will be a Budget meeting at 5:30 p.m. on Tuesday, October 12, 2021, at the Town Hall, 279 Park Avenue, Binghamton, NY. A regular Town Board meeting will be held at 7:00 p.m. on Tuesday, October 19, 2021, at the Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vickie A. Conklin". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

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 regarding the proposed increase of the water and sewer payments to a rate of \$260 per quarter for Parkwood residents. The public hearing will be held at the Town Hall, 279 Park Avenue, Binghamton, New York on Tuesday, October 5, 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 the proposed increases and to evaluate and consider adoption of the foregoing.

**Dated: September 7, 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 5<sup>th</sup> day of October, 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 Nye 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:

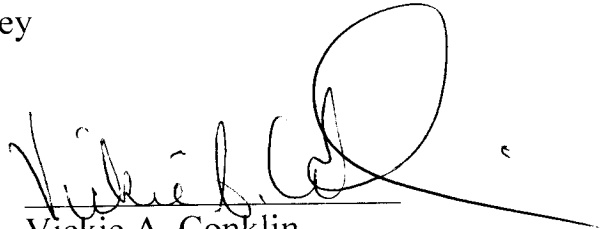
AYES:           Supervisor Elizabeth A. Rounds  
                          Councilperson Michael Donahue  
                          Councilperson Mark Leighton  
                          Councilperson Dean Nye

NAYS:           None

ABSENT:       None

ABSTAINED:   Councilperson Bensley

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 increase the water/sewer payments to a rate of \$260 per quarter for Parkwood residents to cover a shortfall and increase in costs.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board adopts a Resolution to increase the water/sewer payments to a rate of \$260 per quarter for Parkwood residents to cover a shortfall and increase in costs; 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 5<sup>th</sup> day of October, 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.

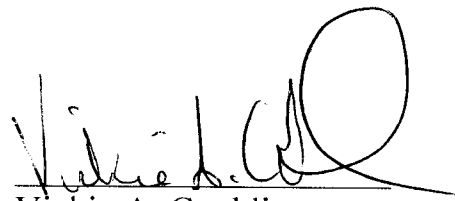
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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 reimburse Zach Soboleski \$30 per month for the use of his personal cell phone for Town business.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board adopts a Resolution to reimburse Zach Soboleski \$30 per month for the use of his personal cell phone for Town business; 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 7th day of September, 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 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, Leighton

NAYS: None

ABSTAINED: Bensley

ABSENT: None

The Resolution was then declared adopted.

  
Vickie A. Conklin,  
Town Clerk

**RESOLUTION:**

**WHEREAS**, by motion Councilperson Nye has recommended that the Town Board approve claim numbers 781; 782-784; 784-791; 792-805, and 806-835 as audited, and

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

**NOW, THEREFORE**, be it

**RESOLVED**, that claim numbers 781; 782-784; 784-791; 792-805, and 806-835 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 5<sup>th</sup> day of October, 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 Leighton who moved its adoption and was seconded by Councilperson Bensley.

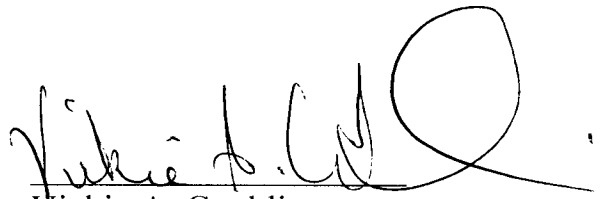
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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 a Resolution to call for a public hearing on December 7, 2021 at 5:31 p.m. to hear public comment on the Town of Binghamton Volunteer Fire Company's 2022 contract.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board adopts a Resolution to call for a public hearing on December 7, 2021 at 5:31 p.m. to hear public comment on the Town of Binghamton Volunteer Fire Company's 2022 contract; 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 5<sup>th</sup> day of October, 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 Nye.

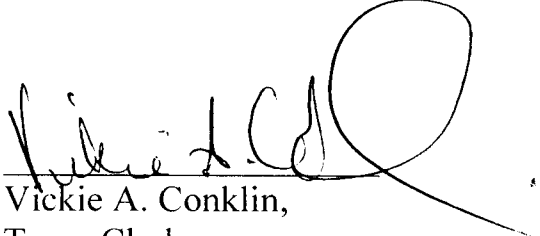
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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 call for a public hearing on November 4, 2021 at 5:31 p.m. to hear public comment on the Town of Binghamton's adoption of the 2022 Preliminary Budget.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board adopts a Resolution to call for a public hearing on November 4, 2021 at 5:31 p.m. to hear public comment on the Town of Binghamton's adoption of the 2022 Preliminary Budget; 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.