

TOWN OF BINGHAMTON
TOWN BOARD
January 18, 2022

Page	2	Approval of Audited Claims
Page	3	Recognition of Minutes Voice of Public Communications and Announcements Officials and Committee Reports Planning Board Zoning Board of Appeals Youth Commission Code Enforcement/Buildings & Grounds Highway Department
Page	4	Officials and Committee Reports (Continued) Receipt of Reports TOB Volunteer Fire Co. Supervisor Unfinished Business New Business Highway Department – Agreement to Spend Highway Funds – Approval Assessor – Resolution – Suspension of Renewal Requirements for Seniors and Disability Exemptions
Page	5	New Business (Continued) Amendment of Smoking Prohibited Local Law to include Cannabis – Set Public Hearing Voice of the Public

MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, JANUARY 18, 2022, 7:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

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

ROLL CALL:

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

OTHERS PRESENT:

V. Conklin, Town Clerk	J. Emmons, Chief, TOB Volunteer Fire Co.
A. Pope, Town Attorney via Zoom	Kevin Olds, TOB Volunteer Fire Co.
G. Middleton, Esq., Coughlin & Gerhart	E. Einstein, The Country Courier
R. Rolston, Highway Superintendent	1 Guest
N. Pappas, Code Enforcement Officer/Buildings & Grounds	
Z. Soboleski, Code Enforcement/Buildings & Grounds	

Supervisor Rounds stated: 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 a motion to adopt a Resolution to approve the following claims as audited:

2021

Highway	Claim No. 1137-1140	\$ 27,649.83
General	Claim No. 1141-1152	\$ 11,857.21

2022

Sewer	Claim No. 26	\$ 57.45
Water	Claim No. 26	\$ 57.45
Highway	Claim No. 27-33	\$ 1,455.35
General	Claim No. 34-39	\$ 432.96

The motion was duly seconded by Councilperson Donahue. All those present voted in favor of the motion, except Councilperson Nye, who abstained as he did not audit the claims. Motion carried. A roll call vote resulted in the following:

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

Nays: None

Abstained: Nye

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no corrections made to the January 4, 2022 Work Session minutes.

VOICE OF THE PUBLIC:

Supervisor Rounds opened the floor to the public for comments at 7:02 p.m.

There being no presentations, the floor was declared closed at 7:02 p.m.

COMMUNICATIONS AND ANNOUNCEMENTS:

Highway Department – Christmas Tree Pickup - January 4 thru January 31, 2022

Presidents' Day – TOB Municipal Buildings Closed - Monday, February 21, 2022 in observance of Presidents' Day

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – There was a short meeting to go over their scheduling.

Zoning Board of Appeals – The ZBA met on Monday, January 10, 2022, and listened to Atlas Renewables' responses to some questions that had been raised at previous meetings. They also went through the first part of the SEQR. They will meet again in February to continue the deliberations. There was discussion regarding Atlas Renewables' claim that they have the right-of-way to access the Powers Road property via Forest Hill Road. Town Attorney Pope will reach out to Atlas Renewables' attorney.

Youth Commission – The next regularly scheduled meeting will be held on Thursday, January 20, 2022 at 6:00 p.m. at the TOB Town Hall. Basketball is going well.

Code Enforcement/Buildings and Grounds – There is now a dumpster at 25 Powers Road. The owner will be coming into Court soon. Three tickets have been issued due to the winter parking ordinance.

Highway Department – The Highway Department has been plowing and sanding. There were two water breaks, one on Felters Road and one on Cheshire Road.

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

Town Clerk's Monthly Report for December 2021

Town Clerk's Final Report for January 1 thru December 31, 2021

DCO Monthly Report for December 2021

Code Enforcement Officer's Monthly Report for December 2021

TOB Volunteer Fire Co. – There were nine calls for the month of December. They will be receiving new extrication tools sometime in February. Broome County will be testing new radios in May/June, and will be starting to install them in apparatus. They expect this project to be completed by Fall of 2022. A new furnace was installed at Station #3.

Supervisor – The Town Board will be working on putting together the Town's fund balance policy. There was discussion about taking down the sign outside of the Town Hall before the new sign arrives. It was agreed to leave the sign up for now.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Highway Department – Agreement to Spend Highway Funds – Approval – Highway Superintendent Rolston provided the Board with an Agreement for approval of expenditures from his budget for repairs that he would like to do in the Town in the current fiscal year. A motion was made by Councilperson Donahue to adopt a Resolution to approve the Agreement to Spend Highway Funds pursuant to provisions of Section 284 of the Highway Law for the following: General Repairs upon 49.52 miles of the Town roads in the amount of \$200,000 to include Moore Ave. and leading from East Hamton Rd. to West Hamton Rd. Intersection; Morgan Road (City line) and leading to Carman Road, and commencing all other Town roads in the Town of Binghamton, 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, Bensley, Donahue, Nye, Leighton Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Assessor – Resolution – Suspension of Renewal Requirements for Seniors and Disability Exemptions – The Governor has suspended the renewal requirements for seniors and disability exemptions to come in to renew their exemptions for their taxes. The information on file will be used so that residents do not have to come into the building due to Covid. A motion was made by Councilperson Donahue to adopt a Resolution to approve the suspension of renewal

requirements for seniors and disability exemptions for 2022, 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, Bensley, Donahue, Nye, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Amendment of Smoking Prohibited Local Law to Include Cannabis – Set Public Hearing – A motion was made by Councilperson Leighton to adopt a Resolution to set a Public Hearing for Tuesday, February 15, 2022 at 7:01 p.m. to amend Town of Binghamton Local Law No. 6 of the year 2013, Section 157 of the Town of Binghamton Code, Smoking Prohibited, to include Community Center, cannabis, and vaping, 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, Bensley, Donahue, Nye, Leighton

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

VOICE OF THE PUBLIC:

Supervisor Rounds opened the floor to the public for comment at 7:51 p.m.

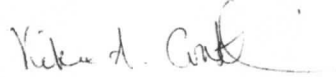
There being no presentations, Supervisor Rounds declared the floor closed at 7:51 p.m.

ADJOURNMENT:

A motion was made by Councilperson Bensley to adjourn the meeting at 7:52 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 Work Session to be held on Tuesday, February 1, 2022, 5:30 p.m., at the Town of Binghamton 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 stroke extending to the right.

Vickie A. Conklin
Town Clerk

RESOLUTION

At a regular meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 18th day of January, 2022 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Dean Nye via Zoom
Councilperson Michael Bensley
Councilperson Michael Donahue
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.

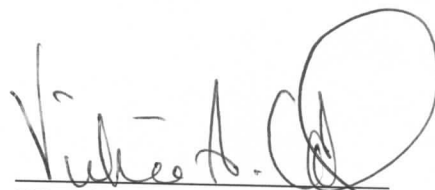
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth Rounds
Councilperson Michael Bensley
Councilperson Michael Donahue
Councilperson Dean Nye
Councilperson 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 1137-1140; 1141-1152; 26; 26; 27-33, and 34-39 as audited, and

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

NOW, THEREFORE, be it

RESOLVED, that claim numbers 1137-1140; 1141-1152; 26; 26; 27-33, and 34-39 as audited are hereby adopted and approved; and be it further

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

RESOLUTION

At a regularly scheduled Board meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 18th day of January, 2022 at 7:00 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

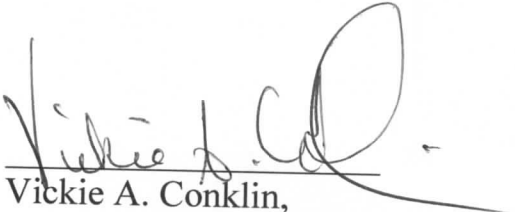
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, it has been recommended that the Town Board approve and sign the Agreement to Spend Highway Funds pursuant to the provisions of Section 284 of the Highway Law.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board approves and signs the Agreement to Spend Highway Funds pursuant to the provisions of Section 284 of the Highway Law, and it is further

RESOLVED, that the Supervisor and such other employees are hereby authorized to take such additional and further action to implement this Resolution as may be necessary.

RESOLUTION

At a regularly scheduled Board meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 18th day of January, 2022 at 7:00 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

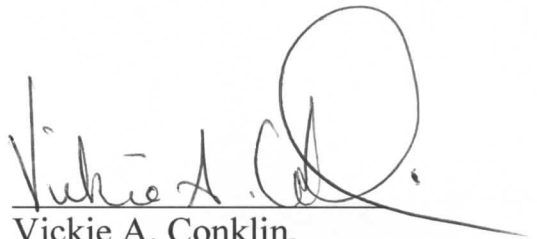
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: None

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, it has been recommended to the Town Board enacts the Executive Order 11.1, which among other things addresses the renewal of certain real property tax exemptions and such Executive Order specifically provides for the renewal of exemptions for persons with disabilities under Real Property Tax Law Section 459-c and for persons age sixty-five (65) or older under Real Property Tax Law Section 467, and

WHEREAS, such Executive Order allows a town, by resolution, to direct its assessor to renew exemptions under Real Property Tax Law Section 459-c or Real Property Tax Law Section 467 on the 2022 assessment roll to all property owners who received such exemptions on the 2021 assessment roll without requiring receipt of a renewal application; and

WHEREAS, such Executive Order allows a town to set procedures by which the assessor may require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died; and

WHEREAS, the Town of Binghamton, for the benefit of its residents, would like to provide for the renewal of such exemptions under Real Property Tax Law Section 459-c and Real Property Tax Law Section 467 pursuant to Executive Order 11.1 without requiring the filing of an application.

NOW THEREFORE, IT IS

RESOLVED, that the Town Board approves and adopts a resolution that the Assessor of the Town of Binghamton is hereby directed, in accordance with Executive Order 11.1, to renew exemptions under Real Property Tax Law Section 459-c or Real Property Tax Law Section 467 on the 2022 assessment roll to all property owners who received such exemptions on the 2021 assessment roll without requiring receipt of a renewal application; and it is further

RESOLVED, that the Assessor of the Town of Binghamton may still require the filing of a renewal application where the Assessor has reason to

believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, died or that some other disqualifying event has occurred; provided that, if the Assessors requires the filing of a renewal application, the Assessor shall provide written notice to the property owner that such renewal application is required; and it is further

RESOLVED, that the Supervisor is authorized to undertake all necessary filings and that such other Town employees are authorized to take any other action necessary to implement this resolution.

RESOLUTION

At a regularly scheduled Board meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 18th day of January, 2022 at 7:00 o'clock P.M. of said day, the following were:

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

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: All

NAYS: None

ABSENT: None

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it a proposed amendment to Chapter 157 of the Town of Binghamton Code related to prohibited smoking in areas of the Town, and therefore must conduct a Public Hearing with respect to the same; and

NOW THEREFORE, IT IS

RESOLVED, that the Town Board hereby approves calling for a Public Hearing to be conducted at 7:01 pm on February 15, 2022 for consideration of the proposed amendment to Chapter 157 as noted above; and it is further

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