

TOWN OF BINGHAMTON
TOWN BOARD WORK SESSION
February 1, 2022

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MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, FEBRUARY 1, 2022, 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 5:30 p.m.

ROLL CALL:

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

OTHERS PRESENT:

V. Conklin, Town Clerk
R. Pope, Deputy Town Attorney
N. Pappas, Code Enforcement Officer/Buildings & Grounds

R. Rolston, Highway Superintendent
2 Guests

PUBLIC HEARING: 5:31 p.m. – 25 Powers Road, Bing, NY – Declare an Unsafe and Dangerous Building

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 declaring 25 Powers Road, Binghamton, NY a dangerous and unsafe building.

Supervisor Rounds advised that the owner of 25 Powers Road, Binghamton, NY was not notified of this evening's Public Hearing in a timely manner. Consequently, the Public Hearing is cancelled, and needs to be set again for another meeting. A motion was made by Councilperson Donahue to adopt a Resolution setting a Public Hearing for Tuesday, February 15, 2022 at 7:02 p.m. to declare 25 Powers Road, Binghamton, NY, an unsafe and dangerous building, 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, Bensley, Nye Absent: Leighton

Nays: None

Declared adopted.

(Notice of Public Hearing Appended)
(Resolution Appended)

**PUBLIC HEARING: 5:32 p.m. – Add Two Street Lamps to Hawthorne Road –
Establish a New Lighting District**

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 to add two street lamps

to Hawthorne Road, and then establish a new lighting district to accommodate those seven homes. Supervisor Rounds stated that she had received a phone call from Randy Gowland asking if they could talk about the possibility of putting some street lamps up on existing poles. Letters were sent out to seven residences that would be in the new lighting district. The cost for the additional street lamps for the residences will be approximately \$15.00 per month.

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

Randy Gowland – Mr. Gowland spoke in support of adding the two street lamps as he stated that the lighting is very poor at night, and many residents of South Mountain walk for leisure or exercise, and are in danger of being hurt.

Robert Finn – Mr. Finn spoke in support of adding the two street lamps as it is very difficult to see as he is backing out of his driveway due to poor lighting. His concern is also for safety reasons for residents walking on the street.

There being no further presentations, the floor was declared closed at 5:40 p.m.

A motion was made by Councilperson Bensley to adopt a Resolution approving the addition of two street lamps to Hawthorne Road, and establish a new lighting district for seven homes, and the motion was duly seconded by Councilperson Donahue. 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, Bensley, Nye

Absent: Leighton

Nays: None

Declared adopted.

(Notice of Public Hearing Appended)
(Resolution Appended)

APPROVAL OF AUDITED CLAIMS:

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

<u>2021</u>		
Lighting	Claim No. 1153-1154	\$ 684.90
Water	Claim No. 1155-1158	\$ 1,414.91
General	Claim No. 1159-1164	\$ 8,425.51
<u>2022</u>		
Highway	Claim No. 40-55	\$ 21,788.17
Sewer	Claim No. 56-59	\$ 1,356.60
Water	Claim No. 59-63	\$ 1,515.46
General	Claim No. 64-83	\$ 14,600.43

The motion was duly seconded by Councilperson Donahue. There was discussion regarding the invoice from General Code. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Bensley, Nye

Absent: Leighton

Nays: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no changes/corrections made to the January 18, 2022 regular Town Board meeting minutes.

COMMUNICATIONS AND ANNOUNCEMENTS:

Free Fishing Days – Saturday, February 19 & Sunday, February 20, 2022

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

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – The next regularly scheduled joint meeting with the ZBA will be held Monday, April 11, 2022 at 6:30 p.m. at the TOB Town Hall.

Zoning Board of Appeals – The next meeting will be held on Monday, February 14, 2022 to continue the dialogue with Atlas Renewables. The next regularly scheduled joint meeting with the Planning Board will be held on Monday, April 11, 2022 at 6:30 p.m. at the TOB Town Hall.

Youth Commission – There was no report.

Code Enforcement/Buildings & Grounds – The Code report for 2021 for New York State has been submitted, the Broome County Construction Report, and Census Report have also been completed. Code Enforcement Officer Pappas spoke with the contractor for 487 Morgan Road. The contractor spoke with the owner about a month ago, who informed him that she is switching lenders. That is the last contact the contractor has had with the owner. The replacement lights are being installed at the Town Hall. Metal siding was bought at an auction for the bathrooms at Jackson Park. Mr. Pappas is in receipt of two estimates for the replacement of the Court entrance door: Binghamton Plate Glass in the amount of \$7,500, and B&F Glass Co., Inc. in the amount of \$5,964. Northeastern Plate Glass came and looked at the project, but has not submitted an estimate. Deputy Town Attorney Pope advised to award the project since due

diligence was taken to receive three estimates. A motion was made by Councilperson Nye to adopt a Resolution to accept B&F Glass Co.'s bid to replace the existing steel doors at the bottom of front ramp with single 42" door and sidelights on each side, clear aluminum finish for metal 1" clear glass, door to have rim panic exit device, and clear finish brake metal trim to finish opening in an amount not to exceed \$5,964, and 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, Bensley, Nye

Absent: Leighton

Nays: None

Declared adopted.

(Resolution Appended)

Highway Department – The Highway Department has been plowing and sanding. There was a water break yesterday. The majority of the lights have been switched out at the Highway Garage. Supervisor Rounds stated that she received a telephone call from a resident on Cheshire Road who was very pleased with the Highway Department's response to the water break. The resident said that the Highway Department was very timely, reacted very quickly, and got everything taken care of.

TOB Volunteer Fire Co. – There was no report.

Supervisor – A preliminary meeting to give the Town a time frame was held regarding the Orchard Park water tank replacement project. Attendees included Town personnel, Procon, Aquastore, Gorick Construction, and personnel from Clark Patterson Lee. The project will begin April 6, 2022, with an end date at the end of July, early August 2022. The Town will start putting together the financing for this project, which will be approximately \$1,100,000. The Wind Energy Systems Law and 239 Review has been submitted to Broome County. There was discussion regarding the Mill Street property that the Town owns, which needs to be declared surplus. Deputy Town Attorney Pope will let the Board know the process for putting the property up for sale.

UNFINISHED BUSINESS:

Battery Energy Storage Units Law – Update – The proposed Battery Energy Storage Units Local Law should be ready to present to the Town Board in April. The Committee's next meeting is scheduled for February 8, 2022.

NEW BUSINESS:

Highway Department – Authorization for Clark Patterson Lee to Prepare Sewer Lining Bid for 3,300 feet on South Mountain – A motion was made by Councilperson Bensley to adopt a Resolution to authorize Clark Patterson Lee to prepare a sewer lining bid for approximately

3,300 feet on South Mountain roads, to include Hickory Lane, Hazard Hill Road, Moore Ave., Stone Road, and Brookside Road, and the motion was duly seconded by Councilperson Donahue. 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, Bensley, Nye

Absent: Leighton

Nays: None

Declared adopted.

(Resolution Appended)

Town Clerk – NYS Town Clerk’s Association – Annual Conference – April 24-27, 2022 Authorization to Attend – A motion was made by Councilperson Donahue to approve Town Clerk Conklin attending the NYS Town Clerk’s Association Annual Conference April 24 thru 27, 2022, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

Justice Court Clerk Services – Intermunicipal Agreement w/Town of Conklin for Shared Services – Approval – A motion was made by Councilperson Nye to adopt a Resolution approving the Intermunicipal Agreement with the Town of Conklin for Shared Services for the Justice Court Clerk Services for the term of January 1, 2022 through December 31, 2022, 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, Donahue, Bensley, Nye

Absent: Leighton

Nays: None

Declared adopted.

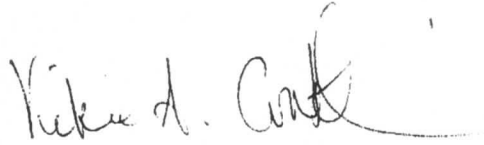
(Resolution Appended)

ADJOURNMENT:

A motion was made by Councilperson Bensley to adjourn the meeting at 6:43 p.m., and the motion was duly seconded by Councilperson Donahue. 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, February 15, 2022, 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 long horizontal stroke 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 to declare 25 Powers Road, Binghamton, New York an unsafe and dangerous building. The public hearing will be held at the Town Hall, 279 Park Avenue, Binghamton, New York on Tuesday, February 1, 2022 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 declaring the structure on 25 Powers Road to be unsafe and dangerous..

Dated: January 4, 2022

Vickie Conklin, Town Clerk

RESOLUTION

At a 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 1st day of February, 2022 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 Dean Nye

ABSENT: Councilperson Mark Leighton

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 Dean Nye

NAYS: None

ABSENT: Councilperson Mark Leighton

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 February 15, 2022 at 7:02 p.m. to declare 25 Powers Road, Binghamton, New York 13903, a dangerous and unsafe structure.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to call for a public hearing on February 15, 2022 at 7:02 p.m. to declare 25 Powers Road, Binghamton, New York 13903, a dangerous and unsafe structure; 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.

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 add two street lamps to Hawthorne Road, and then establishing a new lighting district to accommodate those seven homes. The public hearing will be held at the Town Hall, 279 Park Avenue, Binghamton, New York on Tuesday, February 1, 2022 at 5:32 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 above.

Dated: January 4, 2022

Vickie Conklin, Town Clerk

RESOLUTION

At a 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 1st day of February, 2022 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 Dean Nye

ABSENT: Councilperson Mark Leighton

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

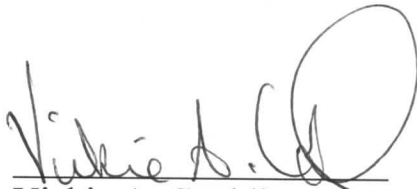
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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

NAYS: Councilperson Mark Leighton

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 two new street lamps to Hawthorne Road and establish a new lighting district.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to add two new street lamps to Hawthorne Road and establish a new lighting district; 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 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 1st day of February, 2022 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

ABSENT: Councilperson Mark Leighton

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

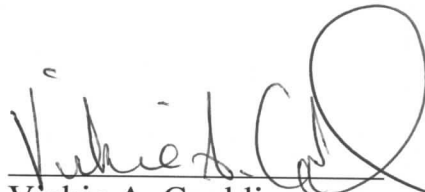
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Donahue, Nye, Bensley

NAYS: None

ABSENT: Leighton

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 1153-1154; 1155-1158; 1159-1164; 40-55; 56-59; 59-63, and 64-83 as audited, and

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

NOW, THEREFORE, be it

RESOLVED, that claim numbers 1153-1154; 1155-1158; 1159-1164; 40-55; 56-59; 59-63, and 64-83 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 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 1st day of February, 2022 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 Dean Nye

ABSENT: Councilperson Mark Leighton

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

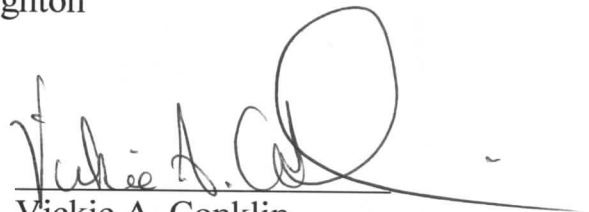
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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

NAYS: None

ABSENT: Councilperson Mark Leighton

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 accept B&F Glass Co., Inc.'s quote in the amount of \$5,964.00 for glass door replacements at Town Hall.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to accept B&F Glass Co., Inc.'s quote in the amount of \$5,964.00 for glass door replacements at Town Hall.; 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 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 1st day of February, 2022 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 Dean Nye

ABSENT: Councilperson Mark Leighton

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

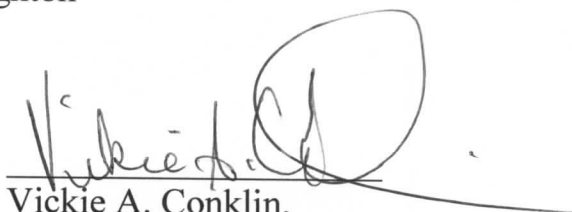
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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

NAYS: None

ABSENT: Councilperson Mark Leighton

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 Clark Patterson Lee to prepare a sewer lining bid for 3,300 feet on South Mountain roads including Hickory, Stone, Hazard Hill, Moore and Brookside.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to authorize Clark Patterson Lee to prepare a sewer lining bid for 3,300 feet on South Mountain roads including Hickory, Stone, Hazard Hill, Moore and Brookside; 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 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 1st day of February, 2022 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 Dean Nye

ABSENT: Councilperson Mark Leighton

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

NAYS: Councilperson Mark Leighton

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION

WHEREAS, the Town Board has before it a proposal to approve the Intermunicipal Agreement with Town of Conklin for Justice Court Clerk services.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to approve the Intermunicipal Agreement with Town of Conklin for Justice Court Clerk services; 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.