

TOWN OF BINGHAMTON
TOWN BOARD WORK SESSION
June 7, 2022

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MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, JUNE 7, 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 5:31 p.m.

MOMENT OF SILENCE – Mike Vascello & Phyllis Merriam

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:

Vickie Conklin, Town Clerk	K. Olds, President, TOB Volunteer Fire Co.
R. Pope, Deputy Town Attorney	R. Mastin, TOB Planning Board & TOB
R. Rolston, Highway Superintendent	Volunteer Fire Co.
N. Pappas, Code Enforcement/Buildings & Grounds	2 Guests

PUBLIC HEARING – 5:32 p.m. – PROPOSED BORROWING BY THE TOB VOLUNTEER FIRE CO.

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 consolidation loan from The Bank of Greene County.

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

Kevin Olds – Mr. Olds explained that the TOB Volunteer Fire Co. needed a public hearing in order to meet the requirements to obtain a consolidation loan. The consolidation loan will be through The Bank of Greene County.

There being no further presentations, the floor was declared closed at 5:34 p.m.

A motion was made by Councilperson Donahue to adopt a Resolution to approve the Town of Binghamton Volunteer Fire Co., Inc.'s consolidation loan from The Bank of Greene County, 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, Bensley, Donahue, Leighton, Nye

Absent: None

Nays: None

Abstained: None

Declared adopted.

(Notice of Public Hearing Appended)
(Resolution Appended)

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

<u>2022</u>		
General	Claim No. 400-438	\$ 152,772.43
Lighting	Claim No. 439	\$ 631.88
Sewer	Claim No. 440	\$ 1,032.83
Water	Claim No. 440-446	\$ 3,350.24
Highway	Claim No. 447-460	\$ 91,748.93

The motion was duly seconded by Councilperson Leighton. 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, Bensley, Nye, Leighton

Absent: None

Nays: None

Abstained: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no changes/corrections made to the May 17, 2022 regular Town Board meeting minutes or the May 19, 2022 Special meeting minutes.

COMMUNICATIONS AND ANNOUNCEMENTS:

There were no communications and announcements.

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – The next regularly scheduled meeting will be held on Monday, July 11, 2022 at 6:30 p.m. at the TOB Town Hall. There was discussion concerning updating the TOB's Comprehensive Plan, and discussion concerning the solar farm on Powers Road.

Zoning Board of Appeals – The ZBA has not met recently. ZBA – Chairperson Gerardo Tagliaferri – Resignation – The Town received a letter of resignation from Chairperson and Member Gerardo Tagliaferri. Mark Bordeau will be appointed the new Chairperson of the Planning Board. A new member will need to be appointed. It is Supervisor Rounds' understanding that Chelsea Mozley will be resigning as ZBA Secretary/Processor. A motion was made by Councilperson Nye to accept the resignation of Gerardo Tagliaferri as Chairperson and Member of the Zoning Board of Appeals effective July 1, 2022, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

Youth Commission – The next meeting may be held on Thursday, June 16, 2022 at 6:00 p.m. at the TOB Town Hall. Baseball and softball are going fine, and should be ending soon.

Code Enforcement/Buildings & Grounds – Mr. Pappas met with Highway Superintendent Rolston at the park today, as they oiled and stoned the parking lot. Mr. Pappas sent a couple of letters to the owner of 330 Park Ave. and has not received a response. Deputy Town Attorney Pope advised Mr. Pappas to summon the owner into Court. There was discussion regarding 487 Morgan Road, the chicken situation on South Mountain, and a supposed B&B at the corner of Coventry and Cheshire.

Highway Department – They have been paving Morgan Road; started oiling and stoning today, and some minor patching has been done.

TOB Volunteer Fire Co. – There was no report.

Supervisor – The Municipal Clean Up Days were very successful, with over 500 tires being dropped off. Residents were very pleased with the Municipal Clean Up Days. The Town is in receipt of the final bills for the Highway Garage Roof Replacement and Town Hall Roof Recovery projects. The cost for the Highway Garage Roof Replacement Project is \$221,251, \$48,749 less than the bid price due to various factors. The cost for the Town Hall Roof Recovery Project is \$119,877, \$23,123 less than the bid price due to various factors.

UNFINISHED BUSINESS:

3706 Mill Street – RFP – Awarding of Bid – No bids were received. There was discussion on how to proceed.

Code Enforcement – Chapter 102 – Building Construction – A motion was made by Councilperson Nye to adopt a Resolution to set a public hearing on Tuesday, July 5, 2022 at

5:31 p.m. to solicit comments on Chapter 102 – Building Construction local law, 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, Bensley, Nye, Leighton

Absent: None

Nays: None

Abstained: None

Declared adopted.

(Resolution Appended)

Highway Department – New Pickup Truck – Increase in Price – Reapproval – The original order for the pickup truck was cancelled by Robert Green Truck Division. A 2023 pickup truck can be ordered with a price increase. The new price is \$59,729.10. The reason for the price increase is the continued delay in availability of the 2022 model and the vendor now placing orders for a 2023 model. A motion was made by Councilperson Donahue to authorize the price increase for a new 2023 RAM 3500 Reg Cab 4x4 gas Pickup Truck for the Highway Department from \$51,938.35 to an amount not to exceed \$59,729.10, 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, Leighton

Absent: None

Nays: None

Abstained: None

Declared adopted.

(Resolution Appended)

Wind Energy Systems Law – Update – There was discussion of having a ban on wind energy in the Town. Upon consideration of Deputy Town Attorney Pope's advice, and discussion among Board members and Deputy Town Attorney Pope, it was decided not to ban wind energy in the Town of Binghamton.

NEW BUSINESS:

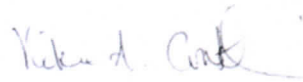
ZBA – Chairperson Gerardo Tagliaferri – Resignation – This subject was covered under Officials and Committee Reports.

ADJOURNMENT:

A motion was made by Councilperson Bensley to adjourn the meeting at 6:34 p.m., and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

The next meeting of the Town of Binghamton Town Board will be a regular Town Board meeting at 7:00 p.m. on Tuesday, June 21, 2022, at the Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,



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 borrowing by the Town of Binghamton Volunteer Fire Company, Inc. ("the Volunteer Fire Department") to finance the purchase by the Volunteer Fire Department of a certain pumper fire truck, a certain brush truck and the refinance of a prior obligation and the proposed issuance by the Volunteer Fire Department of several obligations (promissory notes) to The Bank of Greene County for fire apparatus. The proposed purchase of a Freightliner tanker is from 4 Guys Fire Apparatus in the maximum principal loan amount of \$330,000.00; the proposed purchase of a brush truck is from DeNoyer Chevrolet in the maximum principal loan amount of \$33,000.00; and the proposed refinance of a prior obligation on a 2018 pumper in the maximum principal loan amount of \$393,000.00. The firefighting equipment are to be used for the provision of fire protection service to the Town of Binghamton pursuant to a contract for the period January 1, 2022 through December 31, 2022 between the Volunteer Fire Department and the Town of Binghamton. The firefighting equipment is to be garaged at 967 Hawleyton Road, Binghamton, New York or as otherwise designated by the Volunteer Fire Department within the Town of Binghamton. The public hearing and the subsequent approval by the Supervisor of the Town of Binghamton of the borrowing and issuance of the obligation are prerequisites to exemption from income taxation of the interest payable under the terms of such obligation, pursuant to section 103 and related sections of, and regulations under, the Internal Revenue Code. Neither the public hearing nor the subsequent approval by the Supervisor of the Town of Binghamton of the borrowing creates any obligation or liability of the Town of Binghamton for such obligation.

A public hearing will be held on the proposed borrowing by the Fire Department as described above at the Town Hall, 279 Park Avenue, Binghamton, New York on Tuesday, June 7, 2022 at 5:31 P.M., at which time all persons interested in the subject matter thereof will be heard, including allowance for the submission of written comments. The purpose of the public hearing shall be to receive public input on the proposed borrowing and to evaluate and consider the foregoing.

Please take further notice that information concerning the proposed borrowing which is the subject matter of the public hearing 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. or by contacting the Town of Binghamton Fire Department directly.

Dated: May 19, 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 7th day of June, 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 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.

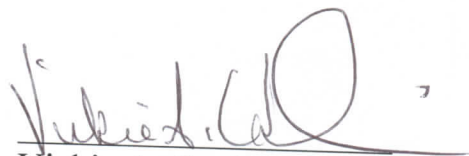
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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 conducted a public hearing for comment regarding the Town of Binghamton Volunteer Fire Co., Inc.'s proposed consolidation loan from The Bank of Greene County; and

WHEREAS, the Town has before it a proposal to adopt a resolution to approve the Town of Binghamton Volunteer Fire Co., Inc.'s proposed consolidation loan from The Bank of Greene County.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to approve the Town of Binghamton Volunteer Fire Co., Inc.'s consolidation loan from The Bank of Greene County; 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 7th day of June, 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
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.

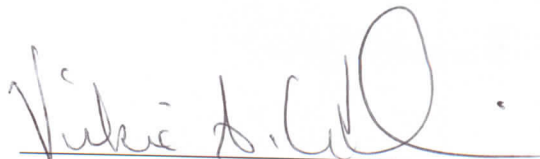
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Donahue, Leighton, Bensley, Nye

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, by motion Councilperson Donahue has recommended that the Town Board approve claim numbers 400-438; 439; 440; 440-446, and 447-460 as audited, and

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

NOW, THEREFORE, be it

RESOLVED, that claim numbers 400-438; 439; 440; 440-446, and 447-460 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 7th day of June, 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 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.

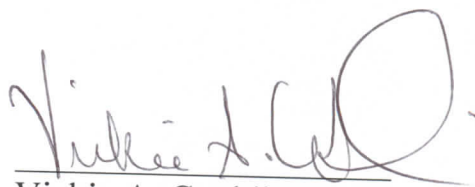
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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 to call for a public hearing on July 5, 2022 at 5:31 pm to solicit comments on Chapter 102 – Building Construction local law.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to call for a public hearing on July 5, 2022 at 5:31 p.m. to solicit comments on Chapter 102 – Building Construction local law; 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 7th day of June, 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 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.

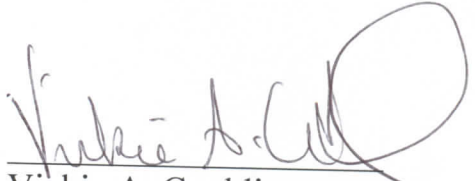
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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 approve the increase in price from \$51,938.35 to \$59,729.10 for a new pickup truck for the Highway Department; and

WHEREAS, the reason for the increase in price is the continued delay in availability of the 2022 model and vendor now placing orders for 2023 model.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to approve the increase in price from \$51,938.35 to \$59,729.10 for a new pickup truck for the Highway Department; 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.