

**TOWN OF BINGHAMTON
TOWN BOARD WORK SESSION
October 4, 2022**

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MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, OCTOBER 4, 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.

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	J. Emmons, Chief, TOB Volunteer Fire Co.
G. Middleton, Interim Town Attorney	R. Mastin, Planning Board Member
N. Pappas, Code Enforcement Officer/Buildings & Grounds	1 Guest

PUBLIC HEARING – 5:32 p.m. – Proposed Changes to TOB Schedule of Zoning Regulations in R1 Residential One-Family Districts, and Section 240-6, Definitions of Building Accessory Units

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 changes to TOB Schedule of Zoning Regulations in R1 Residential One-Family Districts, and Section 240-6, Definitions of Building Accessory Units.

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

There being no presentations, the floor was declared closed at 5:33 p.m.

A motion was made by Councilperson Nye to adopt a Resolution to amend the TOB Schedule of Zoning Regulations in R1 Residential One-Family Districts, and Section 240-6, Definitions of Building Accessory Units, as follows: Add to definition of “Building, Accessory – “A cargo/freight container shall be considered an Accessory Building”; and the 240 Attachment 1, Zoning Regulations to include with public sewer the following: “Cargo and freight units are not permitted as an accessory unit in public water and sewer districts,” 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

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

<u>2022</u>		
Lighting	Claim No. 771	\$ 659.97
Sewer	Claim No. 772-774	\$ 1,940.11
Water	Claim No. 774-779	\$ 3,352.53
Highway	Claim No. 780-793	\$ 14,648.56
General	Claim No. 794-818	\$ 18,763.55

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

Abstained: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no changes/corrections made to the September 20, 2022 regular Town Board meeting minutes.

COMMUNICATIONS AND ANNOUNCEMENTS:

Highway Department – Fall Tree Branch and Brush Pickup – September 19, 2022 thru October 21, 2022

Columbus Day – TOB Municipal Buildings - Closed – Monday, October 10, 2022 in Observance of Columbus Day

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – The next regularly scheduled meeting of the Planning Board will be held on Monday, October 17, 2022 at 6:30 p.m. at the TOB Town Hall. The Atlas Renewables solar project will be a topic of discussion.

Zoning Board of Appeals – The next regularly scheduled meeting of the ZBA will be held on Monday, October 17, 2022 at 6:30 p.m. at the TOB Town Hall. There is a public hearing scheduled for the Sigma Solar proposed Powderhouse/Ingraham Hill Road solar project.

Youth Commission – Football and cheerleading are in the final week of the regular season this week. Next week starts the playoff and consolation games. The cheerleaders will be participating in two competitions. They are hosting the tackle All-Star game on November 6th at SV. Basketball registrations will begin in the next couple of weeks.

Code Enforcement/Buildings & Grounds – There was discussion concerning the paving of the Town Hall parking lot.

Highway Department – Ditching and shoulder work is being continued. Randav has taken down hazardous dead ash trees on Progy Road. There has been brush cutting along various roadways. Broome County completed striping on the Town roads. The water tank is near completion. Equipment has been serviced for the upcoming leaf pickups.

TOB Volunteer Fire Co. – A pancake breakfast will be held on Sunday, October 16, 2022 at Station #2 on Pierce Creek Road. Regarding the new fire truck, the cab and chassis has been delivered, and the new truck is starting to be built with delivery scheduled for the end of February, beginning of March 2023.

Supervisor – There was nothing new to report.

UNFINISHED BUSINESS:

Highway Department – New TV Screen & Surveillance Cameras - Approval – As requested by the Board, Highway Superintendent Rolston provided AboveAll Telecom's quote to include the brand name of the equipment manufacturer (Sibell). A motion was made by Councilperson Leighton to adopt a Resolution to approve the purchase of a surveillance camera system with nine cameras, 1 PTZ and 16 port NVR from AboveAll Telecom and Security to be installed at the TOB Highway Garage in an amount not to exceed \$6,450.00, 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, Nye, Bensley, Leighton

Absent: None

Nays: None

Abstained: None

Declared adopted.

(Resolution Appended)

CDBG – Applicant Approval – Schmidt – Resident Dona Schmidt had been previously qualified for the CDBG funds for plumbing, electric, windows and doors, interior and exterior carpentry, and flooring for property located at 1845 Woodworth Road, Binghamton, New York, in the amount of \$50,300, but secured a new contractor and needs to be reapproved. A motion was made by Councilperson Nye to adopt a Resolution to approve the allocation of funds for the Schmidt property located at 1845 Woodworth Road, Binghamton, New York, in the amount of \$50,300, with the stipulation that there will not be a third opportunity to be approved, 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

Abstained: None

Declared adopted.

(Resolution Appended)

Town Clerk – Appointment of Tracy Tokos – Second Deputy Town Clerk – A motion was made by Councilperson Nye to appoint Tracy Tokos as Second Deputy Town Clerk at the rate of \$16.00 per hour, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

NEW BUSINESS:

CDBG – Applicant Approval – Bennett – Resident Diane Bennett has been prequalified for the CDBG funds for plumbing, windows and doors, roofing, other (detectors), and masonry for property located at 11 Forest Hill Road, Binghamton, New York in the amount of \$34,099.20. A motion was made by Councilperson Bensley to adopt a Resolution to approve the allocation of funds for the Bennett property located at 11 Forest Hill Road, Binghamton, New York, in the amount of \$34,099.20, 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

Abstained: None

Declared adopted.

(Resolution Appended)

2023 Tentative Budget – Filing with Town Clerk & Set Public Hearing for Adoption of 2023 Preliminary Budget – The Board Members have been asked to review the 2023 Tentative Budget. A Budget Meeting has been scheduled for Tuesday, October 11, 2022 at 1:00 p.m. to review the Town of Binghamton 2023 Tentative Budget. There was discussion. A motion was made by Councilperson Bensley to adopt a Resolution to set a public hearing for Tuesday, November 1, 2022 at 5:31 p.m. to consider input on the adoption of the Town of Binghamton’s 2023 Preliminary Budget, 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

Abstained: None

Declared adopted.

(Resolution Appended)

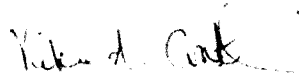
Battery Energy Storage Systems – Approval to Send to Planning Board for Advisory Opinion – A motion was made by Councilperson Nye to send the proposed Battery Energy Storage Systems Local Law to the Planning Board for an advisory opinion, and the motion was duly seconded by Councilperson Bensley. There was discussion. All those present voted in favor of the motion. Motion carried.

ADJOURNMENT:

A motion was made by Councilperson Bensley to adjourn the meeting at 6:38 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, October 18, 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 changes to Town of Binghamton Schedule of Zoning of Regulations in R1 Residential One-Family Districts, and Section 240-6, Definitions of Building Accessory Units. A public hearing will be held on the proposed action at the Town Hall, 279 Park Avenue, Binghamton, New York on Tuesday, October 4, 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 this issue and to evaluate and consider adoption of the foregoing.

Please take further notice that information concerning the proposed change in the local law which is the subject matter of the public hearing are 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: September 6, 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 4th day of October, 2022 at 5:30 o'clock P.M. of said day, the following were:

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

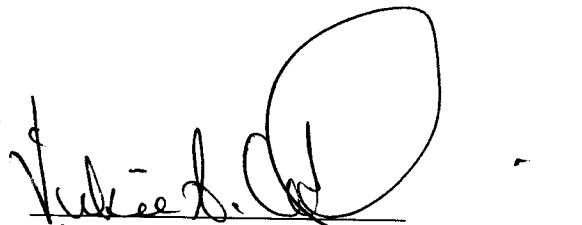
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Donahue, Bensley, Nye, 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 771; 772-774; 774-779; 780-793, and 794-818 as audited, and

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

NOW, THEREFORE, be it

RESOLVED, that claim numbers 771; 772-774; 774-779; 780-793, and 794-818 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 4th day of October, 2022 at 5:30 o'clock P.M. of said day, the following were:

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

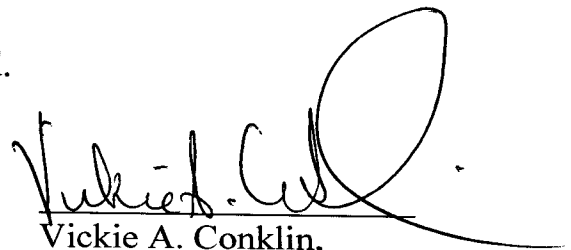
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, it has been recommended that the Town Board approve the purchase of a surveillance camera system with nine cameras, 1 PTZ and 16 port NVR from AboveAll Telecom and Security for \$6,450.00 to be installed at the Town of Binghamton Highway Department.

NOW THEREFORE, IT IS

RESOLVED, that the purchase of a surveillance camera system with nine cameras, 1 PTZ and 16 port NVR from AboveAll Telecom and Security for \$6,450.00 to be installed at the Town of Binghamton Highway Department is hereby approved; and it is 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 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 4th day of October, 2022 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

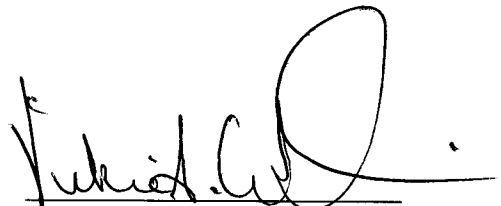
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: 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 the second CDBG grant application of Donna Schmidt for the property at 1845 Woodworth Road, Binghamton in the amount of \$50,300.00 as set forth in the memo to the Board, and

NOW THEREFORE, IT IS

RESOLVED, that the second CDBG grant application of Donna Schmidt for the property at 1845 Woodworth Road, Binghamton in the amount of \$50,300.00 is hereby approved; and it is further

RESOLVED, that the second CDBG grant application was approved with the Stipulation that there will not be a third opportunity for a CDBG grant; and it is 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 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 4th day of October, 2022 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

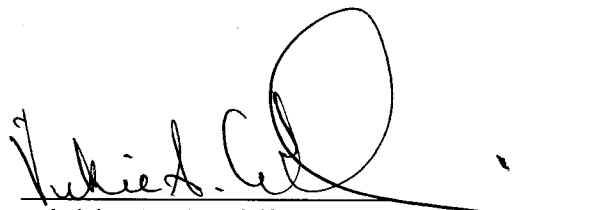
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: 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 the allocation of funds for the CDBG grant application of Diane Bennett for the property at 11 Forest Hill Road, Binghamton in the amount of \$34,099.20 as set forth in the memo to the Board, and

NOW THEREFORE, IT IS

RESOLVED, that the allocation of funds for the CDBG grant application of Diane Bennett for the property at 11 Forest Hill Road, Binghamton in the amount of \$34,099.20 are hereby approved; and it is 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 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 4th day of October, 2022 at 5:30 o'clock P.M. of said day, the following were:

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

ABSENT: None

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

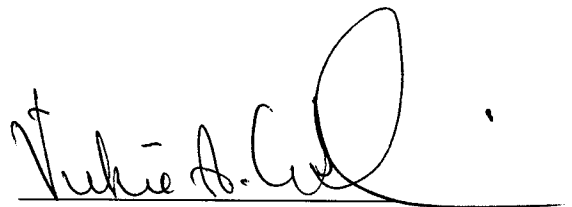
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: 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 proposal to adopt a Resolution to call for a public hearing on November 1, 2022 at 5:31 p.m. to hear public comment on the Town of Binghamton's adoption of the 2023 Preliminary Budget

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a Resolution to call for a public hearing on November 1, 2022 at 5:31 p.m. to hear public comment on the Town of Binghamton's adoption of the 2023 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.