

**TOWN OF BINGHAMTON
TOWN BOARD WORK SESSION
November 1, 2022**

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 Section 487 Tax Exemption for Alternative Energy – Set Public Hearing

MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, NOVEMBER 1, 2022, 5:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

The meeting was called to order by Supervisor Rounds at 5:00 p.m.

ROLL CALL

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

OTHERS PRESENT:

V. Conklin, Town Clerk	G. Middleton, Esq., Coughlin & Gerhart
A. Pope, Town Attorney	J. Cook, TOB Town Assessor
R. Pope, Deputy Town Attorney	0 Guests
N. Pappas, Code Enforcement Officer/Buildings & Grounds	

EXECUTIVE SESSION: A motion was made by Councilperson Donahue to go into Executive Session at 5:00 p.m. to discuss a legal matter, and the motion was duly seconded by Councilperson Nye. All those present voted in favor of the motion. Motion carried. A motion was made by Councilperson Leighton to reconvene at 5:30 p.m., and the motion was duly seconded by Councilperson Nye. All those present voted in favor of the motion. Motion carried.

PUBLIC HEARING – 5:31 p.m. – Adoption of TOB 2023 Preliminary Budget

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 adoption of the Town of Binghamton 2023 Preliminary Budget.

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

There being no presentations, the floor was declared closed at 5:32 p.m.

Supervisor Rounds advised that there will be a few changes to the proposed budget. The first change is in the health insurance as follows: Since Highway Superintendent Rolston is retiring, he will qualify for the health insurance as a retired employee with 25 years or more of service. A dollar amount needs to be added to the health insurance, and will take place in both the Highway and the General Fund. The current retirees are receiving \$4,800 which will be increased to \$5,000. The \$10,665 that is for retirees who are not Medicare qualified will be increased by \$9,070 which amount will be added to the line item for health insurance. The other change is to the Legal, wherein \$5,000 will be added to the Legal line item in the budget. The .04% decrease in taxes will still be maintained. There was discussion. A motion was made by Councilperson Nye to adopt a Resolution approving and adopting the Town of Binghamton Budget for the Fiscal Year 2023 with the consideration of the health insurance line item adding \$9,070 and the

Legal/Attorney line item adding \$5,000, 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, Nye, Leighton

Absent: Bensley

Nays: None

Abstained: None

Declared adopted.

(Notice of Public Hearing Appended)
(Resolution Appended)

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. 869	\$ 668.30
Special Districts	Claim No. 870	\$ 404,030.24
Sewer	Claim No. 871-872	\$ 12,166.00
Water	Claim No. 872-877	\$ 14,378.22
Highway	Claim No. 878-888, 910	\$ 23,404.28
General	Claim No. 889-909	\$ 14,973.80

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, Nye, Leighton

Absent: Bensley

Nays: None

Abstained: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

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

COMMUNICATIONS AND ANNOUNCEMENTS:

Highway Department – Leaf Pickup – October 17, 2022 thru November 23, 2022

Veterans Day – TOB Municipal Buildings - Closed – Friday, November 11, 2022 in Observance of Veterans Day

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – A meeting may be scheduled in November with Atlas Renewables. The next regularly scheduled quarterly meeting will be held on Monday, January 9, 2023 at 6:30 p.m. at the TOB Town Hall.

Zoning Board of Appeals – The next scheduled meeting will be held on Monday, November 14, 2022 at 6:30 p.m. at the TOB Community Center.

Youth Commission – A meeting was held on October 20, 2022. There was a debate at the meeting concerning which league they want to join for basketball. There is one based out of the building on Vestal Road, which they did last year, or they could go back into a league like they had before. They will be checking with other communities to see if they would like to do that. There are a lot of signups for basketball. If not already practicing, it is close to practice time.

Code Enforcement/Buildings & Grounds – They have been working on the Court entrance. They have been advised that the paving of the Town Hall parking lot is scheduled for the end of this week or the beginning of next week. The owner of the chickens on South Mountain is now down to four hens, no roosters. Mr. Pappas has contacted the owner of 330 Park Ave., who wanted to know why the taxes are so high on the property. Mr. Pappas will check with Mike Decker at BC Real Property Tax Service for an update on taxes, foreclosure, etc. Work is being done at 487 Morgan Road. Regarding the two new homes being developed on Mill Street, a roof is going on one home, but there is just a hole where the other home will be built. Mr. Pappas advised that the owner had an issue with the contractor. A new contractor has been hired, but Mr. Pappas believes they may be waiting for Spring to move forward. The owner has been advised to put up posted signs so that no one will go on the property, and ribbon around the foundation. The Tennis Center is being upgraded, but they have not contacted Mr. Pappas regarding the upgrades. Regarding the Verizon extension on the BC emergency cell tower, the County is claiming that they should be issuing the permit. The Town is in receipt of payment from Verizon for a permit. Supervisor Rounds will contact BC Executive Garnar to discuss this matter.

Highway Department – More ash trees have been cut down, but that budget line has been exhausted for 2022. Leaf pickup is in progress. The salt and sand bins are full. The new

Orchard Park water tank is full, but they are waiting on the results of the water sample in order to be able to make the changes in the SCADA.

TOB Volunteer Fire Co. – There was no report.

Supervisor – Supervisor Rounds received a report regarding the CDBG progress. The TOB has received 20 applications for the 2020 CDBG program. Two of the projects have been completed; six projects are underway; four projects are in the bidding stage; one applicant dropped out; two applicants were not eligible, and five applicants are on waiting list. To date, they have expended \$262,677 with another \$217,565, which has been obligated. More than enough applicants have been identified, and the Town expects to complete the project by the June 23, 2023 deadline. The TOB Volunteer Fire Co. provided Supervisor Rounds with their 2023 proposed budget, which she in turn provided to Board members as there is a public hearing scheduled for November 15th to approve the TOB Volunteer Fire Co.'s contract for 2023.

UNFINISHED BUSINESS:

Passport Fair - Update – As requested by the Board, Town Clerk Conklin provided information regarding the Broome County Clerk's Office holding a Passport Fair at the TOB Town Hall. There was discussion. Town Clerk Conklin will request possible dates for a Passport Fair to be held in 2023 from BC Clerk Mihalko, and provide them to the Board members at a future meeting.

NEW BUSINESS:

Planning Board – Kathy Kiekel – Reappointment as Member – The Town is in receipt of a letter from Ms. Kiekel requesting that she be reappointed for another five-year term as a Member of the Planning Board. A motion was made by Councilperson Donahue reappointing Kathy Kiekel as a Member of the Planning Board for a five-year term beginning January 1, 2023 through December 31, 2027, and the motion was duly seconded by Councilperson Nye. All those present voted in favor of the motion. Motion carried.

Repeal Local Law No. 2-2021 Opting Out of Real Property Tax Law Section 487 Tax Exemption for Alternative Energy – Set Public Hearing – A motion was made by Councilperson Leighton to adopt a Resolution to set a public hearing on December 6, 2022 at 5:31 p.m. to adopt a Local Law to opt back into Real Property Tax Law Section 487 Tax Exemption for Alternative Energy, 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, Nye, Leighton

Absent: Bensley

Nays: None

Abstained: None

Declared adopted.

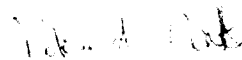
(Resolution Appended)

ADJOURNMENT:

A motion was made by Councilperson Donahue to adjourn the meeting at 6:13 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, November 15, 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 the 2023 Preliminary Budget which includes the proposed schedule of salaries of elected and appointed officers and employers attached to this Notice. A public hearing will be held to consider said proposed action at the Town Hall, 279 Park Avenue, Binghamton, New York on Tuesday November 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 this issue.

Please take further notice that the information on the proposed 2023 Preliminary Budget 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.

Dated: October 11, 2022

Vickie Conklin, Town Clerk

TOWN OF BINGHAMTON
SCHEDULE OF SALARIES OF ELECTED AND APPOINTED
OFFICERS AND EMPLOYEES

2023

HIGHWAY SUPERINTENDENT	\$ 50,250.00 per Year
JUSTICE	\$ 12,500.00 per Year
SUPERVISOR	\$ 17,500.00 per Year
TAX COLLECTOR	\$ 0.00 per Year
TOWN BOARD MEMBERS	\$ 7,500.00 per Year
TOWN CLERK	\$ 24,000.00 per Year

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 November, 2022 at 5:00 o'clock P.M. of said day, the following were:

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

ABSENT: Councilperson Michael Bensley

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

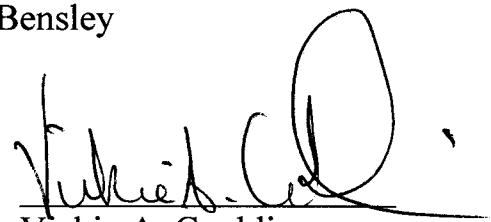
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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

NAYS: None

ABSENT: Councilperson Michael Bensley

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION

WHEREAS, the Town Board has before it a proposal to adopt the 2023 Preliminary Budget with revisions adding \$9,070 to the Health Insurance line item and \$5,000 to the Legal line item.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts the 2023 Preliminary Budget with revisions adding \$9,070 to the Health Insurance line item and \$5,000 to the Legal line item; 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 November, 2022 at 5:00 o'clock P.M. of said day, the following were:

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

ABSENT: Councilperson Michael Bensley

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

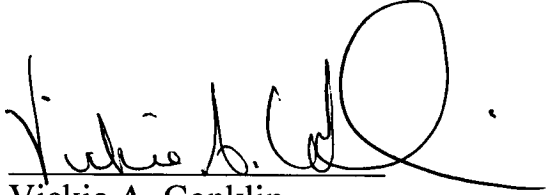
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Donahue, Nye, Leighton

NAYS: None

ABSENT: Bensley

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 869; 870; 871-872; 872-877; 878-888, 910, and 889-909 as audited, and

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

NOW, THEREFORE, be it

RESOLVED, that claim numbers 869; 870; 871-872; 872-877; 878-888, 910, and 889-909 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 November, 2022 at 5:00 o'clock P.M. of said day, the following were:

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

ABSENT: Councilperson Michael Bensley

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 A. Rounds
 Councilperson Michael Donahue
 Councilperson Mark Leighton
 Councilperson Dean Nye

NAYS: None

ABSENT: Councilperson Michael Bensley

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION

WHEREAS, the Town Board has before it a proposal to set a public hearing on December 6, 2022 at 5:31 pm to repeal Local Law No. 2-2021 opting out of the Real Property Tax Law Section 487 Tax Exemption for Alternative Energy.

NOW, THEREFORE, be it

RESOLVED, that the Town Board set a public hearing on December 6, 2022 at 5:31 pm to repeal Local Law No. 2-2021 opting out of the Real Property Tax Law Section 487 Tax Exemption for Alternative Energy; 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.