

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 15th day of November, 2022 at 7:00 o'clock p.m. of said day, the following were:

PRESENT: Supervisor Elizabeth 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 Donahue, who moved its adoption, and was seconded by Councilperson Bensley.

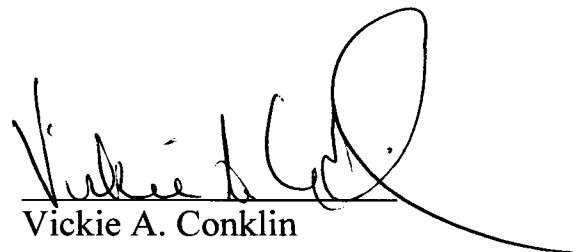
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it a proposed 2023 Town of Binghamton Volunteer Fire Department Contract which required a public hearing; and

WHEREAS, the Town Board duly conducted a public hearing on November 15, 2022 at 7:01 p.m. in connection with said proposed 2023 Town of Binghamton Volunteer Fire Department Contract.

NOW THEREFORE, IT IS

RESOLVED, that the proposed 2023 Town of Binghamton Volunteer Fire Department Contract is hereby approved as attached hereto; 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.

RECEIVED

NOV 15 2022

AGREEMENT

TOWN OF BINGHAMTON
VICKIE A. CONKLIN
TOWN CLERK

THIS AGREEMENT (this "Agreement") is made as of the 15 day of November, 2022, between the TOWN OF BINGHAMTON, a municipal corporation in the State of New York with offices at 279 Park Avenue, Binghamton, New York (the "TOWN") and the TOWN OF BINGHAMTON VOLUNTEER FIRE COMPANY, INC., a fire corporation organized and existing under Article 10 of the Membership Corporation Law and having its principal office at 457 Park Avenue, Binghamton, New York (the "FIRE COMPANY").

WITNESSETH:

WHEREAS, there has been duly established in the Town of Binghamton, a fire protection district known as TOWN OF BINGHAMTON FIRE PROTECTION DISTRICT NO. 1 (the "FIRE PROTECTION DISTRICT"), embracing all of the territory in the Town of Binghamton as such territory is more duly described in the Resolution establishing such district and duly adopted by the Town Board of the TOWN on the 2nd day of October, 1945; and

WHEREAS, following a public hearing duly held in accordance with Section 184 of the Town Law, at the Town Hall at 279 Park Avenue in the Town of Binghamton, and the said Town Board having duly authorized the TOWN to enter into this Agreement with the FIRE COMPANY to provide emergency services as requested through the BROOME COUNTY OFFICE OF EMERGENCY SERVICES ("BCOES"), to the FIRE PROTECTION DISTRICT upon the terms and provisions as hereinafter set forth:

NOW, THEREFORE, the TOWN does engage the FIRE COMPANY to provide emergency services (not including EMS or ambulance services) (the "SERVICES"), as requested through BCOES to the FIRE PROTECTION DISTRICT and the FIRE COMPANY agrees to furnish such emergency services in manner following to wit:

1. The FIRE COMPANY shall at all times during the period of this Agreement be subject to call for attendance upon any call for SERVICES as requested by BCOES occurring in the FIRE PROTECTION DISTRICT, and when notified of an emergency within the FIRE PROTECTION DISTRICT, the FIRE COMPANY shall respond and attend upon the emergency without delay with suitable equipment and personnel, and, if necessary, call for assistance as provided in the Broome County Mutual Aid Agreement, and upon arriving at the scene of the emergency, shall proceed diligently and in every way reasonably suggested to complete mitigation of the incident, and the saving of lives and property in connection therewith. The FIRE COMPANY agrees to maintain adequate and suitable apparatus and appliances for the furnishing of the SERVICES in the FIRE PROTECTION DISTRICT. Notwithstanding anything to the contrary contained herein, the TOWN and the FIRE COMPANY hereby acknowledge and agree that the FIRE COMPANY shall not perform or be expected to perform building inspections.

2. In consideration of the aforementioned SERVICES and equipment to provide the SERVICES, the TOWN shall pay to the FIRE COMPANY all monies collected pursuant to the TOWN tax collection attributed to the FIRE PROTECTION DISTRICT for the sum of Two Hundred Forty Four Thousand Five Hundred Eighty Two Dollars (\$244,582.00) which

sum is to be paid on or about January 31, 2023.

3. The term of this Agreement shall be one (1) year commencing on January 1, 2023 and ending on December 31, 2023. There shall be no automatic renewal of this Agreement and the parties agree to negotiate in good faith, renewals, extensions and modifications to future agreements between the TOWN and FIRE COMPANY.

4. Members of the FIRE COMPANY, while engaged in the performance of the SERVICES and in answering, attending upon or returning from any call provided for by this Agreement, shall have the same rights, privileges and immunities as are afforded for Volunteer Firefighters under the Volunteer Firefighters' Benefit Law of the State of New York.

5. The FIRE COMPANY shall maintain Comprehensive General Liability, Automobile Liability and Equipment and Vehicle Insurance to protect it, its agents and personnel, its vehicles, apparatus and equipment and the TOWN from liability for damages and loss which may arise as a result of the SERVICES performed by virtue of this Agreement, in an amount not less than \$1,000,000.00 for personal injury, including death, and for any occurrence of \$500,000.00 for damage to property. The FIRE COMPANY shall furnish the TOWN with a certificate of insurance from a company authorized to do business in the State of New York showing the coverage provided for herein within thirty (30) days upon written request therefor.

6. The TOWN shall not assume responsibility for any loss or damage of any nature which may be sustained to the fire apparatus or other equipment of the FIRE COMPANY unless such loss or damage is as a result of the actions or omissions of the TOWN, its employees, agents or assigns while working in their capacity(ies) as agents for the TOWN.

7. Except as set forth in the Volunteer Firefighters' Benefit Law of the State of New York, the TOWN shall not have responsibility for any injury sustained to the individual members of the FIRE COMPANY in attending to and/or responding to a call or returning from a call in the FIRE PROTECTION DISTRICT. The FIRE COMPANY shall indemnify and hold harmless the TOWN, its successors and assigns, against any and all damages, liabilities or claims of any nature, absolute or contingent, together with all expenses and legal fees, which may be incurred to defend or pay liabilities or claims arising out of or from or related to any activities of the FIRE COMPANY contemplated by this Agreement, except for those damages, liabilities or claims that are contemplated by the Volunteer Firefighters' Benefit Law to be the responsibility of the municipality, in this case the TOWN.

8. The FIRE COMPANY, upon written request by the TOWN, shall furnish, within thirty (30) days of the request therefor, a certificate of insurance in an amount of not less than the amount of the annual payment for SERVICES hereunder from a company authorized to do business in the State of New York, insuring that the treasurer and any other officer of the FIRE COMPANY who will be authorized to receive, handle and/or pay out the funds receivable hereunder, shall faithfully perform his or her duties.

9. Chapter 294 of the Laws of 2017 amended Town Law §176 and Town Law §184 to require that a FIRE COMPANY provide the following documents to the TOWN by September 1, 2023.

- (a) A statement itemizing the estimated costs of the FIRE COMPANY attributable to the provision of services under the 2024 prospective contract. The estimated costs attributable to the provision of services under the 2024 prospective contract itemized in the statement shall include, at a minimum, the following: Supplies; material; operation, maintenance and repair of equipment and apparatus; insurance; training; protective clothing, gear and other personnel costs; building rental, maintenance and operation; and any other capital costs or budgetary costs.
- (b) If the FIRE COMPANY is required to prepare or have any of the following documents, copies shall also be included with the above statement:
 - (1) The FIRE COMPANY'S most recent annual report of directors pursuant to Not-for-Profit Corporation Law §519;
 - (2) The FIRE COMPANY'S most recent verified certificate pursuant to Not-for-Profit Corporation Law §1402(f);
 - (3) The FIRE COMPANY'S most recent Internal Revenue Service form 990; and
 - (4) The FIRE COMPANY'S most recent annual report pursuant to General Municipal Law 30-a.

10. The FIRE COMPANY shall provide to the TOWN by September 1, 2023, records or statements showing budget cost versus actual costs for years 2021, 2022 and partial year 2023, the details of all reserve accounts for the same time period and the details of the FIRE COMPANY'S proposed contract amount for year 2024.

11. The FIRE COMPANY certifies that it has or will implement a written policy addressing sexual harassment prevention in the workplace and certifies that it will provide annual sexual harassment prevention training to all of its members and employees. The FIRE COMPANY certifies that such policy shall, at a minimum, meet the requirements of section Two Hundred One-g of the Labor Law.

TOWN OF BINGHAMTON

By: Elizabeth Rounds
Elizabeth Rounds, Supervisor

TOWN OF BIGHAMTON
VOLUNTEER FIRE COMPANY, INC.

By: Kevin Olds
Kevin Olds, President

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 15th day of November, 2022 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth 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 Donahue, who moved its adoption, and was seconded by Councilperson Nye.

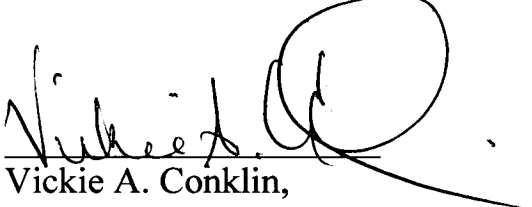
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: 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 re-appoint Kathy Kiekel as Planning Board member for another five-year term beginning January 1, 2023 and ending December 31, 2027.

NOW, THEREFORE, be it

RESOLVED, that the Town Board adopts a resolution to re-appoint Kathy Kiekel as Planning Board member for another five-year term beginning January 1, 2023 and ending December 31, 2027; 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 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 15th day of November, 2022 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth 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.

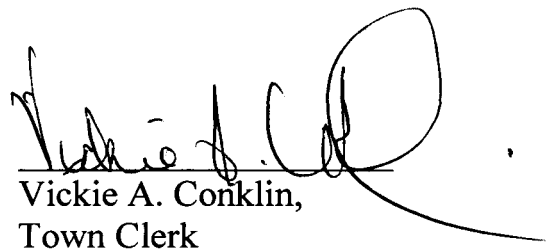
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, it has been recommended that the Town Board approve the Intermunicipal Agreement with the Town of Conklin for Justice Court Clerk Services for the year 2023; and

NOW, THEREFORE, be it

RESOLVED, the Intermunicipal Agreement with the Town of Conklin for Justice Court Clerk Services for the year 2023 is 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 15th day of November, 2022 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth 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.

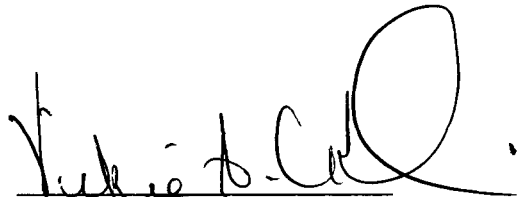
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, it has been recommended that the Town Board approve the Intermunicipal Agreement with the Town of Conklin for Dog Control Services for the year 2023; and

NOW, THEREFORE, be it

RESOLVED, the Intermunicipal Agreement with the Town of Conklin for Dog Control Services for the year 2023 is 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 Office Hall, 279 Park Avenue, Binghamton, New York, on the 15th day of November, 2022 at 7:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth 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, it has been recommended that the Town Board approve the Intermunicipal Agreement with the Town of Conklin to Provide Code Enforcement Services for the year 2023; and

NOW, THEREFORE, be it

RESOLVED, the Intermunicipal Agreement with the Town of Conklin to Provide Code Enforcement Services for the year 2023 is 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 15th day of November, 2022 at 7:00 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 Bensley.

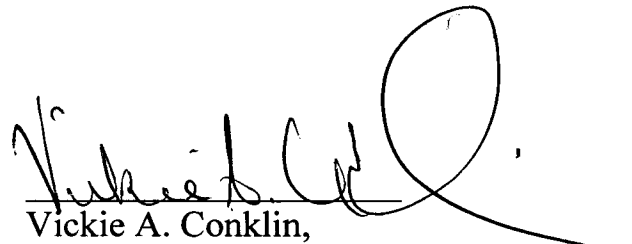
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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 CDBG grant application of Donald Gow for the property at 3857 Roberts Road, Binghamton in the amount of \$28,503.20 as set forth in the memo to the Board, and

NOW THEREFORE, IT IS

RESOLVED, that the CDBG grant application of Donald Gow for the property at 3857 Roberts Road, Binghamton in the amount of \$28,503.20 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 15th day of November, 2022 at 7:00 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 Bensley.

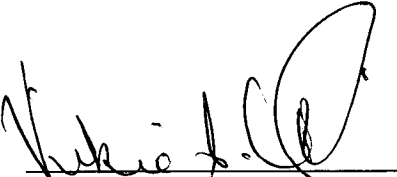
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

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 CDBG grant application of Kenneth Gow for the property at 3853 Roberts Road, Binghamton in the amount of \$23,000 as set forth in the memo to the Board, and

NOW THEREFORE, IT IS

RESOLVED, that the CDBG grant application of Kenneth Gow for the property at 3853 Roberts Road, Binghamton in the amount of \$23,000 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.