

**TOWN OF BINGHAMTON  
TOWN BOARD  
March 21, 2023 – 6:00 PM**

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**MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, MARCH 21, 2023, 6:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.**

The meeting was called to order at 6:02 p.m. by Supervisor Rounds.

**ROLL CALL:**

E. Rounds, Supervisor	Present	D. Nye, Councilperson	Present
M. Bensley, Councilperson	Present	V. Conklin, Councilperson	Present
M. Donahue, Deputy Supervisor	Present		

**OTHERS PRESENT:**

T. Tokos, Town Clerk  
 G. Middleton, Town Attorney  
 N. Pappas, Code Enforcement Officer/Building and Grounds  
 M. Leighton, Highway Superintendent  
 K. Olds, TOB Volunteer Fire Co.

**Supervisor Rounds stated: 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:**

Voucher #180 has been pulled for review by Highway Superintendent Leighton. Councilperson Nye made a motion to adopt a Resolution to approve the following claims as audited:

Lighting	Claim No. 171	\$	32.86
Sewer	Claim No. 172	\$	12.00
Water	Claim No. 173 -176	\$	980.30
Highway	Claim No. 177 -186	\$	22, 785.05
General	Claim No. 187 -216	\$	14,014.45
<b>TOTAL</b>		<b>\$</b>	<b>37,824.66</b>

The motion was duly seconded by Deputy Supervisor Donahue. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Nye, Bensley, Conklin      Absent: None

Nays: None

Abstained: None

Declared adopted.

(Resolution Appended)

### **RECOGNITION OF MINUTES:**

There were no corrections made to the March 7, 2023 Work Session minutes.

### **VOICE OF THE PUBLIC:**

Supervisor Rounds opened the floor to the public for comments at 6:08 p.m.

There being no presentations, the floor was declared closed at 6:08 p.m.

### **COMMUNICATIONS AND ANNOUNCEMENTS**

There will be an Association of Towns and Villages meeting at the Spot Restaurant on Upper Front Street on March 24, 2023. A guest speaker from NYSEG is scheduled. Social hour will be from 5:30p.m. to 6:00p.m. with dinner immediately following. Four Town Board Members will be attending.

### **OFFICIALS AND COMMITTEE REPORTS:**

#### Planning Board – Zoning Board of Appeals –

- Deputy Supervisor Donahue attended the Planning Board Meeting with Binghamton Atlas. Project is moving along.
- There will be a joint meeting with the ZBA on April 25, 2023 @ 6:30p.m. at the Town Hall with training

#### Youth Commission –

- Registrations for baseball/softball will close on March 24, 2023. Practices will begin this week.
- Practice for baseball/softball majors will be held at the Middle School. The Brookside gym will be utilized by the minor leagues. Some outdoor SV facilities may be utilized until Jackson Park is playable.
- There will be a meeting with other towns on Sunday, March 25, 2023, to discuss rules and schedules.
- Lacrosse Update –
- There has been discussion between Joe Davis and Chris Streno regarding the startup Lacrosse program.
- Chris Streno has one start up team of 12 players for this year (K2 age group).
- Team will play in the City of Binghamton Youth Lacrosse League. (No fee)

- Players will rent equipment with option to buy post season, unless parents prefer to buy their own equipment pre-season.
- A financial breakdown of program was discussed, from equipment to cost per player V. Town contribution/investment and Youth Commission budget allowance.
- The next Youth Commission meeting will be held on April 20, 2023 @ 6:00p.m. Time subject to change.

#### Code Enforcement/ Building and Grounds –

- Code Enforcement Officer Pappas has informed the people at the Montrose Ave property what the next step is regarding coming in for the public hearing. The public hearing will be for both Montrose, and Park Avenue properties which will be set on April 18, 2023. The daughter from the Montrose property will attend the public hearing to explain their intentions for the property.
- Mr. Pappas has contacted the Park Avenue property owners and have sent them all appropriate Code Enforcement paperwork.
- The 25 Powers Road property has been cleaned. Mr. Pappas will meet with the engineer and project manager this week. The owners have accepted the 30/60/90-day schedule for cleaning and implementing the plan previously discussed at the February Town Board meeting and have agreed to pay the \$4000.00 fine.
- George Haas from Haas Construction will meet with owners to examine/inspect the property for needed repairs. The owner has stated that he has a buyer for the property but it must be fixed up before it can be sold.
- The Binghamton University Tennis Center will be getting a SWPT permit for work that has already been completed on site. Any further work that needs to be done must be brought before the Town of Binghamton Planning Board.
- The work on the house at the corner of Morgan and Stevens Road should be just about completed. Code Enforcement Officer Zack Soboleski will check the status of that property.
- Weather permitting, the Town parks will start getting ready for use.

#### Highway Department –

- Two new pickup trucks that have been ordered are currently in production but no delivery date has yet been set.
- Road Salt quota has been met so there is no storage fee.
- There will be a half day Storm Water -training for the Highway Department employees at the Town Hall on Thursday, March 23, 2023
- A 2-week notice has been given by Jim Derzonovich. One of the summer employees will be coming back. The department will be looking for an employee, age 18 or older, willing to work hard over the summer.
- The cab and chassis for ‘the big truck’ is built and the truck is on its way to Burr Trucking where it was purchased. The Town should be in possession of the truck soon.
- There was discussion about the sale of some of the trucks, and surplus highway equipment that can be put on Auctions International.

- Deputy Highway Superintendent Pat Wagner will attend the work session on April 4, 2023 in place of Superintendent Leighton who will be attending grade C classes for his grade C water license. Leighton will be attending classes from April 3, 2023 through April 7, 2023.
- The sewer Jetter has been delivered to Ohio and is being repaired. Leighton will follow up on status of the Jetter and when work will be completed.

Receipt of Reports – The Town Board is in receipt of the following reports:

Town Clerk’s Monthly Report for February 2023  
 DCO Monthly Report for February 2023  
 Code Enforcement Officer’s Monthly Report for February 2023

TOB Volunteer Fire Co.

- There have been 9 fire calls since last meeting: 3 house fires, 3 wires down, 2 CO, and 1 EMS assist.
- The new firetruck arrived on February 24, 2023. Factory training for volunteers was done on the 27<sup>th</sup> at Station #1 in Hawleyton and has been in service since that time. More volunteers will soon be certified on the workings of the truck.
- Kevin Olds provided the Council with the stats of the new truck.
- The old tanker has been sold to Whitaker Farm in Oxford, NY for the amount of \$30,000.

Supervisor Report-

- See Association of Towns and Villages meeting announcement for location and time.

**UNFINISHED BUSINESS:**

- A motion will be made to set a Public Hearing, for April 18, 2023 for the Town of Binghamton Local Law (# will be recorded when issued) authorizing the Real Property Tax Exemption for volunteer Fire and Ambulance service workers. A discussion was held between Attorney Middleton and Town Board members on what the requirements/qualifications of jurisdictions will as active membership must be agreed on.
- Supervisor Rounds will check into whether or not Broome County has had the Public Hearing for this exemption.

Councilperson Conklin made a motion to adopt a Resolution to set the Public Hearing for the Real Property Tax Exemption for April 18, 2023 at 6:01p.m.

The motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Conklin, Bensley, Nye

Nays: None

Declared adopted.

(Resolution Appended)

Councilperson Nye made a motion to adopt a Resolution to set a Public Hearing to Finalize the Charter Communication Franchise Agreement for April 18, 2023 at 6:02p.m. The motion was duly seconded by Councilperson Conklin. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Conklin, Bensley, Nye

Nays: None

Declared Adopted.

(Resolution Appended)

- Supervisor Rounds gave an update on the Binghamton Tennis Center. The Center will be tax exempt due to their nonprofit status and loss of revenue, and will be brought in as an outside user to the Town's consolidated sewer and water district.
- Binghamton Tennis Center provided documentation that showed their operating budget showed a substantial loss.
- There will be an operation and maintenance fee added to the Tennis Centers' tax bill for both sewer and water.

Councilperson Nye made a motion to adopt a Resolution to approve the immediate addition of 3801 Mill Street, tax map # 160.20-4-18.12 also known as the BU Tennis Center, as an outside user to the Town of Binghamton Consolidated Sewer and Water District and authorize such use subject to the following conditions: that the water and sewer usage be paid at the regular rate of usage paid by any inside user of the water and sewer district, and that the water and sewer charges accrued by the property be paid in accordance with the schedule set forth by the Town of Binghamton, for the payment of such amounts under the town code of the Town of Binghamton, and that any penalties associated with such water and sewer charges, as set forth in the Town of Binghamton town code, in which may be changed from time to time and that the operation and maintenance cost for provisions of such water and sewer services to be paid in accordance with the property's use of water and sewer services.

The motion was duly seconded by Deputy Superintendent Donahue. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Conklin, Bensley, Nye

Nays: None

Declared Adopted.

(Resolution Appended)

A motion was made by Deputy Supervisor Donahue to adopt a Resolution for the 2019 BROOME COUNTY HAZARD MITIGATION PLAN UPDATE. The motion was duly seconded by Councilperson Conklin. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Donahue, Conklin, Bensley, Nye

Nays: None

Declared Adopted.

(Resolution Appended)

**NEW BUSINESS-**

Deputy Supervisor Donahue made a motion to adopt a Resolution to set a Public Hearing on April 18, 2023 at 6:03p.m. for the closeout of the 2020 Community Development Block Grant, Project # 10SHR132-20.

The motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. A roll call voted resulted in the following:

Ayes: Rounds, Donahue, Conklin, Bensley, Nye

Nays: None

Declared Adopted.

(Resolution Appended)

**EMPLOYEE HANDBOOK UPDATE:**

Supervisor Rounds is having the Employee Handbook updated by Public Sector HR Consultants, LLC. The cost will be \$950.00 Any and all changed policies will be updated.

**VOICE OF THE PUBLIC:**

Supervisor Rounds opened the floor to the public for comment at 7:13 p.m.

There being no presentations, Supervisor Rounds declared the floor closed at 7:14 p.m.

**EXECUTIVE SESSION:**

A motion was made by Councilperson Conklin to go into an Executive Session at 7:14 p.m. to discuss a personnel 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 Nye to adjourn the Executive Session at 8:05 p.m. and was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried. A motion was made by Councilperson Bensley to reconvene the Board Meeting at 8:06 p.m. the motion was duly seconded by Councilperson Nye. All those present voted in favor of the motion. Motion carried.

**ADJOURNMENT:**

A motion was made by Councilperson Conklin to adjourn the meeting at 8:07 p.m. and was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

*The next meeting of the Town of Binghamton Town Board will be a Work Session to be held on Tuesday, April 4, 2023 @ 4:00 p.m., at the Town of Binghamton Town Hall, 279 Park Avenue, Binghamton, NY.*

*The Next Town Board Meeting will be held on Tuesday, April 18, 2023 @ 6:00 p.m., at the Town of Binghamton Town Hall, 279 Park Avenue, Binghamton, NY.*

Transcribed by,

Paula J. Edwards  
Deputy Town Clerk

Respectfully submitted,



Tracy Tokos  
Town Clerk



# DCO Monthly Report

Report For: February 2023

## Dog Pick-up Report:

Number of Dogs Picked-up 1  
Number of Dogs Returned to Owner (No Shelter) 1  
Number of Dogs Taken to Shelter     

## Comments:

## Shelter Report:

Number of dogs Redeemed by Owner 0  
Number of dogs Adopted from Shelter 0  
Number of Dogs Euthanized 0

## Lost/Injured Report:

Number of Dogs Lost 0  
Number of Dogs Found 0  
Dogs Injured 0  
Bite Reports 1

Bite owner no complaint

## Complaints & Violations:

Number of Complaints received 0  
    Anonymous 0  
    Formal 0  
Number of Letters Sent to Violators 0

## DCO:

Total vehicle miles       
Total vehicle fuel cost     

## Additional Comments:

Had hearing February 23 on dogs unlicensed and running at large, pled not guilty, next court date April 4, 2023

Submitted By:

DCO: Rick Murray

Date: March 13, 2023

**OFFICE OF CODE ENFORCEMENT**  
**REPORT FOR THE MONTH OF** FEB 2023

**BUILDING CODE ISSUES**

No. of Building Permits Issued	<u>0</u>
No. of Property Maintenance Complaint Calls Received	<u>2</u>
No. of Stop Work Orders Issued	<u>0</u>
No. of Reports of Unsafe Structures	<u>0</u>
No. of ZBA Hearings Held	<u>1</u>
No. of Clean Fill Permits Issued	<u>0</u>
No. of Letters Sent to Violators	<u>3</u>
No. of Phone Calls	<u>57</u>

**OTHER CODE RELATED ISSUES**

No. of Calls Received about Junk Vehicles	<u>0</u>
No. of Calls Received about Landlord / Tenant Issues	<u>0</u>
No. of Fire Related Calls	<u>3</u>
No. of Vehicle Restoration Permits Issued	<u>0</u>
No. of Letters Sent to Violators	<u>0</u>
No. of Illegal Dumping Incidents	<u>1</u>
No. of Phone Calls	<u>0</u>
No. of Issues Resolved by Phone or in Person	<u>0</u>

**DOG CONTROL**

No. of Dogs Picked up	_____
No. of Dogs Returned to Owners without the use of Shelter	_____
No. of Dogs Taken to Shelter	_____
No. of Dogs Redeemed from Shelter	_____
No. of Dogs Adopted out of Shelter	_____
No. of Dogs Euthanized	_____
No. of Dogs Hit by Car - Dead	_____
No. of Dogs Hit by Car - Injured	_____
No. of Lost Dogs	_____
No. of Found Dogs	_____
No. of Dog Bites	_____
No. of Complaint Calls Received	_____
No. of Letters Sent to Violators	_____

**ADDITIONAL COMMENTS:**

\_\_\_\_\_  
 \_\_\_\_\_

Submitted by 

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Conservation	Conservation	1	0.28
	Marriage Lic.	MARRIAGE LICENSE FEE	1	17.50
	MISCELLANEOUS CASH	Certified Copies	27	282.00
	<b>Sub-Total:</b>			<b>\$299.78</b>
A2544	Dog Licensing	Female, Spayed	7	98.00
		Female, Unspayed	1	22.00
		Male Neutered	9	126.00
		Male Unneutered	3	66.00
		Late fee	Late fee	2
	<b>Sub-Total:</b>			<b>\$342.00</b>
<b>Total Local Shares Remitted:</b>			<b>\$641.78</b>	
Amount paid to:	NYS Ag. & Markets for spay/neuter program			28.00
Amount paid to:	NYS Environmental Conservation			4.72
Amount paid to:	State Health Dept. For Marriage Licenses			22.50
<b>Total State, County &amp; Local Revenues:</b>		<b>\$697.00</b>	<b>Total Non-Local Revenues:</b> <b>\$55.22</b>	

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Tracy Tokos, Town Clerk, Town of Binghamton during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

*Elizabeth Knudts* 3/1/23

Supervisor

Date

*Tracy Tokos*

Town Clerk

3-6-23

Date