

TOWN OF BINGHAMTON
TOWN BOARD
August 15, 2023 – 6:00 PM

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MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, AUGUST 15, 2023, 6:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

The meeting was called to order at 6:00 p.m. by Supervisor Rounds.

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

OTHERS PRESENT:

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

GUEST: Ray Mastin

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. There was no session

APPROVAL OF AUDITED CLAIMS:

Deputy Supervisor Donahue questioned invoice # 647 for EZ Release. He recommended that it be purchased local rather than ordering it online and paying shipping fees.

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

General	Claim No. 652 - 674	\$ 17,711.00
Highway	Claim No. 638 - 651	\$ 17,883.58
Lighting	Claim No. 631	\$ 24.15
Sewer	Claim No. 632 - 633	\$ 1,115.55
Water	Claim No. 633 - 637	<u>\$112,230.70</u>
	TOTAL	\$ 148,964.98

The motion was duly seconded by Councilperson Nye. Four of those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Nye, Conklin, Donahue

Nays: None

Abstained: Bensley

Absen: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no corrections made to the August 1, 2023 Work Session minutes.

The August 8, 2023 Special Meeting minutes were recognized.

VOICE OF THE PUBLIC: Supervisor Rounds opened the floor at 6:17 p.m.

Ray Mastin - 3800 Roberts Rd.

Mr. Mastin attended the meeting in response to the previous correction that we made in the August 1, 2023 minutes regarding the access Road to the Powers Road Solar project. Mr. Mastin wanted it to be clear that the access Road to the Powers Road Solar Project is located in the Town of Binghamton on Forest Hill Rd.

Mr. Mastin also brought up the topic of the future Mill Hill Project and what the heating plans are for the entire complex. He inquired about a study of the Mill Hill water table that was completed several years ago and whether they would go with the Geo thermal system? Supervisor Rounds stated that was very preliminary and that those details will be discussed in a future meeting with the Engineers, the developers, and the Town.

The Floor was closed at 6:26 p.m.

COMMUNICATIONS AND ANNOUNCEMENTS:

The Town Hall will be closed on Monday September 4th for the Labor Day Holiday.

REMINDER:

The Town of Binghamton Volunteer Fire Department is hosting a drive thru Chicken BBQ pick up at the Hawleyton United Methodist Church, located at 901 Hawleyton Road. Saturday, August 19, 2023 from 12:00 p.m. (noon) until sold out.

OFFICIALS AND COMMITTEE REPORTS:

Planning Board:

- There is no report. Waiting on a date for the next meeting.

Zoning Board of Appeals:

- Attorney Middleton spoke regarding a conference that she had with Atlas Solar last week regarding the agreements that they are coming with in front of the board. Some minor adjustments need to be made prior to, i.e., the Road use, Cellular and pilot agreements. Their intentions are to come to the Board meeting on Sept 5, 2023. At that time, we will schedule a public hearing.

Youth Commission:

- There is no update and no meeting scheduled at this time.
- Councilperson Bensley stated he was contacted via an email that there will be a request for an additional \$5,000 for the Lacrosse program. Chris has also received the request and it will be discussed in the budget meeting for the Youth Commission program.

Code Enforcement/Buildings and Grounds:

- Nick inquired about the appearance tickets that will be issued for failure to comply with Code regarding property maintenance. Nick would like to issue these via Certified mail, Attorney Middleton stated that she spoke to Attorney Pope, the only concern is if the process will be sufficient to Due process given the fact that it is technically criminal proceedings. They feel that will be acceptable but she does want to look a little further into it to be sure.
- Nick received 2 quotes for the Jackson Park fence One is for \$96,400.00 and the other is for \$124,100.00. Deputy Supervisor Donahue stated that the fence project needs to be put out for bid because it is outside the procurement policy. Nick also received an estimate to remove the remaining utility poles from Triple E Power & Light LLC for \$3,200.00. We will accept that proposal and have that project performed as quoted.
- The Powers Rd. property is all settled, we received the \$4,000.00 check from Mr. Hussein. The property is under rehabilitation with the new owners working daily on renovations.
- The Community center blacktop issue is still not resolved. Nick has called Broome Bituminous several times and no one is responding to him. The blacktop is pitching towards the building. The previous sidewalks were removed and the blacktop was brought up to the building causing water to seep in through the sill plate each time it rains. The invoice is not paid as of yet. We have photos of the issues and are waiting for Broome Bituminous to correct the error.
- Montrose Ave. is still in the process of getting the property code violations taken care of. Mr. Mapes is in a senior care facility Attorney Middleton is in correspondence with the

daughter who is unable to attend a Board meeting and has requested a phone conference with Supervisor Rounds, Nick Pappas and Attorney Middleton.

Highway Department:

- Highway Supervisor Leighton stated that the crews have been busy replacing some road signs that have been run over recently.
- Round 2 of stone and oil is in process.
- Ditching is also being finished up.
- The recent rainy days have allowed for a lot of maintenance to the vehicles i.e., oil changes, cleaning, exterior and detailing interior.
- Hand patching and paving.
- Calls come in from residents updating Mark with the issues that are needing attention throughout the Town. He is trying to respond to, and take care of all the best they can.
- Councilperson Nye inquired about the truck that went to Ohio previously for repair; Mark stated that it is not finished yet, He is not getting any responses from the Company to his several attempts to contact them. Attorney Middleton will draft a letter and send to them.
- Discussion regarding the driveway at Dr. Miller's residence. We are waiting on Broome Bituminous to complete it.

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

Town Clerk's Monthly Report for July 2023

DCO Monthly Report for July 2023

Code Enforcement Officer's Monthly Report for July 2023

TOB Volunteer Fire Co:

- There were 10 calls, 3 EMS, 4 Fire, 1 rescue, 1 wire down and 1 tree. The rescue involved a woman that slid down the gorge at the corner of Laurie Brook and Cynthia Dr. She was rescued with a rope.
- Kevin inquired about the change order for the phone line at the Command center.

Supervisor:

- No report

Unfinished Business:

- Update on the Cell service- Supervisor Rounds has a call out to Chuck Rogers regarding the Verizon tower antenna addition. It is either that the antenna addition has not taken place as of yet or the upgrade made no improvement to the service in the area because calls are still dropping throughout the Town.

New Business:

- No New business

VOICE OF THE PUBLIC

- Not Applicable. No speakers. Voice of the Public was opened and closed at 7:23 p.m.

ADJOURNMENT

- A motion was made by Councilperson Bensley to Adjourn the Board Meeting at 7:25 p.m. the motion was seconded by Councilperson Donahue. All those present voted in favor of the motion. Motion carried.

LOOKING AHEAD:

- Town Board Work session – Tuesday, September 5, 2023, at 4:00 p.m.
- Town Board Regular Meeting – Tuesday, September 19, 2023 at 6:00 p.m.

Respectfully transcribed and submitted by,

Tracy Tokos
Town Clerk



Paula J. Edwards
Deputy Town Clerk



**TOWN OF BINGHAMTON - TOWN BOARD SPECIAL MEETING
MINUTES HELD ON AUGUST 8, 2023 11:30 A.M. TOWN OF BINGHAMTON TOWN HALL,
279 PARK AVENUE, BINGHAMTON, NEW YORK 13903**

The Meeting was call to order by Supervisor Rounds at 11:30 a.m.

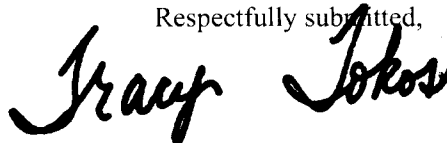
Supervisor Rounds, Deputy Supervisor Donahue, Councilperson Nye, Councilperson Bensley, and Councilperson Conklin were present.

The sole purpose of the Special Meeting was to review and update the Employee Handbook. The Board members reviewed all the items in the Handbook, made any updates that were necessary, and the Handbook will now be sent to the Publisher to update it.

ADJOURNMENT:

A motion was made by Councilperson Conklin to adjourn the meeting, the motion was duly seconded by Councilperson Bensley. All present voted in favor of the motion. Motion carried. The meeting was adjourned at 1:30 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Tracy Tokos". The signature is written in a cursive, flowing style.

Tracy L. Tokos
Town Clerk

Town Board Work Session Minutes August 01, 2023

Correction to July 18, 2023 minutes

The revision states "The access Road to solar project is located on Powers Road not on Felters Road".

Forest Hill Rd. was the accepted access to this project by the Town of Binghamton Planning Board.

The access that the Planning Board approved was Forest Hill Rd. via way of Conklin Ave. (NYSRT. 7), Macon St., Saratoga Ave., Decatur St., Harding Ave. (partial TOB roadway), Stanford Rd. (TOB roadway), and Forest Hill Rd. (TOB roadway).

Or an Alternate using Burr Ave., Iva St., Decatur St., Harding Ave. (partial TOB roadway), Stanford Rd. (TOB roadway), and Forest Hill Rd. (TOB roadway).

If the access to this project has changed this project must come back to the Planning Board for further review as this would require the issuance of a Broome County Highway Work Permit, a revision of the leased property from Robert Haskell, the submittal of proposed access roadway design and a revised SWPPP (NYS Stormwater Pollution Prevention Plan).

If the intent of this revision was to tag a recognizable description to this development the wording of the revision should be modified.

"The access road to the Powers Road Solar Project is located in the Town Of Binghamton on Forest Hill Road."