

TOWN OF BINGHAMTON  
TOWN BOARD WORK SESSION  
September 5, 2023 at 4:00 PM

- Page 2      Meeting call to order  
                 Roll Call  
                 Approval of Audited Claims
- Page 3-5    Approval of Audited Claims (Continued)  
                 Recognition of Minutes  
                 Communications and Announcements  
                 Officials and Committee Reports  
                            Planning Board  
                            Zoning Board of Appeals  
                            Youth Commission  
                            Code Enforcement/ Buildings & Grounds  
                            Highway Department  
                            TOB Volunteer Fire Co.  
                            Supervisor
- Page 6      Unfinished Business  
                 New Business
- Page 7      Adjournment  
                 Looking ahead

MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, September 5, 2023, 4:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON NEW YORK.

The meeting was called to order by Supervisor Rounds at 4:02 p.m.

**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.  
 3 Guests

**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 meeting.**

**APPROVAL OF AUDITED CLAIMS:**

Supervisor Rounds stated that Invoice #715 to Spectrum was pulled and will be paid at the next invoice when all the changes are updated and we know that the amount is correct.

There are a few receipts we are waiting for from Chris Streno for the Youth commission. Supervisor Rounds is in communication with him regarding those receipts.

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

<b><u>AUDITED CLAIMS</u></b>	<b><u>CLAIM #'S</u></b>	<b><u>AMOUNT</u></b>
<b>GENERAL</b>	<b>700 - 726</b>	<b>\$ 23,518.04</b>
<b>HIGHWAY</b>	<b>680 - 699</b>	<b>\$ 113,598.95</b>
<b>LIGHTING</b>	<b>675</b>	<b>\$ 670.50</b>
<b>WATER</b>	<b>676 - 697</b>	<b><u>\$ 3,041.55</u></b>
	<b>TOTAL</b>	<b>\$ 140,829.04</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

Declared adopted.

(Resolution Appended)

**RECOGNITION OF MINUTES:**

There were no changes/corrections made to the regular Town Board meeting minutes for August 15, 2023.

**COMMUNICATIONS AND ANNOUNCEMENTS:**

None

**OFFICIALS AND COMMITTEE REPORTS:**

**Planning Board:**

Nothing at this time – The next meeting will be October 24, 2023.

**Zoning Board of Appeal:**

Nothing at the time – They will also be in the October 24, 2023 meeting with the Planning board. A reminder was sent out to all members.

**Youth Commission:**

There was no August meeting – Football games began as of August 27<sup>th</sup>.

**Code Enforcement/Buildings and Grounds:**

Code enforcement Officer Pappas has proposals for materials for the new garage at the Town Hall, the garage was put in to the budget previously and will be constructed “in house” The following is a list of the materials Nick will be using and the lowest quotes accepted.

- Walls – OGGI Concrete forms & accessories, Inc. - \$7,620.25
- Truss package – Foland Lumber - \$3,475.50
- Metal roofing – Alpine Metal Roofing - \$2,120.00

Councilperson Conklin made a motion to adopt a resolution to accept the Proposal for new wall forms from OGGI Concrete forms & accessories, Inc. in the amount of \$7,620.25. The motion was duly seconded by Deputy Supervisor Donahue. There was no further 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, Conklin

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

Councilperson Bensley made a motion to adopt a resolution to accept the Proposal for The Truss package from Foland Lumber in the amount of \$3,475.50. The motion was duly seconded by Deputy Supervisor Donahue. It was discussed that one quote did not come in and they had ample time to submit their bid. It was agreed upon that we would go with the bid from Foland. 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

Declared adopted.

(Resolution Appended)

Councilperson Bensley made a motion to adopt a resolution to accept the Proposal for The Metal Roof from Alpine Metal Roofing in the amount of \$2,120.00. The motion was duly seconded by Councilperson Conklin. There was no further 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, Conklin

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

The total for the project will be approximately \$24,000.00 with the above materials, concrete, additional materials, i.e., lumber, gravel etc.

**Highway Department:**

Highway Superintendent Leighton stated that Lee's truck is back, it had some tailgate issues with the electronics.

Attorney Middleton is working on the letter to High flow who has the Jetter. Hoping to "light a fire" under them.

There was a discussion regarding the Highway dept having additional space for parking equipment. 780 and 825 Hawleyton Rd. are the properties in question. Attorney Middleton will look into any liens on the properties and she will report back at the next meeting.



**UNFINISHED BUSINESS:**

Binghamton Solar, LLC attended the meeting via zoom to review answer any questions regarding the 4 agreements:

1. DECOMMISSIONING AGREEMENT.
2. HOST COMMUNITY AGREEMENT.
3. ROAD USE AGREEMENT.
4. PAYMENT IN LIEU OF TAXES.

Attorney Middleton explained briefly what each agreement entails. There was a brief discussion and a motion was made by Deputy Supervisor Donahue to adopt a Resolution to set a public hearing at the next Town board Work session on October 3, 2023 at 4:01 p.m. for approval of all 4 agreements listed above, with Binghamton Solar, LLC for the project on Powers Rd. the motion was seconded by Councilperson Nye. All voted in favor of the motion.

A roll call vote resulted in the following:

Ayes: Rounds, Nye, Donahue, Conklin

Nays: None

Abstained: None

Absent: One

Motion carried.

(Resolution Appended)

The Montrose Ave. property proceedings to go to court are in place. The home owners are not complying with code enforcement policies. All attempts have been made at this point.

The Community Center is still having issues and is on report.

The Verizon Cell service tower is still not in progress.

**NEW BUSINESS:**

A Resolution was approved for Town Justice Lawrence Brinker to apply for a grant to use for updating the Court with new benches, metal detectors, entry door repairs, etc. – A copy of the Resolution is attached in its entirety.

A Resolution was also passed for the 2022 Annual Audit performed of the Town of Binghamton Justice Court’s records – A copy of the Resolution is attached in its entirety.

The 2022 Annual Audit Report for the Town Clerks office is in review and will be addressed at the next meeting.

**ADJOURNMENT:**

A motion was made by Councilperson Bensley to adjourn the meeting at 5:32 p.m. and the motion was duly seconded by Councilperson Conklin. All those present voted in favor of the motion.

Motion carried.

**LOOKIN AHEAD:**

The next meeting of the Town of Binghamton Town Board will be a regular Town Board Meeting at 6:00 p.m. on Tuesday, September 19, 2023, at the Town Hall, 279 Park Avenue, Binghamton, N.Y.

Respectfully Transcribed, and Submitted,

A handwritten signature in cursive script that reads "Tracy Tokos".

Tracy Tokos  
Town Clerk

**RESOLUTION**

At a regularly scheduled work session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Office Building, 279 Park Avenue, Binghamton, New York, on the 5<sup>th</sup> day of September, 2023 at 4:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds  
Deputy Supervisor Michael Donahue  
Councilperson Michael Bensley  
Councilperson Dean Nye  
Councilperson Vickie Conklin

ABSENT: None

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

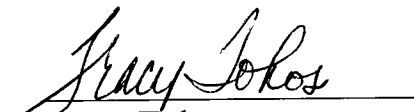
A vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth Rounds  
Deputy Supervisor Michael Donahue  
Councilperson Michael Bensley  
Councilperson Dean Nye  
Councilperson Vickie Conklin

NAYS: None

ABSENT: None

The Resolution was then declared adopted.

  
\_\_\_\_\_  
Tracy Tokos,  
Town Clerk



**RESOLUTION:**

**WHEREAS**, it has been recommended that the Board of the Town of Binghamton authorize the Town of Binghamton Town Court to apply for the Justice Court Assistance Program (JCAP) grant in the 2023-24 grant cycle up to \$30,000.00, and

**NOW THEREFORE, IT IS**

**RESOLVED**, that the Board of the Town of Binghamton authorizes the Town of Binghamton Town Court to apply for a JCAP grant in the 2023-24 grant cycle up to \$30,000.00; 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 work session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Office Building, 279 Park Avenue, Binghamton, New York, on the 5<sup>th</sup> day of September, 2023 at 4:00 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds  
Deputy Supervisor Michael Donahue  
Councilperson Michael Bensley  
Councilperson Dean Nye  
Councilperson Vickie Conklin

ABSENT: None

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

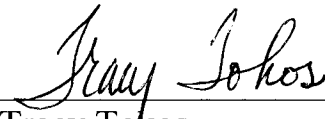
A vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Supervisor Elizabeth Rounds  
Deputy Supervisor Michael Donahue  
Councilperson Michael Bensley  
Councilperson Dean Nye  
Councilperson Vickie Conklin

NAYS: None

ABSENT: None

The Resolution was then declared adopted.

  
\_\_\_\_\_  
Tracy Tokos,  
Town Clerk

**RESOLUTION:**

**WHEREAS**, Section 2019-a of the New York State Uniform Justice Court Act sets forth, in relevant part, the following:

“It shall be the duty of every such justice, at least once a year and upon the last audit day of such village or town, to present his records and docket to the auditing board of said village or town, which board shall examine the said records and docket, or cause same to be examined and a report thereon submitted to the board by a certified public accountant, or a public accountant and enter in the minutes of its proceedings the fact that they have been duly examined, and that the fines therein collected have been turned over to the proper officials of the village or town as required by law”;

and

**WHEREAS**, the Justice Court of the Town of Binghamton timely presented its records and dockets to the auditing board of the Town of Binghamton; and

**WHEREAS**, the auditing board duly examined all of the Town of Binghamton Justice Court’s records and dockets for the fiscal year ending December 31, 2022 and found and that the fines therein collected have been turned over to the proper officials as required by law.

**NOW THEREFORE, IT IS**

**RESOLVED**, that Town Board of the Town of Binghamton hereby acknowledges that the examination of the Town of Binghamton Justice Court’s records required by Section 2019-a of the New York State Uniform Justice Court Act was conducted and that no issues were identified during said examination; and it is further

**RESOLVED**, that the Town Clerk is directed to send a copy of this Resolution to the appropriate contact at the NYS Office of Court Administration; 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.