# TOWN OF BINGHAMTON TOWN BOARD

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MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, DECEMBER 19, 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 ALLEGIENCE

#### **ROLL CALL:**

Supervisor Rounds – Present Deputy Supervisor Bensley – Present Councilperson Donahue – Present Councilperson Nye – Present Councilperson Conklin – Present

# **OTHERS PRESENT:**

- T. Tokos, Town Clerk
- G. Middleton, Town Attorney
- N. Pappas, Code Enforcement Officer/Building and Grounds
- M. Leighton, Highway Superintendent
- 1 Guest

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 is no executive session scheduled for this meeting.

#### APPROVAL OF AUDITED CLAIMS:

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

AUDITED CLAIMS	CLAIM #'S	AN	<u>10UNT</u>
CAPITAL PROJECTS	1066	\$	96,514.95
LIGHTING	1026	\$	37.58
SEWER	1027 - 1029, 1036 - 1037	\$	14,544.09
WATER	1029 -1035	\$	4,244.14
HIGHWAY	1038 - 1046	\$	31,513,97
GENERAL	1047 - 1065	\$	53,471.86

TOTAL \$200,326.59

There was discussion regarding the Highway department purchasing used map file cabinets from out of town. regarding cost of cabinets v. travel cost to pick up. Superintendent Leighton has been encouraged to search locally for the file cabinets

The motion was duly seconded by Councilperson Conklin. 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 December 5, 2023 Work Session minutes.

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

Supervisor Rounds opened the floor to the public for comments at 6:07 p.m.

There being no presentations, the floor was declared closed at 6:07 p.m.

#### COMMUNICATIONS AND ANNOUNCEMENTS:

The Town Hall and offices will be closed Monday December 25, 2023 in observance of Christmas, and also closed January 1, 2024 in observance of New Years Day.

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

<u>Planning Board</u> – The Powers Road Solar Farm work up has been approved, and work will begin in the spring. The next Planning Board meeting will be on January 23<sup>rd</sup>, 2024 at 6:30 p.m.

Zoning Board – No Report. Next meeting to be held on January 23<sup>rd</sup> 2024 at 6:30 p.m.

## Youth Commission - No Report

Code Enforcement/Buildings and Grounds — Code Officer Pappas has been in contact with P & J Boiler Service regarding the town hall boiler. Due to the boiler being computerized, the probes and sensors need to be checked and serviced. Due to P & J being under contract with the County, the service would be at a prevailing rate. The 2 year warranty on the boiler has expired. Mr. Pappas will speak with P & J to see if it needs to be checked bi-annually, or 4x's per year as the original contract specified, however, the boiler will need to be cleaned at some point. The owner of 330 Park Avenue attended the court hearing by phone and agreed to provide a 30-day contract to the Town, and will have 60 days to demolish the structure. If the contract is not honored, the Town can demolish the unsafe structure and put a lien on the property. Due to Asbestos being on the structure, costly air quality monitoring will need to be in place at the time of demolition. Attorney Middleton has secured a breakdown of costs from similar properties in

the local area. Cost is based on square footage of the structure and can range anywhere from \$18,000 to \$30,000. Post demolition, removal of debris and clean up will take place. Once the final order is signed, Attorney Middleton will send copies to the Town Board members.

Highway Department – Heavy rains have plugged main driveway and crossroads culverts. Crews have cleared debris off of roads. Some salting of roads has taken place due temperature drop and icing on roads. Maintenance on equipment continues. Cutting of trees continues by a fully insured Hance Road resident at a lower rate than previous cutters. Ditch maintenance continues. The question was brought up by Kevin Olds, if the Town could get with the County about repairing the culvert on Hawleyton Road next to the gas station, as it does pose a dangerous situation when it freezes or floods. Supervisor Rounds will contact the County to see if this area could be rectified.

# Receipt of Reports -:

DCO report for November 2023 Town Clerk's Monthly Report for November 2023 Code Enforcement Officer's Monthly Report for November 2023

TOB Volunteer Fire Co. – There have been 14 calls since last month as follows: 1 mutual aid call with Vestal, 3 downed trees, 6 downed wires, 2 motor vehicles, 1 EMS, and 1 water call. A new Assistant Chief has been elected.

# Supervisors Report

Supervisor Rounds announced the expected delivery of her new granddaughter. Who has since arrived on the scene! Congratulations to Grandma Rounds and family!

#### **UNFINISHED BUSINESS:**

Deputy Supervisor Bensley made a motion to make a resolution to set January 1<sup>st</sup> 2024 as a holiday and the Town of Binghamton Organizational Meeting, for January 2, 2024. Councilperson Conklin duly seconded the motions. All those present voted in favor of the motions. A roll call vote resulted in the following:

Ayes: Bensley, Donahue, Nye, Conklin, Rounds

Nays: None Absent: None Abstained: None

Motion Carried.

(Resolution appended)

There was some discussion regarding the Fire Department contract.

Councilperson Nye made a motion to set a Public Hearing for The Town of Binghamton Volunteer Fire Company contract with amended statutes, once signed, retroactive to January 1, 2024 for January 16, 2024 at 6:01p.m. Councilperson Donahue duly seconded the motion. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Bensley, Donahue, Nye, Conklin, Rounds

Nays: None Absent: None Abstained: None

Motion Carried

(Resolution Appended)

Supervisor Rounds read a statement regarding the updated handbook. The CDL policy will be an attachment which will be reviewed by new hires. All current employees will be required to read, understand and sign the updated version of the employee handbook.

Councilperson Nye made a motion to Rescind a Resolution for Approved Modifications and Revisions, to the 2013 Employee Handbook. Councilperson Donahue duly seconded the motion. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Bensley, Donahue, Nye, Conklin, Rounds

Nays: None Absent: None Abstained: None

Motion Carried

(Resolution Appended)

Councilperson Nye made a motion to adopt the updated 2013 Town of Binghamton Employee Handbook, **Revised and Modified** by Public Sector H.R. Consultants. The motion was duly seconded by Councilperson Conklin. All those present voted in favor of the motion.

Ayes: Bensley, Donahue, Nye, Conklin, Rounds

Nays: None Absent: None Abstained: None

Motion Carried

(Resolution Appended)

Attorney Middleton has revisited the Drug and Alcohol policy to repeal and replace portions of the policy. This updated version will be submitted at the January 2<sup>nd</sup> 2024 meeting.

#### **NEW BUSINESS**

Cynthia Drive Easement – There was extensive discussion regarding sewer lines in this area. Attorney Middleton talked about septic systems v. sewer lines, responsibility and total shared costs for appeals and easements. There will be more discussion on these subjects at future meetings.

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

Supervisor Rounds opened the floor to the public for comment at 7:13 p.m. Lisa Young, resident of 749 Hawleyton Road, Binghamton. Apologized for missing previous meeting but thanked the board for sending her information on the fire codes.

#### **ADJOURNMENT:**

A motion was made by Deputy Supervisor Bensley to adjourn the meeting at 7:13 p.m. and was duly seconded by Councilperson Conklin. 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, January 2, 2024 @ 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, January 16,2024 @ 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

Yaula J Edwards

# TOWN OF BINGHAMTON 2024 ORGANIZATIONAL MEETING January 2, 2024 RESOLUTION 01-24

WHEREAS the Town Board of the Town of Binghamton at its regular meeting on January 2, 2024, is meeting for the purpose of organization for the year 2024, and

**WHEREAS** after due deliberation and consideration, said Board wishes to organize for the year 2024 as follows:

NOW,	THEREFORE	BE IT	RESOLVED,	upon	motion	of	_and	seconded	by
		6	as follows:						

# 1. WORK SESSION AND TOWN BOARD MEETING SCHEDULE

The Town Board shall hold its work sessions at the Town Hall, 279 Park Avenue in the Town of Binghamton, on the first Tuesday of each month at 4 p.m. The Town Board shall hold its regular Board meetings at the Town Hall, 279 Park Avenue in the Town of Binghamton, on the third Tuesday of each month at 6 p.m. with the following exception:

(i) Thurs., 11/7/24 (because of Election Day on 11/5/24)

In the event that for some reason, such as adverse weather or road conditions or some other emergency, it is impossible to hold a scheduled meeting, such meeting shall be cancelled by consent of a majority of the Town Board, and all business shall be conducted on an alternate date set by the Supervisor and Town Board.

#### 2. ORDER OF BUSINESS

The order of business (agenda) at Town Board meetings shall be:

- (1) Call to Order
- (2) Pledge of Allegiance
- (3) Roll Call
- (4) Approval of Audited Claims
- (5) Recognition of Minutes
- (6) Voice of the Public
- (7) Communications and Announcements
- (8) Officials and Committee Reports
- (9) Unfinished Business
- (10) New Business
- (11) Voice of the Public
- (12) Adjournment

The order of business (agenda) at Town Board Work Session shall be:

- (1) Call to Order
- (2) Roll Call
- (3) Approval of Audited Claims
- (4) Recognition of Minutes
- (5) Communications & Announcements
- (6) Officials and Committee Reports
- (7) Unfinished Business
- (8) New Business
- (9) Adjournment

#### 3. TOWN HALL OFFICE HOURS

The office hours for the Town Hall in 2024 shall be 8:30 a.m. until 4 p.m.

#### 4. 2024 HOLIDAY SCHEDULE

The Town shall have thirteen (13) paid holidays during 2024 as follows:

New Year's Day

Martin Luther King Day

President's Day

Good Friday

Memorial Day

Independence Day

Independence Day (Designated Holiday)

Labor Day

Columbus Day

Veterans Day

Thanksgiving Day

Thanksgiving Day – Designated Holiday

Christmas Day

Monday, January 1, 2024

Monday, January 15, 2024

Monday, February 19, 2024

Friday, March 29, 2024

Monday, May 27, 2024

Thurs., July 4, 2024

Fri., July 5, 2024

Monday, September 2, 2024

Monday, October 14, 2024

Monday, November 11, 2024

Thursday, November 28, 2024

Friday, November 29, 2024

Wednesday, December 25, 2024

#### 5. RETAINER OF ATTORNEY

The law firm of Coughlin & Gerhart is retained to render professional legal services to the Town Board, Planning Board, and Zoning Board of Appeals and all special districts present and future of the Town of Binghamton, as may be required on legal matters during 2024. Gina Middleton, an associate with the law firm of Coughlin & Gerhart will be the Town of Binghamton's lead council.

#### 6. RETAINER OF ENGINEER

The firm of Clark Patterson Lee is recognized as the general engineer to the Town Board of the Town of Binghamton, the Town Planning Board, the Town Zoning Board, the Consolidated Water District, the Consolidated Sewer District, CMOM, and any other Town Districts until December 31, 2024. Griffiths Engineering is recognized to render such professional engineering services in relation to MS4. The Town Board may on occasion put out to bid the engineering costs for certain projects. The Town recognizes Clark Patterson Lee, Griffiths Engineering, and Hunt Engineering as three engineering firms that will be called upon for these services.

#### 7. AUDIT OF 2023 BOOKS

Mike Wolyniak is retained to audit the 2023 books for the Town of Binghamton.

#### 8. OFFICIAL NEWSPAPER

The Press & Sun-Bulletin and the Country Courier are designated as the official newspapers for the Town of Binghamton for the year 2024 with either or both newspapers being sufficient for the giving of legal notices or legal advertisements.

#### 9. DEPOSITORIES FOR TOWN MONIES

The Town of Binghamton, pursuant to Section 64-1 of the Town Law, must designate certain banks as depositories for Town funds. NBT Banks in Broome County are designated as depositories for the Town of Binghamton for the year 2024.

#### 10. INVESTMENT OF TOWN MONIES

Inasmuch as it is sound financial practice for the Town to invest monies which are not required for immediate expenditure, BE IT RESOLVED that Supervisor Rounds be authorized to deposit and invest such monies in accordance with the General Municipal Law, Section 11, Local Finance Law 165.00 (b) and the power to invest monies in the Capital Reserve Fund under Section 6-c of the General Municipal Law is hereby delegated to Supervisor Rounds under Subdv. 7 of Section 6-c.

The Investment Policy has been reviewed by the Town Board for the year 2024.

#### 11. OPENING BIDS

Supervisor Rounds is authorized to open all bids received for items used by the Town requiring bidding, pursuant to Section 103 of the General Municipal Law for the year 2024.

The Procurement Policy has been reviewed by the Town Board for the year 2024.

# 12. PURCHASING OF STATE AND COUNTY BIDS

Town of Binghamton Officials are authorized to purchase goods through State and County bid prices and contracts.

#### 13. OFFICIALS' EXPENSES

Pursuant to Section 102 of the Town Law, the Supervisor, Councilpersons, Town Justice, Town Clerk, Highway Superintendent, and Deputies are authorized to incur certain expenses and to be reimbursed therefore as Town charges. Authorized Town Officials and employees designated by the Supervisor are authorized to use their automobiles for Town purposes and will be reimbursed for mileage costs at 67 cents per mile (subject to review) when said costs are submitted on a voucher accompanied by an itemized statement of the nature of the expense.

Regarding meal expenses, expenses will be reimbursed unless they are included in the application or registration fee for an authorized class/conference. Be it further moved as regarding expenses to be reimbursed:

Major Metro	politan Areas	Non-Major Metropolitan Areas		
Breakfast	\$18.00	Breakfast	\$14.00	
Lunch	\$20.00	Lunch	\$16.00	
Dinner	\$36.00	Dinner	\$29.00	
Incidentals	\$ 5.00	Incidentals	\$ 5.00	

#### 14. AUDIT OF CLAIMS

Approval of claims for payment by the Town of Binghamton during 2024 will be done by having members of the Board audit the vouchers or invoices and sign the abstracts only. Pre-payment of bills will be allowed for utilities, postage, and similar type bills, but they must be presented at the next Town Board meeting for proper audit by the Board.

## 15. PROCUREMENT POLICY / EMERGENCY OPERATIONS PLAN

All Departments and Employees of the Town will follow the Town of Binghamton Procurement Policy and Emergency Operations Plan.

#### 16. ASSOCIATION OF TOWNS MEETINGS

No one will be attending the Association of Towns meeting in 2024. Alternative training and workshops will be provided.

# 17. DESIGNATION OF DELEGATES TO ASSOCIATION OF TOWNS MEETING

There is no designation of delegates in 2024 because no one will be attending the meeting.

#### 18. JURY EXPENSES

The Town shall be responsible for the costs in the event that juries have to be sequestered and shall pay the jurors the prescribed legal amount per day or part of a day actually served on the jury. The Town Board authorizes the Justice to hire, where necessary, certified stenographers and to purchase original transcripts in the event of an Appeal.

#### 19. SERVICE OFFICER, BUDGET OFFICER, AND ADMINISTRATOR OF SPECIAL DISTRICTS

Supervisor Rounds shall be designated Service Officer, Budget Officer, and Administrator of Special Districts for the Town of Binghamton for the year 2024.

#### 20. PETTY CASH FUND

A petty cash fund of \$100 is hereby authorized for Nadine Pappas, Water/Sewer Billing Clerk; \$100 for Tracy Tokos, Town Clerk; \$100 for Mark Leighton, Highway Superintendent; and \$100 for John Petito, Court Clerk.

#### 21. 2024 TOWN BOARD LIAISONS

The following liaisons have been designated for 2024, and the following Town Board members have been appointed to serve:

Youth Commission - Updates to be provided by Chris Streno
Planning Board - Councilperson Mike Donahue
Zoning Board of Appeals - Councilperson Vickie Conklin
Personnel Committee - Supervisor Elizabeth Rounds and Deputy Supervisor Mike Bensley
Highway - Supervisor Elizabeth Rounds
Financial - Councilperson Dean Nye

# 22. ZONING BOARD OF APPEALS

Theresa Taro is hereby appointed to serve as Chairman for a period of one year to expire on December 31, 2024. The following members are currently serving on the Zoning Board: Tom Bensley, Kevin Olds, Meggan Olds, Bob Strick, and Tim Cooper (serving as an alternate).

The Zoning Board of Appeals shall hold its quarterly joint meetings with the Planning Board at the Town Hall, 279 Park Avenue in the Town of Binghamton, on the fourth Tuesday of each quarter at 6:30 p.m., specifically, in the months of January, April, July, and October.

#### 23. PLANNING BOARD

Christopher Streno is hereby appointed to serve as Chairman, for a period of one year to expire December 31, 2024. The following members are currently serving on the Planning Board: Christopher Streno, Kathy Kiekel, Ray Mastin, Bill McGowan, and David West.

The Planning Board shall hold its quarterly joint meetings with the Zoning Board at the Town Hall, 279 Park Avenue in the Town of Binghamton, on the fourth Tuesday of each quarter at 6:30 p.m., specifically, in the months of January, April, July, and October.

# 24. YOUTH COMMISSION

Christopher Streno is hereby appointed to serve as the Director of Youth Activities for a term to expire December 31, 2024. The following members are currently serving on the Youth Commission: Steven Hughes and Kyle Wilson.

# 25. APPOINTMENTS OF OFFICIALS AND EMPLOYEES

The following Officials and Employees are appointed to serve in the respective positions for the Town of Binghamton for the year 2024, with term as provided by law and at the pleasure of the Town Board where no term is provided by law:

Deputy Supervisor Deputy Town Clerk

Deputy Registrar

Deputy Highway Superintendent

Assessor

Assessor's Assistant Building Inspector Clerk to Justice

Ordinance Enforcement Officer

Director of Youth Activities

Asst. Budget Officer Records Mgmt. Officer Vital Statistics Registrar

**Community Center Coordinators** 

Secretary to the Highway Superintendent

Secretary to the Supervisor Secretary – Part Time

Dog Control Officer

Mike Bensley

Paula Edwards

Paula Edwards

Tom Hanna

Joseph Cook

Mary Atkinson

Nick Pappas & Zachary Soboleski

John Petito

Nick Pappas & Zachary Soboleski

Christopher Streno

Sandra Reifler

Tracy Tokos

Tracy Tokos

Nick Pappas & Zachary Soboleski

Nadine Pappas

Sandra Reifler

Rebecca Smith

Rick Murray

#### 26. PAYROLL SCHEDULE

The Town shall set the bi-weekly pay date for 2024 on Wednesdays, in accordance with the payroll schedule as submitted by the Secretary to the Supervisor.

## 27. SCHEDULE OF SALARIES

The following schedule of annual salaries and hourly rates for the positions listed and payment thereof for the Town of Binghamton for the year 2024 as budgeted is adopted:

# **OFFICIALS / EMPLOYEES**

# **ANNUAL SALARY**

# **HOURLY EMPLOYEES**

# **HOURLY RATE**

In addition, all full-time, non-elected, salaried, non-bargaining unit employees will receive longevity pay to be based on either an 1,820-hour work year or a 2,080-hour work year, to be capped at a 30-year anniversary date\*. Said longevity pay will be paid annually in December on the following set schedule:

5 years - \$.10 per hour 10 years - \$.15 per hour 15 years - \$.20 per hour 20 years - \$.25 per hour 25 years - \$.30 per hour 30 years or more - \$.35 per hour

An employee's anniversary date must fall within the present fiscal year to be included for the employee's longevity pay schedule.

# 28. HEALTH REIMBURSEMENT ACCOUNT (HRA)

The amount allocated for the HRA (Health Reimbursement Account) is as follows for the year 2024:

Councilpersons and Supervisor are eligible for \$1,650. Any employee opting not to take the Town's Health Insurance is eligible for \$1,500 for single coverage or \$2,750 for family coverage (as stated in the Teamsters contract).

# 29. TOWN OF BINGHAMTON FIRE CONTRACT

The Town of Binghamton will contract with the Town of Binghamton Volunteer Fire Company for fire and emergency protection for the year 2024 for the amount of \$269,040.

# 30. BROOME VOLUNTEER EMERGENCY SQUAD CONTRACT

The Town of Binghamton will contract with the Broome Volunteer Emergency Squad for the year 2024. BVES shall be designated as the primary emergency medical response provider for ambulance, BLS and ALS services in the Town of Binghamton for the sum of zero dollars.

# 31. TOWN BULLETIN BOARD / SIGN BOARD

The official Town Bulletin Board/Sign Board for all proper, legal, and official notices shall be located on the wall inside the main entrance to the Town Hall.

# 32. CELL PHONE ALLOWANCE

The Town Supervisor and Code Enforcement Officer will receive \$50 a month toward the use of their personal cell phones. The Assistant Code Enforcement Officer will receive \$30 a month, payable in January.

This resolution shall take effect immediately.

WHEREUPON after discussion and due deliberation, the foregoing resolution was voted upon by the Town Board as follows:

Supervisor Rounds
Deputy Supervisor Bensley
Councilperson Conklin
Councilperson Donahue
Councilperson Nye

WHEREUPON Supervisor Rounds declared the resolution ADOPTED.