

**TOWN OF BINGHAMTON
TOWN BOARD
March 19, 2024**

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MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, MARCH 19, 2024 TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

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

PLEDGE OF ALLEGIENCE

ROLL CALL:

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

OTHERS PRESENT:

P. Edwards, Dep. Town Clerk
G. Middleton Town Attorney
N. Pappas, Code Enforcement/Buildings and Grounds
Z. Soboleski, Code Enforcement/Buildings and Grounds
M. Leighton, Highway Superintendent
K. Olds, TOB Vol. Fire Dept.

4 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. No executive session at this time.

APPROVAL OF AUDITED CLAIMS:

General Fund Claim #214 – Broome Tioga Storm Coalition on temp hold.

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

Lighting	Claim No. 185	\$	34.03
Sewer	Claim No. 186	\$	1,119.27
Water	Claim No. 186 - 187	\$	1,153.64
Highway	Claim No. 188 - 200	\$	15,135.78
General	Claim No. 201 - 232	\$	18,307.78
	TOTAL	\$	35,750.50

The motion was duly seconded by Councilperson Nye. All those present voted in favor of the

motion. Motion carried. A roll call vote resulted in the following:

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

Nays: None

Abstained: None

Declared adopted.

(Resolution Appended)

RECOGNITION OF MINUTES:

There were no corrections made to the March 5, 2024 Work Session minutes.

VOICE OF THE PUBLIC:

Open: 6:05p.m. Close: 6:22p.m.

Town Resident Tom Scales of Burdick Road came to speak regarding a reoccurring flooding of his basement with sewage water. Mr. Scales noted that this has been the 3rd or 4th time this has happened. It has been determined that the cause of the flooding is due to a root ball from a nearby Willow tree that allowed its spreading roots to enter the pipes. Roto Router was called in at the request of the town, in which they ran a camera through the entire area, and located a root ball that was since removed. Highway Superintendent Leighton had met briefly with Mr. Scales and informed him that the sewer line project has now been moved up to the Carmen Road, Burdick Road area. Superintendent Leighton has offered to show Mr. Scales a piece of the equipment that will be used with the new sewer linings, which will prevent the entrance of roots into his line. There was a lengthy discussion with Councilperson Donahue, and Mr. Scales regarding previous issues with the sewer line, and now on the strength and types various pipes/pipe joints, informing Mr. Scales that the pipes will not be able to be crushed by spreading roots. He was advised previously to put a backflow preventer in his sewer line which he has done at this point. This may rectify the problem, in conjunction with the new pipe relining.

COMMUNICATIONS AND ANNOUNCEMENTS:

The Broome County Association of Towns and Villages will meet at Little Venice on April 18, 2024. Cocktail hour – 5:30p.m., Meeting to begin at 6:00p.m. Jason Garner will be the speaker. Supervisor Rounds, Deputy Supervisor Bensley, and Councilpersons Nye, Donahue and Conklin will be attending.

All Town of Binghamton offices will be closed on Friday March 29, 2024 in observance of Good Friday.

OFFICIALS AND COMMITTEE REPORTS:

Planning Board / Zoning Board of Appeals

No Reports. Next Meetings will be April 23rd @ 6:30p.m.

Youth Commission

Indoor practices for baseball and softball are beginning this week. Teams will be formed this week. T-Ball begins in the middle of May. Lacrosse registration is open through the month.

Code Enforcement/Buildings and Grounds

The opening and closing schedules of Jackson Park was discussed. Supervisor Rounds informed the group that the town code states that the park is open from March 15, through November 15, from 7a.m. to dusk. Mr. Pappas suggested that April 1, to Nov. 1 would be a more appropriate schedule due to unpredictable weather in both March and November, but could open the park early weather permitting. Attorney Middleton stated that the local law would need to be amended, which could be done easily. It was noted that the park would still allow foot traffic but no cars prior and after the new dates. The new fence agreement has been signed and will now be put out to bid by Griffiths engineering. One contractor has been at the park to look at the electric, and two more will be checking the electric soon. Code officer Soboleski informed the group that 10 to 12 loads of 'baseball mix' has been put down on the fields at a value of over \$10,000. The fields will need to now be regraded.

Montrose Ave. property- there has been a delay with the issue of the testamentary letters for the heirs of the estate. All paperwork from the town have been updated and will be waiting on more communication from the heir.

There is a vacant property in the Town of Binghamton that a property maintenance company has taken over. Code enforcement has informed them that the property needs to be cleaned up. The Town Board may have to issue an area variance on another property owned by the family of 446 Park Avenue whose home was recently on fire, the owners may come in for the April meeting.

Code officer Soboleski has completed the road survey on the homes that received the CDBG grants. There will be one or two letters being sent out by Soboleski to the owners to notify them of possible issues.

Town Clean up days will be on Friday, April 26, from 8:00a.m. to 3:00p.m. and Saturday April 27th from 9:00a.m. to 2:00p.m. Electronics will be accepted from 9a.m. to 12:00p.m. on Friday. There will also be clean up days in September.

Highway Department

Shoulder and ditch maintenance continues daily. A crew has been sent out to pick up miscellaneous brush and branch piles. Dates have been submitted and will be posted on the webpage for brush and branch pick up days. It will also be posted in the Spring issue of the Talk of the Town. There is a lot of pre-work going for the trenchless lining project. Superintendent Leighton discussed the 3 bids for a new mower.

The bids are as follows:

- 1.) Monroe Tractor, 6 Equipment Drive, Binghamton NY 13904: A 2024 Del Morino 73-inch Flail Mower, with set price of **\$9000.00** to include 200lbs set of wheel weights (2 weights @ 103lbs each).
- 2.) Timberline Lawn and RV Inc. 17149 State Route 706, Montrose PA 18801: Item FLISU186M -Del Morino FLISU186M OL- Del Morino flipper Super 186M, 73-inch Hammer (line discount-\$2,400.00) \$13,615.00. Net Price: \$11,215.00
Item: LM8124 KU Rear Wheel WT – 2 PCS Per Set (Mold #512) - \$702.20
Item: LM8125A KU – Bolt Kit for 1st Set oof LM8124 & M8126A - \$81.34
Misc Fees: (Loading of rear tires) \$350.00

Total Price: \$12,348.54

- 3.) Marshall Machinery Inc. 745 Harry L. Drive, Johnson City NY 13790: 2024 New Del Morino FLISU186M Mower/Flail. 1FLISU186M 73inch Flail Mower Hyd Side Shift/Tilt Hammer Style Knives, M8126A 164# Rear Wheel Weights, M8119B 1st Weight Bolt Kit, M8127B 2ne Weight Bolt Kit.- \$11,223.00, Factory Freight - \$350.00, (Discount-\$1,503.68)

Total Price: \$10,069.32

Councilperson Nye made a motion to accept the bid of \$9000.00 from Monroe Tractor of Binghamton, for a: A 2024 Del Morino 73-inch Flail Mower, with set price of **\$9000.00** to include 200lbs set of wheel weights (2 weights @ 103lbs each). Councilperson Bensley duly seconded the motion. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Nye, Donahue, Conklin

Absent: None

Nays: None

Abstained: None

Motion Carried.

Councilperson Conklin brought up the concerns from some residents regarding the speed on Peckham Road and if they could get a speed reduction. The present speed on Peckham Road is 55mph. The residents are worried about it being a dangerous situation as children wait on Peckham Road for school buses. Conklin explained to the residents that it is a county issue and that it is also a very lengthy process with public hearings resolutions and both the County and the State being involved. The residents also spoke of an issue regarding drainage at the 'apron' on Peckham Road. Highway Superintendent Leighton informed the council that the crew would be going through to stone and oil, and will be patching the area before seal coating. Leighton will also look into the speed situation on Peckham Road. There was discussion regarding the orange barrels and fencing near the gas station. Leighton will speak to the County regarding the issue.

Senior Commission

The Commission will be meeting on April 2, 2024 @ 1:30p.m. Future events will be discussed.

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

Town Clerk Monthly report for February 2024
Code enforcement report for February 2024
DCO Monthly Report for February 2024

TOB Volunteer Fire Co.

Kevin Olds informed the council of 17 calls since the last meeting as follows: 6 wires down, 5 mutual aid, 1 gas odor, 2 house fires, 1 service call and 1 CO call. The Governor has approved a 10-million-dollar benefit for new firefighters who will get paid to take courses. This is an incentive for new firefighters. This is a good program, however 'existing' firefighters only get a 200-dollar reduction in their taxes – which Mr. Olds states is not enough. He also feels that there should be free registration on one of the vehicles.

Deputy Supervisor Bensley will be acting as an informal liaison to the fire department. He will be able to bring issues back to the Town Board regarding needs of the fire department.

Supervisor: No Report at this time

UNFINISHED BUSINESS:

Supervisor rounds informed the board that she spoke to both Tim Steed and Lee Cooper regarding the Felters Road water pump situation after Mr. Steed inspected the pump station. Mr. Steed said there is an option (not recommended) of replacing just the pumps but not the pump and the motor. After talking to both Steed and Cooper, Mr. Steed is not opposed to have the pump and the motor both replaced. Mr. Cooper is concerned that if a pump and a motor is pulled, and the pump is replaced, that you would be putting a new pump on an old motor. The company, W20, had presented the specifications needed at the last meeting with the Town Board to replace the pumps. There is a proposal from Mr. Steed to put together a bid design package would be

\$5000 plus construction administration of \$1500. Clark Patterson Lee would be \$5000 just for the scoping phase. Mr. Cooper stated that the town already has the original documentation from when the pump was installed in 1992 and nothing has changed. Broome County has already encouraged the pump replacement. Leighton and Cooper have already started a bid for presentation to the Town Board. This will be posted and go out for 3 bids for procurement of a pump and the motor, plus installation. Leighton will also request that all bidders visit the pump site prior to submitting bids. Councilperson Donahue informed the council of the need for an engineer and discussion for need and cost followed. It has been advised that Leighton contact Dave Chase for an updated list of services and fees. Superintendent Leighton reached out to Precision out of Syracuse who is on the Onondaga bid, and only does UV cured sewer liners. He collected information regarding heat vs. UV cured sewer liners and various prices. Councilperson Donahue stated that the price of UV curing is a slow. Leighton will also reach out to Hunt for their information.

VOICE OF THE PUBLIC

Open 7: 29p.m. – Closed 7:40p.m.

Linda Burkhart of Lisle NY

Ms. Burkhart is a volunteer presenter for NYCA (New York Citizens Audit). She brought updates to a redrafted resolution that is forward looking for the 2024 election titled 'A Resolution for A Legally Valid 2024 Election'. 'She stated that there are 11 items that they (NYCA) would like applied to the 2024 election, as 'issues' have been occurring during previous voting. Ms. Burkhart reviewed voter statistics, i.e. ballot error rates, excessive voter roll increases that are 20% higher than usual numbers in New York State. NYCA has filed in conjunction with the Maryland election integrity group on March 6th, in Federal court, to ask for a temporary restraining order court -should they believe there is anything untrustworthy in their state. Ms. Burkhart gave the Town Board members a handout, regarding Maryland irregularities, and suggested they search for more articles in the Baltimore area. (Maryland has a similar resolution as this area, and there are possible solutions and remedies on how to state grievances if need be. She wants the public to be confident with checks and balances when voting.

ADJOURNMENT:

A motion was made by Councilperson Nye to adjourn the meeting at 7:42 p.m. and was duly seconded by Deputy Supervisor Bensley. All those present voted in favor of the motion. Motion carried.

LOOKING AHEAD:

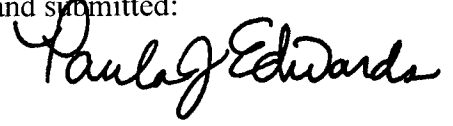
The next meeting of the Town of Binghamton Town Board will be a Work Session to be held on Tuesday, April 2, 2024, 4:00p.m. at the Town of Binghamton Town Hall, 279 Park Avenue, Binghamton, NY.

The next Town Board Regular Meeting will be held Tuesday, April 16, 2024, 6:00p.m.

Respectfully transcribed and submitted:



Tracy L. Tokos
Town Clerk



Paula J. Edwards
Deputy Town Clerk