

**TOWN OF BINGHAMTON**  
**TOWN BOARD WORK SESSION**  
**June 5, 2018**

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**MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, JUNE 5, 2018, 5:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.**

The meeting was called to order by Supervisor Whitesell at 5:06 p.m.

**ROLL CALL:**

T. Whitesell, Supervisor	Present	N. Yezzi, Deputy Supervisor	Present
N. Cline, Councilperson	Present	E. Rounds, Councilperson	Present
V. Xlander, Councilperson	Present		

**OTHERS PRESENT:**

V. Conklin, Town Clerk	R. Mastin, Planning Board Member
K. Schrader, Deputy Town Attorney	M. Karp, The Wagner Companies
N. Pappas, Building Administrator	16 Guests
M. Donahue, Highway Superintendent	

Supervisor Whitesell made the following statement: 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:**

Councilperson Rounds made the motion to approve the following claims as audited:

Lighting	Claim No. 427	\$ 735.14
Sewer	Claim No. 428-429	\$ 126.95
Water	Claim No. 429-435	\$ 74,693.51
Highway Fund	Claim No. 436-453	\$ 64,865.06
General Fund	Claim No. 454-498	\$ 14,004.95

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

**COMMUNICATIONS AND ANNOUNCEMENTS:**

Tire Drop Off – June 6, 7 & 8, 2018 from 7:30 a.m. to 3:00 p.m. at the Old Town Landfill on Hance Road

**OFFICIALS AND COMMITTEE REPORTS:**

Planning Board - The next regularly scheduled meeting will be held on Tuesday, July 24, 2018 at 7:00 p.m. at the TOB Town Hall.

Zoning Board of Appeals – The postponed case will possibly be reheard the third week of June. The Personnel Committee conducted interviews for the position of Member of the Zoning Board of Appeals. A motion was made by Councilperson Cline recommending Mark Bordeau for the position of Member of the Zoning Board of Appeals, beginning June 5, 2018 and expiring December 31, 2020, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

(Resolution Appended)

Councilperson Cline requested that in the next edition of Town Talk, it should strongly be made known that residents have to purchase building permits.

Youth Commission – Baseball season is almost over. Football signups are starting soon. The All Star Season is starting soon. The Veterans Group is interested in using the concession stand during the DWI Tournament. John Zurenda will be contacted to inquire about the Veterans Group manning the concession stand during the DWI Tournament.

Code Enforcement – Mr. Pappas has mowed all of the Town's vacant properties. Mr. Pappas inquired about who should sign off on beer, cider and wine permits brought in by residents who rent the TOB Community Center. Deputy Town Attorney Schrader will review the document and let Mr. Pappas know who should sign off on the permit. Mr. Pappas stated that he has had four inquiries about renting the pavilion at Jackson Park. The rental fee is \$25.00. The dates will be checked to see if there will be games played on the proposed rental dates before getting back to the residents.

Highway Department – The brush pickup has pretty much been completed. There are three streets ready to be paved on South Mountain. NYSEG is working on 37 services on Maria Blvd. and Angela Court, which need to be completed before paving can begin. The summer hours for the Town Highway employees have begun.

Finance School - Councilpersons Xlander and Rounds attended finance workshops at the NYS Association of Town and Villages Annual Conference in February, and Finance School in May. The workshops they attended include: Shared Services; Appropriated Fund Balance; Internal Controls; Highway Operations; Amending Budgets; Payroll and Personnel; Fiscal Responsibilities of the Governing Board, and Communicating and Understanding Financial Reports. A report was given on the workshops by Councilpersons Xlander and Rounds. There were questions, suggestions and discussion regarding the workshops. The NYS Comptroller's audit has been completed. The Town has not yet received the written audit report.

#### **SUPERVISOR'S REPORT:**

Broome County Association of Towns and Villages – Monthly Meeting – The next monthly meeting will be held on June 21, 2018 at The Spot Restaurant. Gerry Geist, Executive Director of the NYS Association of Towns, will be the guest speaker.

## **UNFINISHED BUSINESS:**

TOB Hance Road Property – Logging Timber Harvesting – Update/Q&A – The bids were received at the last Town Board meeting. There was no action taken on the bids at that time. Matt Karp was present to answer questions. Mr. Karp explained the bid from The Wagner Companies as follows: The proposal contained two prices. The liquidation value (an aggressive cut, removing all trees 14” in diameter at breast height and larger), would yield the Town \$81,056.00. A management harvest would be a text book type harvest using forestry ideals and tree selection, which would yield the Town approximately \$36,000.00. With a management harvest, the trees would still be selected, marked and measured. A management harvest typically removes about half of the liquidation value of the timber. Mr. Karp spoke about performing a management type harvest around the perimeter of the property, and then be more aggressive with the harvest in the middle of the property, which would leave a buffer for the neighboring property owners. A buffer cut would yield approximately \$50,000.00. Upon approval from the Board, the timeframe for field work and marking the trees would be approximately two weeks. Supervisor Whitesell will be meeting with a property owner adjacent to the harvesting site to discuss a potential sale of a portion of 2945 Hance Road.

Thoma Development – Update – Supervisor Whitesell is waiting to hear from Rich Cunningham of Thoma Development.

Code Enforcement – Building Permit Application Language – Mr. Pappas and Deputy Town Attorney Pope have not had a chance to meet to further discuss the proposed language.

Audit – Justice Court – The audit of the Justice Court has been completed, and filed with the Town Clerk’s Office. Town Clerk Conklin will forward the audit report to the Office of Court Administration.

Family Leave Act – Resolution to Opt Out – Town Attorney Pope is working on the Resolution.

MEGA CCA – Update – Supervisor Whitesell has not heard back from Louise Gava.

Clerical Opening – Update – The ad to fill the clerical opening has been published in The Country Courier with a deadline of June 11, 2018 to receive letters of intent and resumes. Interviews will be held after June 11, 2018 for a recommendation to the Town Board at the next Town Board meeting.

2339 Oswego Street – Update – The building has been boarded up. The owner did not submit a set of approved stamped engineer plans by the deadline of May 31, 2018, and did not appear this evening with same. Town Attorney Pope will send a letter to the resident’s attorney. Deputy Town Attorney Schrader stated that the owner has 90 days from the date of the determination by the Town Board to bring proceedings to Court to challenge the determination made by the Town Board.

Highway Department – Pipe Lining – West Hamton Road – Highway Superintendent Donahue has a meeting with Town Engineer John Martin tomorrow to discuss the best way to proceed with the pipe lining.

Solar Energy – Templates/Boilerplates – Deputy Town Attorney Pope is working on the templates/boilerplates. Supervisor Whitesell provided the Board with a template that he received from Schuyler County. Deputy Town Attorney Pope will meet with the Board at a future date to discuss templates/boilerplates for solar energy.

Margery Street- Update – The Deed has been filed with the Broome County Clerk’s Office. The Broome County Land Bank will be taking over the property.

Comprehensive Plan - Broadband and Cellular Service – Councilperson Xlander stated that during the public hearings regarding the Comprehensive Plan, residents inquired about having better cell service in the Town. There are lots of dead spots in the Town where cell service is concerned. Supervisor Whitesell stated that he has been poking and prodding cellular companies for 20 plus years. He further stated that cell companies are more concerned about quantity instead of quality. He did speak with Broome County Executive Garnar concerning this matter, and that ultimately he would like BC Executive Garnar to consider putting an antenna on the top of Aqua Terra. Supervisor Whitesell has been working with Senator Schumer’s office since February, 2018 because there is another company interested in bringing broadband service into the southern portion of the Town, hopefully also bringing an upswing in cellular service to the Town. Supervisor Whitesell will reach out to his contacts at Verizon, and will continue working with Senator Schumer’s office seeking some of the funds available for broadband service. The company he is speaking with currently needs to have some kind of dedication of funds.

Town Highway Vehicle Accident – Deputy Town Attorney Schrader stated that there was a collision between a plow truck and a parked vehicle earlier this year, and that a claim was made to the insurance company, which denied Town responsibility due to the Vehicle and Traffic Law. A small claims action has been brought personally against the driver of the plow truck. Highway Superintendent Donahue stated that NYMIR has hired Hinman, Howard & Kattell to handle the Small Claims matter.

There was no further unfinished business.

#### **NEW BUSINESS:**

ZBA Recommendation and Appointment of New Member – This matter was covered under Officials and Committee Reports.

There was no further new business.

#### **ADJOURNMENT:**

Councilperson Cline made the motion to adjourn the meeting, and the motion was duly seconded by Councilperson Xlander. There being no further discussion, all those present voted in favor of the motion. Motion carried. The meeting was adjourned at 6:35 p.m.

The next meeting of the Town of Binghamton Town Board will be a regular Town Board meeting to be held on Tuesday, June 19, 2018 at 7:00 p.m., at the Town of Binghamton Town Hall, 279 Park Avenue, Binghamton, NY. Respectfully submitted,

Vickie A. Conklin

A handwritten signature in black ink that reads "Vickie A. Conklin". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Town Clerk