

**TOWN OF BINGHAMTON**  
**TOWN BOARD**  
**March 20, 2018**

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**MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, MARCH 20, 2018, 7:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.**

The meeting was called to order at 7:01 p.m. by Interim Deputy Supervisor Cline.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

T. Whitesell, Supervisor	Present at 7:17 p.m.	N. Yezzi, Deputy Supervisor	Present
N. Cline, Councilperson	Present	E. Rounds, Councilperson	Present
V. Xlander, Councilperson	Present		

**OTHERS PRESENT:**

V. Conklin, Town Clerk	M. Donahue, Highway Superintendent
N. Pappas, Building Administrator	4 Guests
R. Pope, Town Attorney	

**MOMENT OF SILENCE – Harold “Hal” Snopek**

**APPROVAL OF AUDITED CLAIMS:**

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

<u>2018</u>		
Lighting	Claim No. 191	\$ 157.16
Sewer	Claim No. 192-193	\$ 1,830.58
Water	Claim No. 193-198	\$ 2,635.42
Highway Fund	Claim No. 199-219	\$ 16,539.53
General Fund	Claim No. 220-241	\$ 11,830.77

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

**APPROVAL OF MINUTES:**

Councilperson Xlander made the motion to approve the minutes of the regular Town Board meeting held on February 27, 2018 as submitted, and the motion was duly seconded by Councilperson Rounds. All those present voted in favor of the motion. Motion carried.

Councilperson Xlander made the motion to approve the minutes of the Work Session held on March 6, 2018 as submitted, and the motion was duly seconded by Councilperson Rounds. All those present voted in favor of the motion. Motion carried.

Interim Deputy Supervisor Cline 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.

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

Interim Deputy Supervisor Cline opened the floor to the public at 7:06 p.m. There being no presentations to be brought before the Board, the floor was declared closed.

### **COMMUNICATIONS AND ANNOUNCEMENTS:**

VFW Post 1611 Pancake Breakfast – VFW Post 1611 will be hosting its all you can eat pancake breakfast on Sunday, March 25, 2018 from 8:00 a.m. to 11:00 a.m. at the TOB Community Center.

Good Friday – TOB Municipal Buildings will be closed Friday, March 30, 2018 in Observance of Good Friday.

17<sup>th</sup> Annual TOB Easter Egg Hunt – Saturday, March 31, 2018, 12:00 p.m. at TOB Community Center

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

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

Zoning Board of Appeals – There is one case scheduled for March 28, 2018, pending the publishing and posting of the notice.

Youth Commission – Councilperson Rounds reported that the Youth Commission had their regularly scheduled meeting last evening, Monday, March 19, 2018. Background checks are beginning as the Town has hired Safe Hiring Solutions for this purpose. The Commissioners are gathering everyone's information. The committee to review questionable background checks will be Councilperson Rounds, Chris Streno and Supervisor Whitesell. Councilperson Rounds, Supervisor Whitesell and Chris Streno will also have background checks performed. Baseball and softball are starting with little league tryouts currently going on. Councilperson Cline offered to have a background check performed as a backup, or if the need arises for an additional Board Member to be on the Committee.

Code Enforcement – Violations – Mr. Pappas added 1617 Campus Drive to the list of vacant homes in the Town of Binghamton. 3141 Cheryl Drive is no longer on the list of vacant homes as it has been sold and the new owners are cleaning it up and moving in.

Highway – The Highway Department has been snowplowing. Mr. Donahue filed the flows report for the Parkwood Subdivision with the DEC. The water tank on Dr. Miller's property needs a repair as it has a hole in it, which will be patched. The Highway Department will be replacing approximately 12 fire hydrants around the Town, some from the 1950s.

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

Town Clerk's Monthly Report for February 2018  
Office of Code Enforcement Monthly Report for February 2018  
DCO Monthly Report for February 2018

## **SUPERVISOR'S REPORT**

Broome County Association of Towns - Monthly Meeting – A monthly meeting will be held on Thursday, March 22, 2018, at the Spot Restaurant, which will be a roundtable discussion of the future of the BC Association of Towns and the election of officers for 2018.

Supervisor Whitesell stated that he met with Supervisors, Mayors and the BC County Executive this afternoon for the quarterly meeting. The two items of discussion were the registration of contractors in Broome County, and the potential bookings for the court system. Currently central bookings for the court system are being held at the BC Public Safety facility from the hours of 7:00 p.m. to 7:00 a.m. This may be changed by mandate to 24 hour central bookings for the court system. Currently when a police officer brings a prisoner into the central booking, they are required to stay there until they have someone from the District Attorney's office there for arraignment. The thought process, for cost savings, is to have the magistrates available throughout the course of the day instead of trying to hunt down a magistrate in a local jurisdiction for the arraignment. They will do that at central booking, and the police officer would not have to stay until the time of arraignment, but simply have the ability to drop them off at central booking and be processed. The police officer will then be able to leave and be back on patrol. There is a potential cost associated with this and whether or not the cost will trickle down to the municipalities. The County Executive did say that his administration is not looking to pass down this unfunded mandate, which is being pressed on them by New York State to put in this central booking system. The District Attorney's Office and the Sheriff's Office will incur the cost of having to hire more staff. There should not be chargebacks to municipalities.

## **UNFINISHED BUSINESS:**

TOB Hance Road Property – Logging Timber Harvesting – Set Date for RFP – Tuesday, April 17, 2018 at 12:00 p.m. is the deadline for the RFP bids to be delivered to the Town Clerk's Office. The bids will be opened at 12:01 p.m. on April 17, 2018, and brought back to the Board for their consideration at the Town Board Regular meeting on April 17, 2018.

Thoma Development – Exit Interview – Councilpeople Rounds and Cline sat in on the exit interview with Rich Cunningham on March 13, 2018. There are four sections to the grant and each section is awarded points. There are a total of 90 points and the Town scored 61 points. The four sections are: demonstrating need; demonstrating impact; financial capacity, and administrative capacity. Regarding the financial and administrative capacity, the Town scored all of the points available. The biggest weakness the Town had was establishing demonstrating need. They want to see that if the Town has a need for 20 homes to be rehabilitated. The majority of those 20 homes need to fall below a certain income level and be on the low end of income levels, and homes in severe substandard and substandard need. The Town needs to have more residents apply. The mailing for 2018 will be in Town envelopes, and will have a better

explanation of the program. Councilperson Rounds is hoping to meet with Rich Cunningham in April to begin the process for this year's grant application. Councilperson Cline stated that the grant application for 2017 did not include other grant programs where the Town applied for funding, such as the land grant, which should have been included on the application.

Councilperson Xlander made the motion to approve the Town entering into an agreement with Thoma Development of Cortland, New York for the professional services of grant writing and application preparation at a price of \$1,000.00, and the motion was duly seconded by Councilperson Rounds. All those present voted in favor of the motion. Motion carried.

(Resolution Appended)

Youth Commission – Background Check Policy – Councilperson Rounds presented the draft of a background check policy to the Youth Commission, which she distributed and read to the Board. The Board agreed that background checks will be done on all coaches initially and then every three years for returning coaches. The drafted copy of said policy is available at the Town Clerk's office for review. The Board agreed to say aye or nay to the background check applicants after reviewing the reports, and not voice why an applicant is turned down as convictions are already public record. Parents interested in participating will have to supply their contact information to a Commissioner for the background check process. Councilperson Rounds made the motion to approve the Youth Program Background Screening Policy, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. The Board agreed to review the process/policy in early June to see how it is working and make improvements, if necessary.

Year End Budget Transfers – A motion was made by Councilperson Cline to approve the year end budget transfers, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

Code Enforcement – Amendment of Local Law – Building Permits – Code Enforcement Officer Nick Pappas is requesting that the current Building Permit Application be amended to give him the authority to enter an applicant's home for confirmation that smoke and CO detectors are indeed installed in the applicant's home. Deputy Town Attorney Pope stated the local law will have to be amended to add this provision to the Building Permit Application. A discussion was held concerning the proposed amendment of the local law. The Town Attorney will research legislation to bring back to the April 3, 2018 Work Session for further discussion.

Jackson Park – DWI Tournament Rental Fee – Mr. Pappas reached out to the Towns of Conklin and Kirkwood regarding their park rental fees for tournaments. The Town of Conklin charges \$250.00 and the Town of Kirkwood charges \$700.00. The Town of Kirkwood is increasing their fee to \$750.00 for 2018. In 2016 the Town of Binghamton charged \$700.00 for tournament park rentals. In 2017 the DWI Tournament was not held due to a conflict with the Dick's Open. A motion was made by Councilperson Cline to approve an increase in the DWI Tournament Rental fee at Jackson Park to \$750.00, and the motion was duly seconded by Councilperson Yezzi. All those present voted in favor of the motion. Motion carried.

Councilperson Cline inquired about the manning of the concession stand at the DWI Tournament by the Youth Commission Booster Club. Councilperson Rounds stated that the Youth Commission Booster Club declined to operate the concession stand during the DWI Tournament. The Youth Commission Booster Club will assist in setting up the concession stand no matter who mans the concession stand. The opportunity for an organization to operate the concession stand at the DWI Tournament will be posted on the Town's website.

Audit – Justice Court – The Audit Committee will schedule a date for the Justice Court Audit.

Tire Day – Date Change – Councilperson Rounds made the motion to change the dates for Tire Day to June 6, 7, and 8, 2018, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

There was no further unfinished business.

### **NEW BUSINESS:**

Jason Garnar, BC Executive – State of the County – Sarah Lui, Director of the Office of Employment and Training of the Broome-Tioga Workforce NY presented the State of the County address for Broome County Executive Garnar. Ms. Lui stated that this is the second year that the County Executive has brought the address to the local municipalities. The theme for this year's State of the County address is building a better Broome County for all, and the County Executive has said that in order to build a better Broome County, we need good paying jobs, low taxes, sound and safe infrastructure, a safe community for all, and the County needs to be in a strong financial position. In 2017 the County had a \$250,000.00 fund balance with a \$370 million dollar budget. The County Executive has developed a realistic and conservative budget for 2018 with no gimmicks. He is interested in moving forward and not focusing on the past. He has challenged department heads to find ways to save, i.e., \$5 million to \$10 million in prescription costs by joining the Pharmacy Coalition. This is the biggest cost savings initiative in County history, and also qualifies as a shared service.

With the new Dick's Sporting Goods Distribution Center, the Endicott Battery plant and Syracuse Behavioral Healthcare, there have been 750 jobs added recently. There is still a lot of work to do. There are thousands of jobs in the County that remain unfilled. Unemployed workers in Broome County need to be trained. Broome-Tioga Workforce is currently actively recruiting and providing skills training. There is a new program for 2018 funded by a State grant called the Opportunity Impact Training Program, which is starting in the warehouse sector, but will be extended to all of the different priority sectors in Broome County. The program is unique. In the past, they would fund training through people and they would complete the training but offered no help in finding employment. This training program is different because they partner with employers to guarantee people a job when they successfully complete the training. This program will begin in April. The Broome-Tioga Workforce had over 100 recruitment events last year, 16 job fairs and served over 17,000 County residents.

The County Executive is also interested in fighting blight and providing better housing for County residents, and is actively pursuing cleanup of several properties in Broome County.

Tourism is also a priority. The Dick's Open, Spiedie Fest, and LUMA were hugely successful events attracting thousands of people.

Public safety and school safety are also priorities. The County Executive spent more on the District Attorney and Sheriff's Department vesting in public safety. The Emergency Services Department handled three State emergencies last year. The County Executive is founding a Safer School Task Force to better protect our children.

Attacking the heroin epidemic has been a big priority. The Syracuse Behavioral Healthcare Center ribbon cutting is scheduled for April. There is a peer response team in action to assist in fighting the heroin epidemic.

Highway – Purchase of New Truck – Highway Superintendent Donahue provided a Statewide BOCES bid to the Board. The price of the new truck is \$28,429.50. Mr. Donahue is proposing to buy two new trucks, and sell two 2015 Ford trucks recouping \$22,000.00 per truck, for a total of \$44,000.00, essentially paying between \$8,000.00 and \$10,000.00 for the two new trucks. This is a budgeted item. The Town will be receiving \$36,000.00 from FEMA for last year's snow storm. One new truck will be used by Nick Pappas, and the truck that Mr. Pappas is currently using will be used by Deputy Highway Superintendent Bob Rolston. Councilperson Rounds made the motion to authorize the purchase of two new pickup trucks from BOCES in the amount of \$28,429.50 per truck, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

(Resolution Appended)

SV School District – Need to Utilize Office at TOB Town Hall – The Susquehanna Valley School District has a need to utilize an office at the Town Hall two hours a day for a special needs student and a teacher every day for the remainder of the school year. Attorney Mark Gorgos drafted an Agreement, which was reviewed by Deputy Town Attorney Pope. Deputy Town Attorney Pope recommended one revision to the Agreement. The revision will be to the sentence that refers to the wording “a student or a limited number of students”. Deputy Town Attorney Pope would like the wording “limited number of students” defined. Further discussion will be held at the April 3, 2018 Work Session.

SV Girls Basketball Team – Championship – Supervisor Whitesell extended congratulations to the SV Girls Basketball team for winning the Class B championship last Saturday evening. Supervisor Whitesell then took the opportunity to invite the staff and players of the SV Girls basketball team to the April 17, 2018 Town Board Regular meeting for recognition of their achievement.

SV Mock Trial Team – Update – Councilperson Cline stated that the SV Mock Trial team has been undefeated and are going into the regionals this evening, hopefully to keep proceeding forward. Councilperson Cline suggested recognizing the SV Mock Trial team at the April 17, 2018 Town Board Regular meeting.

There was no further new business.

**VOICE OF THE PUBLIC:**

Supervisor Whitesell opened the floor to the public at 8:11 p.m. There being no presentations to be brought before the board, the floor was declared closed.

**EXECUTIVE SESSION:**

Councilperson Cline made the motion to go into Executive Session at 8:17 p.m. to discuss a legal matter, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

At 9:01 p.m. Councilperson Xlander made the motion to reconvene, and the motion was duly seconded by Councilperson Rounds. All those present voted in favor of the motion. Motion carried.

**ADJOURNMENT:**

Councilperson Cline made the motion to adjourn the meeting at 9:02 p.m., and the motion was duly seconded by Councilperson Xlander. 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, April 3, 2018, 5:00 p.m., at the Town of Binghamton Town Hall, 279 Park Avenue, Binghamton, NY.*

Respectfully submitted,



Vickie A. Conklin  
Town Clerk