

TOWN OF BINGHAMTON
TOWN BOARD
January 16, 2018

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MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, JANUARY 16, 2018, 6:30 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

The meeting was called to order at 6:37 p.m. by Supervisor Whitesell.

PLEDGE OF ALLEGIANCE

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	M. Donahue, Highway Superintendent
N. Pappas, Building Administrator	D. Klinko, The Country Courier
A. Pope, Town Attorney	24 Guests

2018 Citizen of the Year – Presentation – Councilperson Xlander announced that the Nominating Committee for Citizen of the Year selected the Town of Binghamton Volunteer Fire Company as the choice for the award. Councilperson Xlander made the motion to approve the nomination of the Town of Binghamton Fire Company as 2018 Citizen of the Year, and the motion was duly seconded by Councilperson Yezzi. All those present voted in favor of the motion. Motion carried. Supervisor Whitesell and members of the Board thanked the Town of Binghamton Volunteer Fire Company for their service to the Town of Binghamton. Supervisor Whitesell read the Citizen of the Year proclamation, presented a plaque, and proclaimed January 17, 2018 as “Town of Binghamton Volunteer Fire Company Day” in the Town of Binghamton. Supervisor Whitesell presented a plaque for Honorary Citizen to Russell Cole for his 40+ years of service in the Town of Binghamton Volunteer Fire Company. Supervisor Whitesell presented a plaque for Honorary Citizen to Gary Gunn for his 25 years of service as Fire Chief for the Town of Binghamton Volunteer Fire Company. Chief Gunn, Russell Cole and active members of the Town of Binghamton Volunteer Fire Company thanked constituents and Board members for their support. A short recess was taken for pictures to be taken and light refreshments.

(Proclamation Appended)

MOMENT OF SILENCE – Lee Norris

PUBLIC HEARING – 7:07 p.m. – Cold War Veteran’s Exemption

Town Clerk Conklin affirmed that the Notice of Public Hearing had been properly posted and published. Supervisor Whitesell explained that the purpose of the Public Hearing was to discuss the interest in removing the 10 year Sunset Exemption clause from the Exemption.

James Cadden – Hawleyton Road – Mr. Cadden voiced his concern about removing the Sunset Exemption clause and whether or not the Exemption clause will be continued. Supervisor Whitesell and Board Members explained that the Cold War Veteran’s Exemption will be continued, and that the only thing that will be removed is the 10 year time frame clause instead of extending the Exemption every 10 years. This will make the cold War Veteran’s Exemption permanent.

There being no further comments, the floor was declared closed. Councilperson Xlander made the motion to exclude the expiration date in the Town of Binghamton Cold War Veteran’s Exemption, and the motion was duly seconded by Councilperson Yezzi. All those present voted in favor of the motion. Motion carried.

(Public Hearing Notice Appended)
(Resolution Appended)

APPROVAL OF AUDITED CLAIMS:

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

<u>2017</u>		
Lighting	Claim No. 1154	\$ 189.84
Sewer	Claim No. 1155	\$ 132.30
Highway Fund	Claim No. 1156-1161	\$ 1,604.01
General Fund	Claim No. 1162-1178	\$ 17,270.64
<u>2018</u>		
Sewer	Claim No. 20	\$ 1,080.59
Water	Claim No. 20-23	\$ 1,871.84
Highway Fund	Claim No. 24-31	\$ 14,168.95
General Fund	Claim No. 32-47	\$ 8,667.03

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

APPROVAL OF MINUTES:

Councilperson Rounds made the motion to approve the minutes of the regular Town Board meeting held on December 19, 2017 as submitted and the motion was duly seconded by Councilperson Yezzi. All those present voted in favor of the motion. Motion carried.

Councilperson Rounds made the motion to approve the minutes of the Special Meeting held on December 28, 2017 as submitted and the motion was duly seconded by Councilperson Yezzi. All those present voted in favor of the motion. Motion carried.

Councilperson Cline made the motion to approve the minutes of the Work Session held on January 2, 2018 as submitted and the motion was duly seconded by Councilperson Rounds. All those present voted in favor of the motion. Motion carried.

VOICE OF THE PUBLIC:

Supervisor Whitesell opened the floor to the public at 7:18 p.m. There being no presentations to be brought before the Board, the floor was declared closed.

COMMUNICATIONS AND ANNOUNCEMENTS:

TOB Highway Department Christmas Tree Pick Up – January 8-26, 2018

VFW Post 1611 Pancake Breakfast – VFW Post 1611 will be hosting its all you can eat pancake breakfast on Sunday, January 28, 2018 from 8:00 a.m. to 11:00 a.m. at the TOB Community Center.

Presidents' Day – TOB Municipal Buildings will be closed Monday, February 19, 2018 in Observance of Presidents' Day.

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – The next regularly scheduled meeting will be held on January 23, 2018 at 7:00 p.m. at the Town Hall.

Zoning Board of Appeals – There was nothing to report.

Youth Commission – The Youth Commission had their holiday gathering two weeks ago. The helmets have been ordered. The next regularly scheduled meeting will be held on Monday, January 29, 2018 at 7:00 p.m. at the Town Hall. Residents will be receiving a letter for baseball sign-ups, which will include information concerning the increase in registration fees. The Youth Commission will be discussing background checks at their next meeting. Supervisor Whitesell reached out to NYMIR regarding background checks. NYMIR sent Supervisor Whitesell an e-mail with information regarding a vendor that they refer municipalities to for background checks. Supervisor Whitesell will forward said e-mail to Councilperson Rounds. Evolution Consulting is also an option for performing background checks. Chris Streno, a member of the Youth Commission, will be helpful as he has access to information regarding background checks. Funding for backgrounds is a budgeted item.

Code Enforcement – Violations – Mr. Pappas has completed his hours for in-service credits. Mr. Pappas stated that a resident removed a placard for unsafe conditions from a residence on Oswego Street. Town Attorney Pope has drafted a letter that was sent to the resident, with no response. The resident is starting to clean up the property by removing metal, hot water heaters, etc., that were stored at the residence. The annual report is due by the end of March. The Consensus Report for construction, demolition permits and additions for the County has been completed. Mr. Pappas gave out 37 building permits in 2017.

Highway – The Highway Department has been snowplowing and replacing frozen, broken meters; one meter on South Mountain was replaced and two meters in Orchard Park have not been replaced yet because the homes are unoccupied and he has not been able to gain entry to the homes. A water break was repaired on Dogwood Drive. There was a discussion about an article

in the Press regarding the Binghamton/JC Sewage Treatment Plant's planned rate increase, and the impact it may have on the residents of the Town.

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

Town Clerk's Monthly Report for December 2017
Town Clerk's Final Report for 2017
Office of Code Enforcement Monthly Report for November and December 2017
DCO Monthly Report for November and December 2017

SUPERVISOR'S REPORT

Broome County Association of Towns - Monthly Meeting – There will not be a monthly meeting in January 2018.

NYS Association of Towns - Annual Conference – There is one more opening to attend the annual conference. Reservations will be made by the end of this week.

UNFINISHED BUSINESS:

USDA – TOB's Language Action Plan - Update – There was nothing to report.

City of Binghamton – 985 Gillen Drive Townhouse Development Project - Update – There was nothing to report.

TOB Open Positions – Update – The personnel committee recommended Kathy J. Kiekel for the open position on the Planning Board. The term begins on January 16, 2018 to December 31, 2022. Councilperson Cline made the motion to approve the appointment of Kathy J. Kiekel as a Planning Board member beginning January 16, 2018 through December 31, 2022, and the motion was duly seconded by Councilperson Rounds. All those present voted in favor of the motion. Motion carried.

(Resolution Appended)

Highway Department – Acceptance of Bid for New Heavy Duty Dump Truck – The bids were opened on January 16, 2018 at 12:01 p.m. There was one bid by Burr Truck in the amount of \$181,849.00, which includes the plow equipment and the cab and chassis. The cab and chassis is the NJPA price, which is \$115,154.00, and the plow equipment price is \$66,695.00. Highway Superintendent Donahue recommended the purchase of two heavy duty dump trucks. Currently there is approximately \$346,000.00 in reserve and there is \$75,000.00 budgeted for the purchase of equipment. The cost would be \$363,698.00 to replace a 2002 truck and a 2005 truck. Surplus of the 2002 and 2005 trucks would be approximately \$27,000.00 to \$35,000.00. The Highway Department has an unexpended balance of approximately another \$400,000.00. Approximately \$275,000.00 would come out of the reserve, and the rest of the funds would come from the unexpended balance, plus \$75,000.00 that was budgeted in this year's budget. Town Attorney Pope recommended accepting the current bid for one truck, and putting a bid out for the purchase of the additional truck. Councilperson Xlander made the motion to accept the single bid from

Burr Truck for a 10 wheel dump truck, cab, chassis, body and plow equipment at a bid price of \$181,849.00, and the motion was duly seconded by Councilperson Yezzi. All those present voted in favor of the motion. Motion carried.

(Resolution Appended)

Councilperson Rounds made the motion to authorize the acceptance of bids for the Highway Department to purchase a second heavy duty dump truck, with the bids to be submitted by 12:00 noon and opened at 12:01 p.m. on Thursday, February 22, 2018, and the motion was duly seconded by Councilperson Yezzi. All those present voted in favor of the motion. Motion carried.

Councilperson Rounds made the motion to schedule a public hearing with respect to the proposed expenditures from the Reserve Highway Equipment fund for Thursday, February 22, 2018 at 7:01 p.m., and the motion was duly seconded by Councilperson Cline. A roll call vote resulted in the following:

Ayes: Xlander, Yezzi, Cline, Rounds, Whitesell Absent: None

Nays: None

Whereupon, the motion was declared adopted.

(Resolution Appended)

TOB Hance Road Property – Select Timber Harvesting – Supervisor Whitesell reached out to Town of Sanford Supervisor Decker who informed him that he does not recollect the Town of Sanford harvesting any municipal property. Supervisor Whitesell also reached out to the Town of Owego, who also informed him that they have not had any municipal property harvested. Supervisor Whitesell did reach out to Lori Miffen from the NYS Association of Towns, but had to leave a voice message for her. Town Attorney Pope spoke with one of the attorneys at Coughlin & Gerhart, who stated that they had never run into a bid on timber harvesting. Further discussion will be held on February 6, 2018 at the next Town Work Session.

SV Mock Trial Team – Permission to Use Town Hall – Date Change – Councilperson Cline made the motion to change one of the dates formerly approved for the SV Mock Trial Team to use the Town Hall from January 21, 2018 to January 28, 2018, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried.

Thoma Development – Grant Program – Update – Councilperson Rounds inquired if Supervisor Whitesell had a chance to speak with Rich Cunningham from Thoma Development regarding the exit interview. Supervisor Whitesell has not had a chance to reach out to Rich Cunningham.

There was no further unfinished business.

NEW BUSINESS:

Town Justice Dockets – Audit – Councilperson Yezzi recommended moving this matter to a March 2018 meeting.

NYS Comptroller’s Office – Audit – Supervisor Whitesell stated that he received news from the NYS Comptroller’s Office earlier this week that the TOB has been selected for an audit from their office. Supervisor Whitesell will have an entrance meeting with the NYS Comptroller’s Office on Thursday morning, January 18, 2018.

Broome County Sheriff’s Substation – 2018 Contract Renewal – Supervisor Whitesell is in receipt of the 2018 Agreement Renewal for the BC Sheriff’s Substation from the BC Executive’s Office to host a substation at the TOB Town Hall. Supervisor Whitesell reached out to the Sheriff’s Office, who stated that they are still working on placards and signs to install at the TOB Town Hall. Councilperson Xlander made the motion to authorize Supervisor Whitesell to sign the 2018 Agreement Renewal for the BC Sheriff’s Substation at the Town of Binghamton Town Hall, and the motion was duly seconded by Councilperson Yezzi. All those present voted in favor of the motion. Motion carried.

(Resolution Appended)

There was no further new business.

VOICE OF THE PUBLIC:

Supervisor Whitesell opened the floor to the public at 7:47 p.m. There being no presentations to be brought before the board, the floor was declared closed.

ADJOURNMENT:

Councilperson Cline made the motion to adjourn the meeting and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. The meeting was adjourned at 7:56 p.m.

The next meeting of the Town of Binghamton Town Board will be a work session to be held on Tuesday, February 6, 2018, 5:00 p.m., at the Town of Binghamton Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,



Vickie A. Conklin
Town Clerk