

TOWN OF BINGHAMTON
TOWN BOARD
February 19, 2019

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MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, FEBRUARY 19, 2019, 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 Supervisor Rounds.

PLEDGE OF ALLEGIANCE

ROLL CALL:

E. Rounds, Supervisor	Present	M. Leighton, Councilperson	Present
N. Cline, Councilperson	Present	M. Bensley, Councilperson	Present
V. Xlander, Deputy Supervisor	Absent		

OTHERS PRESENT:

V. Conklin, Town Clerk	M. Bordeau, TOB Planning Board
A. Pope, Town Attorney	Member
M. Donahue, Highway Superintendent	4 Guests

Supervisor Rounds 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 Bensley made the motion to approve the following claims as audited:

Lighting	Claim No. 106	\$ 159.75
Sewer	Claim No. 107-108	\$ 981.57
Water	Claim No. 108-112	\$ 1,913.51
Highway Fund	Claim No. 113-123	\$ 28,895.55
General Fund	Claim No. 124-150	\$ 10,851.94

The motion was duly seconded by Councilperson Cline. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Cline, Leighton, Bensley Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

APPROVAL OF MINUTES:

Councilperson Leighton made the motion to approve the minutes of the Work Session held on February 5, 2019 as submitted, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

VOICE OF THE PUBLIC:

Supervisor Rounds opened the floor to the public at 7:05 p.m.

Roseanne Norris – 457 Morgan Road – Mrs. Norris is seeking Board approval, and waiving of the fee, to hold meetings at the TOB Community Center for the local chapter of Helping Parents Heal, a National non-profit organization, which will meet the first Monday of every month beginning May 6, 2019. Discussion was held among Town Board Members, Town Attorney Pope and Mrs. Norris. A motion was made by Councilperson Cline to allow the use, and waiving of the fee of the TOB Community Center for the local chapter of Helping Parents Heal on a six month trial basis beginning Monday, May 6, 2019, after which time the Town Board will re-evaluate, and the motion was seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried. Mrs. Norris will provide a signed Community Center Rental Agreement to the TOB.

Jan Strnatka – 289 Powers Road – Mrs. Strnatka asked the Town Board to consider having someone from the County come to the TOB Town Hall to collect taxes during tax season. Supervisor Rounds stated that there are two drop boxes located at the Town Hall for residents to drop their tax payments in; one in the lobby (provided by the County), and one outside for after hour payments. She further stated that the County picks up the payments that are in their drop box twice a week, taking any payments that are in the drop box. She also stated that staff, and the Town Clerk will date stamp a payment for residents before they put their payment inside the drop box. Supervisor Rounds stated that the Town did discuss with the County having someone from the County at the Town Hall during tax season, and was advised that that could not be done due to budgetary issues. The drop box information for tax payments is posted on the TOB website, and will be in the upcoming issue of Town Talk. Mrs. Strnatka asked if the drop box is secure. Supervisor Rounds stated that yes, it is secure, as it is locked, and the opening on the top is only large enough to insert a normal size letter envelope.

There being no further presentations to be brought before the Board, the floor was declared closed at 7:23 p.m.

COMMUNICATIONS AND ANNOUNCEMENTS:

VFW Post 1611 All You Can Eat Pancake Breakfast – Sunday, February 24, 2019 from 8:00 a.m. to 11:00 a.m. at the TOB Community Center

Hawleyton United Methodist Church – Free Community Dinner – Friday, March 8, 2019 from 5:00 p.m. to 7:00 p.m.

TOB Neighborhood Watch Meeting – Thursday, March 14, 2019 at 7:00 p.m. at the TOB Community Center

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – A motion was made by Councilperson Cline to set a public hearing on March 19, 2019 at 7:01 p.m. for discussion and public input concerning proposed rezoning, including zoning for various parcels related to PDD zoning, and the creation of and/or designation of a new zoning known as Planned Recreational District, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

A roll call vote resulted in the following:

Ayes: Rounds, Cline, Leighton, Bensley Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

Zoning Board of Appeals – Councilperson Cline stated that at the last Work Session, Code Enforcement Officer Pappas informed the Board that there is one upcoming case, which will need a 239 County Review.

Youth Commission – Councilperson Leighton stated that the basketball league is wrapping up, and that all of the teams are finishing in the Sylvester Tournament this weekend. The wrestling program had its fourth and final TOB sponsored tournament at Chenango Forks on February 2nd. The wrestling program will be moving to the Town of Conklin after the season. Baseball and softball registration is open through February, with flyers being sent home from Brookside and Donnelly Elementary Schools. The youth activity section of the Town’s new webpage has been cleaned up to remove registration forms for sports that are no longer organized, such as cross country, bowling and wrestling. Forms are on the website for downloading, and/or on-line registration. There are also forms available for sports in the form rack in the TOB Town Hall lobby. The next regularly scheduled meeting is Thursday, February 21, 2019 at 6:30 p.m. at the TOB Town Hall.

Code Enforcement – 2339 Oswego Street – Supervisor Rounds stated that the Board has heard back from Mr. Gent, and that the Board is giving Mr. Gent and Mr. Harrington until the April 2, 2019 Work Session. Town Attorney Pope stated that Mr. Gent is currently in Florida, returning on March 6, 2019. He further stated that Mr. Gent has Mr. Pappas and John Martin’s contact information, and once Mr. Gent returns, they will do a walk thru of the property.

Highway Department – Highway Superintendent Donahue met with the City of Binghamton regarding the Town’s water contract. The City’s standard contract for outside users is 130% of what a City of Binghamton resident would pay for water billing versus 100%. Mr. Donahue stated that he feels that the Council will never waive the 130% factor for outside users. If the

Town would like to negotiate the new contract with the City, then a meeting will be set up with the Comptroller's Office, and legal counsel. Flows for the Joint Sewage Treatment Plant will be done the middle of next month. Flows have been down, but the bills have been rising because of the debt ceiling costs of the Plant. Highway Superintendent Donahue has been reviewing different sewer projects that are slated for 2019.

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

Town Clerk's Monthly Report for January 2019
Office of Code Enforcement Monthly Report for January 2019
DCO Monthly Report for January 2019

SUPERVISOR'S REPORT:

Broome County Association of Towns - Monthly Meeting – The next monthly meeting will be held on February 28, 2019, at Jonathan's, 534 Hooper Road, Endwell, New York at 6:00 p.m. The guest speakers will be Mark Schuster and Rebecca Rathmell, Co-Chairs, Broome County Safe Housing Task Force.

UNFINISHED BUSINESS:

NYS Comptroller's Audit Report – CAP – Supervisor Rounds has provided the Board with a copy of her response to the CAP Report (Corrective Action Plan) for review. Supervisor Rounds stated that there is a little bit of an inconsistency with the newly adopted Credit Card Policy and the Procurement Policy as the Credit Card Policy states that there is a credit limit per purchase of \$750.00, but in the Procurement Policy there is a credit limit per purchase of \$1,499.00 with no purchase order. A motion was made by Councilperson Cline to change in the Credit Card Policy that was adopted on January 15, 2019, the credit limit per purchase of \$750.00 to \$1,499.00, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

Justice Court – 2018 Dockets Audit – Supervisor Rounds stated that she spoke with Justice Luce concerning the audit, and Justice Luce stated that she feels the audit performed by Mr. Wolyniak in June is much more thorough than the audit that a Board member would perform. Supervisor Rounds advised the State that they will be receiving the audit in June.

WBNG Transmission Building – The Town is awaiting receipt of the signed counter-letter.

CDBG Grant – Update – A motion was made by Councilperson Cline to designate Nick Pappas as the Town of Binghamton Fair Housing Officer, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

A roll call vote resulted in the following:

Ayes: Rounds, Cline, Leighton, Bensley Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

A motion was made by Councilperson Bensley to designate Supervisor Elizabeth Rounds as the Town of Binghamton Section 3 Compliance Officer, and the motion was duly seconded by Councilperson Leighton. All those present voted in favor of the motion. Motion carried.

A roll call vote resulted in the following:

Ayes: Rounds, Cline, Leighton, Bensley Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

Supervisor Rounds stated that she has picked up the documents to complete to open up another checking account that is non-interest bearing that has to be completely separate from the Town finances; then the Town will be issued an account number. Once the contract is signed, there are four forms that Thoma will help the Town put together, and then everything will be sent in by March 11th. The Town has until January 25, 2021 to spend the grant funds. Next will be an RFP process; then an environmental study will be done, ensuring that there are no historical houses in the district that will be torn down; and Indian Reservations have to be contacted. The funds will not start to be dispersed until June or July of this year. The work has to be completed, and the funds have to be out of the account by January 25, 2021.

Planning Board – PDD – Set Public Hearing – This was covered under Officials and Committee Reports.

Open Councilperson Position – The ad for the open position will begin to be published in The Country Courier's February 27, 2019 edition, and will run for three weeks. The deadline to receive letters of intent will be March 15, 2019.

Oswego Street – Update – This was covered under Officials and Committee Reports.

There was no further unfinished business.

NEW BUSINESS:

Town Clerk – NYS Town Clerks Association – Authorization to Attend Annual Conference – A motion was made by Councilperson Leighton to approve Town Clerk Conklin attending the NYS Town Clerks Association Annual Conference May 5-8, 2019 in Syracuse, New York, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

Year End Budget Transfers – The year end budget transfers have been reviewed, and the books will be closed out at the end of this month (February). A motion was made by Councilperson Bensley to approve the end of the year budget transfers, and the motion was duly seconded by Councilperson Cline. All those present voted in favor of the motion. Motion carried.

Highway – Agreement to Spend Highway Funds – Highway Superintendent Donahue provided the Board with an Agreement for approval of expenditures from Mr. Donahue’s budget for repairs that he would like to do in the Town in the current fiscal year. Supervisor Rounds stated that the Agreement is pursuant to the provisions of Section 284 of the Highway Law for the following: General Repairs upon 49.74 miles of roads in the amount of \$230,000.00 to include Cheryl Drive to dead end, Moore Avenue to the Town Line, and all other Town roads. A motion was made by Councilperson Leighton to authorize the approval of the Agreement to Spend Highway Funds, and the motion was duly seconded by Councilperson Bensley. All those present voted in favor of the motion. Motion carried.

A roll call vote resulted in the following:

Ayes: Rounds, Cline, Leighton, Bensley Absent: Xlander

Nays: None

Declared adopted.

(Resolution Appended)

Highway – Purchase of Skid Steerer Under NJPA – Highway Superintendent Donahue stated that the Highway Department’s 2011 Skid Steerer will be sold after they receive a new one. The 2011 Skid Steerer should sell for approximately \$21,000.00. He further stated that the price for the new Skid Steerer will be \$51,367.45 under the NJPA contract, which now is nationalized to the Sourcewell contract, which is now being used instead of NJPA. Companies have already gone to bid for these, and there are now fixed prices. The price does include a 27% discount. A motion was made by Councilperson Leighton to approve the purchase of a 2019 New Holland Skid Steerer in the amount of \$51,367.45, and the motion was duly seconded by Councilperson Cline. All those present voted in favor of the motion. Motion carried.

Sewer – Authorize Bid for Pipe Lining – Highway Superintendent Donahue stated that he spoke with Dave at Clark Patterson about a different technique that is a little bit better on the price line. He will be meeting with Dave at Clark Patterson this week to further discuss how to proceed with the bid. There is \$260,000.00 in unexpended balances in the sewer fund. This project will cost approximately \$160,000.00. A motion was made by Councilperson Bensley to authorize the acceptance of bids for the Highway Department for pipe lining, with bids to be submitted by 12:00 noon, and opened at 12:01 p.m. on April 2, 2019, and approve the bid on April 16, 2019, and the motion was duly seconded by Councilperson Cline. All those present voted in favor of the motion. Motion carried.

There was no further new business.

VOICE OF THE PUBLIC:

Supervisor Rounds opened the floor to the public at 8:19 p.m.

Jan Strnatka – 289 Powers Road – Mrs. Strnatka stated that Lieutenant Chris Streno, Vestal Police Department, will be the guest speaker at the March 14, 2019 Neighborhood Watch Meeting at 7:00 p.m. at the TOB Community Center. Lieutenant Streno will be speaking about civilian response to active shooter.

Jim Cadden – 780 Hawleyton Road – Mr. Cadden stated that the Town gave the City a piece of property on Mill Street years prior, and suggested that the Town charge the City of Binghamton for using Town water pipes as compensation. Mr. Cadden requested that residents be informed that the CDBG grant funds will be a lien or encumbrance on their property for a period of time after receiving the grant funds. Town Attorney Pope confirmed that there is a time period on the grant funds. Councilperson Cline stated that the residents need to know ahead of time that the grant funds are a long term investment, and if the resident moves or passes on, then the grant funds will turn into a low interest loan. Supervisor Rounds stated that this will be disclosed to residents.

There being no further presentations to be brought before the Board, the floor was declared closed at 8:30 p.m.

ADJOURNMENT:

A motion was made by Councilperson Cline to adjourn the meeting at 8:31 p.m., and the motion was duly seconded by Councilperson Bensley. 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, March 5, 2019, 5:30 p.m., at the Town of Binghamton Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,



Vickie A. Conklin
Town Clerk