

**TOWN OF BINGHAMTON
TOWN BOARD WORK SESSION
June 4, 2019**

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MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, JUNE 4, 2019, 5:30 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

The meeting was called to order by Supervisor Rounds at 5:31 p.m.

ROLL CALL:

E. Rounds, Supervisor	Present	M. Leighton, Councilperson	Present
V. Xlander, Deputy Supervisor	Present	M. Bensley, Councilperson	Present
D. Nye, Councilperson	Present		

OTHERS PRESENT:

V. Conklin, Town Clerk	R. Mastin, Planning Board Member
A. Pope, Town Attorney	N. Pappas, Code Enforcement Officer
M. Donahue, Highway Superintendent	13 Guests

PUBLIC HEARING: 5:32 p.m. – Addition of 1963 Montrose Ave. to Current Water/Sewer District

Town Clerk Conklin confirmed that the Notice of Public Hearing had been properly posted and published. The purpose of the Public Hearing is to consider input regarding the expansion of the current water and sewer district to include the property known as 1963 Montrose Avenue, and also known as Tax Map No. 176.15-4-13.

Supervisor Rounds opened the floor at 5:32 p.m. There being no comments, the floor was declared closed at 5:32 p.m.

A motion was made by Councilperson Bensley to accept the addition of 1963 Montrose Avenue to the current water/sewer district, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Leighton, Bensley, Nye

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

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.

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58-481

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Absent: None

Appended

2019 reg

POINTS:

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7:00 p.m.

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SUPERVISOR'S REPORT:

Broome County Association of Towns and Villages – Monthly Meeting – The next monthly meeting will be held on Thursday, June 13, 2019, at 6:00 p.m. at The Spot Restaurant. The guest speaker will be Stacey Duncan, Executive Director, The Agency.

UNFINISHED BUSINESS:

PDD Zoning Changes – SEQR Review – Town Attorney Pope and the Town Board reviewed Part 1 and 2 of the SEQR forms related to the rezoning changes proposed by the Town Board on its own initiative. A motion was made by Councilperson Bensley declaring that there is no negative environmental impact as a result of the proposed action to rezone, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Leighton, Bensley, Nye

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

A motion was made by Councilperson Xlander to accept the zoning changes based upon the list that has been provided to the Town Board by the Planning Board, including the creation of a Planned Recreational District, 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, Xlander, Leighton, Bensley, Nye

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)

CDBG - Update – Rich Cunningham from Thoma Development will meet with Supervisor Rounds, Mr. Pappas, Town Clerk Conklin, and Bookkeeper Reifler on June 13, 2019, to go over the particulars. Mr. Cunningham will make a presentation to the Town Board at the June 18, 2019, regular Town Board meeting.

NYPIRG – Councilperson Nye inquired if NYPIRG has been granted a waiver of the fee for a permit to go door-to-door in the Town. Supervisor Rounds stated that the Town received correspondence from the attorney representing NYPIRG stating that the Town's local law permits the waiving of the fee, and also raising the issue of a free speech argument against the

Town's peddling ordinance. Town Attorney Pope will respond to the correspondence. A discussion was held regarding this issue.

Citizen of the Year – The Citizen of the Year presentation will take place at the June 18, 2019 at 6:30 p.m., with a reception to follow until the regular Town Board meeting begins at 7:00 p.m.

There was no further unfinished business.

NEW BUSINESS:

Water/Sewer Dept. – Partial Payments – There was a discussion held regarding partial payments, and overpayments being accepted for water/sewer payments. The matter will be further discussed at the June 18, 2019 regular Town Board meeting.

CDBG Grant – Water Tank Engineering Study – Set Public Hearing for 7/2/19 at 5:31 p.m. – A motion was made by Councilperson Bensley to set a public hearing for July 2, 2019 at 5:31 p.m. to approve the CDBG grant application for a water tank engineering study, and the motion was duly seconded by Councilperson Xlander. All those present voted in favor of the motion. Motion carried. A roll call vote resulted in the following:

Ayes: Rounds, Xlander, Leighton, Bensley, Nye

Absent: None

Nays: None

Declared adopted.

(Resolution Appended)


There was no further new business.

ADJOURNMENT:

Councilperson Xlander made the motion to adjourn the meeting at 6:35 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 regular Town Board Meeting to be held on Tuesday, June 18, 2019 at 7:00 p.m., at the Town Hall, 279 Park Avenue, Binghamton, NY.

Respectfully submitted,


Vickie A. Conklin
Town Clerk

RESOLUTION

At a Work Session meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of June, 2019 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Mark Leighton
Councilperson Dean Nye

ABSENT: None

The Resolution set forth below was duly offered by Councilperson Bensley, who moved its adoption, and was seconded by Councilperson Xlander.

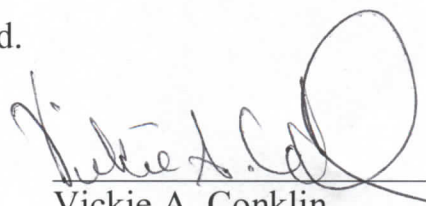
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Nye, Bensley, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for approval a request to add 1963 Montrose Avenue to the Water/Sewer District; and

WHEREAS, a public hearing was duly noticed and held on June 4, 2019 with respect to said proposal.

NOW, THEREFORE, be it

RESOLVED, that the addition of 1963 Montrose Avenue to the current Water/Sewer District with all of its attendant rights and obligations is hereby approved; and be it further

RESOLVED, that such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.

RESOLUTION

At a Work Session of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of June, 2019 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Deputy Supervisor Victoria L. Xlander
Councilperson Mark Leighton
Councilperson Michael Bensley
Councilperson Dean Nye

ABSENT: None

The Resolution set forth below was duly offered by Councilperson Leighton, who moved its adoption, and was seconded by Councilperson Xlander.

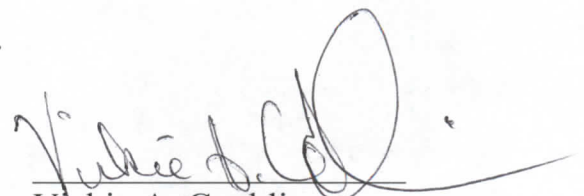
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Bensley, Leighton, Nye

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for approval, certain Audited Claims and a request for authorization that said Audited Claims be paid by the Town of Binghamton.

NOW, THEREFORE, be it

RESOLVED, that upon review of the Audited Claims by those Board Members present, the said Audited Claims are hereby approved for payment by the Town of Binghamton; and be it further

RESOLVED, that such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.

RESOLUTION

At a Work Session meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of June, 2019 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Mark Leighton
Councilperson Dean Nye

ABSENT: None

The Resolution set forth below was duly offered by Councilperson Bensley, who moved its adoption, and was seconded by Councilperson Xlander.


A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Nye, Bensley, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it and has reviewed Part 1 and Part 2 of the SEQR forms related to the rezoning changes proposed by the Town Board on its own initiative, which said changes are set forth on the attached list of properties and corresponding zoning, including the creation of a Planned Recreational District, the definition of which is also attached hereto; and

WHEREAS, a public hearing was duly noticed and held on March 19, 2019 with respect to said zoning changes.

NOW, THEREFORE, be it

RESOLVED, that upon the review and discussion of the Part 1 and Part 2 of the SEQR forms, it is hereby determined and declared that there is no negative environmental impact with respect to said zoning change; and be it further

RESOLVED, that such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.

Town of Binghamton Planned Recreation District – PRD.

Purpose and intent. It is the purpose and intent of this district to provide for areas in the Town of Binghamton where outdoor recreation may be undertaken in compatibility with the surrounding land uses. In promoting the general purpose and use of its parks, the specific intent of this sections is to:

1.

Allow the use of public outdoor recreation areas, commonly known as parks.

2.

Provide regulations and policies to ensure the compatibility of such recreation and park areas with surrounding land uses.

3.

Ensure adequate access to such outdoor recreation and park facilities.

Uses permitted: Outdoor recreational uses as determined appropriate by the Town Board by regulation and/or policy, including all Town approved uses customarily accessory to such permitted uses.

RESOLUTION

At a Work Session meeting of the Town Board of the Town of Binghamton, Broome County, New York, duly called and held at the Town Hall, 279 Park Avenue, Binghamton, New York, on the 4th day of June, 2019 at 5:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Mark Leighton
Councilperson Dean Nye

ABSENT: None

The Resolution set forth below was duly offered by Councilperson Xlander, who moved its adoption, and was seconded by Councilperson Bensley.

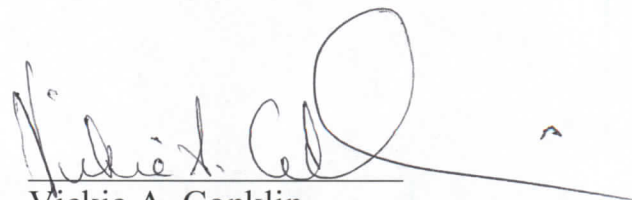
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Nye, Bensley, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.


Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board on its own initiative proposed certain zoning changes as set forth on the attached list of properties and corresponding zoning to correct errors or irregularities concerning said properties, including the creation of a Planned Recreational District, the definition of which is also attached hereto; and

WHEREAS, a public hearing was duly noticed and held on March 19, 2019 with respect to said zoning changes; and

WHEREAS, the Town Board has declared there to be no negative impact on the environment as a result of said proposed zoning changes.

NOW, THEREFORE, be it

RESOLVED, the said proposed zoning changes, including the creation of a Planned Recreational District, are hereby approved and adopted; and be it further

RESOLVED, that such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.

PDD RECOMMENDED CHANGES LIST

PARCEL	OWNERS	CURRENT	RECOMMENDED	
IDENTIFIER	NAMES	ZONING	ZONING	
176.08-1-6	TOWN OF BINGHAMTON (MILL ST. EXT.)	PDD	TOWN ROAD	CHANGE
176.08-1-7.1	DANIEL M. ARMSTRONG	PDD	R1	CHANGE
176.08-1-8	HEATHER J MINOR & SHARON L. MINOR	PDD	R1	CHANGE
176.08-1-9.2	DANN SNAVELY/AMY J. SNAVELY	PDD	R1	CHANGE
177.01-1-27	MICHAEL STARKE	PDD	R1	CHANGE
177.01-1-47	DANIEL M. ARMSTRONG	PDD	R1	CHANGE
191.02-1-8.2	GRI TELECOM INC	RR	PDD	CHANGE
191.02-1-9	NEXSTAR BROADCASTING INC	RR	PDD	CHANGE
191.04-1-26.1	SCOTT E. EDWARDS	PDD	R1	CHANGE
191.04-1-26.2	CHRISTOPHER WILLIAMSON & AMY WILLIAMS	PDD	R1	CHANGE
191.04-1-27.1	TODD M. EDWARDS	PDD	R1	CHANGE
191.04-1-27.2	SCOTT E. EDWARDS	PDD	R1	CHANGE
191.04-1-2	BMB TOWER HOLDING LLC	R1	PDD	CHANGE
208.01-1-20	WARD K. WILLIAMS & SALLY A. WILLIAMS	PDD	R1	CHANGE
208.01-1-21	ARNOLD CADDICK & DEBORAH CADDICK	PDD	R1	CHANGE
208.01-1-22	PETER SCHULTZE	PDD	R1	CHANGE
208.01-1-23	LOUIS G. MCKEAGE & COVEY MCKEAGE JR	PDD	R1	CHANGE
208.01-1-24	LOUIS G. MCKEAGE & JENNIFER COVEY	PDD	R1	CHANGE
208.01-1-25	MARY A. MCCARTHY	PDD	R1	CHANGE
208.01-1-28	BROOME SP LLC	PDD	R1	CHANGE
208.01-3-2	MATTHEW W. HIBBARD	PDD	R1	CHANGE

PARCEL IDENTIFIER	OWNERS NAMES	CURRENT ZONING	RECOMMENDED ZONING	
208.01-1-27	COUNTY OF BROOME	PDD	PLANNED RECREATIONAL DISTRICT	CHANGE
207.00-1-2	COUNTY OF BROOME	R1	PLANNED RECREATIONAL DISTRICT	CHANGE
207.00-1-3	COUNTY OF BROOME	RR	PLANNED RECREATIONAL DISTRICT	CHANGE
207.00-1-4	COUNTY OF BROOME	PDD	PLANNED RECREATIONAL DISTRICT	CHANGE
207.00-1-5	COUNTY OF BROOME	RR	PLANNED RECREATIONAL DISTRICT	CHANGE
207.00-1-6	COUNTY OF BROOME	R1	PLANNED RECREATIONAL DISTRICT	CHANGE
207.00-1-21	COUNTY OF BROOME	PDD	PLANNED RECREATIONAL DISTRICT	CHANGE
208.01-3-1	COUNTY OF BROOME	PDD	PLANNED RECREATIONAL DISTRICT	CHANGE
208.01-3-18	COUNTY OF BROOME	PDD	PLANNED RECREATIONAL DISTRICT	CHANGE
208.01-3-19	COUNTY OF BROOME	PDD	PLANNED RECREATIONAL DISTRICT	CHANGE
208.03-1-1	COUNTY OF BROOME	PDD	PLANNED RECREATIONAL DISTRICT	CHANGE
208.03-1-24	COUNTY OF BROOME	PDD	PLANNED RECREATIONAL DISTRICT	CHANGE
224.04-1-18	DICKERSON DEVELOPMENT LLC	PDD	R1	CHANGE
224.04-1-19	TIMOTHY R. DICKERSON & ROSEMARY DIC	PDD	R1	CHANGE
224.04-1-20	GOLDEN RECEIVER LLC	PDD	R1	CHANGE
224.04-1-22	CHARLES FISH	PDD	R1	CHANGE
176.14-1-1	SOUTH MOUNTAIN FARM LLC	R1	PDD	CHANGE
176.14-1-3	SOUTH MOUNTAIN FARM LLC	R1	PDD	CHANGE
192.03-2-27	TORTO'S ORCHARD FARM & MARKET	R1	PDD	CHANGE
161.17-1-3	FAHS CONSTRUCTION GROUP 1	R MULTIFAMILY	COMMERCIAL	CHANGE
161.70-1-32	JACK V. DENINIS & RENALDO V. DENINIS	R MULTIFAMILY	COMMERCIAL	CHANGE

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2.

Provide regulations and policies to ensure the compatibility of such recreation and park areas with surrounding land uses.

3.

Ensure adequate access to such outdoor recreation and park facilities.

Uses permitted: Outdoor recreational uses as determined appropriate by the Town Board by regulation and/or policy, including all Town approved uses customarily accessory to such permitted uses.

RESOLUTION

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PRESENT: Supervisor Elizabeth Rounds
Councilperson Victoria L. Xlander
Councilperson Michael Bensley
Councilperson Mark Leighton
Councilperson Dean Nye

ABSENT: None

The Resolution set forth below was duly offered by Councilperson Bensley, who moved its adoption, and was seconded by Councilperson Xlander.

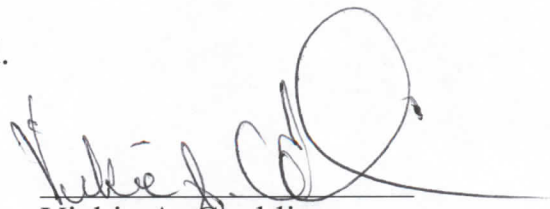
A roll call vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: Rounds, Xlander, Nye, Bensley, Leighton

NAYS: None

ABSENT: None

The Resolution was then declared adopted.



Vickie A. Conklin,
Town Clerk

RESOLUTION:

WHEREAS, the Town Board has before it for consideration and approval a CDBG Grant for a Water Tank Engineering Study; and

WHEREAS, said action requires a public hearing before the Town Board may approve the same.

NOW, THEREFORE, be it

RESOLVED, a public hearing is hereby set for July 2, 2019 at 5:31pm with respect to the said proposed CDBG Grant for a Water Tank Engineering Study; and be it further

RESOLVED, that such other Town employees or officials are authorized to take such additional and further action as is necessary to implement this Resolution.