

TOWN OF BINGHAMTON  
TOWN BOARD WORK SESSION  
May 6, 2025, at 4:00 PM

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**MINUTES OF THE WORK SESSION OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, MAY 6, 2025 AT 4:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON NEW YORK.**

**CALL TO ORDER 4:00 p.m.**

**ROLL CALL:**

E. Rounds, Supervisor	Present	D. Nye, Councilperson	Present
M. Bensley, Deputy Supervisor	Present	M. Donahue, Councilperson	Present
V. Conklin, Councilperson	Present		

**OTHERS PRESENT:**

M. Prince, Deputy Town Clerk  
G. Middleton, Town Attorney  
N. Pappas, Code Enforcement Officer/Buildings and Grounds.  
Z. Soboleski, Code Enforcement Officer/Buildings and Grounds  
M Leighton, Highway Superintendent

**4:01 P.M. PUBLIC HEARING:** The Town Board of the Town of Binghamton, Broome County, New York has approved a resolution calling for a public hearing to consider input on the proposed change to Chapter 88 of the Town of Binghamton Code entitled “Animals”. A public hearing being held on the proposed action at the Town Hall, 279 Park Avenue, Binghamton, New York on Tuesday, May 6, 2025 at 4:01 P.M., at which time all persons interested in the subject matter thereof will be heard. The purpose of the public hearing shall be to receive public input on this issue and to evaluate and consider adoption of the foregoing.

**Supervisor Rounds opened the floor for discussion at 4:03 P.M.**

Residents present: Lisa Young - 749 Park Ave, Binghamton.  
Carmen Debellis - 736 Park Ave. Binghamton.  
Bonnie Jackson –

Lisa Young and Carmen Debellis spoke with concerns as to why the Imprisonment is being removed? Supervisor Rounds explained that the Town Board felt the imprisonment was a bit harsh and that it was decided to implement larger fines. Attorney Middleton also explained that the 1st offense is not punishable with imprisonment and once someone is charged and looking at imprisonment that then makes them entitled to Public Defender/ Counsel which will in turn take more time and could extend the case for 6-8 months. We are looking to detour people from breaking the park laws by posting the signs, installing cameras and posting the fines. It was also stated that Animals on Residents private properties violating the laws will be reported to the Dog Control Officer.

**The Floor was Closed at 4:21 P.M.**

After some discussion Councilperson Nye made a motion to pass a Resolution for LOCAL Law #2 OF THE YEAR 2025 Amending Chapter 88 of the Town of Binghamton Code Entitled “Animals”

(Attached at the end of the Minutes).

The motion was duly seconded by Councilperson Conklin, all those present voted in favor of the motion. Motion carried.

A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Donahue, Nye, and Conklin.

Nays: None

Declared adopted.

(Resolution Appended)

**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. There will be no Executive Session.**

**APPROVAL OF AUDITED CLAIMS:**

There was a question regarding a NYSEG Past due balance – Supervisor Rounds will pull the Voucher #312 and contact them.

Councilperson Donahue made a motion to pass a Resolution to approve the following claims as audited:

**ABSTRACT #12**

<b><u>AUDITED CLAIMS</u></b>	<b><u>CLAIM #'S</u></b>	<b><u>AMOUNT</u></b>
GENERAL	329 - 363	\$20,677.39
HIGHWAY	316 - 328	\$ 8,080.13
LIGHTING	307	\$ 928.38
WATER	308 - 315	\$ 7,190.47
	<b>TOTAL</b>	<b>\$ 36,876.37</b>

The motion was duly seconded by Councilperson Conklin, all those present voted in favor of the motion. Motion carried.

A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Donahue, Nye, and Conklin.

Nays: None

Declared adopted.

(Resolution Appended)

**RECOGNITION OF MINUTES**

- There were no changes/corrections made to April 15, 2025, Meeting minutes.

## **COMMUNICATIONS AND ANNOUNCEMENTS:**

## **OFFICIALS AND COMMITTEE REPORTS:**

### **Planning Board –**

### **Zoning Board of Appeals. -**

- There was a joint meeting. Neither Board had any cases. Attorney Middleton did a Legal Corner Presentation on SEQR updates.

### **Youth Commission -** Info from Youth Commissioner:

- Baseball & Softball begin games on Tuesday April 29.
- Jackson Park is in great shape with new fences, new pitching mounds and new remote-controlled scoreboards from last year.
- The Concession Stand will be open but needs some work on the inside counter.
- Football and Cheer Registrations will be going to the school in the first week of May. A little earlier than usual so that we can get a better idea on our numbers earlier than usual for planning purposes.
- We have received a \$500 grant from Riddell that will be used to purchase new shoulder pads for the football program.

We are seeking people interested in joining the Youth Commission. Please email [tobyouthsports@gmail.com](mailto:tobyouthsports@gmail.com) if interested.

### **Code Enforcement/Buildings & Grounds-**

- Clean up days went very well.
- There were over 500 tires collected.
- Code Enforcer Nick Pappas will be seeking some quotes for new siding on the Community center and some black top in the rear of the building.

### **Highway Department**

- The First day of flushing went well.
- The extra rain has not caused any problems with the ditches and culverts.
- No start date for the Felter's Rd pump station. Calls are out.
- The Sewer lining project is in line to begin. Should be ready to advertise for bids soon.

### **TOB Volunteer Fire Co. –** No one present.

### **Supervisor report**

- The Broome County Association of Towns and Villages meeting went very well. The next meeting will be June 26<sup>th</sup>.
- Phil from the Ross Park Zoo came in to speak to several residents from Parkway St. regarding the upcoming projects they are looking to start. They received a 3-million-dollar grant and will be planning to relocate the Carousel within the park, Revitalize the creek front, to name a few. The projects will go in phases.
- The Town Board would like to make a change to the Highway Superintendent position; at this time the position is an elected position with only qualifications being 1. You must be a Town resident, and 2. A registered voter. The Town Board would like it to become an

appointed position where the applicant would be interviewed, be required to have the proper experience and knowledge to run the Highway garage and crews. The Highway Superintendent is responsible for more than half of the \$4.6 Million dollar budget. The Superintendent should be a Professional position with a minimum level of qualifications.

### **Senior Commission**

- The book group is meeting on Tuesday May 13<sup>th</sup>.
- The Mosaic group met on the 1<sup>st</sup> day of May.
- There will be a Potluck luncheon along with a presentation by the office of the Aging at the Community Center on May 29<sup>th</sup> from Noon – 2:00 P.M.

Please refer to the website for additional activities.

### **UNFINISHED BUSINESS:**

Highway Superintendent Leighton received some quotes for new bottom panels on the Highway garage doors. There are 7 doors that need new panels. The Proposal is from Gensen for \$9,013.00 that includes 7 panels and weather stripping.

A motion was made by Deputy Supervisor Bensley to approve the quote from Gensen overhead doors in the amount of \$9,013.00 for 7 new panels and weather stripping.

The motion was duly seconded by Councilperson Conklin, all those present voted in favor of the motion. Motion carried.

A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Donahue, Nye, and Conklin.

Nays: None

Declared adopted.

(Resolution Appended)

### **NEW BUSINESS:**

- Pinnacle Towers, LLC DBA Crown Castle needed to recertify their tower on Ingraham Hill Rd.

A motion was made by Councilperson Conklin to approve the recertification of the tower on Ingraham Hill Rd. The motion was duly seconded by Councilperson Nye, all those present voted in favor of the motion. Motion carried.

A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Donahue, Nye, and Conklin.

Nays: None

Declared adopted.

(Resolution Appended)

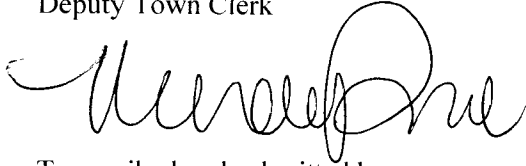
**ADJOURNMENT:**

Councilperson Bensley made a motion to adjourn the Work Session meeting at 4:54 P.M. The motion was duly seconded by Councilperson Donahue. All those present voted in favor of the motion. Motion Carried,

**LOOKING AHEAD:** Town Board Regular Meeting – Tuesday, May 20, 2025 @ 6:00 p.m.  
Town Board Work Session – Tuesday, June 3, 2025 @ 4:00 p.m.

Respectfully recorded by,

Mindi Prince  
Deputy Town Clerk

A handwritten signature in black ink, appearing to read 'Mindi Prince', written in a cursive style.

Transcribed and submitted by:

A handwritten signature in black ink, appearing to read 'Tracy Tokos', written in a cursive style.

Tracy Tokos  
Town Clerk

**TOWN OF BINGHAMTON LOCAL LAW NO. 2 OF THE YEAR 2025**

**A LOCAL LAW AMENDING CHAPTER 88 OF THE TOWN OF BINGHAMTON TOWN CODE  
ENTITLED "ANIMALS"**

Be it enacted by the Town Board of the Town of Binghamton as follows:

Section 1. Amending to include Subsection "H" of Section 88-5:

It shall be unlawful for any owner of any dog in the Town to permit or allow such dog:

H. To leave any dog feces in any of the Town Parks or within Town Park property or on any property not belonging to the owner or harborer of such dog and/or to not dispose of the waste appropriately within designated trash cans or receptacles.

Section 2. Repealing and Replacing Subsection entitled Penalties for Offense of Section 88-11

Subsection entitled Penalties for Offenses of Section 88-11, which currently reads:

"A violation of this article shall be punishable either by Subsection A or B, or both:

- A. Where prosecuted pursuant to the Penal Law, by a fine of not less than \$25 or imprisonment for not more than five days, or both, except that where the person was found to have violated this article or Article 7 of the Agriculture and Markets Law within the preceding five years, the fine may be not less than \$50 or imprisonment for not more than 10 days, or both, and where the person was found to have committed two or more such violations within the preceding five years, it shall be punishable by a fine of not less than \$100 for not more than 15 days, or both; or
- B. Where prosecuted as an action to recover a civil penalty, by a civil penalty of not less than \$25, except that when the person was found to have violated this article or Article 7 of the Agriculture and Markets Law within the preceding five years, the civil penalty may be not less than \$50, and where the person was found to have committed two or more such violations within the preceding five years, the civil penalty may be not less than \$100"

shall hereby be repealed in its entirety and replaced with the following:

"A violation of this article shall be punishable either by Subsection A or B, or both:

- A. Where prosecuted pursuant to the Penal Law, by a fine of not less than \$100 for not more than five days, or both, except that where the person was found to have violated this article or Article 7 of the Agriculture and Markets Law within the preceding one year, the fine may be not less than \$250 for not more than 10 days, or both, and where the person was found to have committed two or more such violations within the preceding one year, it shall be punishable by a fine of not less than \$500; or
- B. Where prosecuted as an action to recover a civil penalty, by a civil penalty of not less than \$100, except that when the person was found to have violated this article or Article 7 of the Agriculture and Markets Law within the preceding one year, the civil penalty may be not less than \$250, and

where the person was found to have committed two or more such violations within the preceding one year, the civil penalty may be not less than \$500”

Section 3.     Repealer

All Ordinances, Local Laws, and parts thereof, inconsistent with this Local Law are hereby repealed. All other Ordinances, Local Laws, and parts thereof shall remain in full force and effect.

Section 4.     Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 5.     Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Talking points for changing Highway Superintendent from elected to appointed:

1. Being able to draw from a larger pool of qualified candidates
2. Have a list of qualifications that is required to be appointed to the position. Currently as an elected official the only qualifications are being a resident of the Town of Binghamton and a registered voter.
3. The applicant has to go through the interview process.
4. The Highway Superintendent is responsible for more than half of the Town's \$4.6 million budget. With that kind of responsibility, the Superintendent should be considered a professional position with a minimum level of qualifications.
5. The Town's residents were never given the right to vote on this matter. The State of New York adopted this law through legislation not allowing the voters to vote on it. In the State of NY, Counties, Cities and Villages have appointed Highway Superintendents.
6. The Town Board believes that the Highway Superintendent's position should be appointed much like the Code Enforcement Officer, Town Assessor, Town Bookkeeper and Water and Sewer.