

TOWN OF BINGHAMTON
TOWN BOARD
May 20, 2025

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MINUTES OF THE REGULAR MEETING OF THE TOWN OF BINGHAMTON TOWN BOARD HELD ON TUESDAY, MAY 20, 2025 AT 6:00 P.M., TOWN OF BINGHAMTON TOWN HALL, 279 PARK AVENUE, BINGHAMTON, NEW YORK.

CALL TO ORDER: 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

OTHERS PRESENT:

Tracy Tokos, Town Clerk
N. Pappas, Code Enforcement, Buildings & Grounds
Zack Soboleski, Code Enforcement, Buildings & Grounds
M. Leighton, Highway Superintendent

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 was an Executive session.

APPROVAL OF AUDITED CLAIMS:

ABSTRACT # 13

Councilperson Nye made a motion to adopt a Resolution to approve the following claims as audited:

General	Claim No. 382 - 399	\$ 7,377.97
Highway	Claim No. 371 - 381	\$ 4,354.31
Lighting	Claim No. 364	\$ 27.72
Water	Claim No. 365 -370, 400	\$ 105,504.27
	TOTAL	\$ 117,264.27

The motion was duly seconded by Councilperson Conklin. Those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Conklin, Donahue, and Nye Absent: None
Nays: None Abstained: None

Declared adopted. Motion carried.

RECOGNITION OF MINUTES:

- Work Session Minutes of May 6, 2025 - Approved.

VOICE OF THE PUBLIC: Supervisor Rounds opened the floor at 6:01 P.M. No one present wished to speak.

COMMUNICATIONS AND ANNOUNCEMENTS:

OFFICIALS AND COMMITTEE REPORTS:

Planning Board – Zoning Board of Appeals – Next joint meeting July 22, 2025.

Youth Commission – Baseball and softball season has started.

Code Enforcement/Buildings and Grounds –

- 1978 Montrose Ave. update – Attorney for current owner has been in contact with the Contractor. Code enforcement has made it clear that they will need a set of plans for the intended work on the existing house.
- 1958 Montrose Ave.- Mr. Sheridan was to appear in Town Court for disobeying the order to clean up his property on May 20, 2025. He did not appear.

Highway:

- Road work in progress, ditching etc.
- Felters Rd. had 3 valves leaking that needed repair.
- Waiting on the rain to clear for some paving.
- The Felters Rd. pump was rejected by Quality Control. There were some adjustments needed. We are now anticipating delivery early June with a start date to be around June 9-10th.
- Park Terrace sewer lining project will be out for bids this Thursday May 22, 2025

Receipt of Reports: Supervisor Rounds is in receipt of the following reports:

- Town Clerk's Monthly Report for April 2025
- DCO Monthly Report for April 2025
- Code Enforcement Officer's Monthly Report for April 2025

TOB Volunteer Fire Co: No one present.

- Supervisor Rounds and Councilperson Conklin attended the 75th Anniversary dinner for the Volunteer Fire Company on May 10th. It was a very nice recognition of all the Volunteers throughout the years.

Supervisor: - No report.

Senior Commission:

- The book group met last Tuesday May 13th; the group is growing.
- There is an idea for a Memorial Day parade, dependent upon RSVPs.
- The Mosaics class is going well and there is some moderate interest in the macrame class.
- May 29th there is a Pot-Luck luncheon along with a presentation by the Office of the Aging at the Community Center from noon to 2:00 P.M.
- More activities coming up, be sure to check the website.

PLEASE NOTE! Most activities take place at the Town Hall from 2p.m.- 4p.m. unless otherwise noted!

UNFINISHED BUSINESS:

A motion was made by Councilperson Nye to adopt a Resolution to set a Public Hearing for Tuesday, July 15, 2025 at 6:01 P.M. to determine if the Town Board will be going forward with changing the Highway Superintendent position from an Elected Official to Appointed. The motion was duly seconded by Councilperson Conklin. All those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Conklin, Donahue, and Nye Absent: None

Nays: None Abstained: None

Declared adopted. Motion carried.

NEW BUSINESS:

- There was discussion regarding possibly changing the billing schedule back to 3 times a year. This would assist in handling the leaks and extra charges more effectively. There are some Pros and Cons, it is just a discussion right now and is being looked into.

VOICE OF THE PUBLIC: Supervisor Rounds opened the floor at 6:32 P.M. No one present wished to speak. The floor closed at 6:32 P.M.

ONGOING:

A motion was made by Councilperson Nye to adopt a Resolution Censuring Town Highway Superintendent Mark Leighton. The motion was duly seconded by Councilperson Donahue. Those present voted in favor of the motion. A roll call vote resulted in the following:

Ayes: Rounds, Bensley, Conklin, Donahue, and Nye Absent: None
Nays: None Abstained: None

Declared adopted. Motion carried.

(Censure in full, attached to the minutes)

ADJOURNMENT:

A motion was made by Deputy Supervisor Bensley at 6:38 P.M. to adjourn the meeting. The motion was duly seconded by Councilperson Conklin. All those present voted in favor of the motion. Motion carried.

LOOKING AHEAD:

The next meeting of the Town of Binghamton Town Board will be a Work Session to be held on Tuesday June 3, 2025 @ 4:00 P.M., at the Town of Binghamton Town Hall, 279 Park Avenue, Binghamton, NY.

The next regular Town Board Meeting will be held on Tuesday June 17, 2025 @ 6:00 P.M.

Respectfully Recorded, Transcribed and submitted by,


Tracy Tokos,
Town Clerk

Town of Binghamton
Resolution Censuring Town Highway Superintendent Mark Leighton

Whereas, complaints have been filed against Town Highway Superintendent Mark Leighton on May 6, 2025, and May 19, 2025, regarding his actions on said dates, during which he displayed conduct unbecoming of an individual holding a position of public trust by exhibiting extreme anger, including the use of obscenities and an elevated voice, directed at a Town of Binghamton Board member and another member of the Highways Department; and

Whereas, these actions disrupted the Highway Department and Town of Binghamton workplace and undermined the dignity and professionalism of the Town of Binghamton and its members; and

Whereas, the Town Board of the Town of Binghamton (the "Town Board") finds that treating all persons with dignity and respect is crucial to a well-functioning unit of government and essential for maintaining a positive and professional environment within the Town and its departments; and

Whereas, on or about May 6, 2025 Superintendent Mark Leighton was present for a meeting at the Town Hall with Supervisor Elizabeth Rounds, and during a discussion regarding the possible transition of the Highway Superintendent position from elected to appointed, Superintendent Mark Leighton raised his voice in a perceivably threatening manner and used obscenities to a degree that other Town employees present, namely Code Enforcement Officer Nick Pappas, stepped in and requested that Superintendent Mark Leighton lower his voice and calm down; and

Whereas, on or about May 19, 2025, Highway Department Lee Cooper approached Superintendent Mark Leighton with regard to an incident that occurred over the weekend relating to the Town water pumps, and during the conversation as to the same, which escalated, Superintendent Mark Leighton again raised his voice and used obscenities, telling Lee Cooper to "f#\$k off;" and

Whereas, the actions of Town Highway Superintendent Mark Leighton on May 6, 2025, and May 19, 2025, including the use of obscenities and an elevated voice, are in direct violation of the standards of conduct expected of individuals in public office and violate the rights of employees to have a workplace free from violence; and

Whereas, the Town Board believes that such behavior creates a hostile work environment, and detracts from the collaborative efforts necessary to fulfill the responsibilities of Town governance; and

Whereas, the Town Board is committed to upholding the highest standards of professionalism, accountability, and respect for all individuals engaged in the service of the Town of Binghamton, including elected officers, employees, and the public.

Now therefore be it resolved, that in consideration of the foregoing, the Town Board of the Town of Binghamton hereby officially censures Town Highway Superintendent Mark Leighton for his use of obscenities directed at a Town Board member and another member of the Highway Department, his use of an elevated voice during these interactions, and his disruptive behaviors on

May 6, 2025 and May 19, 2025, which is in violation of the standards of conduct expected of a public official; and be it further

Resolved, that Mr. Leighton is reminded of the expectations of all persons serving the Town of Binghamton to conduct themselves with dignity, respect, and professionalism, both in their interactions with others and in the performance of their duties, as a means of fostering a positive and effective town governance.

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.